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## NOTICE TO OFFEROR

### ADDENDUM NO. 1

Solicitation Number 20-02

Request for Proposal (“RFP”)  
by Region 4 Education Service Center (“ESC”)  
for Bleeding Control Kits and Related Hemorrhage Control Products and  
Services

This Addendum No. 1 amends the Request for Proposals (RFP) for Bleeding Control Kits and Related Hemorrhage Control Products and Services 20-02 (“Addendum”). To the extent of any discrepancy between the original RFP and this Addendum, this Addendum shall prevail.

Region 4 Education Service Center (“Region 4 ESC”) requests proposals from qualified suppliers with the intent to enter into a Contract for Bleeding Control Kits and Related Hemorrhage Control Products and Services. Addendum No. 1 is hereby issued as follows:

### **QUESTIONS AND ANSWERS**

1. Question: What details around quantities for Region 4 can you provide?

*Answer: This is a new service to Region 4 ESC so specific kit quantities around Region 4 cannot be solidified at this time. However, Region 4 ESC is at a minimum needing to fulfill the H.B. 496 requirement of developing and implementing a bleeding control kit program at each campus of the district or school. As identified in the Scope of Work, Region 4 ESC is comprised of 48 public school districts and 39 open-enrollment charter schools, representing 1,500 campuses.*

2. Question: For the proposed annually contract value (\$10M), are there estimated annual quantities that can be provided? Quantity information is pertinent in providing our commercial pricing strategy.

*Answer: As this is a new service, a specific quantity cannot be provided at this time. Offerors are encouraged to include their full pricing and identify if there are any volume discounts for commercial pricing to Region 4 ESC and Participating Public Agencies.*

3. Question: The sponsored agency contract term noted was 3 years with a 2 year option. Would the Omnia contract mirror this term?

*Answer: Yes, the terms and conditions in the Master Agreement apply to the Administration Agreement; see Exhibit B (Administration Agreement, Example) in Appendix D (Requirements for National Cooperative Contract to be Administered by OMNIA Partners, Public Sector) for more details.*

4. Question: We already have an existing Omnia agreement. Would this be a contract that can be repurposed for this RFP, or would a new agreement be required? Our contract can be shared as appropriate for review.

*Answer: An existing OMNIA Partners agreement may be considered but it is recommended to reference the agreement with necessary details pertinent to this solicitation as part of the Offeror's proposal as well as a stand-alone agreement.*

5. Question: Does the proposed Kit required to include instructions from the American College of Surgeons, or are alternative instructions acceptable?

*Answer: Region 4 ESC must meet the requirements of H.B. 496. If instructional documents adopted can be provided by the Offeror, the Offeror should include information about the instructions to be evaluated accordingly. Region 4 ESC is looking to the Offeror for their knowledge and expertise to help ensure the requirements are met.*

6. Question: Will Region 4 provide the required documents we need to complete in word so we can fill them in, or should bidder use their own formatting?

*Answer: Region 4 ESC cannot provide the document in Word to help avoid alterations.*

7. Question: Can you provide a list of Approved Tourniquets? Is approved the same as preferred by United States Armed forces?

*Answer: For tourniquets to be used for bleeding control kits that meet H.B. 496 requirements, Region 4 ESC cannot provide a pre-approved list; if the tourniquets meet the requirements of H.B. 496, then they are acceptable. Other products and services that the Contractor can offer may also be included in the proposal.*

8. Question: Appendix A, Paragraph 31 discusses marketing. The clause does not provide any limitations on the use of the Contractor's name and logo. Will you please update the language to state, "Contractor agrees to allow Region 4 ESC to use their name and logo within website, marketing materials, and advertisement solely for use in marketing Contractor's Products?"

*Answer: For exceptions or changes to language, Offeror should include a redline as part of their proposal for review and discussion during the negotiation phase.*

9. Question: Exhibit A, Paragraph M, requires the contractor state "guarantee[d]" sales numbers. If actual sales are less than these numbers will an awardee be required to pay the Administrative Percentage Fee calculated from these guaranteed numbers? In other words, does this paragraph effectively set a minimum Administrative Percentage Fee an awardee must pay? May an offeror propose a \$0 guaranteed sale number? If an offeror proposes a \$0 guaranteed sale number will it adversely affect evaluation of offeror's proposal?

*Answer: Offerors may propose \$0 guaranteed sales number however Offerors should include their past sales for evaluators to better understand an Offerors capacity. For exceptions or changes to language, Offerors should include a redline as part of their proposal for review and discussion during the negotiation phase.*

10. Question: Exhibit A, Paragraph M (there appears to be a typo in this exhibit and there are two paragraph M's, this question refers to the second paragraph M). Does this paragraph attempt to require an awardee to pay an Administrative Percentage Fee on sales made to Public Agencies outside of the Master Agreement? If so, under what circumstances?

*Answer: Through the contract, Participating Public Agencies would not have a contract outside of the Master Agreement but instead be able to 'piggyback' the Master Agreement. Awarded Offeror(s) are required to pay an Administrative Percentage Fee on agencies that utilize the Master Agreement obtained through the reported Contract Sales.*

11. Question: Exhibit B, Paragraph 10, states “Supplier shall require each Public Agency to register its participation in the” agreement. Does OMNIA interpret this paragraph to mean an awardee may not make sales to a Public Agency outside of the Master Agreement? What action is expected of Supplier if a Public Agency refuses to register?

*Answer: If public agencies refuse to register or execute a Master Intergovernmental Cooperative Purchasing Agreement, they may not utilize the Master Agreement. Awarded Offeror(s) may still make sales to public agencies through other outside standing agreements as allowable by law such as if a public agency had their own solicitation event.*

12. Question: Exhibit B, Paragraph 12, does not state the amount of the Administrative Percentage Fee. What amount will the Administrative Fee Percentage be?

*Answer: The Administrative Fee is three percent (3%), located under Section 1.2 Marketing, Sales and Administrative Support in Exhibit A (Response for National Cooperative Contract) of Appendix D (Requirements for National Cooperative Contract to be Administered by OMNIA Partners, Public Sector).*

13. Question: Exhibit F states the Simplified Acquisition Threshold (SAT) is \$150,000. Will you update Exhibit F to reflect the current SAT of \$250,000?

*Answer: Yes. See Changes to RFP #1.*

14. Question: I did not see any demand volumes only the max value per year. Is it possible to get a forecast volume by product for ESC4 Texas and the forecasts for national expansion? Demand forecast will aide in determining discount price break points.

*Answer: This is a new service so there is currently no forecast for Region 4 ESC or nationally.*

15. Question: Is shipping FOB Destination or Origin?

*Answer: Any shipping charges and the details of shipping are to be included in the Offeror's proposal. Shipping destination is preferred.*

16. Question: Are there any considerations for Economic Adjustment for the out/option years?

*Answer: Economic adjustments may be considered at the review and approval of Region 4 ESC.*

## **CHANGES TO THE RFP**

1. Page 2 of EXHIBIT F – Federal Funds Certifications - Paragraph regarding Simplified acquisition threshold (SAT):

To update the SAT, remove the last sentence and replace it with the following:

As of the publication of this part, the simplified acquisition threshold is **\$250,000**, but this threshold is periodically adjusted for inflation. (Also see definition of § 200.67 Micro-purchase.)

**RECEIPT OF ADDENDUM NO. 1 ACKNOWLEDGEMENT**

Offeror shall acknowledge this addendum by signing below and include in their proposal response.

Company Name \_\_\_\_\_

Contact Person \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Crystal Wallace  
Region 4 Education Service Center  
Business Operations Specialist