

# **RFP FORMS "C" SERIES**

## **REQUEST FOR PROPOSALS**

PRINTING, BINDING, PACKAGING, AND DELIVERING THE  
2006 IOWA ACTS AND THE 2007 CODE OF IOWA

### **C-1 INSTRUCTIONS FORM**

Acts and Code

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Legislative Services Agency  
State Capitol  
Des Moines, Iowa 50319

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**REQUEST FOR PROPOSALS (FORM C-1)**  
**INSTRUCTIONS FORM 2006 IOWA ACTS & 2007 CODE OF IOWA**

**C-1**  
**INSTRUCTIONS FORM**

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THIS C-SERIES OF DOCUMENTS IS A REQUEST FOR PROPOSALS (RFP), INCLUDING THIS INSTRUCTIONS FORM (C-1) FOR THE IOWA ACTS OR "ACTS" (ITEM #1) AND THE IOWA CODE OR "CODE" (ITEM #2). A BIDDER MAY SUBMIT A PROPOSAL IN RESPONSE TO THE RFP FOR THE ACTS AND THE CODE OR ONLY FOR ONE PUBLICATION. TO COMPLETE A PROPOSAL READ THIS INSTRUCTIONS FORM AND CONSULT THE RELEVANT TABLES IN THE APPENDICES (C-4) OR THE RELEVANT CONTRACT FORM (C-2). BIDDERS MUST COMPLETE THE PROPOSAL FORM (C-3) IN AN ELECTRONIC FORMAT. PLEASE CONTACT THE AGENCY AT (515) 281-3566 TO RECEIVE A COPY OF THAT FORM IN MICROSOFT WORD®. FORMS ARE PROVIDED BY THE AGENCY ON ITS WEBSITE. PROPOSALS SUBMITTED IN PRIOR YEARS ARE ALSO AVAILABLE ON THE WEBSITE. A FAILURE TO PROPERLY COMPLETE THIS PROPOSAL FORM AND SUBMIT IT BY THE DEADLINE MAY RESULT IN THE BIDDER'S DISQUALIFICATION.

**TABLE OF CONTENTS**

<b>I. READING THIS RFP</b>	.....	<b>3</b>
<b>II. COMMUNICATION</b>	.....	<b>3</b>
<b>III. SUBMISSION OF A PROPOSAL FORM</b>	.....	<b>6</b>
<b>IV. CONTENTS OF A PROPOSAL FORM</b>	.....	<b>7</b>
<b>V. COMPLIANCE WITH THE RELEVANT CONTRACT FORM</b>	.....	<b>8</b>
<b>VI. EVALUATION OF PROPOSALS AND THE SELECTION OF A BIDDER</b>	.....	<b>9</b>



# REQUEST FOR PROPOSALS (FORM C-1) INSTRUCTIONS FORM 2006 IOWA ACTS & 2007 CODE OF IOWA

## I. READING THIS RFP

- A. Purpose.** This Request for Proposals (RFP) is issued by the Legislative Services Agency (Agency) to solicit proposal forms which include bids for the production (compilation, printing, and binding), packaging, and delivery of the Acts or the Code.
- 1. The Iowa Acts ("Acts").** The Iowa Acts or "Acts," formally referred to as the Acts and Joint Resolutions (Session Laws), is a single-volume case bound book including statutory provisions as enacted or item-vetoed during a regular session and any extraordinary session of that General Assembly, together with miscellaneous materials, tables, and an index.
  - 2. The Iowa Code ("Code").** The Iowa Code or "Code," formally referred to as the Code of Iowa, includes (1) A statutory volumes set (Volumes I-VI) of six case bound books, that contains statutes and miscellaneous materials including constitutions, compacts, and a skeleton index, and (2) An index volume, a single case bound book complementing the statutory volumes set, that contains a main subject matter index and related tables and miscellaneous materials including a skeleton index.
- B. RFP Consists of Four Documents and Items.** This RFP consists of the following documents: This Instructions Form (C-1), the Contract Forms (C-2), the Proposal Forms (C-3), and the Appendices (C-4). The Contract Forms include two items: Item #1 is the Contract Form for the Acts and Item #2 is the Contract Form for the Code. The Proposal Forms also contain two items: Item #1 is the Proposal Form for the Acts, and Item #2 is the Proposal Form for the Code. The Appendices are tables relating to production and delivery schedules and detailed specifications for production items and books.
- C. Getting Started.** A bidder makes a proposal in response to this RFP by completing and submitting the relevant proposal form to the Agency for evaluation. In completing a proposal form, a bidder should consult this Instructions Form and the Appendices. A bidder may also consult with the corresponding contract form which contains all definitions, specifications, terms, conditions, and requirements for producing, packaging, and delivering the production items and books.
- D. No Obligation.** This RFP requests the submission of a proposal form and should not be construed as any kind of intent, commitment, or promise by the Agency, the Iowa General Assembly, or the State of Iowa to do any of the following: (1) Acquire materials or services, (2) Pay for any information or services provided by a prospective bidder, bidder, or potential contractor, or (3) Pay expenses incurred by a potential bidder, bidder, or potential contractor.

## II. COMMUNICATION

- A. Communication Channels.** The Agency encourages communication between the Agency and potential bidders.



# REQUEST FOR PROPOSALS (FORM C-1)

## INSTRUCTIONS FORM 2006 IOWA ACTS & 2007 CODE OF IOWA

1. **Registration -- Electronic Message.** A potential bidder is encouraged to register with the Agency by submitting an electronic mail message to the Agency which (1) States the potential bidder's interest in submitting a proposal form, and (2) Provides the name of the contact person for the potential bidder together with an electronic mail address for the delivery of messages by the Agency to the potential bidder's contact person.
2. **Communication to the Agency.** All communications regarding this RFP to the Agency must be addressed to the Agency's contact persons, who are Ms. Leslie Hickey and Ms. Joanne Page:

### Agency's Contact Persons

Position	Ms. Leslie Hickey		Ms. Joanne Page	
	Iowa Code Editor		Deputy Code Editor	
	Legislative Services Agency		Legislative Services Agency	
Office	Ola Babcock Miller Building		Ola Babcock Miller Building	
	3rd Floor		3rd Floor	
	Des Moines, Iowa 50319		Des Moines, Iowa 50319	
Contact	Tele- phone	(515) 281-8871	Tele- phone	(515) 242-6464
	Fax	515-281-5534	Fax	515-281-5534
	E-mail	leslie.hickey@legis.state.ia.us	E-mail	joanne.page@legis.state.ia.us

A potential bidder is expected to address an electronic mail message to both Ms. Hickey and Ms. Page. The Agency may designate an alternate person to act on behalf of the Agency or to communicate with a potential bidder regarding any issue which arises under this RFP.

3. **a. Protocol.** Electronic mail is the ordinary channel for communication between the Agency and potential bidders. The Agency will disclose information relating to this RFP by submitting an electronic mail message to persons registered as potential bidders as provided in Subparagraph 1. This includes the disclosure of questions or comments submitted by potential bidders together with the Agency's responses to those questions or comments. It also includes the disclosure of new information about this RFP that the Agency makes upon its own initiative such as clarifications in the language of the RFP or changes to the terms and conditions of the RFP. The Agency may also contact a potential bidder by telephone or personal interview.



# REQUEST FOR PROPOSALS (FORM C-1)

## INSTRUCTIONS FORM 2006 IOWA ACTS & 2007 CODE OF IOWA

**b. Limitation.** Nothing in this RFP requires that the Agency respond to every question or comment that is submitted by a potential bidder or that the Agency maintain a record of communications between the Agency and potential bidders. The Agency may initiate contact with a potential bidder. Nothing in this RFP requires that the Agency memorialize or disclose information that it provides or receives in the course of communications with a potential bidder, including an interview with a potential bidder or bidder or during the course of negotiations with a selected bidder as a potential contractor.

**4. Agency Website.** The Agency places documents relating to the issuance of RFPs and contracts on its website: <http://www.legis.state.ia.us> (under "Contracts and RFPs"). The Agency will disclose certain information regarding this RFP on its website such as past proposal forms; an RFP that has been issued; bidder proposal forms completed and submitted to the Agency; the Agency's scoring results of the bidders' proposal forms; and the name of the bidder that the Agency selects as a potential contractor or the Contractor. The Agency may also elect to disclose information on its website in lieu of contacting potential bidders directly.

**B. Bidder Questions or Concerns.** Potential bidders are expected to ask questions or express concerns about this RFP, including requests for clarifications, exceptions, or additions.

**1. Deadline.** Questions or concerns must be submitted to the Agency no later than 4:00 p.m., Tuesday, September 5, 2006 (normally 10 days prior to the deadline for the submission of a completed proposal form as provided in Part III, Paragraph "A," Subparagraph 3).

**2. Exception.** A potential bidder who cannot comply with the deadline provided in Subparagraph 1, but who is interested in completing a proposal form for submission to the Agency, may request an extension of the deadline in Subparagraph 1 by contacting the Agency, no later than 4:00 p.m. Friday, September 1, 2006. The Agency may, at its discretion, extend the deadline for all potential bidders. Generally, the Agency will extend a deadline only if it finds that an extraordinary situation prevents one or more bidders from submitting an important question or comment on a timely basis and that an Agency response to that question or comment is required in order to ensure the submission of complete proposal forms by all potential bidders.

**C. Supplemental Information.** A potential bidder who is interested in obtaining supplemental information regarding the Acts or Code (e.g., sample pages, electronic files, or books) should contact the Agency.

**D. Interviews.** The Agency reserves the right to personally interview a select number of potential bidders or bidders. The selection of potential bidders or bidders for interviews may be based on experience in completing projects similar to that requested in this RFP or the demonstration of exceptional qualifications based on the requirements of this RFP.



# REQUEST FOR PROPOSALS (FORM C-1)

## INSTRUCTIONS FORM 2006 IOWA ACTS & 2007 CODE OF IOWA

### III. SUBMISSION OF A PROPOSAL FORM

**A. Manner of Submission.** The Agency will only accept a proposal which is submitted in a manner required in this paragraph. If the Agency does not accept a proposal, it shall consider it as unsubmitted. In order to be accepted, a proposal shall comply with all of the following:

1. **Completed Proposal Form.** The proposal must be completed using the relevant proposal form as made available by the Agency to potential bidders on the Agency's website (See Part II, Paragraph "A," Subparagraph 4). The Agency reserves the right to reject a proposal form which is incomplete as if it were a late submission as specified in Subparagraph 2.
2. **Deadline.** A proposal is submitted to the Agency when the Agency receives the proposal. **A completed proposal form must be submitted to the Agency no later than 4:00 p.m., on Friday, September 15, 2006.**
3. **Filing.** A bidder shall submit completed proposal forms to the Agency for filing by the deadline provided in Subparagraph 2, as follows:

a. **Electronic Version.** The bidder shall submit one copy of the completed proposal form in an electronic format by electronic mail to the Iowa Code Editor at the following addresses:

leslie.hickey@legis.state.ia.us and joanne.page@legis.state.ia.us

b. **Printed Version.** The bidder shall deliver five copies of the completed proposal form in a printed format to the Iowa Code Editor at the following address:

Legislative Services Agency  
 Proposal Form(s) for the \_\_\_\_\_\*  
 Attention: Ms. Leslie Hickey, Iowa Code Editor  
 Ola Babcock Miller Building, 3rd Floor  
 1112 East Grand Avenue  
 Des Moines, Iowa 50319

c. **Fax Prohibited.** The Agency will not accept a proposal form submitted by fax.

d. **Verification.** A bidder is exclusively responsible for verifying with the Agency the time and date that the Agency received the bidder's submitted proposal form.

4. **Waiver.** The Agency may waive the requirement that a proposal include all paper and cover fabric samples otherwise required to be part of the bidder's completed proposal. The Agency may also waive the requirement that a bidder submit copies of the



# REQUEST FOR PROPOSALS (FORM C-1)

## INSTRUCTIONS FORM 2006 IOWA ACTS & 2007 CODE OF IOWA

completed proposal form in a printed format by the deadline provided in Subparagraph 2. A request for a waiver must be submitted to the Agency prior to the deadline for the submission of a completed proposal form as provided in Subparagraph 3. However, a bidder who receives a waiver under this subparagraph must deliver all paper and cover fabric samples to the Agency within five calendar days from the date of the deadline. The Agency will deduct points as provided in Part VI from a proposal which the Agency accepts under waiver.

**5. Exception.** A person who cannot comply with the deadline as provided in Subparagraph 2, but who is interested in completing a proposal form, may request an extension of the deadline by contacting the Agency no later than 4:00 p.m., Wednesday, September 13, 2006 (normally two business days prior to the deadline specified in Subparagraph 2). The Agency may, at its discretion, extend the deadline for all potential bidders. Generally, the Agency will extend a deadline if it finds that an extraordinary situation prevents one or more bidders from submitting a timely and complete proposal form to the Agency.

- B. Property Rights.** A proposal form submitted to the Agency is the property of the Iowa General Assembly. The Agency will serve as custodian of the proposal form. The contents of the proposal form will not be considered proprietary or a trade secret. The Agency will not act as a party in any lawsuit to protect the rights of a potential bidder, bidder, selected bidder, or the Contractor.
- C. Disclosure.** The Agency will make every effort to disclose all contents of a proposal form accepted by the Agency in a manner consistent with Code of Iowa Chapter 22 (the Iowa Public Records Law) within a reasonable time after the deadline for submissions. By submitting a proposal form to the Agency, a bidder waives any claim that information contained in the proposal form is confidential.

### IV. CONTENTS OF A PROPOSAL FORM

- A. Requirements.** In completing a proposal form for submission to the Agency, a potential bidder should comply with all of the following:
- 1. Objectiveness.** Address all of the questions provided in the proposal form in an objective manner. A potential bidder's answer must be specific, clear, and concise. Special bindings, colored displays, and promotional materials are discouraged.
  - 2. Supplemental Information.** Identify supplemental information which does not directly respond to a question in a proposal form.
  - 3. Alternatives.** Identify any alternative approach or specification which departs from an approach or specification required in the proposal form and explain why it is made and how it satisfies the objective of this RFP.



# REQUEST FOR PROPOSALS (FORM C-1)

## INSTRUCTIONS FORM 2006 IOWA ACTS & 2007 CODE OF IOWA

**B. *Combined Proposals Encouraged.*** A bidder is encouraged but not required to submit combined proposal forms for the Acts and the Code.

- 1. Bidder Bound by Divided Proposal.** If a bidder submits combined proposal forms, the Agency shall consider the two proposal forms as a single proposal, and if the Agency selects the bidder to produce, package, and deliver only the Acts or the Code, the bidder is bound by the submitted proposal form selected by the Agency, unless the bidder expressly provides otherwise in its proposal form. A bidder may also submit an alternative proposal form which must expressly provide that the alternative proposal form for the Acts applies only if the bidder is selected to produce, package, and deliver the Acts alone, or that the alternative proposal form for the Code applies only if the bidder is selected to produce, package, and deliver the Code alone.
- 2. Different Production and Delivery Schedules.** A bidder who submits a proposal for the Acts and Code, must be aware that the Acts is produced and delivered according to a particular schedule and the Code is produced and delivered pursuant to a different schedule.<sup>1</sup> In addition, for the Code, the statutory volumes set is produced and delivered according to one schedule and the index volume is produced and delivered according to a later schedule.<sup>2</sup>

### V. COMPLIANCE WITH THE RELEVANT CONTRACT FORM

By submitting a proposal form to the Agency, a bidder who is selected by the Agency as a potential contractor agrees to the terms and conditions as provided in the corresponding contract form, unless the Contractor provides otherwise. A Contractor agrees to comply with all of the following:

- A. *General Legal Requirements.*** Comply with the general legal requirements of the contract form, which includes provisions which are contained in a number of Agency contracts.<sup>3</sup>
- B. *Production.*** Provide all production materials, produce all production items and books, and use the degree of workmanship required to produce production items and books, according to general and detailed production standards.<sup>4</sup>
- C. *Delivery of Production Items.*** (1) Produce, deliver, and pick up sample covers; (2) Receive the Agency's composed pages and produce, deliver, and pick up blue line pages; and (3) Produce and deliver sets of assembled pages, as required by the Agency during the trial performance period and the standard performance period.<sup>5</sup>

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<sup>1</sup> Appendices (C-4), Appendix B. See also Contract Form (C-2), Item #1 (Acts), Parts V-VIII or Item #2 (Code) Parts V-VIII.

<sup>2</sup> Appendices (C-4), Appendix B. See also Contract Form (C-2), Item #2 (Code) Parts V-VIII.

<sup>3</sup> Contract Form (C-2), Item #1 (Acts), Parts I-III, and Item #2 (Code), Parts I-III.

<sup>4</sup> Appendices (C-4), Appendix A. See also Contract Form (C-2), Item #1 (Acts), Part IV and Parts VI-VIII or Item #2 (Code) Part IV and Parts VI-VIII.

<sup>5</sup> Appendices (C-4), Appendix B, Table B-1. See also Contract Form (C-2), Item #1 (Acts), Parts V -VII, and Item #2 (Code), Parts V-VII.





# REQUEST FOR PROPOSALS (FORM C-1)

## INSTRUCTIONS FORM 2006 IOWA ACTS & 2007 CODE OF IOWA

- D. **Delivery of Books.** Produce and deliver books during the standard performance periods.<sup>6</sup>
- E. **Communication.** Comply with required communication protocols, including by providing for the timely response to messages delivered by the Agency's contact persons.<sup>7</sup>
- F. **Payment.** Comply with the payment schedule, including procedures for payment, according to a conventional or negotiated payment schedule, for a contract price which is the bid amount as may be adjusted by the Agency's demand for incidental work, the actual number of signatures required to be produced for each book, and the Agency's acceptance of additional books produced by the contractor as part of an overrun.<sup>8</sup>
- G. **Procedures and Remedies for Noncompliance.** Comply with the procedures and remedies for noncompliance, including but not limited to the bidder's posting of a performance bond, termination of a contract (justifiable, nonjustifiable, and unilateral), and remedies for breach which include specific performance and liquidated damages for late delivery of production items or books or the use of unsatisfactory materials or workmanship.<sup>9</sup>
- H. **Waivers and Amendments.** Comply with the procedures for waiving or amending a provision in a contract for the production and delivery of books, including but not limited to the requirement that waivers and amendments must be in writing.<sup>10</sup>
- I. **Execution.** Execute a contract by a person authorized by the Contractor to take such action.<sup>11</sup>

## VI. EVALUATION OF PROPOSALS AND THE SELECTION OF A BIDDER

- A. **General Procurement Policy.** The selection of a bidder as a potential contractor is based on the procurement policies of the Agency. The Agency refers bidders to Iowa Code §2A.5. That provision provides criteria which includes factors relating to a prospective bidder's competence, meeting of service or product specifications, and reasonableness of price; the posting of security; the preference of Iowa-based businesses if comparable in price; the disclosure of assignments; the inclusion of renewal options; and the imposition of liquidated damages and other penalties for breach of a requirement.
- B. **Model Scoring Sheet.** The Agency will select a bidder according to a scoring sheet. The following is an example of scoring which may provide an indication of how the Agency evaluates proposals. The Agency expects to reexamine the criteria in the scoring sheet used to evaluate proposals submitted in response to this RFP and reserves the right to

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<sup>6</sup> Appendices (C-4), Appendix B, Table B-2. See also Contract Form (C-2), Item #1 (Acts), Parts V and VIII, and Item #2 (Code), Parts V and VIII.

<sup>7</sup> Contract Form (C-2), Item #1 (Acts), Part IX, Paragraph "A" and Item #2 (Code), Part IX, Paragraph "A."

<sup>8</sup> Contract Form (C-2), Item #1 (Acts), Part X, and Item #2 (Code), Part X.

<sup>9</sup> Contract Form (C-2), Item #1 (Acts), Parts XI-XIV, and Item #2 (Code), Parts XI-XIV.

<sup>10</sup> Contract Form (C-2), Item #1 (Acts), Part XV, and Item #2 (Code), Part XV.

<sup>11</sup> Contract Form (C-2), Item #1 (Acts), Part XVI, and Item #2 (Code), Part XVI.



# REQUEST FOR PROPOSALS (FORM C-1)

## INSTRUCTIONS FORM 2006 IOWA ACTS & 2007 CODE OF IOWA

revise the criteria or points assigned to the criteria after the issuance of this RFP but prior to the evaluation of the proposal forms.

### Model Scoring Criteria

Criteria	Points
Bid Amount	125
Compliance with Standards (Production Materials)	75
Contractor's Control of Production (Subcontracting)	25
Completeness and Timeliness of Proposal	25
Bidder's Satisfactory Past Performance (Experience)	25
Combined Proposal (Acts and Code)	15
<u>In-State Production</u>	<u>10</u>
TOTAL	300

- C. Selection of Bidder.** The Agency will evaluate all completed and timely submitted proposal forms for the Iowa Acts and the Code, but is under no obligation to select a bidder as a potential contractor for either publication. The Agency expects to select a bidder as the Contractor not later than 4:00 p.m., Tuesday, September 19, 2006, execute a contract by 4:00 p.m., Tuesday, September 26, 2006, and begin transmission of test-composed pages for the Acts to the Contractor on that same date. The initial selection of a bidder means that the Agency will negotiate in good faith with the selected bidder as the potential contractor in expectation of executing a contract. If the Agency determines that it cannot execute a contract with the potential contractor, it may select a new bidder as the potential contractor based on the next highest score, reissue this RFP, issue a different RFP, or renew an existing contract according to the terms of that contract.

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