



## **Downey Unified School District**

**Gallegos Administration Center**

**11627 Brookshire Avenue, P.O. Box 7017, Downey, California 90241-7017**

**(562) 469-6500, FAX: (562) 469-6515**

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Ph.D.

## **BID NO. 23/24-11**

# **APPLE COMPUTER PRODUCTS & SERVICES**

### **Proposal due date: September 1, 2023; 2:00 p.m.**

**Contact: Janie Rowland**

**Interim Director of Purchasing/Warehouse**

**(562) 469-6531**

**BID NO. 23/24-11**  
**APPLE COMPUTER PRODUCTS AND SERVICES**

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## NOTICE INVITING BIDS

Notice is hereby given that the Governing Board of the Downey Unified School District is requesting sealed bids for:

### **APPLE COMPUTER PRODUCTS AND SERVICES BID NO. 23/24-11**

Bid documents are available for download on the District's website at <https://web.dusd.net/purchasing/#bids>.

Sealed bids must be received prior to **2:00 p.m. on September 1, 2023**, at the District's Purchasing Department located at: 11627 Brookshire Avenue, Room 169, Downey, CA 90241. Sealed bids will be opened at, or after, the time indicated, and will publicly be read aloud. Any bid received after the specified date and time shall be deemed nonresponsive and returned to the bidder unopened.

Any claim by a bidder of error in its bid must be made in compliance with Public Contract Code Section 5100 et. seq.

All bids shall be on the form(s) provided by the District. Each bid must conform and be responsive to all pertinent bid documents.

No bidder may withdraw their bid for a period of ninety (90) days after the date set for the opening of bids.

The District reserves the right to reject any and all proposals and to waive any irregularity in any proposal received.

Published: August 17 and August 24, 2023

## INSTRUCTIONS TO BIDDERS

### OVERVIEW

1. Bidder shall follow the instructions in this document, and shall submit all required documents, forms and information in order for their bid to be considered.

2. Bids are requested for:

### **APPLE COMPUTER PRODUCTS AND SERVICES BID NO. 2023/24-11**

3. Bids are due: **September 1, 2023 – 2:00 p.m.**

4. The District will receive sealed bids as stipulated in the Notice Inviting Bids.

a. All bids must be sealed in an envelope, marked with the name and address of the bidder, bid number and date and time of opening. No electronic submissions can be considered.

b. Bids must be mailed, or hand delivered, to the District's Purchasing Department prior to the date and time of opening.

c. It is the bidder's responsibility to ensure that its bid is received prior to the opening deadline. In accordance with Government Code Section 53068, any bid received after the scheduled opening time shall be returned to the bidder unopened.

d. Bids must contain all documents as required herein.

5. Bidders are advised that on the date that bids are opened, telephones will not be available for use by bidders or their representatives.

6. Bids will be opened at or after the time indicated for opening of proposals.

7. Bidders must submit bids on the document provided by the District. Bids not submitted on the correct form(s) may be deemed nonresponsive and may not be considered.

8. The District shall assume no cost incurred by the bidder in developing a response to this bid.

9. All bids submitted become the property of the District and are subject to the Public Records Act of the State of California. Bidder must notify the District of any specific portions of their bid considered to be confidential.

## **REQUESTS FOR INFORMATION/CLARIFICATIONS/QUESTIONS**

Requests for Information/Clarifications/Questions must be submitted, in writing, via email, to Janie Rowland, Interim Director of Purchasing/Warehouse at [janie@ehanda.com](mailto:janie@ehanda.com) no later than **12:00 noon on August 29, 2023**. No requests for information/clarifications/questions will be accepted after this date and time. An Addendum responding to requests for information/clarifications/questions will be posted on the District's website at <https://web.dusd.net/purchasing/#bids>.

## **ADDENDA**

All issued Addenda must be acknowledged in the space provided on the Bid Form. Failure to acknowledge all addenda may be grounds for rejection of bid.

## **NON-COLLUSION DECLARATION**

Bidder **must** include a signed Non-Collusion Declaration with their bid. Bids received without a signed Non-Collusion Declaration cannot be considered.

## **INFORMATION FOR BIDDERS**

### **PREPARATION OF BID FORM**

The District invites bids on the forms attached to be submitted at such time and place as it stated in the Notice to Bid. Bid Proposals submitted on other than the Bid Forms included herein shall be deemed non-responsive. All blanks in the bid form must be appropriately completed. All bids shall be submitted in sealed envelopes bearing on the outside the name of the bidder, bidders address, the bid number, and the name of the project for which the bid is submitted. It is the sole responsibility of the bidder to see that their bid is received no later than the time stated. Each Bidder is solely responsible for all costs and expenses incurred by the Bidder in preparing and submitting a Bid Proposal to the District. Any bid received after the scheduled closing time for receipt of bids will be returned to the bidder unopened.

### **ERRORS AND CORRECTIONS**

No erasures permitted. Mistakes may be crossed out and corrections made adjacent but must be initialed in ink by person signing bid. Verify your bids before submission as they cannot be withdrawn or corrected after being opened or withdrawn until the specified time period has elapsed.

### **SUBSTITUTIONS AND SAMPLES**

All items bid must conform to the specifications set forth in these bid documents. The District reserves the right to reject all bids that do not conform to the specifications. When bidding on brands other than those specified, the Bidder must state on the bid the brand, quality, model number, or other trade designation on each item bid other than "as specified". See the attached documents for requirements regarding samples and/or detailed specification sheets. At a minimum, descriptive technical literature fully describing the claimed "or equal" product must be attached to the bid. Suitability and valuation of "equals" rests in the sole discretion of the District. Where samples are requested they must be furnished free. Samples will be returned at bidder's expense provided a request accompanies the samples and provided further that samples are not destroyed by tests.

### **SALES TAX**

Do not include California State Sales or Use Taxes in unit prices. This tax will be added and paid for by the District. Do not include or add Federal Excise Tax as the District is exempt.

### **BID SIGNATURE(S)**

All bids must show the firm name and must be signed by a responsible officer or employee fully authorized to bind the organization to the terms and conditions herein. Obligations assumed by such signature must be fulfilled.

## **REQUIRED DELIVERY DATES**

Actual delivery of the equipment or services shall be coordinated with the District. Upon award of bid, supplier shall keep sufficient stocks of product and service material to insure prompt delivery and service schedules. There shall be no minimum quantities required in order for the District to place orders for needed items. **Bid all items F. O. B., Destination.**

## **ORDERING PROCEDURES**

A Purchase Order will be issued for each order, as product is needed Bidder will be required to itemize all costs incurred for each order according Purchase Order.

## **PRICING**

The pricing structure for this bid is based on the current government and educational price list for Apple Computer Corporation products, which is published several times each year. In the event of a general price decrease, the District reserves the right to revoke the bid award unless the decrease is passed on to the District. Prices shall be as set forth on the applicable Apple price list in effect on the date District's order is accepted.

## **TERM**

The initial term will be from date of award through June 30, 2024.

Pursuant to Education Code, Sections 17596 and 81644, this bid may be extended (by mutual consent, expressed in writing) for two (2) additional one (1) year increments (total potential bid life of three (3) years).

## **MINIMUMS/MAXIMUMS/CHARGES/LIMITATIONS**

Bidders shall not specify minimum or maximum quantities or charges for specific order types. Unlimited orders shall be allowed to the awarding district at prices quoted.

## **ANTI-DISCRIMINATION**

It is the policy of the District that in connection with all work performed, there be no discrimination against any prospective or active employee engaged in the work because of race, color, ancestry, national origin, religious creed, sex, gender, age, sexual orientation, or marital status. The Vendor agrees to comply with applicable Federal and California laws including, but not limited to, the California Fair Employment and Housing Act, beginning with Government Code Section 12900, and Labor Code Section 1735.

## **WITHDRAWAL OF BIDS**

Any bidder may withdraw its Bid Proposal without penalty, by written request received by the District, prior to the scheduled closing time for the receipt of bids.

## **STANDARD COMMERCIAL USE**

The vendor, whether manufacturer, supplier, distributor or retailer, hereby certifies that the products offered under this bid have been placed in regular commercial use for a period of at least three (3) years and that adequate spare parts exist in the marketplace for the items sold. Submit all requests for deviations to this clause as an “or equal” deviation.

## **TECHNOLOGY CLAUSE**

As technology advances, it is understood that improved or enhanced products may supersede existing products in both price and performance and yet be essentially similar. This request for bids seeks to address the rapid advances in technology by allowing functionally similar or identical products that may be introduced in the future, during the term of this bid, to be included under the general umbrella of compatible product lines and are thus specifically included in this bid document.

## **FORMS**

The following forms must be submitted, in their entirety, with appropriate signatures and information. Any omissions are grounds for bids to be declared non-responsive:

- Bid Form (2 pages)
- Piggyback Clause Form (1 page)
- Deviation Form (1 page)
- Non-Collusion Declaration (1 page)
- Bid Pricing (8 pages)



# **BID FORM**

**BID NO. 23/24-11**

**APPLE COMPUTER PRODUCTS AND SERVICES**

The undersigned hereby proposes and agrees to furnish and deliver the goods and/or services as quoted in accordance with the terms, conditions, specifications, and prices herein quoted.

Bid is subject to a cash discount of \_\_\_\_\_% \_\_\_\_\_ days.

Notice acceptance or request for additional information should be addressed to the undersigned at the address/email address stated below:

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**Bidder Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Authorized Agent (signature):** \_\_\_\_\_

**Authorized Agent (print):** \_\_\_\_\_

**Authorized Agent (title):** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City, State, Zip Code:** \_\_\_\_\_

**Phone No.:** \_\_\_\_\_

**E-Mail Address:** \_\_\_\_\_

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***\*THIS FORM MUST BE COMPLETED AND SUBMITTED WITH BID\****

**BID FORM**  
(continued)

**BID NO. 23/24-11**  
**APPLE COMPUTER PRODUCTS AND SERVICES**

**TO: Downey Unified School District**, acting by and through its Governing Board, herein called “**District**”:

Pursuant to, and in compliance with your Notice Inviting Bids and the other documents relating thereto, the undersigned bidder, having familiarized themselves with the terms of the contract, the local conditions affecting the performance of the contract and the cost of the work at the place where the work is to be done, and with the contract documents, specifications, addendum, and all other related documents, hereby proposes and agrees to perform, within the time stipulated, the contract, including all of its component parts, and everything required to be performed, and to provide and furnish any and all of the labor, materials, tools, expendable equipment and all utility and transportation services necessary to perform the contract and the work required in connection with: **Bid No. 23/24-11 – Apple Computer Products and Services**, all in strict conformity with the specifications and other contract documents, including all noted **addenda numbers** \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, on file in the office of the Director of Purchasing for the District.

It is understood that the District reserves the right to reject this bid and that this bid shall remain open and not be withdrawn for the period specified in the **Notice Inviting Bids**.

The names of all persons interested in the foregoing proposal as principals are as follows:

\_\_\_\_\_  
\_\_\_\_\_

**Note:** If bidder is a corporation, the legal name of the corporation shall be set forth above together with the signature of authorized officers or agents and the document shall bear the corporate seal; if bidder is a partnership, the true name of the firm shall be set forth above together with the signature of the partner or partners authorized to sign contracts on behalf of the partnership, if bidder is an individual, his signature shall be placed above.

***\*THIS FORM MUST BE COMPLETED AND SUBMITTED WITH BID\****

# PIGGYBACK CLAUSE FORM

BID NO. 23/24-11

APPLE COMPUTER PRODUCTS AND SERVICES

For the term of this bid and any mutually agreed extensions, pursuant to this Notice Inviting Bids, **at the option of the bidder**, other school districts and community college districts, any public corporation or agency, including any county, city, town or public corporation or agency within the State of California may purchase, or lease-purchase, the identical items at the same prices and upon the same terms and conditions, pursuant to section 20118 (K-12) and 20652 (Community Colleges) of the Public Contract Code.

The Downey Unified School District waives the right to require such other districts and offices to draw their warrants in favor of the District, as provided in said Code sections.

**Acceptance or rejection of this clause will not affect the outcome of this bid.**

Piggyback option granted: \_\_\_\_\_

Piggyback option NOT granted: \_\_\_\_\_

*(Please initial one of the above options)*

**Exclusions:**

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***\*THIS FORM MUST BE COMPLETED AND SUBMITTED WITH BID\****

# DEVIATIONS FORM

Bid product per specifications. Any proposed deviations from specifications of equipment and related items must be noted below:

Deviations? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, describe:

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Bidder Name: \_\_\_\_\_

Authorized Agent (signature): \_\_\_\_\_

Authorized Agent (print): \_\_\_\_\_

***\*THIS FORM MUST BE COMPLETED AND SUBMITTED WITH BID\****

**NON-COLLUSION DECLARATION**

**TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID**

**(Public Contract Code Section 7106)**

The undersigned declares:

I am the \_\_\_\_\_ [Title] of \_\_\_\_\_ [Name of Company], the party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly, or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on \_\_\_\_\_ [date], at \_\_\_\_\_ [city], \_\_\_\_\_ [state].

Proper Name of Bidder: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

END OF DOCUMENT

***Downey Unified School District  
Bid No. 23/24-11 – Apple Computer Products and Services***

***\*THIS FORM MUST BE COMPLETED AND SUBMITTED WITH BID\****