



New Jersey LFN 2012-10 Packet

for

The Toro Company

Contract #R141201

Solicited and awarded by Region 4 Education Service  
Center on behalf of itself and National IPA/TCPN  
participants



Enhanced Portfolio | Unified Focus | Continued Trust

## **New Jersey LFN 2012-10 Packet Table of Contents**

### **Required Document**

[Contract Documents Screenshot](#)

[Page from original solicitation that indicates Lead Agency and issuance of solicitation on behalf of themselves and National IPA and/or TCPN members nationally](#)

[New Jersey Business Registration Certificate for the contractor and any subcontractors](#)

[Statement of Corporate Ownership](#)

[Public Contract EEO Compliance](#)

[Non-Collusion Affidavit](#)

[Solicitation Posting Documents](#)

[Award and evaluation criteria from solicitation](#)

[Bid opening and late submission policy from solicitation](#)

[Notice of Intent to Award---Sample](#)

[Disclosure of Investment Activities in Iran](#)

[Checklist](#)



**CONTRACT DOCUMENTS SCREENSHOT FROM WEBSITE**



VENDOR WEBSITE

## Show menu

---

### Contract: 120535 - Grounds Maintenance Equipment

Nov 27, 2012 to Nov 26, 2017

#### Executive Summary

---

[Executive Summary](#)

[Pricing](#)

#### Master Agreement Documents

---

[Official Signed Contract](#)

[Toro Response to RFP](#)

#### Solicitation Process

---

[Original RFP Document](#)

[RFP Amendment 1](#)

[Proof of Publication](#)

### Contract: 2017025 - Grounds Maintenance Equipment, Parts, Accessories, Supplies, Related Services and Equipment

Apr 1, 2017 to Apr 1, 2022

#### Executive Summary

---

[Executive Summary](#)

[Pricing](#)

## Master Agreement Documents

---

[Official Signed Contract](#)

## Solicitation Process

---

[Original RFP Document](#)

[RFP Amendment 1](#)

[RFP Amendment 2](#)

[Proof of Publication](#)

## Response Evaluation

---

[Supplier Response](#)

## Contract: R141201 - Grounds Keeping Products and Services

Oct 1, 2014 to Sep 30, 2018

## Executive Summary

---

[Pricing Structure](#)

## Master Agreement Documents

---

[Official Signed Contract](#)

[4th Year Renewal Letter](#)

[Contract Update - Demo Equipment](#)

[Award Letter](#)

[Region 4 Board Approval of Award Memo](#)

[Single Award Letter](#)

[Proof of Publication - USA Today](#)

## Response Evaluation

---

[Response Evaluation Summary](#)

[Arizona Compliance Questionnaire](#)

## Solicitation Process

---

[Determination for RFP](#)

[Original RFP Document](#)

[Proof of Publication - DJC](#)

[Proof of Publication - DJC](#)

[Proof of Publication - USA Today](#)

[Proof of Publication - Florence Reminder/Blade Tribune](#)

[Proof of Publication - Region 4](#)

[Proof of Publication - TCPN](#)

[RFP Request List](#)

[RFP Receipt List](#)

Time Stamped Responses  
RFP Opening Sign-In Sheet

---



**PAGE FROM SOLICITATION THAT INDICATES LEAD AGENCY AND  
ISSUANCE OF SOLICITATION ON BEHALF OF THEMSELVES AND  
NATIONAL IPA AND/OR TCPN MEMBERS**



7145 West Tidwell Road ~ Houston, Texas 77092  
(713) 744-6835  
[www.esc4.net](http://www.esc4.net)

Publication Date: May 29, 2014

## NOTICE TO OFFEROR

**SUBMITTAL DEADLINE: Tuesday, July 1, 2014 @ 2:00 PM CDT**

Questions regarding this solicitation must be submitted in writing to Robert Zingelmann at [questions@esc4.net](mailto:questions@esc4.net) or (713) 744-6835 no later than *June 24, 2014*. All questions and answers will be posted to both [www.esc4.net](http://www.esc4.net) and [www.tcpn.org](http://www.tcpn.org) under **Solicitations**. Offerors are responsible for viewing either website to review all questions and answers prior to submitting proposals. Please note that oral communications concerning this RFP shall not be binding and shall in no way excuse the responsive Offeror of the obligations set forth in this proposal.

Request for Proposal (RFP)  
by

Region 4 Education Service Center (“ESC”)

for

Grounds Keeping Products and Services

On behalf of itself, other government agencies and non-profits, made available through The Cooperative Purchasing Network “TCPN.”

Solicitation Number 14-12

Note: Envelopes must be sealed, prominently marked with the RFP solicitation number, RFP title, RFP opening time/date and name of vendor. Electronic submissions of the RFP will not be accepted. **Submissions must be received by the Region 4 ESC office at: 7145 West Tidwell Road, Houston, TX 77092 no later than 2:00 pm CDT, at which time the bid opening process shall commence. Proposals will be collected in a conference room to be determined by Region 4 ESC and opened and recorded publicly.**



**NEW JERSEY BUSINESS REGISTRATION CERTIFICATE**

STATE OF NEW JERSEY  
DEPARTMENT OF TREASURY  
CERTIFICATE OF AUTHORITY

THE TORO COMPANY  
Doing Business As  
TORO EQUIPMENT DISTRIBUTION COMPANY  
0101028891

*I, the Treasurer of the State of New Jersey, do hereby certify that the above-named Foreign Corporation (DBA) organized under the laws of Delaware, has complied with all the requirements of Title 14A of the New Jersey Statutes, and that the business or activity of said Foreign Corporation (DBA) to be carried on within the State of New Jersey is such as may be lawfully carried on by Foreign Corporation (DBA) filed under the laws of this State for similar business or activity. The Certificate of Authority was duly filed August 29th, 2013.*



*IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at Trenton, this at Trenton, this 30th day of August, 2013*

A handwritten signature in black ink, appearing to read "Andrew P. Sidamon-Eristoff".

Andrew P Sidamon-Eristoff  
State Treasurer

Certificate Number: 129433055

Verify this certificate online at

[https://www1.state.nj.us/TYTR\\_StandingCert/JSP/Verify\\_Cert.jsp](https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp)

FD-204, 2008  
Trenton, NJ 08646

STATE OF NEW JERSEY  
DIVISION OF REVENUE

23 West State St.  
3rd Floor  
Trenton, NJ 08646-1214

**"FEE REQUIRED"** PUBLIC RECORDS FILING FOR NEW BUSINESS ENTITY

Fill out all information below INCLUDING INFORMATION FOR ITEM 11, and sign in the space provided. Please note that once filed, this form constitutes your original certificate of incorporation/formation/registration/authority, and the information contained in the filed form is considered public. Refer to the instructions for delivery/return options, filing fees and field-by-field requirements. Remember to remit the appropriate fee amount. Use attachments if more space is required for any field, or if you wish to add articles for the public record.

1. Business Name: The Toro Company D/B/A Toro Equipment Distribution Company  
2. Type of Business Entity: DBA (See instructions for Codes, Page 2, Item 2)  
3. Business Purpose: Manufacturer of outdoor power and turf maintenance equipment. (See Instructions, Page 22, Item 3)

4. Stock (Domestic Corporations Only): L.L.C.s and Non-Profit leave blank.  
5. Duration (If Indefinite or Perpetual, leave blank):

6. State of Formation/Incorporation (Foreign Entities Only):  
7. Date of Formation/Incorporation (Foreign Entities Only):  
Delaware November 7, 1983

8. Contact Information:  
Registered Agent Name: National Registered Agents, Inc. of NJ

Registered Office (Must be a New Jersey street address):  
Street: 100 Canal Pointe Blvd., Suite 212  
City: Princeton Zip: 08540  
Main Business or Principal Business Address:  
Street: 8111 Lyndale Avenue South  
City: Bloomington State: MN Zip: 55420

**FILED**  
AUG 29 2013  
STATE TREASURER

9. Management (Domestic Corporations and Limited Partnerships Only):  
• For Profit and Professional Corporations list initial Board of Directors, minimum of 1.  
• Domestic Non-Profit list Board of Trustees, minimum of 3.  
• Limited Partnerships list all General Partners.  
Name Street Address City State Zip

0101028891

The signatories below certify that the business entity has complied with all applicable filing requirements pursuant to the laws of the State of New Jersey.

10. Incorporators (Domestic Corporations Only, minimum of 1)  
Name Street Address City State Zip

Signature(s) for the Public Record (See instructions for information on Signature Requirements)  
Signature: [Handwritten Signature] Name: Timothy P. Dordick Title: Vice President, Sec'y & General Counsel Date: 8/29/2013

2608286  
4660537

# Delaware

PAGE 1

*The First State*

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "THE FORD COMPANY" IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-NINTH DAY OF AUGUST, A. D. 2013.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "THE FORD COMPANY" WAS INCORPORATED ON THE SEVENTH DAY OF NOVEMBER, A. D. 1983.

AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL REPORTS HAVE BEEN FILED TO DATE.



2020833 8300

131038561

You may verify this certificate online at [corp.delaware.gov/authwar.shtml](http://corp.delaware.gov/authwar.shtml)

*Jeffrey W. Bullock*  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 0700527

DATE: 08-28-13



The Toro Company

6711 Lyndale Avenue South, Bloomington, Minnesota 55420-1196  
Phone 952/882-8901 • www.thetorocompany.com • Fax 952/887-8258

**THE TORO COMPANY**

**WRITTEN CONSENT**

August 28, 2013

The undersigned, being a Vice President of The Toro Company, a corporation duly organized and existing under the laws of Delaware (the "Corporation"), does hereby consent to the following:

Inasmuch as this Corporation desires to transact business in the State of New Jersey, and inasmuch as the Vice President has been advised that the name of this Corporation is not available for corporate use in the State of New Jersey, this Corporation consents to the use of the alternate name of Toro Equipment Distribution Company for use in transacting business in the State of New Jersey.

THE TORO COMPANY

Timothy P. Dordell  
Its: Vice President, Secretary & General Counsel



## **STATEMENT OF CORPORATE OWNERSHIP**

**OWNERSHIP DISCLOSURE FORM  
(N.J.S. 52:25-24.2)**

Pursuant to the requirements of P.L. 1999, Chapter 440 effective April 17, 2000 (Local Public Contracts Law), the offeror shall complete the form attached to these specifications listing the persons owning 10 percent (10%) or more of the firm presenting the proposal.

Company Name: The Toro Company

Street: 8111 Lyndale Ave. South

City, State, Zip Code: Bloomington, MN 55420

**Complete as appropriate:**

I \_\_\_\_\_, certify that I am the sole owner of \_\_\_\_\_, that there are no partners and the business is not incorporated, and the provisions of N.J.S. 52:25-24.2 do not apply.

**OR:**

I \_\_\_\_\_, a partner in \_\_\_\_\_, do hereby certify that the following is a list of all individual partners who own a 10% or greater interest therein. I further certify that if one (1) or more of the partners is itself a corporation or partnership, there is also set forth the names and addresses of the stockholders holding 10% or more of that corporation's stock or the individual partners owning 10% or greater interest in that partnership.

**OR:**

I Darren Redetzke, an authorized representative of The Toro Company, a corporation, do hereby certify that the following is a list of the names and addresses of all stockholders in the corporation who own 10% or more of its stock of any class. I further certify that if one (1) or more of such stockholders is itself a corporation or partnership, that there is also set forth the names and addresses of the stockholders holding 10% or more of the corporation's stock or the individual partners owning a 10% or greater interest in that partnership.

**(Note: If there are no partners or stockholders owning 10% or more interest, indicate none.)**

| Name        | Address | Interest |
|-------------|---------|----------|
| <u>None</u> |         |          |
|             |         |          |
|             |         |          |
|             |         |          |
|             |         |          |

I further certify that the statements and information contained herein, are complete and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature and Title



## **PUBLIC CONTRACT EEO COMPLIANCE**

Doc #8

**AFFIRMATIVE ACTION AFFIDAVIT  
(P.L. 1975, C.127)**

**Company Name:** The Toro Company  
**Street:** 8111 Lyndale Ave. South  
**City, State, Zip Code:** Bloomington, MD 55420

**Proposal Certification:**

Indicate below your compliance with New Jersey Affirmative Action regulations. Your proposal will be accepted even if you are not in compliance at this time. No contract and/or purchase order may be issued, however, until all Affirmative Action requirements are met.

**Required Affirmative Action Evidence:**

Procurement, Professional & Service Contracts (Exhibit A)  
Vendors must submit with proposal:

- 1. A photo copy of their Federal Letter of Affirmative Action Plan Approval \_\_\_\_\_  
OR
- 2. A photo copy of their Certificate of Employee Information Report \_\_\_\_\_  
OR
- 3. A complete Affirmative Action Employee Information Report (AA302) \_\_\_\_\_

**Public Work – Over \$50,000 Total Project Cost:**

- A. No approved Federal or New Jersey Affirmative Action Plan. We will complete Report Form AA201-A upon receipt from the Harrison Township Board of Education \_\_\_\_\_
- B. Approved Federal or New Jersey Plan – certificate enclosed \_\_\_\_\_

*I further certify that the statements and information contained herein, are complete and correct to the best of my knowledge and belief.*

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Authorized Signature and Title**

**P.L. 1995, c. 127 (N.J.A.C. 17:27)**  
**MANDATORY AFFIRMATIVE ACTION LANGUAGE**

**PROCUREMENT, PROFESSIONAL AND SERVICE**  
**CONTRACTS**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this non-discrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisement for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation.

The contractor or subcontractor, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers trade consistent with the applicable county employment goal prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, C.127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, C.127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of it testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the

statutes and court decisions of the state of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

The contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and lay-off to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (NJAC 17:27).

---

Signature of Procurement Agent

Darren Redetzke, Vice President



**NON-COLLUSION AFFIDAVIT**

NON-COLLUSION AFFIDAVIT

Company The Toro Company Name:

Street: 8111 Lyndale Ave. South

City, State, Zip Code: Bloomington, MN 55420

State of ~~New Jersey~~ Minnesota

County of Hennepin

I, Darren Redetzke of the Toro Company, Bloomington  
Name City

in the County of Hennepin, State of Minnesota  
of full age, being duly sworn according to law on my oath depose and say that:

I am the Vice President of the firm of The Toro Company  
Title Company Name

*the offeror making the Proposal for the goods, services or public work specified under the Harrison Township Board of Education attached proposal, and that I executed the said proposal with full authority to do so; that said offeror has not directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above proposal, and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the Harrison Township Board of Education relies upon the truth of the statements contained in said proposal and in the statements contained in this affidavit in awarding the contract for the said goods, services or public work.*

*I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by*

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

\_\_\_\_\_  
Authorized Signature & Title

Subscribed and sworn before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public of ~~New Jersey~~ Minnesota

My commission expires \_\_\_\_\_, 20\_\_\_\_

SEAL



## **SOLICITATION POSTING DOCUMENTS**

AFFIDAVIT OF PUBLICATION

# DJC



921 S.W. Washington St. Suite 210 / Portland, OR 97205-2810  
(503) 226-1311

STATE OF OREGON, COUNTY OF MULTNOMAH--ss.

I, **Marc Caplan**, being first duly sworn, depose and say that I am a **Public Notice Manager** of the **Daily Journal of Commerce**, a newspaper of general circulation in the counties of CLACKAMAS, MULTNOMAH, and WASHINGTON as defined by ORS 193.010 and 193.020; published at Portland in the aforesaid County and State; that I know from my personal knowledge that the Goods and Services notice described as

**Multiple Services**

**Region 4 Education Service Center; Bid Location Houston, TX, Harris County; Due 07/01/2014 at 02:00 PM**

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 2 time(s) in the following issues:

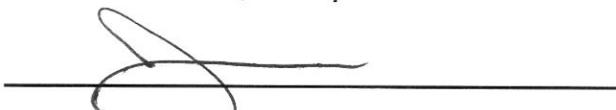
6/6/2014

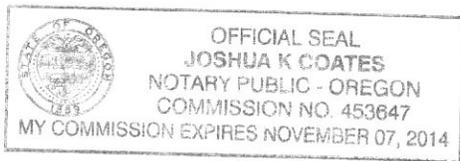
6/13/2014

State of Oregon  
County of Multnomah

SIGNED OR ATTESTED BEFORE ME  
ON THE 13th DAY OF June, 2014

  
\_\_\_\_\_  
Marc Caplan

  
\_\_\_\_\_  
Notary Public-State of Oregon



**Deborah Bushnell**  
**The Cooperative Purchasing Network**  
11280 West Rd  
Houston, TX 77065-4493

**REGION 4 EDUCATION  
SERVICE CENTER  
MULTIPLE SERVICES  
Bids due 2:00 pm, July 1  
REQUEST FOR PROPOSALS**

Notice is hereby given that sealed responses will be received by Region 4 Education Service Center located at 7145 West Tidwell Road, Houston, TX 77092 until:

Tuesday, July 1, 2014 @ 2:00 PM CDT  
The Cooperative Purchasing Network (TCPN)

Request for Proposal (RFP) for  
RFP #14-08: Performing Arts Apparel, Instruments and Equipment

RFP #14-09: Fire Systems Maintenance and Inspection Services

RFP #14-10: Environmental Service-Supplemental

RFP #14-11: FleetWashingProducts and Services

RFP #14-12: Grounds Keeping Products and Services

All proposals duly delivered and submitted will be publicly opened and recorded on the date and time reflected above.

Any proposal received after the stated closing time will not be considered and returned unopened. If proposals are sent by mail, the Offeror shall be responsible for ensuring delivery of the proposal to Region 4 Education Service Center before the advertised date and hour for the opening. Proposals must be signed, sealed, clearly identified with the solicitation number, title, name and address of the company responding.

Specifications and details of this RFP can be found at [www.esc4.net](http://www.esc4.net) or [www.tcpn.org](http://www.tcpn.org) under Current Solicitations. General inquiries may be directed to Robert Zingelmann at [questions@esc4.net](mailto:questions@esc4.net)

Until final award, Region 4 Education Service Center reserves the right to reject any and/or all proposals, to waive any technicalities, to re-advertise, and to otherwise proceed when in the best interest of Region 4 Education Service Center. Published June 6 & 13, 2014.

10559425

**SPRINGFIELD UTILITY BOARD**

**(A MUNICIPAL UTILITY) BID 20.14 - OVERHEAD RIGHT OF WAY CLEARING**

Bids due 2:00 pm, June 20  
CALL FOR BIDS  
SUB BID# 20.14

Bids will be received by Sandi Weston, Buyer Springfield Utility Board, Electric Division, 1001 Main Street, Springfield, OR 97477

Until June 20, 2014 @ 2:00 p.m. for the following: 'Bid 20.14 - Overhead Right of Way Clearing'

Mandatory Walk Through: June 11, 2014 - Meet at 10:30 a.m. Springfield Utility Board, 1001 Main Street, Springfield, OR 97477 RSVF for Walk Through - sandiw@subutil.com or 541-744-3706

SCOPE OF WORK:  
Vegetation management of approximately 4 miles of transmission-style line. This project is subject to Prevailing Wage Rates.

Complete bid specifications can be found at [www.subutil.com](http://www.subutil.com) under Bids & Proposals tab or at this link [http://www.subutil.com/bids\\_&\\_proposals](http://www.subutil.com/bids_&_proposals)

For technical questions regarding this bid, please contact Russ Walters at (541) 541-501-7133 or email at [russw@subutil.com](mailto:russw@subutil.com). For bid related questions, email Sandi Weston at [sandiw@subutil.com](mailto:sandiw@subutil.com)

When submitting your quotes, please label them "Bid 20.14 - Overhead Right of Way Clearing"

In order to be accepted and considered for award of a contract, the submitted proposals must comply with Oregon Revised Statutes regulating contract work for public agencies.

Several significant requirements of ORS are identified for the Contractors' convenience. If applicable, the selected contractor must comply with ORS defining regular hours or work, overtime pay, prevailing rate of wage, participation in Workers' Compensation Plans, and filing of wage certificates. No bid will be received or considered by the public body or any office of the public body unless the bid contains a statement by the bidder as part of the bid that the provisions required by ORS 279C.800 to 279C.870 shall be included in the contract. The selected contractor shall comply with applicable federal and state regulations defining job site safety. Material safety data sheets shall be posted on site for any hazardous materials used in the performance of this contract. Springfield Utility Board reserves the right to reject any or all bids, to waive minor irregularities not affecting substantial rights, and to accept such bids that in the opinion of the Board are in the best interest of Springfield Utility Board. Acceptance of bids and award of contract will follow procedures provided by ORS 279C and be in accordance with applicable SI R provisions.

**MULTNOMAH COUNTY, OREGON**

**CENTRAL PROBATION ROOF AND RAILING REPLACEMENT RE-BID**

Bids due 2:00 pm, June 12  
CALL FOR BIDS

Bid No: 4000002731 Bid Title: CENTRAL PROBATION ROOF AND RAILING REPLACEMENT RE-BID

Closing Date: 6/12/2014 2:00 PM Estimated Range: \$180,000

Pre-Bid Conference: There will be NO Pre-Bid Conference

Pre-Qualifications Required in classes of: Roofing (TREMCO Certified)

SUMMARY: Re-bid of Bid 4000002432 issued on 4/25/14. Questions or Protests to the specifications due 6/9/14. Any addenda will be issued no later than two days prior to the closing date.

NEW: All documents for this Bid, Contract Terms and Conditions, Plans and Project Manual are available at: [https://rdr.ecr.com/contract/CPWELL\\_Mansap?men=45](https://rdr.ecr.com/contract/CPWELL_Mansap?men=45). Go to Public Planroom and scroll to this project's listing.

PRE-QUALIFICATIONS OF BIDDER may be required pursuant to the Multnomah County Public Contract Review Board Rule 49-0220. See Specifications for project classes of work. Prequalification applications shall be submitted through Purchasing, 501 SE Hawthorne Blvd., Suite 125, Portland, Oregon 97214. Applications may be obtained at our office or can be downloaded from our website at [www.multcopurch.org](http://www.multcopurch.org). Pre-qualification applications must be received by, or postmarked to, Purchasing no later than 2 days prior to the bid closing date.

PRE-QUALIFICATION APPLICATIONS DUE: 6/10/2014

All bidders must comply with the requirements of the prevailing wage law in ORS 279C.800-870, or the Davis-Bacon Act (40 U.S.C. 276(a) if applicable. Details of compliance are available from Purchasing, 501 SE Hawthorne Blvd., Suite 125, Portland, OR 97214, (503) 988-5111.

No bid will be considered unless bidder is registered with the Construction Contractors Board as required by ORS 701.055 or licensed by the State Landscape Contractors Board as required by ORS 671.530

No bid will be considered unless accompanied by a surety bond, certified check, or a cashiers check payable to Multnomah County for the amount equal to ten percent (10%) of the aggregate bid.

Multnomah County reserves the right to reject any bid not in compliance with all prescribed public bidding procedures and requirements, and to reject any or all bids or to cancel the solicitation if Multnomah County finds it to be in the public interest to do so.

**METRO OZONE SYSTEM AND OTHER EQUIPMENT RFB 2711**

Request for Proposal (RFP) for RFP #14-08: Performing Arts Apparel, Instruments and Equipment

RFP #14-09: Fire Systems Maintenance and Inspection Services

RFP #14-10: Environmental Service-Supplemental

RFP #14-11: Pest/Westing/Products and Services

RFP #14-12: Grounds Keeping Products and Services

All proposals duly delivered and submitted will be publicly opened and recorded on the date and time reflected above.

Any proposal received after the stated closing time will not be considered and returned unopened. If proposals are sent by mail, the offeror shall be responsible for ensuring delivery of the proposal to the advertised date and hour for the opening. Proposals must be signed, sealed, clearly identified with the solicitation number, title, name and address of the company responding.

Specifications and details of this RFP can be found at [www.escd.net](http://www.escd.net) or [www.tcn.org](http://www.tcn.org) under Current Solicitations. General inquiries may be directed to Robert Zingelmann at [questions@escd.net](mailto:questions@escd.net) until final award. Region 4 Education Service Center reserves the right to reject any and/or all proposals, to waive any technicalities, to re-advertise, and to otherwise proceed when in the best interest of Region 4 Education Service Center. Published June 6 & 9, 2014.

**METRO OZONE SYSTEM AND OTHER EQUIPMENT RFB 2711**

The Oregon Zoo, a Department of Metro, a metropolitan service district organized under the laws of the State of Oregon and the Metro Charter, located at 600 NE Grand Avenue, Portland, OR 97232-2736, is hereby requesting sealed bids for Ozone System and Other Equipment in the Steiler Cove Exhibit at the Oregon Zoo, located at 4001 SW Canyon Road, Portland, Oregon 97221.

Sealed bids are due no later than 2:00 p.m., July 2, 2014, in Metro's business offices at 600 NE Grand Avenue, Portland, OR 97232-2736. Attention: Karen Susarenko, Procurement Analyst, RFB 2711.

A voluntary Pre-Bid Conference is scheduled for all potential prime and sub-contractors on June 12, 2014, at 9:00 a.m. at Oregon Zoo, Facilities Maintenance Conference Room, 4001 SW Canyon Road, Portland, OR 97221. Interested sub-contractors are also invited.

The Oregon Zoo will remove the existing ozone generator systems and install the new systems in a coordinated and phased approach so that the exhibit will be served by an active system at all times. The new ozone generators, and all other equipment specified within, shall be furnished to the Zoo as a complete system. The Contractor(s) shall provide all engineering, design, drawings, operation instruction and training for construction of a complete and fully functional system. Contractor shall attend meetings, as requested by the Zoo, to assist in resolution of any project related issues.

Bidding documents can be viewed and downloaded from the Oregon

**REGION 4 EDUCATION SERVICE CENTER MULTIPLE SERVICES**

Request for Proposal (RFP) for RFP #14-08: Performing Arts Apparel, Instruments and Equipment

RFP #14-09: Fire Systems Maintenance and Inspection Services

RFP #14-10: Environmental Service-Supplemental

RFP #14-11: Pest/Westing/Products and Services

RFP #14-12: Grounds Keeping Products and Services

All proposals duly delivered and submitted will be publicly opened and recorded on the date and time reflected above.

Any proposal received after the stated closing time will not be considered and returned unopened. If proposals are sent by mail, the offeror shall be responsible for ensuring delivery of the proposal to the advertised date and hour for the opening. Proposals must be signed, sealed, clearly identified with the solicitation number, title, name and address of the company responding.

Specifications and details of this RFP can be found at [www.escd.net](http://www.escd.net) or [www.tcn.org](http://www.tcn.org) under Current Solicitations. General inquiries may be directed to Robert Zingelmann at [questions@escd.net](mailto:questions@escd.net) until final award. Region 4 Education Service Center reserves the right to reject any and/or all proposals, to waive any technicalities, to re-advertise, and to otherwise proceed when in the best interest of Region 4 Education Service Center. Published June 6 & 13, 2014.

**CITY OF TIGARD VEHICLE REPAIR AND MAINTENANCE**

Response will not be received after the deadline. Any responses delivered after the deadline will be disqualified from consideration and returned to the proposer unopened.

The full RFP can be found at <http://www.clackamas.us/wes/bidsrfps.html> Published June 6, 9 & 11, 2014.

**C-TRAN STREAMLINE AND REHABILITATION PROJECT - PHASE IV INVITATION TO BIDS**

C-TRAN is requesting bids from interested bidders for the Bus Stop Safety, Streamline and Rehabilitation project. Invitation to Bids documents may be obtained from C-TRAN at 2425 NE 65th Avenue, Vancouver, WA 98661 by calling (360) 696-4494, via e-mail to [procurement@c-tran.org](mailto:procurement@c-tran.org), or by accessing our web page at [www.c-tran.com](http://www.c-tran.com). Under "Quick Reference", click on Procurement and then click on Current Bid and Proposal Opportunities or by going directly to the following link: <http://www.c-tran.com/about-c-tran/business/procurement>

Bids will be accepted until 3 p.m., local time, Thursday, June 26, 2014.

Published June 6, 2014.

**NORTH CLACKAMAS SCHOOL DISTRICT NO. 12, MILWAUKIE, OREGON GROUNDS FERTILIZATION, WEED CONTROL AND RELATED SERVICES**

Proposals due 2:00 pm, June 24

Request for Proposal (RFP) for RFP #15-618

Sealed proposals will be received at the North Clackamas School District #12 Purchasing Department, 12451 SE Fuller Road, Milwaukie, Oregon 97222 until, 2:00 PM, Pacific Time, Tuesday, June 24, 2014.

For this project, the provisions of ORS 279C.800 through 279C.870, relative to prevailing wage rates, and ORS 671, relative to Landscape Contractors Board (LCB) requirements, ORS 634.116, 634.006(9) (operators licensing and ORS 634.700-634.750 (IPM)) shall be complied with by the Contractor and subcontractors.

North Clackamas School District is seeking proposals for fertilization, broadleaf weed control, and other related services. The district's intent is to treat formal lawns, athletic fields, and shrub beds several times per year. The number of applications is subject to change as necessary. Broadleaf weed control may be included in this proposal for one or two times per year on the elementary schools play fields. The School District reserves the right to reject any proposal not in compliance with all prescribed

**C-TRAN STREAMLINE AND REHABILITATION PROJECT - PHASE IV INVITATION TO BIDS**

C-TRAN is requesting bids from interested bidders for the Bus Stop Safety, Streamline and Rehabilitation project. Invitation to Bids documents may be obtained from C-TRAN at 2425 NE 65th Avenue, Vancouver, WA 98661 by calling (360) 696-4494, via e-mail to [procurement@c-tran.org](mailto:procurement@c-tran.org), or by accessing our web page at [www.c-tran.com](http://www.c-tran.com). Under "Quick Reference", click on Procurement and then click on Current Bid and Proposal Opportunities or by going directly to the following link: <http://www.c-tran.com/about-c-tran/business/procurement>

Bids will be accepted until 3 p.m., local time, Thursday, June 26, 2014.

Published June 6, 2014.

**CITY OF TIGARD VEHICLE REPAIR AND MAINTENANCE**

Response will not be received after the deadline. Any responses delivered after the deadline will be disqualified from consideration and returned to the proposer unopened.

The full RFP can be found at <http://www.clackamas.us/wes/bidsrfps.html> Published June 6, 9 & 11, 2014.

**NORTH CLACKAMAS SCHOOL DISTRICT NO. 12, MILWAUKIE, OREGON GROUNDS FERTILIZATION, WEED CONTROL AND RELATED SERVICES**

Proposals due 2:00 pm, June 24

Request for Proposal (RFP) for RFP #15-618

Sealed proposals will be received at the North Clackamas School District #12 Purchasing Department, 12451 SE Fuller Road, Milwaukie, Oregon 97222 until, 2:00 PM, Pacific Time, Tuesday, June 24, 2014.

For this project, the provisions of ORS 279C.800 through 279C.870, relative to prevailing wage rates, and ORS 671, relative to Landscape Contractors Board (LCB) requirements, ORS 634.116, 634.006(9) (operators licensing and ORS 634.700-634.750 (IPM)) shall be complied with by the Contractor and subcontractors.

North Clackamas School District is seeking proposals for fertilization, broadleaf weed control, and other related services. The district's intent is to treat formal lawns, athletic fields, and shrub beds several times per year. The number of applications is subject to change as necessary. Broadleaf weed control may be included in this proposal for one or two times per year on the elementary schools play fields. The School District reserves the right to reject any proposal not in compliance with all prescribed

STATE OF ARIZONA

COUNTY OF PINAL

} SS.

# Affidavit of Publication

Notice to Bidders  
Notice is hereby given that sealed responses will be received by Region 4 Education Service Center located at 7145 West Tidwell Road, Houston, TX 77092 until:

Tuesday, July 1, 2014  
@ 2:00 PM CDT

The Cooperative Purchasing Network (TCPN)

Request for Proposal (RFP) for  
RFP # 14-08: Performing Arts Apparel, Instruments and Equipment  
RFP # 14-09: Fire Systems Maintenance and Inspection Services  
RFP # 14-10: Environmental Service-Supplemental  
RFP # 14-11: Fleet Washing Products and Services  
RFP # 14-12: Grounds Keeping Products and Services

All proposals duly delivered and submitted will be publicly opened and recorded on the date and time reflected above.

Any proposal received after the stated closing time will not be considered and returned unopened. If proposals are sent by mail, the Offeror shall be responsible for ensuring delivery of the proposal to Region 4 Education Service Center before the advertised date and hour for the opening. Proposals must be signed, sealed, clearly identified with the solicitation number, title, name and address of the company responding.

Specifications and details of this RFP can be found at [www.esc4.net](http://www.esc4.net) or [www.tcpn.org](http://www.tcpn.org) under Current Solicitations. General inquiries may be directed to Robert Zingelmann at [questions@esc4.net](mailto:questions@esc4.net)

Until final award, Region 4 Education Service Center reserves the right to reject any and/or all proposals, to waive any technicalities, to re-advertise, and to otherwise proceed when in the best interest of Region 4 Education Service Center.

No. of publications: 2; dates of publications: June 5, 12, 2014.

RUTH A. KRAMER first being duly sworn deposes and says: That he/she is a native born citizen of the United States of America, over 21 years of age, that I am an agent and/or publisher of the Florence Reminder and Blade-Tribune, a weekly newspaper published at Florence, Pinal County, Arizona, on Thursday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for TWO consecutive issues the first publication thereof having been on the 5TH

day of JUNE A.D., 2014

Second publication JUNE 12, 2014

Third publication \_\_\_\_\_

Fourth publication \_\_\_\_\_

Fifth publication \_\_\_\_\_

Sixth publication \_\_\_\_\_

## FLORENCE REMINDER & BLADE-TRIBUNE

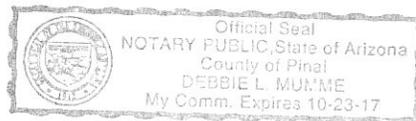
By [Signature]  
agent and/or publisher of the Florence Reminder & Blade-Tribune

Sworn to before me this 16th

day of June A.D., 2014

[Signature]

Notary Public in and for the County of Pinal, State of Arizona



STATE OF ARIZONA

COUNTY OF PINAL

} SS.

# Affidavit of Publication

Notice to Bidders  
Notice is hereby given that sealed responses will be received by Region 4 Education Service Center located at 7145 West Tidwell Road, Houston, TX 77092 until:

Tuesday, July 1, 2014  
@ 2:00 PM CDT

The Cooperative Purchasing Network (TCPN)

Request for Proposal (RFP) for

- RFP # 14-08: Performing Arts Apparel, Instruments and Equipment
- RFP # 14-09: Fire Systems Maintenance and Inspection Services
- RFP # 14-10: Environmental Service-Supplemental
- RFP # 14-11: Fleet Washing Products and Services
- RFP # 14-12: Grounds Keeping Products and Services

All proposals duly delivered and submitted will be publicly opened and recorded on the date and time reflected above.

Any proposal received after the stated closing time will not be considered and returned unopened. If proposals are sent by mail, the Offeror shall be responsible for ensuring delivery of the proposal to Region 4 Education Service Center before the advertised date and hour for the opening. Proposals must be signed, sealed, clearly identified with the solicitation number, title, name and address of the company responding.

Specifications and details of this RFP can be found at [www.esc4.net](http://www.esc4.net) or [www.tcpn.org](http://www.tcpn.org) under Current Solicitations. General inquiries may be directed to Robert Zingelmann at [questions@esc4.net](mailto:questions@esc4.net)

Until final award, Region 4 Education Service Center reserves the right to reject any and/or all proposals, to waive any technicalities, to re-advertise, and to otherwise proceed when in the best interest of Region 4 Education Service Center.

No. of publications: 2; dates of publications: June 5, 12, 2014.

RUTH A. KRAMER first being duly sworn deposes and says: That he/she is a native born citizen of the United States of America, over 21 years of age, that I am an agent and/or publisher of the Florence Reminder and Blade-Tribune, a weekly newspaper published at Florence, Pinal County, Arizona, on Thursday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for TWO consecutive issues the first publication thereof having been on the 5TH

day of JUNE A.D., 2014

Second publication JUNE 12, 2014

Third publication \_\_\_\_\_

Fourth publication \_\_\_\_\_

Fifth publication \_\_\_\_\_

Sixth publication \_\_\_\_\_

## FLORENCE REMINDER & BLADE-TRIBUNE

By Ruth Kramer  
agent and/or publisher of the Florence Reminder & Blade-Tribune

Sworn to before me this 16th

day of June A.D., 2014

Debbie L Mummie

Notary Public in and for the County of Pinal, State of Arizona





## Solicitations

For more information about any of the following solicitations, please visit the [TCPN](#) Current Solicitations page

### Solicitation Requested

- 14-08 - Performing Arts Apparel, Instruments and Equipment
- 14-09 - Fire Systems Maintenance and Inspection Services
- 14-10 - Environmental Service - Supplemental
- 14-11 - Fleet Washing Products and Services
- 14-12 - Grounds Keeping Products and Services

Company \_\_\_\_\_

Contact Name \_\_\_\_\_

Street Address \_\_\_\_\_  
\_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

Phone \_\_\_\_\_

E-mail Address \_\_\_\_\_

7145 West Tidwell Road | Houston, Texas 77092-2096 | 713.462.7708  
McKinney Conference Center: 7200 Northwest 100 Drive | Houston, Texas 77092

[Feedback](#) | [Terms & Privacy](#) | [Contact Us](#) |

ISO 9001:2008 certified  
powered by [netStartEnterprise™](#)

## **Current Solicitations**

---

### **14-08 - Performing Arts Apparel, Instruments and Equipment**

*posted on Thursday, May 29, 2014 12:00 AM due Tuesday, July 01, 2014 2:00 PM*

[Click here to request a copy of this solicitation.](#)

[Questions & Answers](#)

### **14-09 - Fire Systems Maintenance and Inspection Services**

*posted on Thursday, May 29, 2014 12:00 AM due Tuesday, July 01, 2014 2:00 AM*

[Click here to request a copy of this solicitation.](#)

[Questions & Answers](#)

### **14-10 - Environmental Service - Supplemental**

*posted on Thursday, May 29, 2014 12:00 AM due Tuesday, July 01, 2014 2:00 PM*

[Click here to request a copy of this solicitation.](#)

[Questions & Answers](#)

### **14-11 - Fleet Washing Products and Services**

*posted on Thursday, May 29, 2014 12:00 AM due Tuesday, July 01, 2014 2:00 PM*

[Click here to request a copy of this solicitation.](#)

[Questions & Answers](#)

### **14-12 - Grounds Keeping Products and Services**

*posted on Thursday, May 29, 2014 12:00 AM due Tuesday, July 01, 2014 2:00 PM*

[Click here to request a copy of this solicitation.](#)

[Questions & Answers](#)



# Got the sniffles? The computer will see you now

GETTY IMAGES/ISTOCKPHOTO

## Smarter medical technology heads to doctor's office

**John Shinal**  
@johnshinal  
USA TODAY



THE NEW  
TECH  
ECONOMY

**SAN FRANCISCO** As IBM's Watson supercomputer was defeating human *Jeopardy* champions before a national TV audience in early 2011, one group of professionals was paying close attention.

"Our phone was ringing off the hook with calls from doctors" afterward, seeking information on the technology, says Claudia Fan Munce, who runs IBM's venture capital investment program.

Watson's question-and-answer prowess looked similar to what primary-care physicians do every day: make a diagnosis based on a quick interview of a patient and an analysis of a medical chart.

An accurate diagnosis is a well-educated guess, given the extensive training of U.S. medical doctors, who get it right about 80% to 90% of the time. But it's also a decision based on human analysis, so not a sure thing.

A 2004 Harris Poll done for the National Patient Safety Foundation found that one in six patients had experienced such an error.

Given the price of health plans, large employers could save a lot if workers were misdiagnosed less frequently. And since doctors spend five to 10 hours a week reading journals to stay current, a computing powerhouse that can retrieve and analyze millions of records instantly could save time and improve diagnostic accuracy.

"What made doctors excited (about the *Jeopardy* appearance) was the idea of having an intelligent adviser," says Jeff Margolis,



KIRSTY WIGGLESWORTH, AP

## A tricorder prop from *Star Trek: Insurrection*. Boldy going for new diagnostics

Qualcomm, the No. 1 smartphone chipmaker, has created a \$10 million prize for the developers who can come up with a consumer health scanner most closely resembling the tricorder device of "Star Trek" fame.

The competition attracted 34 teams from nine countries, according to the San Diego-based company, which is making several big bets on wireless health technologies.

The 10 finalists of the Tricorder XPrize will present their ideas in August.

CEO of Welltok, a Denver-based start-up whose software uses IBM's technology to create customized health-incentive plans.

In some medical fields such as radiology, diagnosis is already the domain of expensive equipment such as an MRI machine.

Now, as large technology companies and venture capitalists invest billions in health care, smarter medical technology is on its way to local clinics, doctors' offices — and American homes.

"The idea is to put doctors together with patients that need them most," says Leslie Saxon, chief of cardiology at the University of Southern California's Keck School of Medicine.

Almost \$13 billion in venture capital was invested in health care start-ups in 2012 and 2013 combined, says CB Insights.

Health care delivery will also be made smarter by personal data that U.S. medical consumers are now tracking via their mobile apps and devices.

Saxon sees a future in which Americans can track the vital signs of elderly relatives over the Internet in real time.

While the most powerful health care software will start out on big computers, some may migrate to mobile devices quickly.

Whether it's an app on your phone or on a server, or looks like a sci-fi prop or a consumer kiosk with voice recognition, the automated doctor of the future could be here within a decade or two.

"We'll have sophisticated machines purposely built to care for humans," says Dean Kamen, whose DEKA Research and Development Corp. designed and built the new prosthetic arm being surgically attached to maimed U.S. servicemembers.

The Food and Drug Administration approved the DEKA Arm System for consumer use in May.

Google, Microsoft and Samsung are also pouring investment into health-related hardware and services. This week, Apple unveiled software designed to store health data for the millions of mobile device users who've begun to track their own biometrics.

While innovation will have a big impact on consumers, it will also shake up the medical profession. Occupations in medicine and physical, mental and occupational therapy face good career prospects, as their in-person skills and service can't be replaced by software. Yet as tech proliferates and consumers get more tech-savvy, health workers will need to follow suit.

**John Shinal has covered tech and financial markets for more than 15 years at Bloomberg, BusinessWeek, The San Francisco Chronicle, Dow Jones MarketWatch, Wall Street Journal Digital Network and others.**

# Court overturns rejection of \$285M SEC-Citi settlement

Says judge showed  
'abuse of discretion'  
in blocking 2011 deal

**Kevin McCoy**  
USA TODAY

**NEW YORK** A federal appeals court Wednesday overturned a judge's rejection of a \$285 million settlement between the Securities and Exchange Commission and Citigroup, ruling that the judge failed to determine the deal would "disserve the public interest."

The much-anticipated decision by the U.S. Court of Appeals for the 2nd Circuit concluded that U.S. District Judge Jed Rakoff exhibited an "abuse of discretion" by "applying an incorrect legal standard" in blocking the 2011 agreement.

The 28-page decision clarified what the appeals court said was the correct legal standard for such cases and sent the matter back to Rakoff — an outcome that's likely to prompt final approval of the civil settlement.

The ruling represents a mixed win for both Wall Street and the SEC in the legal push-and-pull between the financial industry and an important government regulator.

Citigroup and Rakoff declined to comment on the decision. Andrew Ceresney, the SEC's enforcement director, said the ruling reaffirmed "the significant deference accorded to the SEC in determining whether to settle with parties and on what terms."

The case focused on SEC allegations that Citigroup negligently misrepresented its role and financial interest in the 2007 structuring and marketing of a complex \$1 billion package of mortgage bonds sold to investors. The New York-based global bank failed to disclose that it placed bets that the investment would fail, and reaped roughly \$160 million in profits when that forecast became reality, the SEC charged.

Under the proposed settlement, Citigroup agreed to disgorge the \$160 million, pay a \$95 million civil penalty along with \$30 million in interest and make internal oversight changes. Like many other SEC settlements, the final order required no admission of liability or guilt.

Questioning that omission, Rakoff required the SEC and the bank to answer a series of questions, including whether there was "an overriding public interest in determining whether the SEC's charges are true." He also asked whether the penalties, which he termed "pocket change" for Citigroup, would "have a meaningful



U.S. District Judge Jed Rakoff questioned whether the penalties on Citigroup were sufficient to "have a meaningful deterrent effect."

JED RAKOFF VIA AP

**"It is an abuse of discretion to require ... that the SEC establish the 'truth' of the allegations."**

U.S. Court of Appeals for the 2nd Circuit

deterrent effect."

Rakoff ultimately rejected the deal and set the case for trial. The SEC appealed, setting the legal stage for Wednesday's ruling.

"It is an abuse of discretion to require, as the district court did here, that the SEC establish the 'truth' of the allegations against a settling party as a condition for approving the consent decrees," the appeals court ruled. "Trials are primarily about the truth. Consent decrees are primarily about pragmatism."

Instead, the appeals court said the proper legal standard for review of a settlement by an enforcement agency should "determine whether the proposed consent decree is fair and reasonable, with the additional requirement that 'the public interest would not be disserved.'"

Although the decision overturned Rakoff's ruling, his questioning of Citigroup's failure to admit or deny the allegations prompted the SEC to say it would require such statements in some cases.

While echoing that pledge, Ceresney said "settlements without admissions also enable regulatory agencies to serve the public interest by returning money to harmed investors more quickly, without the uncertainty and delay from litigation."

Dennis Kelleher, president of Wall Street watchdog Better Markets, praised what he said was the ruling's rejection of "the SEC's extreme position" that courts should "merely rubber stamp" the agency's decisions. The appeals panel also endorsed the principle that lower courts have authority to establish a factual basis to evaluate any proposed settlement," said Kelleher.

## MARKETPLACE TODAY

For advertising information: 1.800.397.0070 www.russelljohns.com/usat

**NOTICES**

**PUBLIC NOTICE**

**Notice to Bidders**

Notice is hereby given that sealed responses will be received by  
**Region 4 Education Service Center located at**  
7145 West Tidwell Road, Houston, TX 77092 until:  
**Tuesday, July 1, 2014 @ 2:00 PM CDT**

**The Cooperative Purchasing Network (TCPN) Request for Proposal (RFP) for**  
**RFP # 14-08: Performing Arts Apparel, Instruments and Equipment**  
**RFP # 14-09: Fire Systems Maintenance and Inspection Services**  
**RFP # 14-10: Environmental Services-Supplemental**  
**RFP # 14-11: Fleet Washing Products and Services**  
**RFP # 14-12: Grounds Keeping Products and Services**

All proposals duly delivered and submitted will be publicly opened and recorded on the date and time reflected above.

Any proposal received after the stated closing time will not be considered and returned unopened. If proposals are sent by mail, the Offeror shall be responsible for ensuring delivery of the proposal to Region 4 Education Service Center before the advertised date and hour for the opening. Proposals must be signed, sealed, clearly identified with the solicitation number, title, name and address of the company responding.

Specifications and details of this RFP can be found at [www.esc4.net](http://www.esc4.net) or [www.tcpn.org](http://www.tcpn.org) under Current Solicitations. General inquiries may be directed to Robert Zingelmann at [questions@esc4.net](mailto:questions@esc4.net)

Until final award, Region 4 Education Service Center reserves the right to reject any and/or all proposals, to waive any technicalities, to re-advertise, and to otherwise proceed when in the best interest of Region 4 Education Service Center.

**PUBLIC NOTICE**

LUBBOCK-COOPER ISD (ADMINISTRATOR) IS SOLICITING REQUESTS FOR COMPETITIVE SEALED PROPOSALS ON BEHALF OF THE AMERICAN PURCHASING CONSORTIUM FOR LOCAL FULL SERVICE DELIVERY OF DAIRY, FRESH BREAD, ICE CREAM NOVELTIES AND DISPENSER BEVERAGES.

**PROPOSALS WILL BE ACCEPTED UNTIL 10:00 A.M. ON JUNE 19, 2014. INFORMATION ON PROPOSALS CAN BE OBTAINED AT WWW.LCISD.NET/PAGES/LCISD/DEPARTMENTS\_PROGRAMS/PURCHASING OR BY CALLING 806-863-7100 EXT 1606.**

THE ADMINISTRATOR RESERVES THE RIGHT TO REJECT ANY AND/OR ALL PROPOSALS.

**PERSONALS**

**MEET HOT LOCAL SINGLES**  
Browse Ads & Reply FREE. 18+ Call for Your Local Number  
888-634-2628, Code 3268

**BUSINESS**

**BUSINESS CONNECTIONS**

**BUSINESS CAPITAL**  
Private Banking / Credit Lines  
**1-800-621-2920**

**BUSINESS OPPORTUNITIES**

**EARN \$3,000+ DAILY! (Pot'!)**  
Get Paid up to 72 Times Daily!  
No Selling! Free Money Making Website! [www.GetMegaRich.com](http://www.GetMegaRich.com)

**Save Up To 20% On Fuel Costs**  
Green Product, Proven Results  
Global Income Opportunity  
2 Minute Recorded Message  
Call 1-503-488-6701

**INVESTMENTS**

**Up to 125% - 150% Returns at Minimal Risk**

Earn substantial returns by purchasing litigation funding prepaid forward contracts

**Leverage your capital by funding individual medical tort product liability lawsuits**

Contracts have remarkable security separate from real estate, equity markets, and startup business risks each contract is \$10,000

**Prometheus Law**  
(844) PLC-MGMT  
www.plcmgmt.com  
team@plcmgmtllc.com

**MARKETPLACE**

**HEALTH & FITNESS**

**VIAGRA**  
Cialis LEVITRA  
STAXYN - PROPECIA & MORE

FDA-Approved Medications  
U.S. Licensed Pharmacies

**VIAMEDIC**  
SAFE • SECURE • DISCREET

OVERNIGHT SHIPPING AVAILABLE  
**800-551-0352**  
VIAMEDIC.COM

Find products and services on [USATODAYclassifieds.com](http://USATODAYclassifieds.com).

**REAL ESTATE**

**WATERFRONT PROPERTY**

**GORGEOUS WOODED LAKE LOT**  
Many Bonuses! Southern Exposure.  
Private 2.75 Acre Lot Surrounded by County Land Near Barronett, WI  
Own a Piece of Paradise!!!  
1-715-354-3395

**USA TODAY Online Classifieds**

Looking for more classified listings?

Find even more products and services on the USA TODAY Online Classifieds.

For advertising information, please call us at: **(800) 397-0070**.

**TRAVEL**

**DISCOUNT TRAVEL**

**AIR AWARDS BUY/SELL**

UP TO 50% SAVINGS!  
BUSINESS, FIRST CLASS, INTERNATIONAL TRAVEL.  
**(800) 859-8695**  
**(952) 461-5050**

**NOTICES**

**PUBLIC NOTICE**

**MISSING**

**GRECIA GRANDES**

**DOB:** Apr 5, 1994  
**Sex:** Female  
**Race:** Hispanic  
**Missing:** Apr 22, 2011  
**Age Now:** 20  
**Hair:** Brown  
**Eyes:** Brown

**From:** Altamonte Springs, FL

NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN

**1-800-THE-LOST**

Do you have a business, real estate, or travel opportunity to market?

Do you have a product to sell or service to offer?

**USA TODAY's MARKETPLACE TODAY** is the answer, offering a variety of sizes and frequency rates to fit your budget.

For more information, contact us today: **1-800-397-0070**

# Time to pass shield law for journalists

## Momentum has waned in Congress

Rem Rieder  
USA TODAY



**MEDIA** Last summer, supporters were confident that at long last the federal shield law for journalists would be enacted.

After a number of false starts, they were convinced that the stars were aligned and that a measure to ensure that journalists wouldn't have to choose between protecting confidential sources and going to jail would make it over the finish line.

The key factor was widespread revulsion at the Obama administration's treatment of journalists in overly zealous leak investigations. In September, by a 13-5 vote, the bill was approved by the Senate Judiciary Committee.

Since then, nothing. And news

media organizations and First Amendment groups backing the bill fear the momentum of the summer of 2013 may have waned.

That would be bad. It's important legislation that's vital not only to journalists but, more important, to American citizens.

Confidential sources can be problematic. The transparency of attaching a name to information is obviously preferable. But in some cases, when sources may put their lives in jeopardy or risk losing their jobs by revealing information that's critical to the public interest, anonymity is a defensible cost of doing business. And a journalist should be able to protect that confidentiality without heading to the slammer.

This is hardly an academic debate. Last July, the U.S. Court of Appeals for the 4th Circuit ruled that *New York Times* reporter James Risen would have to testify in the prosecution of former CIA analyst Jeffrey Sterling.

If the U.S. Supreme Court rejects Risen's appeal, which would hardly come as a shock, the journalist will have to pick between giving up the source or heading to prison, as then-*New York Times* reporter Judith Miller did for 85 days in 2005.

Last July, Senate Judiciary



ALEX WONG, GETTY IMAGES FOR MEET THE PRESS  
**James Risen is asking the court to spare him from having to testify about a source.**

**Support tends to crest when something happens that underscores the urgency of the measure.**

Committee Chairman Charles Schumer, D-N.Y., assured me that the measure would "become law relatively quickly, by congressional standards." When I asked Schumer spokesman Matt House on Wednesday if his boss was still "confident," he responded, "We remain hopeful it will pass this year." Which is not quite the same thing.

He said he wasn't sure when the bill would be taken up. "Senate Republicans have been blocking bipartisan bills over non-related issues, but we're hopeful that won't happen with the media shield bill," House said.

Everyone seems to agree that more than 50 senators, a majority, are in favor. The problem, as Kevin Goldberg, legal counsel for the American Society of News Editors, points out, is that's not good enough these days. You need 60 votes to cut off debate if opponents try to block a measure.

Goldberg says the leadership wants to make sure those 60 votes are there. But finding out has been a challenge. (ASNE is a key part of the coalition of groups pushing the shield law).

It's the old chicken and egg conundrum. When you ask some senators if they will back the bill, they respond that they'll focus on

it when it's heading for the floor. But Senate leaders, who don't want to see the bill tie up the world's greatest deliberative body, are reluctant to give it the green light until they are sure those 60 votes are locked up, Goldberg says.

Support tends to crest when something happens that underscores the urgency of the measure, as was the case last summer. But with time that support ebbs. That's why quick action at a flashpoint is key. The next such moment may come if the Supreme Court rejects Risen's appeal.

It's not like this is a radical idea. Forty-eight states and the District of Columbia have similar protection for journalists.

It's hardly a get-out-of-jail-free card. The law includes a balancing test, which means in some instances national security concerns will trump the shield law and a journalist will be required to testify.

And the Judiciary Committee did a good job of sorting out who is covered, a thorny issue in an era in which traditional journalists are hardly the only people carrying out the craft.

So let's stop fooling around. It's time for both houses of Congress to pass the law.

# Amazon, Hachette feud may last awhile

## Usually taciturn site posts note to readers

Roger Yu  
@RogerJYu  
USA TODAY

Breaking its customary corporate silence, Amazon has launched a defense against a rising chorus of criticism about its decision to limit the supply of books from publisher Hachette Book Group and warned that the tussle could be protracted.

In a statement posted on its website Tuesday, Amazon acknowledged that its pricing negotiations have dragged on and lauded Hachette for operating in "good faith." But the Seattle-based retailer told customers that it's "not optimistic that this will be resolved soon."

"Despite much work from both sides, we have been unable to reach mutually acceptable agreement on terms," Amazon said.

Hachette's books have largely been removed from Amazon's shelves. Amazon is ordering from Hachette after customers place orders, curtailing author incomes and the usually rapid delivery cycle that the site's fans enjoy.

Amazon is no longer taking pre-orders on summer and fall titles, allowing customers to place an order only after books are released.

Amazon said it's seeking "equitable terms" in pricing, and its tactics are no different than those of big-box retailers that keep only a few copies on hand and choose certain titles to display prominently at the front of their stores.

"Suppliers get to decide the terms under which they are willing to sell to a retailer," it said. "It's reciprocally the right of a retailer to determine whether the terms on offer are acceptable and to stock items accordingly."

Amazon is in a similar fight with a publisher in Germany, the Bonnier Media Group.

Amazon and its CEO, Jeff Bezos, usually reluctant to talk to the press, remained silent after *The New York Times* first reported the retailer's cutback earlier this month. Its reluctance to respond contributed to the developing narrative of an intractable and inscrutable giant running roughshod over a supplier.

The imbroglio affects about 1% of Amazon's inventory. But that popular titles from the fourth-largest U.S. book publisher — home of James Patterson and



Christopher Buckley is among the authors on Hachette's roster.

four of the top 10 titles in the *New York Times'* hardcover fiction bestseller list — could be removed so quickly seemed to confirm publishers' fears about Amazon's expansive sway over the book business.

Michael Pietsch, CEO of Hachette urged authors and customers to be patient during this "difficult situation. Please know that we are doing everything in our power to find a solution," he said in a letter to authors.

As the stalemate persists, other retailers are seeking to take advantage. Books-a-Million, a chain with 258 stores nationwide, is offering 30% discounts on some upcoming Hachette titles.

While Amazon has branched out to digital media and tablets to boost profit, it still relies heavily on books and electronics for revenue. Its profit margins have always been thin, which is both a result of and an explanation for Amazon's ceaseless drive to extract the best prices possible from manufacturers and middlemen.

## MARKETPLACE TODAY

For advertising information: 1.800.397.0070 www.russelljohns.com/usat

### NOTICES

### LEGAL NOTICE

#### Universal Health Care of Nevada, Inc., in Receivership IMPORTANT NOTICE OF LIQUIDATION AND CLAIMS FILING DEADLINE

**TO ALL PERSONS INTERESTED IN THE AFFAIRS OF UNIVERSAL HEALTH CARE OF NEVADA, INC. ("UHCNI")**

This notice provides important information regarding the liquidation of UHCNI. On May 2, 2013, the Second Judicial District Court of the State of Nevada in and for the County of Washoe (the "Receivership Court") entered an *Order to Show Cause, Injunction Order Appointing Commissioner as Receiver Pursuing Further Order of the Court, Order to Preserve Assets of Insurer*. This order placed UHCNI into temporary receivership and appointed Scott J. Kipper, the Commissioner of Insurance for the State of Nevada (the "Commissioner"), as Temporary Receiver. The Commissioner was subsequently appointed Permanent Receiver of UHCNI on May 15, 2013, with the Receivership Court's entry of its *Order Appointing Commissioner as Permanent Receiver for Universal Health Care of Nevada, Inc., Order of Liquidation, and Other Permanent Relief* (the "Receivership Order"). The firm of CANTILLO & BENNETT, L.L.P. has been appointed Special Deputy Receiver ("SDR") by the Commissioner to oversee and assist with the liquidation of UHCNI.

Effective May 1, 2013, at 12:01 a.m., the Centers for Medicare & Medicaid Services ("CMS") terminated its contract with UHCNI via mutual agreement, which resulted in the termination of all UHCNI plans. Former UHCNI members are receiving continued health coverage through arrangements made by CMS with Medicare. If you need more information regarding Medicare, please visit [www.medicare.gov](http://www.medicare.gov) or call 1-800-MEDICARE. Also, the SDR strongly encourages former UHCNI members to review any correspondence they receive from the receivership estate, CMS, or Medicare.

The permanent Receivership Order, among other things, authorizes the creation of a Proof of Claim ("POC") process and procedure, as well as a deadline for the filing and processing of claims against UHCNI. On March 28, 2014, the Receivership Court entered an order approving the SDR's procedures for filing and processing claims against UHCNI, and establishing October 1, 2014, as the claims filing deadline (the "Claims Filing Deadline") by which claims against UHCNI are to be postmarked or received. Claims submitted after the Claims Filing Deadline will be barred from sharing in any assets which might be available for distribution until timely approved claims are paid in full. The POC form, instructions, and additional information about the October 1, 2014, Claims Filing Deadline are available on the SDR's web site at [www.uhcni-sdr.com](http://www.uhcni-sdr.com).

Healthcare providers must submit a Master Claim, which includes the submission of an Itemization Table and supporting documentation. Special instructions for healthcare providers and document templates can be found on the SDR's web site. Notices of matters filed in the receivership and other relevant information, such as the Receivership Appeal Procedure, will be posted on the SDR's web site. You may wish to check the site on an ongoing basis to stay informed about your legal rights.

Please note that claims must be submitted on the approved POC form. You may also request the POC form and instructions by calling 1-877-309-7105, by e-mailing [UHCNI@cbt-frm.com](mailto:UHCNI@cbt-frm.com), or by writing to CANTILLO AND BENNETT, L.L.P., Special Deputy Receiver, 11401 Century Oaks Terrace, Suite 300, Austin, Texas 78758 or P.O. Box 184, Austin, Texas 78767.

Send your sales through the roof with an ad in  
**Marketplace Today.**

For more information on how to place your ad call:  
**1-800-397-0070**

## MARKETPLACE TODAY

For advertising information: 1.800.397.0070 www.russelljohns.com/usat

### NOTICES

### LEGAL NOTICE

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE**  
In re: BROOKSTONE HOLDINGS CORP., et al., Chapter 11, 14-10752 (BLS) (Jointly Administered)

Ref. Nos. 284, 311, 350, 351, and 362  
**NOTICE OF THE OBJECTION DEADLINE AND CONFIRMATION HEARING WITH RESPECT TO THE DEBTORS' JOINT CHAPTER 11 PLAN**

**PLEASE TAKE NOTICE** that on May 19, 2014, the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court") entered an order (the "Disclosure Statement Order") that, among other things, approved the *Disclosure Statement for the Debtors' Revised First Modified Joint Chapter 11 Plan of Reorganization* (as amended from time to time and including all exhibits and supplements thereto, the "Disclosure Statement"), as containing adequate information, as required under section 1125(a) of the Bankruptcy Code, 11 U.S.C. §§ 101-152 (the "Bankruptcy Code"), and (b) authorized the above-captioned debtors and debtors in possession (collectively, the "Debtors") to solicit votes with regard to the acceptance or rejection of the Debtors' Revised First Modified Joint Chapter 11 Plan of Reorganization (the "Plan").

**PLEASE TAKE FURTHER NOTICE** that if you hold a Claim against one of the Debtors as of the Voting Record Date and are entitled to vote to accept or reject the Plan, you have received a Ballot or a Master Ballot and Voting Instructions appropriate for your Claim(s). For your vote to be counted, you must follow the appropriate voting instructions, complete all required information on the Ballot or Master Ballot, execute and return the completed Ballot or Master Ballot so that it is actually received in accordance with the voting instructions set forth in the Ballot or Master Ballot at the address indicated on the Ballot or Master Ballot by 5:00 p.m. prevailing Eastern Time on June 16, 2014 (the "Voting Deadline"). Any failure to follow the voting instructions included with the Ballot or Master Ballot may disqualify your Ballot or Master Ballot and your vote on the Plan.

**PLEASE TAKE FURTHER NOTICE** that the Bankruptcy Court has established June 16, 2014, at 5:00 p.m. prevailing Eastern Time, as the last date and time for filing and serving objections to the Confirmation of the Plan (the "Plan Objection Deadline"). Any objection to the Plan must (a) be in writing; (b) conform to the Bankruptcy Rules and the Local Rules; (c) state the name and address of the objecting party and the amount and nature of the Claim or interest of such Entity; (d) state with particularity the basis and nature of any objection to the Plan and, if practicable, a proposed modification to the Plan that would resolve such objection; and (e) be filed, contemporaneously with a proof of service, with the Bankruptcy Court and served so that it is actually received no later than the Plan Objection Deadline, by: (i) K&L Gates LLP, Attn: Charles M. Dale III and Mackenzie L. Shea, State Street Financial Center, One Lincoln Street, Boston MA 02111 and (ii) Landis Rath & Cobb, LLP, Attn: Adam G. Landis and Kerri K. Mumford, 919 Market Street, Suite 1800, Wilmington, DE 19801, attorneys for the Debtors; (b) (i) Stroock & Stroock & Lavan LLP, Attn: Kristopher Hansen and Erez E. Gilad, 180 Maiden Lane, New York, NY 10038 and (ii) Young Conaway Stargatt & Taylor, LLP, Attn: Matthew Lunn, 1000 North King Street, Wilmington, DE 19801, attorneys for the Ad Hoc Committee, DIP Agent and DIP Lenders; (c) Cole, Schotz, Meisel, Forman & Leonard, P.A., 25 Main Street, P.O. Box 800, Hackensack, New Jersey 07602; (d) Cooley LLP, Attn: Jeffrey L. Cohen and Jay Indyke, The Grace Building, 1114 Avenue of the Americas, New York, NY 10036, attorneys for the Official Committee of Unsecured Creditors; and (e) the U.S. Trustee, Attn: Richard L. Schepacter, Trial Attorney, 3-Caleb Boogs Federal Building, 844 King Street, 2nd Floor, Room 2112, Wilmington, Delaware 19801.

**PLEASE TAKE FURTHER NOTICE** that a hearing to confirm the Plan (the "Confirmation Hearing") will commence on June 23, 2014 at 10:00 a.m. prevailing Eastern Time before the Honorable Brendan L. Shannon, United States Bankruptcy Judge, in the United States Bankruptcy Court for the District of Delaware. Please be advised that the Confirmation Hearing may be continued from time to time by the Court or the Debtors without further notice other than by such adjournment being announced in open court or by a notice of adjournment filed with the Court and served on parties entitled to notice under Bankruptcy Rule 2002, and the local rules of the Bankruptcy Court or otherwise. In accordance with the Plan, the Plan may be modified, amended, or revised, during or as a result of the Confirmation Hearing further action by the Debtors and without further notice to or action, order, or approval of the Bankruptcy Court or any other Entity.

**PLEASE TAKE FURTHER NOTICE** that any party in interest seeking to obtain a Solicitation Package, copy of the Plan or other pleadings may contact the Administrative Agent retained by the Debtors in these chapter 11 cases, by: (a) calling the Debtors' restructuring hotline at (866) 251-2873 within the U.S. or Canada or, outside of the U.S. or Canada, calling (310) 751-2611; (b) visiting the Debtors' restructuring website at <http://www.kcllc.net/brookstone>; and/or (c) writing to Brookstone, c/o Kurtzman Carson Consultants, LLC, 2235 Alaska Avenue, # Segundo, California 90245. You may also obtain copies of any pleadings filed in these chapter 11 cases for a fee via PACER at: <http://www.deb.uscourts.gov>.

Dated: May 27, 2014, Wilmington, Delaware

**BY ORDER OF THE HONORABLE BRENDAN L. SHANNON UNITED STATES BANKRUPTCY JUDGE**

<sup>1</sup> The Debtors, along with the last four digits of each Debtor's tax identification number, are: Brookstone Holdings Corp. (4638); Brookstone, Inc. (2895); Brookstone Company, Inc. (3478); Brookstone Retail Puerto Rico, Inc. (5522); Brookstone International Holdings, Inc. (8382); Brookstone Purchasing, Inc. (2514); Brookstone Stores, Inc. (2513); Gardener's Eden, Inc. (7793); Brookstone Military Sales, Inc. (2029); Big Blue Audio LLC (N/A); Brookstone Holdings, Inc. (2515); and Brookstone Properties, Inc. (2517). The Debtors' corporate headquarters and the mailing address for each Debtor is One Innovation Way, Merrimack, NH 03054.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Plan.

<sup>3</sup> The Debtors' Administrative Agent is Kurtzman Carson Consultants, LLC.

Visit us online at: [usatoday.com](http://usatoday.com)

### PUBLIC NOTICE

#### Notice to Bidders

Notice is hereby given that sealed responses will be received by  
**Region 4 Education Service Center located at**  
7145 West Tidwell Road, Houston, TX 77092 until:

**Tuesday, July 1, 2014 @ 2:00 PM CDT**

**The Cooperative Purchasing Network (TCPN) Request for Proposal (RFP) for**  
**RFP # 14-08: Performing Arts Apparel, Instruments and Equipment**  
**RFP # 14-09: Fire Systems Maintenance and Inspection Services**  
**RFP # 14-10: Environmental Services-Supplemental**  
**RFP # 14-11: Fleet Washing Products and Services**  
**RFP # 14-12: Grounds Keeping Products and Services**

All proposals duly delivered and submitted will be publicly opened and recorded on the date and time reflected above.

Any proposal received after the stated closing time will not be considered and returned unopened. If proposals are sent by mail, the Offeror shall be responsible for ensuring delivery of the proposal to Region 4 Education Service Center before the advertised date and hour for the opening. Proposals must be signed, sealed, clearly identified with the solicitation number, title, name and address of the company responding.

Specifications and details of this RFP can be found at [www.esoc4.net](http://www.esoc4.net) or [www.tcpn.org](http://www.tcpn.org) under Current Solicitations. General inquiries may be directed to Robert Zingelmann at [questions@esoc4.net](mailto:questions@esoc4.net)

Until final award, Region 4 Education Service Center reserves the right to reject any and/or all proposals, to waive any technicalities, to re-advertise, and to otherwise proceed when in the best interest of Region 4 Education Service Center.

Do you have a business, real estate,  
or travel opportunity to market?

Do you have a product to sell or service to offer?

**USA TODAY's MARKETPLACE TODAY**  
is the answer, offering a variety of sizes and frequency rates to fit your budget.

For more information, call: **1-800-397-0070**  
**info@usatodayclassifieds.com**

### PUBLIC NOTICE

LUBBOCK-COOPER IS (ADMINISTRATOR) SD SOLICITING REQUESTS FOR COMPETITIVE SEALED PROPOSALS ON BEHALF OF THE AMERICAN PURCHASING CONSORTIUM FOR LOCAL FULL SERVICE DELIVERY OF DAIRY, FRESH BREAD, ICE CREAM NOVELTIES AND DISPENSER BEVERAGES.

**PROPOSALS WILL BE ACCEPTED UNTIL 10:00 A.M. ON JUNE 19, 2014. INFORMATION ON PROPOSALS CAN BE OBTAINED AT WWW.LCISD.NET/PAGES/LCISD/DEPARTMENTS\_PROGRAMS/PURCHASING OR BY CALLING 806-863-7100 EXT 1606.**

THE ADMINISTRATOR RESERVES THE RIGHT TO REJECT ANY AND/OR ALL PROPOSALS.

### PERSONALS

**MEET HOT LOCAL SINGLES**  
Browse Ads & Reply FREE. 18+  
Call for Your Local Number  
888-634-2628, Code 3268

### BUSINESS

### BUSINESS CONNECTIONS

**BUSINESS CAPITAL**  
Private Banking / Credit Lines  
**1-800-621-2920**

### MARKETPLACE

### ELECTRONICS

**iPhone 5 Lot**  
Factory Sealed. Former AT&T Dealer.  
Serious Inquiries Only.  
Retailers Welcome. Leave Message at  
**1-907-886-1700**

### HEALTH/FITNESS

**VIAGRA**  
**Cialis LEVITRA**  
**STAXYN - PROPECIA & MORE**  
• FDA-Approved Medications  
• U.S. Licensed Pharmacies  
**VIAMEDIC**  
SAFE • SECURE • DISCREET  
**OVERNIGHT SHIPPING AVAILABLE**  
**800-551-0352**  
**VIAMEDIC.COM**

### REAL ESTATE

### WATERFRONT PROPERTY

**GORGEOUS WOODED LAKE LOT**  
Many Bonuses! Southern Exposure.  
Private 2.75 Acre Lot Surrounded by  
County Land Near Barronett, WI  
Own a Piece of Paradise!!!  
1-715-354-3395

### TRAVEL

### DISCOUNT TRAVEL

### AIR AWARDS BUY/SELL

UP TO 50% SAVINGS!  
BUSINESS, FIRST CLASS,  
INTERNATIONAL TRAVEL.  
**(800) 859-8695**  
**(952) 461-5050**

### PRODUCT TO SELL? SERVICE TO OFFER? POSITION TO FILL?

Your ad could be here!  
To advertise, contact:  
**1-800-397-0070**



**AWARD AND EVALUATION CRITERIA FROM ORIGINAL SOLICITATION**

contracts that may have included similar services, however, Region 4 ESC makes no guarantee or commitment of any kind concerning quantities or usage of contracts resulting from this solicitation. The volume for this contract is estimated to be from \$10 million a year to \$30 million a year. This information is provided solely as an aid to contract vendors in preparing proposals only. The successful Vendor(s) discount and pricing schedule shall apply regardless of the volume of business under the contract.

- XXI. Multiple Awards:** membership includes a large number of potential entities which may utilize this contract throughout the nation. In order to assure that any ensuing contract(s) will allow Region 4 ESC to fulfill current and future needs, Region 4 ESC reserves the right to award contract(s) to multiple vendors. The decision to award multiple contracts, award only one contract, or to make no awards rests solely with Region 4 ESC.
- XXII. Non-Exclusive:** Any contract resulting from this solicitation shall be awarded with the understanding and agreement that it is for the sole convenience and benefit of participating members. Region 4 ESC and participating entities reserve the right to obtain like goods and services from other sources.

### **AWARD PROCESS**

- XXIII. Award or Rejection of Proposals:** In accordance with applicable laws, rules, and regulations for public purchasing, award(s) will be made to the prospective vendor whose response is determined to be the most advantageous to participating agencies, price and other factors considered. Region 4 ESC reserves the right to use a "Market Basket Survey" method, based on randomly selected criteria to determine the most advantageous response. To qualify for evaluation, a proposal must have been submitted on time, and satisfy all mandatory requirements identified in this solicitation. Proposals that are materially non-responsive will be rejected and the Offeror will be provided notice of such rejection.
- XXIV. Evaluation Process:** In evaluating the responses the following predetermined criteria is considered:

**Products/Pricing (40 Points)**

1. All products and services available
2. Pricing for all available products and services
3. Pricing for warranties on all products and services
4. Ability of Customers to verify that they received contract pricing
5. Payment methods
6. Other factors relevant to this section as submitted by the proposer

**Performance Capability (30 Points)**

1. Ability to deliver products and services nationally
2. Response to emergency orders
3. Average Fill Rate
4. Average on time delivery rate
5. Shipping charges
6. Return and restocking policy and applicable fees
7. History of meeting the shipping and delivery timelines
8. Ability to meet service and warranty needs of members
9. Customer service/problem resolution
10. Invoicing process
11. Contract implementation/Customer transition
12. Financial condition of vendor
13. Website ease of use, availability, and capabilities related to ordering, returns and reporting

14. Offeror's safety record
15. Instructional materials
16. Other factors relevant to this section as submitted by the proposer

**Qualification and Experience (20 Points)**

1. Offeror's reputation in the marketplace
2. Reputation of products and services in the marketplace
3. Past relationship with Region 4 ESC and/or TCPN members
4. Experience and qualification of key employees
5. Location and number of sales persons who will work on this contract
6. Past experience working with the government sector
7. Exhibited understanding of cooperative purchasing
8. Past litigation, bankruptcy, reorganization, state investigations of entity or current officers and directors
9. Minimum of 10 customer references relating to the products and services within this RFP
10. Other factors relevant to this section as submitted by the proposer

**Value Add (10 Points)**

1. Marketing plan and capability
2. Sales force training
3. Other factors relevant to this section as submitted by the proposer

**XXV. Competitive Range:** It may be necessary to establish a competitive range. Factors from the predetermined criteria will be used to make this determination. Responses not in the competitive range are unacceptable and do not receive further award consideration.

**XXVI. Evaluation:** A committee will review and evaluate all responses and make a recommendation for award of contract(s). The recommendation for contract awards will be based on the predetermined criteria factors outlined in this solicitation, where each factor is assigned a point value based on its importance.

**XXVII. Past Performance:** An Offeror's performance and actions under previously awarded contracts are relevant in determining whether or not the Offeror is likely to provide quality goods and services to TCPN members; including the administrative aspects of performance; the Offeror's history of reasonable and cooperative behavior and commitment to customer satisfaction; and generally, the Offeror's businesslike concern for the interests of the customer.

**OPEN RECORDS POLICY**

**XXVIII. Proprietary Information:** Because contracts are awarded by a governmental entity, all responses submitted are subject to release as public information after contracts are executed. If an Offeror believes that its response, or parts of its response, may be exempt from disclosure, the Offeror must specify page-by-page and line-by-line the parts of the response, which it believes, are exempt. In addition, the Offeror must specify which exception(s) are applicable and provide detailed reasons to substantiate the exception(s). Offeror must provide this information on the "Acknowledge and Acceptance to Region 4 ESC's Open Record Policy" form found at the beginning of this solicitation. Any information that is unmarked will be considered public information and released, if requested under the Public Information Act.

The determination of whether information is confidential and not subject to disclosure is the duty of the Office of Attorney General (OAG). Region 4 ESC must provide the OAG sufficient information to render an opinion and therefore, vague and general claims to confidentiality by the Offeror are not



**BID OPENING AND LATE SUBMISSION POLICY FROM SOLICITATION**

## D. GENERAL TERMS AND INSTRUCTIONS TO OFFERORS

- I. **Submission of Response:** Unless otherwise specified in the solicitation, all submitted proposals must contain one (1) bound and signed original copy of the solicitation, and two (2) electronic copies on CD, DVD or flash drives (i.e. pin or jump drives) shall be provided. Please see format requirements below. Vendor must also submit one (1) electronic proposal free of propriety information to be posted on Vendor information page if awarded a contract.

Only sealed responses will be accepted. Faxed or electronically transmitted responses will not be accepted. Sealed responses may be submitted on any or all items, unless stated otherwise. Proposal may be rejected for failure to comply with the requirements set forth in this proposal.

Deviations from any terms, conditions and/or specifications must be conspicuously noted in writing by the Offeror and shall be included with the response. (See Appendix D).

- II. **Proposal Format:** Responses must be provided in a three-ring binder or report cover using 8.5 x 11 paper clearly identified with the name of the Offeror's company and the solicitation name and number on both the outside front cover and vertical spine. All forms are to be completed electronically.

Include a copy of the entire RFP document that you are responding to, prior to your tabulated response. This means that all pages prior to the Appendixes must be included before Tab 1. Tabs should be used to separate the proposal into sections. The following items identified must be included behind the tabs listed below. Offerors failing to organize in the manner listed may be considered non-responsive and may not be evaluated.

III. **Binder Tabs:**

- Tab 1 – Entire Vendor Contract and Signature Form
  - General Terms and Conditions Acceptance Form (Appendix D)
- Tab 2 – Questionnaire (Appendix E)
- Tab 3 – Company Profile (Appendix F, excluding References section)
- Tab 4 – Evaluation Criteria Questionnaire (Appendix I)
- Tab 5 – Product / Services (Appendix B)
- Tab 6 – References (Appendix F)
- Tab 7 – Pricing (Appendix C)
- Tab 8 – Value Add (Appendix G)
- Tab 9 – Required Documents
  - Additional Required Documents (Appendix H)
  - Acknowledgement & Acceptance of Region 4 ESC Open Records Policy (Page 4).

- IV. **Mailing of Proposals:** All bids and proposals submitted in response to the solicitation must be clearly identified as listed below with the solicitation number, title, name and address of the company responding. All packages must be clearly identified as listed below, sealed and delivered to the Region 4 ESC office no later than the submittal deadline assigned for this solicitation.

From \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Solicitation Name and Number \_\_\_\_\_ Due Date and Time \_\_\_\_\_

- V. **Time for Receiving Proposals:** Proposals received prior to the submittal deadline will be time-stamped upon receipt and kept secure and unopened. At the submittal deadline, Region 4 will begin the process of opening all bids publicly by collecting all proposals received before the deadline in the room designated for the bid opening. No proposals received after the submittal time and deadline will be considered. Late proposals will be returned to sender unopened.
- VI. **Inquiries and/or Discrepancies:** Questions regarding this solicitation must be submitted in writing to Robert Zingelmann at [questions@esc4.net](mailto:questions@esc4.net) or (713) 744-6835 no later than *June 24*. All questions and answers will be posted to both [www.esc4.net](http://www.esc4.net) and [www.tcpn.org](http://www.tcpn.org) under **Solicitations**. Offerors are responsible for viewing either website to review all questions and answers prior to submitting proposals. Please note that oral communications concerning this RFP shall not be binding and shall in no way excuse the responsive Offeror of the obligations set forth in this proposal.
- VII. **Restricted and Prohibited Communications with Region 4 ESC:** During the period between the date Region 4 ESC issues this RFP and the selection of the vendor who is awarded a contract by Region 4 ESC, if any, Offerors shall restrict all contact with Region 4 ESC and direct all questions regarding this RFP, including questions regarding terms and conditions, only to the individual identified above in Section "Inquiries and/or Discrepancies" in the specified manner. **Do not contact members of the Board of Directors, other employees of Region 4 ESC or any of Region 4 ESC's agents or administrators. Contact with any of these prohibited individuals after issuance of this RFP and before selection is made, may result in disqualification of the Offeror.**

The communications prohibition shall terminate when the contract is recommended by the administration, considered by the Board of Directors at a noticed public meeting, and a contract has been awarded. In the event the Board of Directors refers the recommendation back to staff for reconsideration, the communications prohibition shall be re-imposed. Additionally, during the time period between the award by the Board of Directors and the execution of the contract, Offerors shall not engage in any prohibited communications as described in this section.

Prohibited communications includes direct contact, discussion, or promotion of any Offeror's response with any member of Region 4 ESC's Board of Directors or employees except for communications with Region 4 ESC's designated representative as set forth in this RFP and only in the course of inquiries, briefings, interviews, or presentations. This prohibition is intended to create a level playing field for all potential Offerors, assure that decisions are made in public, and to protect the integrity of the RFP process. Except as provided in the above stated exceptions, the following communications regarding a particular invitation for bids, requests for proposal, requests for qualifications, or other solicitation are prohibited:

- Communications between a potential vendor, service provider, bidder, offeror, lobbyist or consultant and any member of Region 4 ESC's Board of Directors;
- Communications between any director and any member of a selection or evaluation committee; and
- Communications between any director and administrator or employee.

The communications prohibition shall not apply to the following:

- Communications with Region 4 ESC's purchasing agent specifically named and authorized to conduct and receive such communications under this RFP or upon the request of Region 4 ESC, with Region 4 ESC's legal counsel; and
- Presentations made to the Board of Directors during any duly noticed public meeting.



**NOTICE OF INTENT TO AWARD**

**Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement -Sample**

\_\_\_\_\_ intends to participate in the Region 4 Education Service Center (“Region 4 ESC”) contract for Groundskeeping Products and Services, Contract # R141201 to purchase Groundskeeping Products and Services through National Intergovernmental Purchasing Alliance (“National IPA”).

Information regarding the contract may be found on the National IPA website at:

[www.nationalipa.org](http://www.nationalipa.org)

\_\_\_\_\_ anticipates joining the National IPA/TCPN contract on \_\_\_\_\_. The Region 4 ESC contract term is October 1, 2014 to September 30, 2018 with one (1) additional annual renewal if mutually agreed by Region 4 ESC and The Toro Company.

It is the intent of \_\_\_\_\_ to make a contract award to The Toro Company pursuant to the proposal submitted in response to the Region 4 ESC RFP.

\_\_\_\_\_ is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3).

Comment period ends \_\_\_\_\_.



## **DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN**

STATE OF NEW JERSEY -- DIVISION OF PURCHASE AND PROPERTY  
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Quote Number: Contract # 2017025

Bidder/Offeror: The Toro Company

**PART 1: CERTIFICATION**  
**BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.**  
**FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE.**

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders must review this list prior to completing the below certification. **Failure to complete the certification will render a bidder's proposal non-responsive.** If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party

**PLEASE CHECK THE APPROPRIATE BOX:**

I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR

I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

**PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN**

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

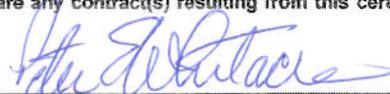
**EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.**

|                                   |                                      |
|-----------------------------------|--------------------------------------|
| Name _____                        | Relationship to Bidder/Offeror _____ |
| Description of Activities _____   |                                      |
| _____                             |                                      |
| Duration of Engagement _____      | Anticipated Cessation Date _____     |
| Bidder/Offeror Contact Name _____ | Contact Phone Number _____           |

ADD AN ADDITIONAL ACTIVITIES ENTRY

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and that the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): Peter Whitacre

Signature: 

Title: Regional Business Manager

Date: 07/26/2017



Enhanced Portfolio | Unified Focus | Continued Trust

## **NEW JERSEY LFN 2012-10 PACKET CHECKLIST**

- X Contract Documents Screenshot
- X Page from original solicitation that indicates Lead Agency and issuance of solicitation on behalf of themselves and National IPA and/or TCPN members nationally
- X New Jersey Business Registration Certificate for the contractor and any subcontractors
- X Statement of Corporate Ownership
- X Public Contract EEO Compliance
- X Non-Collusion Affidavit
- X Solicitation Posting Documents
- X Award and evaluation criteria from solicitation
- X Notice of Intent to Award---Sample
- X Disclosure of Investment Activities in Iran