



STATE OF LOUISIANA

Office of State Procurement
INVITATION TO BID

**RESPONSES MUST BE
RECEIVED BY
07/29/2022
02:00 PM CST**

Vendor No.: _____
Solicitation: 3000019416
Opening Date: 07/29/2022

Vendor Name and Address: (to be completed by Vendor)

Ship To Address:

Kayla Ducote
DOC LA STATE PENITENTIARY-915 WAREHOUSE
17544 TUNICA TRACE - HWY 66
ANGOLA, LA 70712

**TO SUBMIT AN ELECTRONIC ONLINE
RESPONSE CLICK THE LINK BELOW**

SUBMIT FAX RESPONSE TO:
Fax Number: 225-342-9756

SUBMIT NON-ELECTRONIC RESPONSE TO:
Office of State Procurement
1201 N. Third Street, Suite 2-160
Baton Rouge, LA 70802

RFx Number: 3000019416
Version: 1
Buyer: LEA JOHNSON
Buyer Phone: 225-342-8063
E-Mail: molly.johnson@la.gov
Scheduled Begin Date:
Scheduled End Date:
T-Number:

ONLINE BID RESPONSE LINK

https://lagoverpvendor.doa.louisiana.gov/rfx?sapsrm_boid=567620E9FB021EECBDE6736345170869

QUESTIONS TO BE COMPLETED BY VENDOR	Required
1. _____ Have you reviewed all attachments to the bid invitation and answered all questions?	YES
2. _____ Have you entered pricing, or attached the pricing sheet (if applicable) to the bid response?	YES
3. _____ Have you attached / included all required files to the bid response?	YES
4. _____ Have you attached the signature page to the bid response?	YES
5. _____ Delivery will be made this number of days After Receipt of Order (ARO)	NO
6. _____ %discount for payment made within 30 days. Discounts for payment made in less than 30 days, of less than 1%, or applicable to an indefinite quantity contract will be accepted but will not be an award consideration.	NO

Name of Solicitation: *ReBid*SiteVisit*Fax*Dishwasher Rental

RFx text:

*****FAX BID*****

All vendors must be registered in the LaGov system in order to: submit an online bid, have their bids tabulated by our office, and to receive automatic email notifications of bid opportunities.

VENDOR TELEPHONE NUMBER: EMAIL ADDRESS:	TITLE	DATE
Signature of Authorized Bidder	Name of Bidder (Typed or printed)	

Fax bid: 3000019416 Date: 07/29/2022 T-Number:	Bidder:	Page 2 of 13
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To register as a vendor, access the following link:

https://lagoverpvendor.doa.louisiana.gov/irj/portal/anonymous?guest_user=self_reg

Please include a W-9 form with your bid if you are newly registered. Do not register again if you are already registered in the system. You will need a LaGov Vendor ID and Password in order to submit an online bid.

Bidders are invited to submit bids via the Online Bid Response Link on Page 1 of this bid invitation. Online bidding instructions are attached to this bid invitation.

Please print all attachments to ensure all documents related to this solicitation are reviewed prior to bidding.

All documents associated with this solicitation should be included in the bidder’s submission.

Bid Documents Include:

- Attachment A - Special Terms and Conditions – Pages 1-9
- Attachment B - Line Item Responses - Pages 1-3
- Attachment C - Online Bidding Instructions – Pages 1-10

Bid delivery instructions for the Office of State Procurement:
Refer to Page 1 in Attachment A – Special Terms and Conditions

To establish a contract to provide Dishwasher Rental as specified for the Department of Corrections, for a period beginning Date of Award and ending June 30, 2023.

Method of Award: Award to be made on an all-or none basis to the overall low bidder meeting the specifications. The State of Louisiana reserves the right to reject individual line items from the award.

Non-Mandatory Site Visit: Contact Danielle Matherne at 225-655-2589 to schedule. See Page 7 of Attachment A.

LINE	Description	Quantity	Unit	Unit Price	Extended Amount
1	Product Category:48101600 Dishwasher rental Vendor must supply all equipment, materials, and labor to furnish five(5) Dishwashing machines listed below and the equipment to dispense detergent, chlorine, and rinse aid located at Louisiana State Penitentiary. Bid price must include cost for all labor to deliver, set up, and hook up existing lines. Bid price must include cost of maintenance and call-out service. One(1) dishwasher to be placed on site at each of the following locations: 1.) Camp D 2.) Camp C	12	MON		

Fax bid: 3000019416
Date: 07/29/2022
T-Number:

Bidder:

Page 3 of 13

LINE	Description	Quantity	Unit	Unit Price	Extended Amount
	<p>3.) Camp J 4.) Camp F 5.) Treatment Unit Specific placement location to be provided by agency to awarded vendor or may be confirmed by a site visit by each bidder.</p> <p>* Brand: Auto Chlor or Equal</p> <p>* Model: D-2 or Equal</p> <p>* Accommodates two (2) Standard 20" x 20" racks</p> <p>* Double rack cycle time: 90 seconds</p> <p>* Wash cavity clearance: 18" max height</p> <p>* Table height at machine entrance: 34"-36"</p> <p>* Overall height: 72"</p> <p>* Door type chemical sanitizing</p> <p>* Double rank for in-line installation</p> <p>* Designed for left-to-right operation</p> <p>* Normal Water level for 90 second cycle: 4 gallons, max. 4-1/2 gallons</p> <p>* No special booster heating equipment is required.</p> <p>* A commercial grade water heater with sufficient recovery: 140 gallons per hour at 140 degrees F (200 gallons per hour with 72 second timer) Commercial grade water heater must be compatible with dishwasher bid.</p> <p>Specify Brand Bidding: _____</p> <p>Specify Model Bidding: _____</p> <p>Specify Rack Capacity Bidding: _____</p> <p>Specify Double Rack Cycle Time: _____</p> <p>Specify Wash Cavity Clearance Bidding: _____</p> <p>Specify Table Height at Machine Entrance Bidding: _____</p>				

Fax bid: 3000019416
 Date: 07/29/2022
 T-Number:

Bidder:

Page 4 of 13

LINE	Description	Quantity	Unit	Unit Price	Extended Amount
	Specify Overall Height Bidding: _____ Specify Bidding Door Type Chemical Sanitizing: Yes No Specify Bidding Double Rank for In-Line Installation: Yes No Specify Bidding Designed for Left-Right Operation: Yes No Specify Normal Water Level for 90 Second Cycle Bidding: _____ Specify Max Water Level for 90 Second Cycle Bidding: _____ Specify Bidding if Special Booster Heating Equipment Required: Yes No Specify Bidding Commercial Grade Water Heater Stated Above is Compatible with Dishwasher: Yes No Specify Delivery ARO Bidding: _____				
2	<p>Product Category:48101600 Dishwasher rental</p> <p>Vendor must supply all equipment, materials, and labor to furnish two(2) Dishwashing machines listed below and the equipment to dispense detergent, chlorine, and rinse aid located at Louisiana State Penitentiary. Bid price must include cost for all labor to deliver, set up, and hook up existing lines. Bid price must include cost of maintenance and call-out service.</p> <p>One(1) dishwasher to be placed on site at each of the following locations: 1.) RC 2.) Cooking school</p> <p>Specific placement location to be provided by agency to awarded vendor or may be confirmed by a site visit by each bidder.</p> <p>Brand: Auto-Chlor or Equal</p> <p>Model: A-4 or Equal</p> <p>* Accommodates one (1) Standard 20"x20" rack</p>	12	MON		

Fax bid: 3000019416
 Date: 07/29/2022
 T-Number:

Bidder:

Page 5 of 13

LINE	Description	Quantity	Unit	Unit Price	Extended Amount
	<p>* Wash cavity clearance: 17" - 20" max height</p> <p>* Table height at machine entrance 32" - 36"</p> <p>* Overall height with wash door open: 70 " - 75"</p> <p>* Voltage: 110 volt and 20 amp circuit</p> <p>* 1 Horsepower Pump Delivers Spray</p> <p>* 37 racks per hour with 1 1/2 minute timer</p> <p>* 46 racks per hour with 72 second timer</p> <p>* 28 racks per hour with 2 minute timer</p> <p>* Single tank</p> <p>* Door type chemical sanitizing</p> <p>* Single rack for inline installation</p> <p>* Designed for left to right or right to left operation</p> <p>* Water Consumption per cycle: 2.2 gallons, 2.5 gallon max</p> <p>* No special booster heating equipment required</p> <p>* A commercial grade water heater with sufficient recovery: 61 to 101 gallons per hour at 140 degree F (81 GPH with 1-1/2 minute timer, 61 GPH with 2 minute timer). Commercial grade hot water heater bid must be compatible with dishwasher bid.</p> <p>Specify Dishwasher Brand Bidding: _____</p> <p>Specify Dishwasher Model Bidding: _____</p> <p>Specify Rack Capacity Bidding: _____</p> <p>Specify Wash Cavity Clearance Bidding: _____</p> <p>Specify Table Height at Machine Entrance Bidding: _____</p> <p>Specify Overall Height with Wash Door Open Bidding: _____</p>				

Fax bid: 3000019416
 Date: 07/29/2022
 T-Number:

Bidder:

LINE	Description	Quantity	Unit	Unit Price	Extended Amount
	Specify Voltage Bidding: _____ Specify Amp Circuit Bidding: _____ Specify Spray Pump Horse Power Bidding: _____ Specify Racks per hour Bidding with 1 1/2 Minute Timer: _____ Specify Racks per hour Bidding with 72 Second Timer: _____ Specify Racks per hour Bidding with 2 Minute Timer: _____ Specify Bidding Single Tank: Yes No Specify Bidding Door Type Chemical Sanitizing: Yes No Specify Bidding Single Rack for Inline Installation: Yes No Specify Bidding Designed for Left to Right or Right to Left Operation: Yes No Specify Water Consumption Per Cycle Bidding: _____ Specify Bidding if Special Booster Heating Equipment Required: Yes No Specify Hot Water Heater Brand Bidding: _____ Specify Hot Water Heater Model Bidding: _____ Specify Bidding Commercial Grade Water Heater Stated Above is Compatible with Dishwasher: Yes No Specify Delivery ARO Bidding: _____				
3	Product Category:48101600 Dishwasher rental Vendor must supply all equipment, materials, and labor to furnish two(2) Dishwashing machines listed below and the equipment to dispense detergent, chlorine, and rinse aid located at Louisiana State Penitentiary. Bid price must	12	MON		

Fax bid: 3000019416
 Date: 07/29/2022
 T-Number:

Bidder:

Page 7 of 13

LINE	Description	Quantity	Unit	Unit Price	Extended Amount
	<p>include cost for all labor to deliver, set up, and hook up existing lines. Bid price must include cost of maintenance and call-out service.</p> <p>One(1) dishwasher to be placed on site at each of the following locations: 1.) Main prison East yard kitchen 2.) Main prison West yard kitchen Specific placement location to be provided by agency to awarded vendor or may be confirmed by a site visit by each bidder.</p> <p>Brand: Auto Chlor or Equal Model: AC-44 or Equal</p> <p>* 44" conveyer dishwasher * Conveyor: 1/3 HP * Height with door open: 70" - 75" * Overall width: 60: - 65" * Width, table to table: 42" -46" * Depth: 25" - 32" * Capacity: 240 - 248 racks per hour * Rack size: 19 1/4" x 19 1/4" * Built in wash tank heating element * Wash tank heater: 12 KW * Rinse tank heater: 2.25 KW * Wash tank capacity: 11 gallons * Rinse tank capacity: 3.5 gallons * Final rinse uses water from hot water heater * Wash tank water temperature: Minimum of 145 degrees F * Wash consumption for standard cycle: .45 gal/rack - .60 gal/rack</p>				

Fax bid: 3000019416
 Date: 07/29/2022
 T-Number:

Bidder:

LINE	Description	Quantity	Unit	Unit Price	Extended Amount
	<p>* Motors: wash 3 HP, rinse 1/3 HP</p> <p>* Electrical requirements: 206/240 volts 3 phase, 60 amps</p> <p>* Dimensions: water inlet 3/4" F.P.T. drain: 2 f.p.t.</p> <p>Features:</p> <p>* Automatic operation high speed conveyor</p> <p>* Built-in scrap accumulator</p> <p>* Bump filter</p> <p>* Energy efficient wash,</p> <p>* Rack sized wash arms</p> <p>* Water curtain design</p> <p>Specify Brand Bidding: _____</p> <p>Specify Model Bidding: _____</p> <p>Specify Conveyor Size Bidding: _____</p> <p>Specify Conveyor Horsepower Bidding: _____</p> <p>Specify Height with Door Open Bidding: _____</p> <p>Specify Overall Width Bidding: _____</p> <p>Specify Width, Table to Table Bidding: _____</p> <p>Specify Depth Bidding: _____</p> <p>Specify Capacity Bidding: _____</p> <p>Specify Rack Size Bidding: _____</p> <p>Specify Bidding Built in Wash Tank Heating Element: Yes No</p> <p>Specify Wash Tank Heater KW Bidding: _____</p>				

Fax bid: 3000019416
Date: 07/29/2022
T-Number:

Bidder:

Page 9 of 13

LINE	Description	Quantity	Unit	Unit Price	Extended Amount
	Specify Rinse Tank Heater KW Bidding: _____				
	Specify Wash Tank Capacity Bidding: _____				
	Specify Rinse Tank Capacity Bidding: _____				
	Specify Bidding Final Rinse uses Water from Water Heater: Yes No				
	Specify Wash Tank Water Temperature Bidding: _____				
	Specify Wash Consumption for Standard Cycle Bidding: _____				
	Specify Wash Motor HP Bidding: _____				
	Specify Rinse Motor HP Bidding: _____				
	Specify Conveyor HP Bidding: _____				
	Specify Electrical Requirements Bidding: _____				
	Specify Water Inlet Dimensions Bidding: _____				
	Specify Drain Dimensions Bidding: _____				
	Specify Bidding Automatic Operation High Speed Conveyor: Yes No				
	Specify Bidding Built-in Scrap Accumulator: Yes No				
	Specify Bidding Bump Filter: Yes No				
	Specify Bidding Rack Sized Wash Arms: Yes No				
	Specify Bidding Water Curtain Design: Yes No				
	Specify Delivery ARO Bidding: _____				

INSTRUCTIONS TO BIDDERS

1. READ THE ENTIRE BID, INCLUDING ALL TERMS AND CONDITIONS AND SPECIFICATIONS.
 2. ALL BID PRICES MUST BE TYPED, WRITTEN IN INK OR SUBMITTED ONLINE VIA THE VENDOR PORTAL, WHICHEVER IS APPLICABLE. ANY CORRECTIONS, ERASURES OR OTHER FORMS OF ALTERATION TO UNIT PRICES SHOULD BE INITIALED BY THE BIDDER.
 3. THIS BID IS TO BE MANUALLY SIGNED IN INK OR SUBMITTED ONLINE VIA THE VENDOR PORTAL, WHICHEVER IS APPLICABLE.
 4. BID PRICES SHALL INCLUDE DELIVERY OF ALL ITEMS F.O.B. DESTINATION OR AS OTHERWISE PROVIDED. BIDS CONTAINING "PAYMENT IN ADVANCE" OR "C.O.D" REQUIREMENTS MAY BE REJECTED. PAYMENT IS TO BE MADE WITHIN 30 DAYS AFTER RECEIPT OF PROPERLY EXECUTED INVOICE OR DELIVERY, WHICHEVER IS LATER.
 5. AMOUNT OF BID BOND REQUIRED: ADDRESSED IN THE SPECIAL TERMS AND CONDITIONS SECTION IF APPLICABLE.
 6. AMOUNT OF PERFORMANCE BOND, IF REQUIRED: ADDRESSED IN THE SPECIAL TERMS AND CONDITIONS SECTION.
 7. DESIRED DELIVERY: ADDRESSED IN THE SPECIAL TERMS AND CONDITIONS SECTION
 8. BIDS SUBMITTED ARE SUBJECT TO PROVISIONS OF THE LAWS OF THE STATE OF LOUISIANA INCLUDING BUT NOT LIMITED TO L.R.S. 39:1551-1736; PURCHASING RULES AND REGULATIONS; EXECUTIVE ORDERS; STANDARD TERMS AND CONDITIONS; SPECIAL TERMS AND CONDITIONS; AND SPECIFICATIONS LISTED IN THIS SOLICITATION.
 9. IMPORTANT: BY SIGNING THE BID OR SUBMITTING THE BID ONLINE VIA THE VENDOR PORTAL (WHICHEVER IS APPLICABLE) THE BIDDER CERTIFIES COMPLIANCE WITH ALL INSTRUCTIONS TO BIDDERS, TERMS, CONDITIONS AND SPECIFICATIONS, AND FURTHER CERTIFIES THAT THIS BID IS MADE WITHOUT COLLUSION OR FRAUD. THIS BID IS TO BE MANUALLY SIGNED IN INK OR SUBMITTED ONLINE VIA THE VENDOR PORTAL, WHICHEVER IS APPLICABLE, BY A PERSON AUTHORIZED TO BIND THE VENDOR. ALL BID INFORMATION SHALL BE IN INK, TYPEWRITTEN, OR SUBMITTED ONLINE VIA THE VENDOR PORTAL, WHICHEVER IS APPLICABLE.
 10. ADDRESS ALL INQUIRIES AND CORRESPONDENCE TO THE BUYER AT THE PHONE AND ADDRESS SHOWN ABOVE.
 11. CONFERENCE: ADDRESSED IN THE SPECIAL TERMS AND CONDITIONS SECTION IF APPLICABLE.
 12. BID FORMS.
ALL WRITTEN BIDS, UNLESS OTHERWISE PROVIDED FOR, MUST BE SUBMITTED ON, AND IN ACCORDANCE WITH, FORMS PROVIDED AND PROPERLY SIGNED. BIDS SUBMITTED IN THE FOLLOWING MANNER WILL NOT BE ACCEPTED:
 - A. BID CONTAINS NO SIGNATURE INDICATING INTENT TO BE BOUND;
 - B. BID FILLED OUT IN PENCIL; AND
 - C. BID NOT SUBMITTED ON THE STATE'S STANDARD FORMS
- BIDS MUST BE RECEIVED AT THE ADDRESS SPECIFIED IN THE SOLICITATION OR SUBMITTED ONLINE VIA THE VENDOR PORTAL, WHICHEVER IS APPLICABLE, PRIOR TO BID OPENING TIME AND DATE INDICATED IN ORDER TO BE CONSIDERED. FAX ALTERATIONS, NOT INVOLVING PRICING, TO BIDS RECEIVED BEFORE BID OPENING TIME WILL BE CONSIDERED PROVIDED BID FORM AND FAXED ALTERATION HAVE BEEN RECEIVED AND TIME-STAMPED BEFORE BID OPENING. ALTERATIONS TO PRICE MUST BE RECEIVED AT THE ADDRESS LISTED IN THE SOLICITATION OR VIA THE ONLINE VENDOR PORTAL BEFORE THE BID OPENING TIME AND DATE. ENTIRE BID SHOULD BE RETURNED, EXCEPT ITEM PAGES NOT BID.
13. STANDARDS OF QUALITY.
ANY PRODUCT OR SERVICE BID SHALL CONFORM TO ALL APPLICABLE FEDERAL AND STATE LAWS AND REGULATIONS AND THE SPECIFICATIONS CONTAINED IN THE SOLICITATION. UNLESS OTHERWISE SPECIFIED IN THE SOLICITATION, AND ANY MANUFACTURER'S NAME, TRADE NAME, BRAND NAME, OR CATALOG NUMBER USED IN THE SPECIFICATION IS FOR THE PURPOSE OF DESCRIBING THE STANDARD OF QUALITY, PERFORMANCE AND CHARACTERISTICS DESIRED AND IS NOT INTENDED TO LIMIT OR RESTRICT COMPETITION. BIDDER MUST SPECIFY THE BRAND AND MODEL NUMBER OF THE PRODUCT OFFERED IN HIS BID. BIDS

NOT SPECIFYING BRAND AND MODEL NUMBER SHALL BE CONSIDERED AS OFFERING THE EXACT PRODUCTS SPECIFIED IN THE SOLICITATION.

14. DESCRIPTIVE INFORMATION.

BIDDERS PROPOSING AN EQUIVALENT BRAND OR MODEL SHOULD SUBMIT WITH THE BID INFORMATION (SUCH AS ILLUSTRATIONS, DESCRIPTIVE LITERATURE, TECHNICAL DATA) SUFFICIENT FOR STATE OF LOUISIANA TO EVALUATE QUALITY, SUITABILITY, AND COMPLIANCE WITH THE SPECIFICATIONS IN THE SOLICITATION. FAILURE TO SUBMIT DESCRIPTIVE INFORMATION MAY CAUSE BID TO BE REJECTED. ANY CHANGE MADE TO A MANUFACTURER'S PUBLISHED SPECIFICATIONS SUBMITTED FOR A PRODUCT SHALL BE VERIFIABLE BY THE MANUFACTURER. IF ITEM(S) BID DO NOT FULLY COMPLY WITH SPECIFICATIONS (INCLUDING BRAND AND/OR PRODUCT NUMBER), BIDDER SHOULD STATE IN WHAT RESPECT ITEM(S) DEVIATE. FAILURE TO NOTE EXCEPTIONS ON THE BID FORM WILL NOT RELIEVE THE SUCCESSFUL BIDDER(S) FROM SUPPLYING THE ACTUAL PRODUCTS REQUESTED.

15. RECEIPT OF FAX BIDS.

NO INFORMATION OR OPINIONS CONCERNING THE ULTIMATE CONTRACT AWARD WILL BE GIVEN DURING THE EVALUATION PROCESS. BIDS MAY BE EXAMINED IN ACCORDANCE WITH LA R.S. 44 I. INFORMATION PERTAINING TO COMPLETED FILES MAY BE SECURED BY VISITING THE STATE OF LOUISIANA DURING NORMAL WORKING HOURS.

16. AWARDS.

THE STATE OF LOUISIANA RESERVES THE RIGHT TO AWARD ITEMS SEPARATELY, GROUPED OR ON AN ALL-OR-NONE BASIS AND TO REJECT ANY OR ALL BIDS AND WAIVE ANY INFORMALITIES.

17. PRICES.

UNLESS OTHERWISE SPECIFIED BY THE STATE OF LOUISIANA IN THE SOLICITATION, BID PRICES MUST BE COMPLETE, INCLUDING TRANSPORTATION PREPAID BY BIDDER TO DESTINATION AND FIRM FOR ACCEPTANCE FOR A MINIMUM OF 30 DAYS. IF ACCEPTED, PRICES MUST BE FIRM FOR THE CONTRACTUAL PERIOD. BIDS OTHER THAN F.O.B. DESTINATION MAY BE REJECTED. PRICES SHOULD BE QUOTED IN THE UNIT (EACH, BOX, CASE, ETC.) AS SPECIFIED IN THE SOLICITATION.

18. DELIVERIES.

BIDS MAY BE REJECTED IF THE DELIVERY TIME INDICATED IS LONGER THAN THAT SPECIFIED IN THE SOLICITATION.

19. TAXES.

VENDOR IS RESPONSIBLE FOR INCLUDING ALL APPLICABLE TAXES IN THE BID PRICE. STATE AGENCIES ARE EXEMPT FROM ALL STATE AND LOCAL SALES AND USE TAXES.

20. NEW PRODUCTS.

UNLESS SPECIFICALLY CALLED FOR IN THE SOLICITATION, ALL PRODUCTS FOR PURCHASE MUST BE NEW, NEVER PREVIOUSLY USED, AND THE CURRENT MODEL AND/OR PACKAGING. NO REMANUFACTURED, DEMONSTRATOR, USED OR IRREGULAR PRODUCT WILL BE CONSIDERED FOR PURCHASE UNLESS OTHERWISE SPECIFIED IN THE SOLICITATION. THE MANUFACTURER'S STANDARD WARRANTY WILL APPLY UNLESS OTHERWISE SPECIFIED IN THE SOLICITATION.

21. CONTRACT RENEWALS.

UPON AGREEMENT OF THE STATE OF LOUISIANA AGENCY AND THE CONTRACTOR, A TERM CONTRACT MAY BE EXTENDED FOR 2 ADDITIONAL 12-MONTH PERIODS AT THE SAME PRICES, TERMS AND CONDITIONS. IN SUCH CASES, THE TOTAL CONTRACT TERM CANNOT EXCEED 36 MONTHS.

22. CONTRACT CANCELLATION.

THE STATE OF LOUISIANA HAS THE RIGHT TO TERMINATE THE CONTRACT IMMEDIATELY FOR ANY OF THE FOLLOWING REASONS:

- (A) MISREPRESENTATION BY THE CONTRACTOR;
- (B) CONTRACTOR'S FRAUD, COLLUSION, CONSPIRACY OR OTHER UNLAWFUL MEANS OF OBTAINING ANY CONTRACT WITH THE STATE OF LOUISIANA;
- (C) CONFLICT OF CONTRACT PROVISIONS WITH CONSTITUTIONAL OR STATUTORY PROVISIONS OF STATE OR FEDERAL LAW;
- (D) ABUSIVE OR BELLIGERENT CONDUCT BY CONTRACTOR TOWARDS AN EMPLOYEE OR AGENT OF THE STATE;
- (E) CONTRACTOR'S INTENTIONAL VIOLATION OF THE PROCUREMENT CODE (LA. R.S. 39:1551 ET SEQ.) AND ITS

CORRESPONDING REGULATIONS; OR,
(F) ANY LISTED REASON FOR DEBARMENT UNDER LA. R.S. 39:1672.

THE STATE OF LOUISIANA MAY TERMINATE THE CONTRACT FOR CONVENIENCE AT ANY TIME (1) BY GIVING THIRTY (30) DAYS WRITTEN NOTICE TO THE CONTRACTOR OF SUCH TERMINATION: OR (2) BY NEGOTIATING WITH THE CONTRACTOR AN EFFECTIVE DATE. THE STATE SHALL PAY CONTRACTOR FOR, IF APPLICABLE: (A) DELIVERABLES IN PROGRESS; (B) THE PERCENTAGE THAT HAS BEEN COMPLETED SATISFACTORILY; AND, (C) FOR TRANSACTION-BASED SERVICES UP TO THE DATE OF TERMINATION, TO THE EXTENT WORK HAS BEEN PERFORMED SATISFACTORILY.

THE STATE OF LOUISIANA HAS THE RIGHT TO TERMINATE THE CONTRACT FOR CAUSE BY GIVING THIRTY (30) DAYS WRITTEN NOTICE TO THE CONTRACTOR OF SUCH TERMINATION FOR ANY OF THE FOLLOWING NON-EXCLUSIVE REASONS: (A) FAILURE TO DELIVER WITHIN THE TIME SPECIFIED IN THE CONTRACT; (B) FAILURE OF THE PRODUCT OR SERVICE TO MEET SPECIFICATIONS, CONFORM TO SAMPLE QUALITY OR TO BE DELIVERED IN GOOD CONDITION; OR, (C) ANY OTHER BREACH OF CONTRACT.

23. DEFAULT OF CONTRACTOR.

FAILURE TO DELIVER WITHIN THE TIME SPECIFIED OR TO PROVIDE THE SERVICES AS SPECIFIED IN THE BID WILL CONSTITUTE A DEFAULT AND MAY CAUSE CANCELLATION OF THE CONTRACT. WHERE THE STATE HAS DETERMINED THE CONTRACTOR TO BE IN DEFAULT.

THE STATE RESERVES THE RIGHT TO PURCHASE ANY OR ALL PRODUCTS OR SERVICES COVERED BY THE CONTRACT ON THE OPEN MARKET AND TO CHARGE THE CONTRACTOR WITH COST IN EXCESS OF THE CONTRACT PRICE. UNTIL SUCH ASSESSED CHARGES HAVE BEEN PAID, NO SUBSEQUENT BID FROM THE DEFAULTING CONTRACTOR WILL BE CONSIDERED.

24. ORDER OF PRIORITY.

IN THE EVENT THERE IS A CONFLICT BETWEEN THE INSTRUCTIONS TO BIDDERS OR STANDARD CONDITIONS AND THE SPECIAL TERMS AND CONDITIONS, THE SPECIAL TERMS AND CONDITIONS SHALL GOVERN.

25. APPLICABLE LAW.

ALL CONTRACTS SHALL BE CONSTRUED IN ACCORDANCE WITH AND GOVERNED BY THE LAWS OF THE STATE OF LOUISIANA.

26. COMPLIANCE WITH CIVIL RIGHTS LAWS.

BY SUBMITTING AND SIGNING THIS BID, BIDDER AGREES TO ABIDE BY THE REQUIREMENTS OF THE FOLLOWING AS APPLICABLE: TITLE VI AND VII OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED BY THE EQUAL OPPORTUNITY ACT OF 1972, FEDERAL EXECUTIVE ORDER 11246, FEDERAL REHABILITATION ACT OF 1973, AS AMENDED, THE VETERAN'S READJUSTMENT ASSISTANCE ACT OF 1974, TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, THE AGE ACT OF 1975, AND BIDDER AGREES TO ABIDE BY THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990. BIDDER AGREES NOT TO DISCRIMINATE IN ITS EMPLOYMENT PRACTICES, AND WILL RENDER SERVICES UNDER ANY CONTRACT ENTERED INTO AS A RESULT OF THIS SOLICITATION WITHOUT REGARD TO RACE, COLOR, RELIGION, NATIONAL ORIGIN, VETERAN STATUS, POLITICAL AFFILIATION, OR DISABILITIES. ANY ACT OF DISCRIMINATION COMMITTED BY BIDDER, OR FAILURE TO COMPLY WITH THESE STATUTORY OBLIGATIONS WHEN APPLICABLE, SHALL BE GROUNDS FOR TERMINATION OF ANY CONTRACT ENTERED INTO AS A RESULT OF THIS SOLICITATION.

27. INDEMNITY.

CONTRACTOR AGREES, UPON RECEIPT OF WRITTEN NOTICE OF A CLAIM OR ACTION, TO DEFEND THE CLAIM OR ACTION, OR TAKE OTHER APPROPRIATE MEASURE, TO INDEMNIFY, AND HOLD HARMLESS, THE STATE, ITS OFFICERS, ITS AGENTS AND ITS EMPLOYEES FROM AND AGAINST ALL CLAIMS AND ACTIONS FOR BODILY INJURY, DEATH OR PROPERTY DAMAGES CAUSED BY THE FAULT OF THE CONTRACTOR, ITS OFFICERS, ITS AGENTS, OR ITS EMPLOYEES. CONTRACTOR IS OBLIGATED TO INDEMNIFY ONLY TO THE EXTENT OF THE FAULT OF THE CONTRACTOR, ITS OFFICERS, ITS AGENTS, OR ITS EMPLOYEES. HOWEVER, THE CONTRACTOR SHALL HAVE NO OBLIGATION AS SET FORTH ABOVE WITH RESPECT TO ANY CLAIM OR ACTION FROM BODILY INJURY, DEATH OR PROPERTY DAMAGES ARISING OUT OF THE FAULT OF THE STATE, ITS OFFICERS, ITS AGENTS OR ITS EMPLOYEES.

28. IN ACCORDANCE WITH THE PROVISIONS OF R.S. 39:2192, IN AWARDED CONTRACTS AFTER AUGUST 15, 2010, ANY PUBLIC ENTITY IS AUTHORIZED TO REJECT A PROPOSAL OR BID FROM, OR NOT AWARD THE CONTRACT TO, A BUSINESS IN WHICH ANY

INDIVIDUAL WITH AN OWNERSHIP INTEREST OF FIVE PERCENT OR MORE, HAS BEEN CONVICTED OF, OR HAS ENTERED A PLEA OF GUILTY OR NOLO CONTENDERE TO ANY STATE FELONY OR EQUIVALENT FEDERAL FELONY CRIME COMMITTED IN THE SOLICITATION OR EXECUTION OF A CONTRACT OR BID AWARDED UNDER THE LAWS GOVERNING PUBLIC CONTRACTS UNDER THE PROVISIONS OF CHAPTER 10 OF TITLE 38 OF THE LOUISIANA REVISED STATUTES OF 1950, OR THE LOUISIANA PROCUREMENT CODE UNDER THE PROVISIONS OF CHAPTER 17 OF TITLE 39.

29. FEDERAL CLAUSES, IF APPLICABLE

ANTI-KICKBACK CLAUSE

THE CONTRACTOR HEREBY AGREES TO ADHERE TO THE MANDATE DICTATED BY THE COPELAND "ANTI-KICKBACK" ACT WHICH PROVIDES THAT EACH CONTRACTOR OR SUBGRANTEE SHALL BE PROHIBITED FROM INDUCING, BY ANY MEANS, ANY PERSON EMPLOYED IN THE COMPLETION OF WORK, TO GIVE UP ANY PART OF THE COMPENSATION TO WHICH HE IS OTHERWISE ENTITLED.

CLEAN AIR ACT

THE CONTRACTOR HEREBY AGREES TO ADHERE TO THE PROVISIONS WHICH REQUIRE COMPLIANCE WITH ALL APPLICABLE STANDARDS, ORDERS OR REQUIREMENTS ISSUED UNDER SECTION 306 OF THE CLEAN AIR ACT WHICH PROHIBITS THE USE UNDER NON-EXEMPT CONTRACTS, GRANTS OR LOANS OF FACILITIES INCLUDED ON THE EPA LIST OF VIOLATING FACILITIES.

ENERGY POLICY AND CONSERVATION ACT

THE CONTRACTOR HEREBY RECOGNIZES THE MANDATORY STANDARDS AND POLICIES RELATING TO ENERGY EFFICIENCY WHICH ARE CONTAINED IN THE STATE ENERGY CONSERVATION PLAN ISSUED IN COMPLIANCE WITH THE ENERGY POLICY AND CONSERVATION ACT (P.L. 94-163).

CLEAN WATER ACT

THE CONTRACTOR HEREBY AGREES TO ADHERE TO THE PROVISIONS WHICH REQUIRE COMPLIANCE WITH ALL APPLICABLE STANDARDS, ORDERS OR REQUIREMENTS ISSUED UNDER SECTION 508 OF THE CLEAN WATER ACT WHICH PROHIBITS THE USE UNDER NON-EXEMPT FEDERAL CONTRACTS, GRANTS OR LOANS OF FACILITIES INCLUDED ON THE EPA LIST OF VIOLATING FACILITIES.

ANTI-LOBBYING AND DEBARMENT ACT

THE CONTRACTOR WILL BE EXPECTED TO COMPLY WITH FEDERAL STATUTES IN THE ANTI-LOBBYING ACT AND THE DEBARMENT ACT.

30. IN ACCORDANCE WITH LOUISIANA LAW, ALL CORPORATIONS (SEE, La. R.S. 12:262.1) AND LIMITED LIABILITY COMPANIES (SEE, La. R.S. 12:1308.2) MUST BE REGISTERED AND IN GOOD STANDING WITH THE LOUISIANA SECRETARY OF STATE IN ORDER TO HOLD A PURCHASE ORDER AND/OR CONTRACT WITH THE STATE OVER \$25,000.

31. ALL BID AMOUNTS SHALL BE SUBMITTED IN UNITED STATES DOLLARS.