



7145 West Tidwell Road ~ Houston, Texas 77092  
(713)-462-7708  
[www.esc4.net](http://www.esc4.net)

## NOTICE TO OFFEROR

## QUESTIONS AND ANSWERS

Solicitation Number 21-14

Request for Proposal (“RFP”)  
by Region 4 Education Service Center (“ESC”)  
for Warehousing, Material Handling, and Production Support

### **CLARIFICATION**

This questions and answers document includes all questions submitted in writing before the deadline including those submitted in the chat during the pre-proposal meeting.

### **QUESTIONS AND ANSWERS**

1. Question: is very interested in the Region 4 ESC opportunity for Warehousing, Material Handling and Production Support, but due to the breadth and scope of the solicitation we would like to propose an 8 week extension on the proposal deadline of August 24th.

*Answer: Region 4 Education Service Center is extending the due date via this Addendum but cannot extend beyond the revised date without impacting the overall timeline.*

2. Question: “To the extent Supplier guarantees minimum Contract Sales, the Administrative Fee shall be calculated based on the greater of the Contract Sales and the Guaranteed Contract Sales.”
  - This is a very gray area as it places much liability on a vendor. How can someone guarantee minimum sales to co-op agencies? What if there is another COVID shut-down, will the vendor still be liable for the minimum fee?

*Answer: Some Offerors choose to have Guaranteed Contract Sales, but Offeror's are not required to and may choose to insert \$0 Guaranteed Contract Sales.*

3. Question: • If a City sends out a Special Bid for an item and they are also listed as a potential member of the Region 4 Co-op Contract, but if it is not stipulated within their bid document that the vendor has to pay a fee to Onvia Region 4, how can you legally demand payment on a separate bid proposal?

*Answer: Participating Public Agencies that use cooperative contracts do not need to put out their own bid or solicitation document. If an Awarded Offeror has a cooperative contract, they should, in their response indicate they have a cooperative contract to give that agency the choice to utilize it. However, if a Participating Public Agency does not want to use a cooperative contract, they are not required to, and in those cases, Offerors would not be paying a fee for products or services performed outside of the Master Agreement.*

4. Can you please go over the relationship between ESC 4 and OMNIA Partners again? If awarded, who is the awarding entity?

*Answer: Region 4 ESC is the public agency leading the contract (which includes issuing, evaluating, and awarding Master Agreements). OMNIA Partners is a cooperative purchasing organization. See page 3 (National Contract) and page 28 (Appendix D) of the RFP for more details.*

5. You say in IV. Evaluation Process and Criteria, a) Products/Pricing, iv. "Describe any shipping charges." Can shipping charges be described as determined at the time of order? Or do those have to be set up front?

*Answer: Any shipping charges should be included in the response if they are known. If they cannot be calculated in advance that should be included and described as part of the Offeror's response.*

6. Can contractors delete products and/or entire groups of products from the contract for any reason?

*Answer: Any changes made after contract award do need to go through a contract update (amendment) process that will be reviewed and approved/declined by Region 4 ESC. If there is a standard addition or deletion (such as if products/services are no longer available), those are generally acceptable, but it is still a case-by-case basis.*

7. Is the 3% fee only for OMNIA, or is 3% the total fee for OMNIA and Region 4 ESC. Are there any other administrative fees?

*Answer: The 3% fee is only between OMNIA Partners and the Awarded Offeror(s); see the Administration Agreement for details regarding the fee. There are not any additional fees to OMNIA Partners or Region 4 ESC.*

8. 365 days notice to renew the contract is a significant length of time. Can that be modified to be around 90 days?

*Answer: Submit any requested contract exceptions as part of the response and it will be reviewed by Region 4 ESC. Generally, 365 days is standard as often Participating Public Agencies utilizing Master Agreements need advance notice of renewals to meet their internal policy needs and processes.*

9. For this type of equipment, a 7 day delivery time frame is nonstandard. (Recitals, 14) Can this timeframe be revised to be based on the timeframe quoted, or more like 30-90 days?

*Answer: Submit any requested contract exceptions as part of the response and it will be reviewed by Region 4 ESC.*

10. Question: is very interested in the Region 4 ESC opportunity for Warehousing, Material Handling and Production Support, but due to the breadth and scope of the solicitation we would like to propose an 8 week extension on the proposal deadline of August 24th.

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11. Question: Can you tell me what the NIGP Annual Forum is.

*Answer: NIGP is an institute for public procurement. They put together an annual conference/forum for public procurement officials across the country titled 'NIGP Annual Forum'. For more information their site is located here: <https://www.nigp.org/about-nigp/about-nigp>*