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| **Date of Issuance:** |  12/15/2021 | **Solicitation No.** |  1310004349 |
| **Requisition No.** |  1310020764 | **Amendment No.** |  7 |
| Hour and date specified for receipt of offers is changed: | [ ]  No  | [ ]  Yes, to: |       |          CST |
| Pursuant to OAC 260:115-7-30(d), this document shall serve as official notice of amendment to the solicitation identified above. Such notice is being provided to all suppliers to which the original solicitation was sent. Suppliers submitting bids or quotations shall acknowledge receipt of this solicitation amendment prior to the hour and date specified in the solicitation as follows:(1) Sign and return a copy of this amendment with the solicitation response being submitted; or,(2) If the supplier has already submitted a response, this acknowledgement must be signed and returned prior to the solicitation deadline. All amendment acknowledgements submitted separately shall have the solicitation number and bid opening date printed clearly on the front of the envelope. |
| **ISSUED BY and RETURN TO:** |
| **U.S. Postal Delivery or Personal or Common Carrier Delivery:**OMES Central PurchasingWill Rogers BuildingATTN: Darlene Saltzman2401 N. Lincoln Blvd., Ste. 116Oklahoma City, OK 73105 | Darlene Saltzman |  |
|  | Contracting Officer |  |
|  | (405) 694-7016 |  |
|  | Phone Number |  |
|  | Darlene.saltzman@omes.ok.gov |  |
|  | E-Mail Address |  |
| **Description of Amendment:** |
| a. This is to incorporate the following: |
| On behalf of the State of Oklahoma, the Office of Management and Enterprise Services (OMES) gives notice of the following questions concerning this solicitation, received during the 2nd Q&A period, which closed on 11/30/2021. All questions and procurement/agency responses are detailed below:\*\*Also attached are blueprints requested on Set 1 #4 questions (Exhibit 9).\*\*\*DOC has reduced the bond amount from $5,000,000.00 to $1,000,000.00. Refrigerated/frozen items will not be included in the solicitation at this time. 1. During the tour of the Granite location it was noted that the current warehouse is not climate controlled. However, in the answer to question 10, you state that the warehouse must be climate controlled. Is it the expectation for the awarded vendor to retrofit the current Granite warehouse with air conditioning or will the ODOC handle that?

**ANSWER:** It is the vendor’s responsibility to retrofit the Granite, OK location with air conditioning should that location be selected when the contract is awarded.1. Regarding question #25 on the Amendment 4 Q&A: Exhibit 3 Is the pricing listed in Exhibit 3 the bulk price currently be charged to ODOC or the inmate retail price? ANSWER: The bulk price is currently price charged to the inmate.

Just to clarify, the price listed on Exhibit 3 is the retail price currently being charged to the inmate, correct? For example, the first item MARUCHAN RAMEN has a price listed of $0.25. Is the inmate paying $0.25 for this product? Or is this a bulk price (i.e., the price ODOC is paying to purchase the ramen, which is then sold to the inmate at a different price)?**ANSWER:** Currently, the price being charged to the inmate for Maruchan Ramen is $0.25 each. 1. Follow-up to canteen questions set 2: Question # 11 – transportation of inmates - Can you please clarify how you envision this to work? Your answer states, “This will need to be included in the supplier’s proposal”. Before we can provide a detailed process for this task we will need some clarification. Is awarded vendor solely responsible for moving inmate workers to and from fulfillment warehouse or will awarded vendor reimburse DOC for transportation costs? If awarded vendor will reimburse DOC, then what is the estimated cost that the vendor would be responsible for per run?

**ANSWER:** The awarded vendor will be solely responsible for all transportation of inmates and any expenses that may be incurred.1. Follow-up to canteen questions set 1: Your answer to question 21 indicates that DOC staff will be fully responsible for accepting and delivering all commissary and package orders at the facility level but then your answer to question 22 states “The alternate scope of services shall provide solutions not including OCI staff”. Please clarify.

**ANSWER:** Question 21 references Attachment A 2.5.8 in the way that the specifications were written without alternates taken into consideration. Question 22 references Attachment A 4.3 which is for alternate bids. Should the answer to question 21 and question 22 be the same, it would not be necessary to solicit an alternate bid for those items.1. Follow-up to canteen questions set 1. Question 35 – frozen items Your answer to question 35 indicates that commissary staff (ODOC staff) will not be responsible for ordering frozen or refrigerated items but yet the item lists we need to include price for (exhibits 5 and 6) includes frozen and refrigerated items. Does ODOC intend to continue offering frozen/refrigerated items as part of this RFP?

**ANSWER:** No, refrigerated/frozen items will not be included at this time. 1. Based on the item descriptions provided, Exhibit 5 appears to be based on a bulk item report. The bulk ordering price would be the price ODOC pays to its vendor(s) to procure the product in bulk quantities. When these products are later sold to the inmates, they would be sold at a different (higher) price and in non-bulk quantities. Exhibit 5 includes a column labeled “Bidder’s Price Each” that bidders are supposed to fill in. Should we enter our price per each case of twelve 8-oz. bottles of mustard, or should we enter a price for each individual 8 oz. bottle of mustard?

**ANSWER:** Prices bid shall be on the individual item. Cases of product will not be procured under this contract. If vendor is offering an alternate packaging size, the packaging size should be noted for price comparison. All pricing shall be listed as price per ounce/unit of measure for cost comparison.1. Exhibit 6 (ODOC’s Top 100 Items) includes a pre-populated column labeled Current Price Each. Please confirm that the price in that column is the retail price paid by the inmate to purchase the item described in the “Item Description” column. Please confirm the price in the Current Price Each column is not the price that ODOC pays to order these items in bulk.

**ANSWER:** Prices that have been provided are what inmates have paid for the items sold.1. To how many decimal places (e.g., hundredth, thousandth) will the State calculate/evaluate bidder prices entered on the price sheets (Exhibits 5 and 6)?

**ANSWER:** Pricing shall be provided to the hundredth decimal place. 1. Follow-up to canteen questions set 1. Question 3 says the facility fee for the Granite, OK location will be $150,000 per year. What is included in this fee (e.g., maintenance, utilities, lease, etc.)?

**ANSWER:** $150,000 per year is all-inclusive of any associated fees.1. Does ODOC currently build/offer indigent and/or hygiene kits for inmates?

**ANSWER:** No. 1. Is there a limit to file size that OMES can receive via email?

**ANSWER:** OMES does not have a file limit on receipt but a vendor may have a limit on what they can send. You can break up your response into multiple emails if necessary. 1. Can you please confirm if there is a max pay for inmate workers? Documents provided indicate the minimum inmates can make is $15.

**ANSWER:** The answer to question 23 of amendment 4 specifically referred to ODOC operating policy OP080501. Attachment F of said policy, titled “Oklahoma Correctional Industries Pay Report”, lists the pay per hour beginning at 20 cents with a maximum of 60 cents. Attachment F may be accessed at: <https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-08/080501f.pdf>1. Per section 10.3 on page 12 of the Bidder Instructions:

A Bidder may submit one or more Alternate Bids. Any Alternate Bid submitted shall be a complete Bid and shall be clearly identified as an Alternate Bid in the subject line of the email. If more than one Alternate is submitted, the identification in the email subject line shall refer to Alternate Bid 1, Alternate Bid 2, etc. However, question 4 of Attachment A from Amendment 1 regarding Alternate Submissions states:4. Alternate SubmissionsSuppliers shall prepare a plan for Section 2 of this RFP and may submit an optional plan for canteen service operations. 4.1. The alternate scope of services may consist of a combination of section 2 and suppliers alternate.4.2 The alternate scope of services shall provide solutions to the canteen services operation available to inmates within ODOC custody. 4.3 The alternate scope of services shall provide solutions not including using OCI staff and inmates. To clarify, when submitting an alternate proposal or offer, if the bid is to be a complete bid in its entirety and the operations will both include OCI staff and inmates, would these be labeled as Vendor Proposal and Alternate Vendor Proposal 1? In looking at the information for Alternate Submissions and subsection 4.3 it mentions services without OCI inmates or staff. Does the Alternate Bid have to have operations without OCI staff or inmates, or is this just another submission that can be provided? Please clarify that an Alternative Offer can be submit to ODOC/OCI both using OCI staff and inmates.**ANSWER:** It is required for this contract to employee inmates. If a proposal is to include ODOC/OCI staff and inmates, this would be labeled as Vendor Proposal. A vendor may submit an alternate proposal if they have an option that is not referenced in the solicitation.1. When it comes to the specialty package program, does OCI intend to print marketing materials themselves such as catalogs, posters, FAQ sheets, order forms, etc.?

**ANSWER:** No, ODOC/OCI will not be producing these materials. 1. In looking at the information for Alternate Submissions and subsection 4.3 it mentions services without OCI inmates or staff. Does the Alternate Bid have to have operations without OCI staff or inmates, or is this just another submission that can be provided?

**ANSWER:** This would be another submission that can be provided. Per Question 22 of Amendment #4 in regards to proposals without inmate labor:22. Attachment A 4.3. Does this Solicitation allow for a supplier to propose a solution that does not include any involvement of OCI staff or inmates in any manner regarding the performance of services proposed? **ANSWER:** It is required for this contract to employee inmates. There is no such requirement for ODOC or OCI staff. Attachment A 4.3 is amended to the following:The alternate scope of services shall provide solutions not including OCI staff.1. If an information technology VPAT is required, the URL link to the Bidder’s VPAT shall be inserted in this section at a Bid Packet page referencing the VPAT. Will an information VPAT be required for submission?

**ANSWER:** Yes. 1. Bidder Instructions Section 8.1.I.vi. This section requires that bidders include “a list of all past and present litigation associated with the supplier.” This requirement is extremely broad and encompasses litigation unrelated to the services being sought or the bidder’s ability to perform such services. We request that this requirement be limited to (i) all present and past civil litigation against the bidder during the past 4 years arising out of the type of services sought in this solicitation, and (ii) any civil or criminal charges against the bidder by a governmental entity involving the commission of misconduct, including fraud, bribery, or making false statements.

**ANSWER:** If there are any exceptions to the solicitation, they are to be submitted on Bid Packet Section Four: Requested Exceptions to Terms, which is located on the Bidder Instructions page 15.1. Bidder Instructions Section 8.2.B.i. This section instructions to bidders to include a completed “Responding Bidder Information" which has not been provided with the solicitation documents. Please clarify what form is required here.

**ANSWER:** The form being referenced is titled “Forms 004, 076, Vendor Payee” that is available on the solicitation webpage.1. Bidder Instructions Section 8.2.B.v. This section instructions bidders to include a completed “Vendor Payee form,” which has not been provided with the solicitation documents. Please clarify what form is required here.

**ANSWER:** The form being referenced is titled “Forms 004, 076, Vendor Payee” that is available on the solicitation webpage.1. Exhibits 5 and 6. There are numerous brands and items that are exclusive to one vendor. In order to foster a competitive bid is it permissible to bid an equivalent brand and/or item that is not exclusive to one vendor?

**ANSWER:** This is referenced in Attachment A Section 2.3. Manufacturer’s names, brand names, information and/or catalog number listed in a specification are for information and not intended to limit competition. Supplier may offer any brand for which they are an authorized representative, and which meets or exceeds the specification for any item(s). Suppliers may also submit both generic and brand name products that are comparable. Submit with responding proposal the pricing for ODOC’s Top 100 Items. (See Exhibit 3) Canteen Sales for FY21 are included in Exhibit 4.1. The State provided current inmate pricing for Exhibit 5. Can the State please also provide current inmate pricing for Exhibit 6?

**ANSWER:** This is already provided in column H of Exhibit 6, titled “Current Price Each”.1. Exhibit 6. Orange clothing is listed. Is this clothing currently being bought from Oklahoma Correctional Industries? Will the State allow grey clothing or will orange be the only color allowed to be bid?

**ANSWER:** No, OCI is not the supplier of clothing for the canteen. Currently, orange the only authorized clothing color available for the items listed. |

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| b. All other terms and conditions remain unchanged. |
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| Supplier Company Name (**PRINT**) |  | Date |
|       |  |       |  |  |
| Authorized Representative Name (**PRINT**) |  | Title |  | Authorized Representative Signature |