

## NOTICE INVITING BIDS

1. Notice is hereby given that the Humboldt County Office of Education (“HCOE”), will receive sealed bids for the purchase of paper for various public agencies in Humboldt County, potentially including, but not limited to: College of the Redwoods, Humboldt County Office of Education, Eureka City Schools, Cities of Arcata, Eureka, Fortuna, and Rio Dell, and various Humboldt County School Districts.
2. Bids will be received up to, but not later than, 4:00 p.m., on March 27th, 2023, and will thereafter publicly open and read aloud the bids. All bids shall be received via in-person, mail or electronically at the HCOE Office, Attn: Hana Hanawalt, 901 Myrtle Ave., Eureka, CA, purchasing@hcoe.org.
3. Each bid shall be completed on the Bid Proposal Form included in the Contract Documents, and must conform and be fully responsive to this invitation, the plans and specifications and all other Contract Documents.
4. No bid may be withdrawn for a period of sixty (60) days after the date set for the opening for bids except as provided by Public Contract Code §§5100 *et seq.* HCOE reserves the right to reject any and all bids and to waive any informalities or irregularities in the bidding.

HUMBOLDT COUNTY OFFICE OF EDUCATION

By: Hana Hanawalt

DATED: February, 27<sup>th</sup>, 2023

Times Standard Publication Dates: 1) March 4<sup>th</sup>, 2023 2) March 11<sup>th</sup>, 2023

North Coast Journal Publication Dates: 1) March 2<sup>nd</sup>, 2023 2) March 9<sup>th</sup>, 2023

## INSTRUCTIONS TO BIDDERS

Each bid submitted to the Humboldt County Office of Education (“HCOE”) for the purchase of paper shall be in accordance with the following instructions and requirements, which are part of the Contract Documents for this Project.

1. Deadline For Receipt of Bids. Each bid shall be sealed and submitted to the HCOE designee no later than 4:00 p.m. on March 27th, 2023. HCOE suggests that bids be hand delivered in order to ensure their timely receipt. Any bids received after the time stated, regardless of the reason, shall be returned, unopened, to the bidder.
2. Requests for Information. A bidder’s failure to request clarification or interpretation of an apparent error, inconsistency or ambiguity in the Contract Documents waives that bidder’s right to thereafter claim entitlement to additional compensation based upon an ambiguity, inconsistency, or error, which should have been discovered by a reasonably prudent bidder, subject to the limitations of Public Contract Code §1104. Any questions relative to the bid shall be in writing and directed to the HCOE designee at the address specified for receipt of bid proposals. These requests shall be submitted to HCOE at least five (5) working days prior to the date the bid is due.
3. Bid Proposal Forms. All bid proposals shall be made on the form provided by HCOE. All items on the form shall be filled out in ink. Numbers should be stated in figures, and the signatures of all individuals must be in long hand. The completed form should be without interlineations, alterations, or erasures
4. Execution of Forms. Each bid shall give the full business address of the bidder and must be signed by the bidder or bidder’s authorized representative with his or her usual signature. Bids by partnerships must furnish the full names of all partners and must be signed in the partnership name by a general partner with authority to bind the partnership in such matters. Bids by corporations must be signed with the legal name of the corporation, followed by the signature and designation of the president, secretary, or other person authorized to bind the corporation in this matter. The name of each person signing shall also be typed or printed below the signature. When requested by HCOE, satisfactory evidence of the authority of the officer signing on behalf of the corporation or partnership shall be furnished. A bidder’s failure to properly sign required forms may result in rejection of the bid. All bids must include the bidder’s contractor license number(s) and expiration date(s).
5. Withdrawal of Bid Proposals. Bid proposals may be withdrawn by the bidders prior to the time fixed for the opening of bids, but may not be withdrawn for a period of sixty (60) days after the opening of bids, except as permitted pursuant to Public Contract Code §5103.
6. Addenda or Bulletins. HCOE reserves the right to issue addenda or bulletins prior to the opening of the bids subject to the limitations of Public Contract Code §4104.5. Any addenda or bulletins issued prior to bid time shall be considered a part of the Contract Documents.

7. Rejection of Bids and Award of Contract. HCOE reserves the right to waive any irregularities in the bid and reserves the right to reject any and all bids. The Contract will be awarded, if at all, within sixty (60) calendar days after the opening of bids to the lowest responsible and responsive bidder, subject to the County Superintendent's approval. The time for awarding the Contract may be extended by HCOE with the consent of the lowest responsible, responsive bidder.
8. Evidence of Responsibility. Upon the request of HCOE, a bidder shall submit promptly to HCOE satisfactory evidence showing the bidder's financial resources, the bidder's experience in the type of work being required by HCOE, the bidder's availability to perform the Contract and any other required evidence of the bidder's qualifications and responsibility to perform the Contract. HCOE may consider such evidence before making its decision to award the Contract. Failure to submit requested evidence may result in rejection of the bid.
9. Taxes. Applicable taxes shall be included in the bid prices.
10. Bid Exceptions. Bid exceptions are not allowed. If the bidder has a comment regarding the bid documents or the scope of work, the bidder shall submit those comments to HCOE for evaluation at least five (5) working days prior to the opening of the bids. No oral or telephonic modification of any bid submitted will be considered and a sealed written modification may be considered only if received prior to the opening of bids.
11. Discounts. Any discounts which the bidder desires to provide HCOE must be stated clearly on the bid form itself so that HCOE can calculate the net cost of the bid proposal. Offers of discounts or additional services not delineated on the bid form will not be considered by HCOE in the determination of the lowest responsible responsive bidder.
12. Quantities. The quantities shown on the plans and specifications are approximate. HCOE reserves the right to increase or decrease quantities as desired.
13. Prices. Bidders must quote prices F.O.B. unless otherwise noted. Prices should be stated in the units specified and bidders should quote each item separately.
14. Samples. On request, samples of the products being bid shall be furnished to HCOE.
15. Special Brand Names/Substitutions. In describing any item, the use of a manufacturer or special brand does not restrict bidding to that manufacturer or special brand, but is intended only to indicate quality and type of item desired, except as provided in §3400 of the Public Contract Code. Substitute products will be considered either prior to or after the award of the Contract in accordance with §3400. All data substantiating the proposed substitute as an "equal" item shall be submitted with the written request for substitution. HCOE reserves the right to make all final decisions on product and vendor selection.
16. Container Costs and Delivery. All costs for containers shall be borne by the bidder. All products shall conform to the provisions set forth in the federal, county, state and city laws

for their production, handling, processing and labeling. Packages shall be so constructed to ensure safe transportation to the point of delivery.

17. Bid Negotiations. A bid response to any specific item of the bid using terms such as “negotiable,” “will negotiate,” or similar phrases, will be considered non-responsive.
18. Allowances. An “allowance” means an amount included in the bid proposal for work that may or may not be included in the purchase.
19. Form and Approval of Contract. The Contract Documents must be approved by the HCOE County Superintendent and its legal counsel. The bidder selected by HCOE shall execute the contract provided by HCOE.
20. Bidders Interested in More Than One Bid. No person, firm, or corporation shall make, or file, or be interested in more than one bid. However, a person, firm, or corporation that has submitted a subproposal to a bidder, or that has quoted prices of materials to a bidder, is not thereby disqualified from submitting a sub-proposal or quoting prices to other bidders or from submitting a prime proposal.
21. Additive and Deductive Items: Method of Determining Lowest Bid. Pursuant to Public Contract Code §20103.8, if the bid solicitation includes additive and/or deductive items, the checked [X] method shall be used to determine the lowest bid: *[check one]*

(a) The lowest bid shall be the lowest bid price on the base contract without consideration of the prices on the additive or deductive items.

(b) The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation or Bid Proposal Form as being used for the purpose of determining the lowest bid price.

(c) The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items taken in order from a specifically identified list of those items that, when in the solicitation, and added to, or subtracted from, the base contract, are less than, or equal to, a funding amount publicly disclosed by the HCOE before the first bid is opened.

(d) The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or the proposed Subcontractors or suppliers from being revealed to the public entity before the ranking of all bidders from lowest to highest has been determined.

If no method is checked, sub-paragraph (a) shall be used to determine the lowest bid.

Notwithstanding the method used by the HCOE to determine the lowest responsible bidder, the HCOE retains the right to add to or deduct from the Contract any of the items included in the bid solicitation.

For purposes of evaluating the bid, each item on the Paper Bid Spreadsheet will be analyzed individually and the lowest bidder will be determined based on the total number of items that they were declared the lowest bidder.

22. Piggyback. The bidder who is the successful bidder agrees to allow other Humboldt County school districts and public agencies authorized by law to do so to purchase additional items that are the subject of this bid on the same terms and conditions as set forth in this bid for the period of time described below.

Prices and terms of the bidder agreed upon in this bid contract shall remain firm and in effect through August 31<sup>st</sup>, 2023.

Any liability arising from purchase orders issued by subsequent agencies pursuant to this bid shall be the sole responsibility of the agency placing the order.

Each agency will issue its own purchase orders. Delivery and billing will be specified on each purchase order.

23. Bid Protest. Any bid protest must be in writing and received by HCOE before 4:00 p.m. no later than three (3) working days following bid opening and shall comply with the following requirements:

- a. The bid protest must contain a complete statement of the basis for the protest and all supporting documentation.
- b. The party filing the protest must have actually submitted a bid for the purchase. A subcontractor of a bidder submitting a bid for the purchase may not submit a bid protest. A bidder may not rely on the bid protest submitted by another bidder, but must timely pursue its own protest.
- c. The protest must refer to the specific portion or portions of the Contract Documents upon which the protest is based.
- d. The protest must include the name, address and telephone number of the person representing the protesting bidder.
- e. The bidder filing the protest must concurrently transmit a copy of the bid protest and all supporting documentation to all other bidders with a direct financial interest which may be affected by the outcome of the protest, including all other bidders who appear to have a reasonable prospect of receiving an award depending upon the outcome of the protest.
- f. The bidder whose bid has been protested may submit a written response to the bid protest. Such response shall be submitted to HCOE before 4:00 p.m. no later than two (2) working days after the deadline for submission of the bid protest or receipt of the

bid protest, whichever is sooner, and shall include all supporting documentation. Such response shall also be transmitted concurrently to the protesting bidder and to all other bidders who appear to have a reasonable prospect of receiving an award depending upon the outcome of the protest.

- g. The procedure and time limits set forth in this section are mandatory and are the bidder's sole and exclusive remedy in the event of bid protest. The bidder's failure to comply with these procedures shall constitute a waiver of any right to further pursue the bid protest, including filing a Government Code claim or legal proceedings.
- h. If HCOE determines that a protest is frivolous, the protesting bidder may be determined to be non-responsible and that bidder may be determined to be ineligible for future contract awards by HCOE.
- i. A "working day" for purposes of this section means a weekday during which HCOE's office is open and conducting business, regardless of whether or not school is in session.

**BID PROPOSAL FORM**

Dear Humboldt County Superintendent of Schools:

The undersigned, doing business under the name of \_\_\_\_\_, having carefully examined the Notice Inviting Bids, the General Conditions, the Instructions to Bidders for the purchase of \_\_\_\_\_, proposes to perform all work and activities in accordance with the Contract Documents, including all of its component parts, and to furnish all required labor, materials, equipment, transportation and/or services required in strict conformity with the Contract Documents, as follows:

BASE BID – 10,000 pounds or more: one delivery per destination - See Attached Paper Bid Spreadsheet. In order to qualify as a bidder, at least 90% of all items listed on the Paper Bid Spreadsheet must be bid.

**ADDITIVE/DEDUCTIVE ALTERNATE:**

Additive/Deductive Alternate #1 – Less than 10,000 pounds: one delivery per destination. Paper to be delivered inside each building.

- Add \_\_\_\_\_% to the Paper Bid Spreadsheet pricing

Additive/Deductive Alternate #2 – Warehousing: Bidder will purchase the paper and will warehouse and deliver as needed (5 case minimum). Maximum warehousing to be 18 months after receipt of the merchandise. Payment will be processed upon receipt of paper at the warehouse. For this alternative, proof of insurance for the contents stored at the bidder’s facility will be required.

- Add \_\_\_\_\_% to the Paper Bid Spreadsheet pricing

The undersigned has checked carefully all the above figures and understands that HCOE is not responsible for any errors or omissions on the part of the undersigned in making this bid.

**ADDENDA:**

Receipt of the following addenda is hereby acknowledged:

Addendum # _____	Dated: _____	Addendum # _____	Dated: _____
Addendum # _____	Dated: _____	Addendum # _____	Dated: _____
Addendum # _____	Dated: _____	Addendum # _____	Dated: _____

Respectfully submitted,

Company: \_\_\_\_\_

Address: \_\_\_\_\_

By:

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*(Please Print Or Type)*

Signature:

Title:

Date:

Telephone: