

**Department of Materials Management  
Division of Procurement  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland**

**Invitation For Bid #7006.9, Hand Held Calculators and CBL Data Collection Systems**

**GENERAL CONDITIONS AND SPECIFICATIONS**

**GENERAL CONDITIONS**

**A. Intent**

The specifications contained herein are intended to cover the furnishing and delivery of calculators and data collection equipment used in school-based curriculum. Deliveries are to be made to individual Montgomery County Public Schools (MCPS) facilities located within Montgomery County, Maryland.

**B. Delivery**

Delivery is required within 30 days after receipt by the successful bidder(s) of a purchase order issued and signed by the director of the Department of Materials Management (DMM), or an order placed by an authorized representative using an MCPS Purchasing Card.

**C. Awards**

It is the intention to award this contract to the bidder(s) submitting the most favorable unit prices with consideration being given to any previous performance for the MCPS Board of Education as to quality of service and acceptable merchandise, and with regard to the bidder(s) ability to perform should it be awarded the contract. Awards may be made to one successful vendor submitting the lowest aggregate quotation on items of a similar nature or on an individual item basis. However, the MCPS Board reserves the right to make awards according to the best interests of MCPS. MCPS also reserves the right to add additional items or additional vendors throughout the contract term should be a need for items not available from the awarded vendors.

**D. Contract Term**

The term of contract is for one year as stipulated on the Invitation for Bid. However, the contract may not begin until one day after approval by the MCPS Board of Education and will conclude as stated under the contract term. MCPS reserves the right to extend this contract at existing prices, terms and conditions for up to three additional one-year terms. Written notice indicating MCPS' intention to pursue the extension of the contract will be issued to the successful vendor(s) 90 days prior to the expiration of the original contract. The vendor(s) will have ten days from the date of notification to return the notice acknowledging its intent to accept or reject the extension. Once all responses are evaluated, MCPS staff may make a recommendation to the MCPS Board of Education to extend the contract or decide to rebid. If the contract is extended by the MCPS Board of Education a contract amendment will be issued.

### E. Provision For Price Adjustment

Unit prices quoted herein are subject to price adjustment downward in accordance with decreases in prices announced by the manufacturer of the subject item anytime prior to award. Recommendations for awards, however, shall be made based on the original bid submission only.

Subsequent to award, the unit prices quoted herein are subject to price adjustment upward or downward in accordance with increases or decreases announced by the manufacturer after the contract award. The successful bidder must notify the director of DMM of any announced manufacturer's price reductions and give immediate benefit to MCPS in a proportionate amount.

Price increases will not be considered for the first 60 days of the contract. Thereafter the successful vendor must submit a written request for price relief. The request for a price increase shall include documentation from the manufacturer to verify the basis for such request. MCPS reserves the right to accept or reject the request as may be determined to be in the best interest of MCPS. Any orders received prior to a request for a price increase shall be honored at the original contract price. If the request for a price increase is approved, a contract amendment will be issued.

### F. Descriptive Literature

If bidding other than specified, all bidders are required to furnish with its bid proposal literature properly bound and labeled showing full illustrations and detailed specifications on items bid. The literature and specifications are to be arranged and labeled according to item sequence. The literature shall be clearly marked with the bid number, item number, and company name. Vendors shall show the manufacturer's code and catalog number of the item offered. **Failure to submit marked descriptive literature may result in automatic disqualification.**

### G. Samples

Samples are required prior to or at bid opening on all items unless bidding the specified brand and model, or when noted on item specifications as "Sample Required." Samples shall be separate from the bid response and shall be forwarded to the MCPS Division of Procurement, Attn: Sylvia Hardy, Buyer I, 45 W Gude Drive, Suite 3100, Rockville, Maryland 20850. The outside of the sample package shall be marked "Samples" and identified with bid number affixed to packaging.

Samples shall be of sufficient quantity to allow thorough testing of the product and shall be packaged in the same manner as they will be packaged during the contract term. Each individual sample submitted shall bear the name of the bidder, item number, bid number, and shall be carefully tagged or marked in a substantial manner. If samples are not properly marked, the samples may not be considered. (See Article XXIV of the General Stipulations and Instructions To Bidders). **Failure to deliver samples as required may result in automatic disqualification.**

### H. Brand Names

Except where noted, reference to brand names and code or model numbers in the attached specifications is offered as a point of reference in order for bidders to consider style, sizes, weights and similar characteristics. The use of such brand names should not be interpreted as the exclusive brand desired.

#### H. Brand Names Cont.

If a brand name and code or model number is not shown your bid may not be considered. In the brand column state the brand name, code or model number on each item being offered, even if bidding the specified brand. If an item specification shows code or model numbers that have been discontinued, the bidder shall so state and indicate the current code or model number.

Specification descriptions that state "Only a specified brand will be considered" are brands that have been evaluated and tested for inclusion on this bid and are the only brands acceptable at this time. Other brands will be evaluated and tested by MCPS if materials are submitted at no cost to MCPS. Forward samples to MCPS, Division of Procurement 45 W Gude Drive, Suite 3100, Rockville, MD 20850. Testing normally requires a minimum of 60 days to complete; therefore, your samples for testing may be approved for a future bid if the evaluation is satisfactory.

#### I. Interpretation of Specifications

The commodities listed are specified to meet MCPS minimum requirements. Therefore, vendors are informed that they must provide the items in conformance to quality standards equal to the brand specified.

#### J. Deviations

All bids meeting the intent of the invitation will be considered for award. Bidders offering and quoting on substitutions or who are deviating from the terms, conditions, and/or specifications shall list such and explain fully on a separate sheet to be submitted with its bid. The absence of such a sheet shall indicate that the bidder has taken no exception and shall be held responsible for performing in accordance with the terms, conditions and specifications as stated herein.

#### K. Quotations

No bidder will be allowed to offer more than one price on each item even though it may feel that it has two or more types of styles that will meet specifications. Bidders must determine for themselves which to offer. If said bidder should submit more than one price on any item, all prices for that item will be rejected. However, this stipulation does not preclude the offering of new products which do not meet specifications in every respect from being offered as a separate item for consideration for future bids. Such product shall be **offered under separate cover**, identified as a new product and a brief explanation written as a part of the offer detailing the advantages that can normally be expected of this product over the product specified.

A bidder may restrict its bid to consideration in the aggregate by so stating, but shall name a unit price on each item bid upon. Any bid in which the bidder names a total price for all the articles without quoting a price on each and every separate item may be considered informal. If there is any discrepancy between the unit cost and total cost, the unit cost shall prevail. This solicitation shall be valid for acceptance during a period of no less than 90 days from date of opening. Once the contract is approved, terms and conditions of the solicitation shall prevail throughout the contract period.

**L. Warranty**

The bidder(s) shall provide a one-year warranty on the items bid against defects in workmanship and materials under normal classroom use. Parts, service, and transportation of equipment for repair and/or adjustment under the warranty requirement shall be provided by the successful bidder(s) at no expense to MCPS. The successful vendor shall respond to a warranty call or written notification within 24 hours.

**M. Quantities**

Quantities in this request are based upon prior usage and are subject to change and are dependent upon current requirements of MCPS and on budgetary limitations. However, MCPS shall not be obligated to purchase any specific quantity. Orders will be placed from time to time throughout the contract term for delivery to individual locations.

During the contract term, MCPS may reserve the right to rebid item(s) contain herein due to an additional bulk quantity needed for a special curriculum. The item(s) needed will be sent out for pricing to all vendors currently on the active list for commodity. The award shall be for the bulk purchase only. After the bulk purchase(s) the item(s) shall continue to be purchased from the contract.

**N. Marking for Shipment**

Delivery of each piece of equipment cited in this bid shall be accompanied with a packing slip clearly showing the make, model, and serial number. This packing slip shall be in addition to the customary carrier's delivery slip.

**O. References**

Bidders are required to provide three references. The references shall have company name, contact person, address, and phone number of three current customers for which a contract for similar size and products has been provided. If the reference information is not accurate and MCPS cannot contact the person(s) named then the bid may not be considered. Note: ALL BIDDERS, including bidders currently engaged in business with MCPS, must provide references other than MCPS. Failure to provide required documentation may disqualify bid proposal.

|                                   |                       |                     |                        |
|-----------------------------------|-----------------------|---------------------|------------------------|
| <u>Company Name &amp; Address</u> | <u>Contact Person</u> | <u>Phone Number</u> | <u>Contract Number</u> |
|-----------------------------------|-----------------------|---------------------|------------------------|

1. \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

2. \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

3. \_\_\_\_\_

\_\_\_\_\_  
Email: \_\_\_\_\_

**P. Award Criteria**

- 1. Conformance to specifications
- 2. Ability to perform
- 3. Price
- 4. Past performance

**Q. Errata/Addenda**

Changes and additions to a solicitation may occur prior to the solicitation opening date and time. It is the sole responsibility of the vendor to check the “Event Calendar” on the MCPS website <http://www.montgomeryschoolsmd.org/departments/procurement> , contact Sylvia Hardy, Buyer I, in the Division of Procurement at [Sylvia\\_Hardy@mcpsmd.org](mailto:Sylvia_Hardy@mcpsmd.org) or [procurement@mcpsmd.org](mailto:procurement@mcpsmd.org) to verify whether addenda/errata have been issued. Failure to provide the signed acknowledgement of the addenda/errata may result in the bid being deemed non-responsive.

**R. Multi-Agency Participation**

MCPS reserves the right to extend the terms and conditions of this solicitation to any and all other agencies within the state of Maryland as well as any other federal, state, municipal, county, or local governmental agency under the jurisdiction of the United States and its territories. This shall include but not be limited to private schools, parochial schools, non-public schools such as charter schools, special districts, intermediate units, non-profit agencies providing services on behalf of government, and/or state, community and/or private colleges/universities that required these goods, commodities and/or services. Use of this solicitation by other agencies may be dependent on special local/state requirements attached to and made a part of the solicitation at time of contracting. The supplier/contractor agrees to notify the issuing agency of those entities that wish to use any contract resulting from this bid and will also provide usage information, which may be requested. A copy of the contract pricing and the bid requirements incorporated in this contract will be supplied to requesting agencies. Each participating jurisdiction or agency shall enter into its own contract with the Award Bidder(s) and this contract shall be binding only upon the principals signing such an agreement. Invoices shall be submitted “directly” to the ordering jurisdiction for each unit purchased. Disputes over the execution of any contract shall be the responsibility of the participating jurisdiction or agency that entered into that contract. Disputes must be resolved solely between the participating agency and the Award Bidder. MCPS assumes no authority, liability, or obligation on behalf of any other public or non-public entity that may use any contract resulting from this bid. MCPS pricing is based on the specifications provided in this solicitation.

**S. eMaryland Marketplace**

Maryland law requires local and state agencies to post solicitations on eMaryland Marketplace. Registration with eMaryland Marketplace is free. It is recommended that any interested supplier register at <http://emma.maryland.gov/page.aspx>, regardless of the award outcome for this procurement as it is a valuable resource for upcoming bid notifications for municipalities throughout Maryland.

**T. Inquiries**

Inquiries regarding this solicitation must be submitted in writing, to Sylvia Hardy, Buyer I, Montgomery County Public Schools, Division of Procurement , 45 W Gude Drive, Suite 3100, Rockville, Maryland 20850, or email [Sylvia\\_Hardy@mcpsmd.org](mailto:Sylvia_Hardy@mcpsmd.org). Questions shall be received no later than four business days prior to bid opening in order for the bidder to receive a reply prior to submitting its bid. The MCPS Board of Education will not be responsible for any oral or telephone explanation or interpretation. Vendor contact with any other MCPS employee regarding this solicitation until the contract is awarded by the MCPS Board of Education will be considered by MCPS as an attempt to obtain an unfair advantage and result in non-consideration of its bid. The Division of Procurement Unit website address is <http://www.montgomeryschoolsmd.org/departments/procurement>