

RFP FORMS "CS" SERIES

REQUEST FOR PROPOSALS

PRINTING, BINDING, PACKAGING, AND DELIVERING THE
2007 IOWA ACTS AND THE 2007 CODE SUPPLEMENT

CS-1

INSTRUCTIONS FORM

(1) Acts and (2) Code Supplement

Issued: July 17, 2007

Submission Deadline: August 21, 2007

Legislative Services Agency
State Capitol
Des Moines, Iowa 50319

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**REQUEST FOR PROPOSALS (FORM CS-1)
INSTRUCTIONS FORM 2007 IOWA ACTS & 2007 CODE SUPPLEMENT**

**CS-1
INSTRUCTIONS FORM**

This CS-series of documents is a request for proposals (RFP), including this Instructions Form (CS-1) for the Iowa Acts or "Acts" and the Code Supplement abbreviated as "CS", issued by the Legislative Services Agency (Agency). A bidder may submit a proposal in response to the RFP for both the Acts and the Code Supplement or for only one of those publications. To complete a proposal, read this Instructions Form and consult the relevant tables in the Appendices (CS-4) or the Contract Form (CS-2). Bidders must complete the Proposal Form (CS-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 bidder's failure to properly complete the Proposal Form and submit it to the Agency by the deadline may result in the bidder's disqualification.

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REQUEST FOR PROPOSALS (FORM CS-1) INSTRUCTIONS FORM 2007 IOWA ACTS & 2007 CODE SUPPLEMENT

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 and delivery of two different books, the Iowa Acts and the Code Supplement.
- 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, loose spine, 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, that is published each year under the direction of the Iowa Code Editor pursuant to Code of Iowa Chapter 2B.
 - 2. Code Supplement ("CS").** The Code Supplement is a single-volume, perfect bound, softcover book containing statutes and miscellaneous materials, including various tables and an index, that supplements the Code of Iowa, and is published during odd-numbered years under the direction of the Iowa Code Editor pursuant to Code of Iowa Chapter 2B.
- B. Acts and Code Supplement Produced and Delivered According to Two Overlapping Schedules.** The Acts and Code Supplement are produced and delivered between the months of September and late December or early January. The Acts must be produced and delivered first, according to one schedule, and the Code Supplement must be produced and delivered according to a separate schedule. There is some overlap between the two schedules.
- C. RFP Documents.** This RFP consists of the following documents: This Instructions Form (CS-1), the Contract Form (CS-2), the Proposal Form (CS-3), and the Appendices (CS-4). For the convenience of the parties, each of the four documents includes common provisions for the two books. Unless otherwise expressly provided, the provisions included in a form are commonly applicable to both books.
- D. Getting Started.** A bidder makes a proposal in response to this RFP by completing and submitting the Proposal Form to the Agency for evaluation.
- 1. Consult Instructions and Appendices.** A bidder is expected to consult this Instructions Form and the Appendices. A bidder may also consult the Contract Form, which together with the Appendices contains all definitions, specifications, terms, conditions, and requirements for producing and delivering production items and books.
 - 2. Note Major RFP Obligations.** By submitting the Proposal Form to the Agency, a bidder who is selected by the Agency as a potential contractor agrees to the following terms and conditions, unless the Contractor provides otherwise in the Proposal Form:
 - a. General Legal Requirements.** To the general legal requirements which are contained in a number of Agency contracts, and specified in the Contract Form.¹

¹ Contract Form (CS-2), Parts I-III.



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- b. Production.** To 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.²
- c. Delivery of Production Items.** To (1) Produce sample covers, deliver sample covers to the Agency, and receive corrected sample covers from the Agency; (2) Receive the Agency's composed pages, produce sets of press proofs from the Agency's composed pages, and receive sets of press proofs (or parts of sets) corrected by the Agency; and (3) Produce sets of assembled pages, deliver sets of assembled pages to the Agency, and receive sets of assembled pages (or parts of sets) corrected by the Agency, as required by the Agency during the trial performance periods and the standard performance periods.³
- d. Delivery of Books.** To produce books and deliver books to the Agency during the standard performance periods.⁴
- e. Communication.** To comply with required communication protocols, including by providing for the timely response to messages delivered by the Agency's contact persons.⁵
- f. Payment.** To 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.⁶
- g. Procedures and Remedies for Noncompliance.** To 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.⁷
- h. Waivers and Amendments.** To comply with the procedures for waiving or amending a provision in the Contract Form, including but not limited to the requirement that waivers and amendments must be in writing.⁸
- i. Execution.** To execute a contract by a person authorized by the Contractor to take such action within 7 days of being selected by the Agency as the Contractor.⁹

² Appendices (CS-4), Appendices A and B. See also Contract Form (CS-2), Part IV and Parts VI-VIII.

³ Appendices (CS-4), Appendices C and D. See also Contract Form (CS-2), Parts V-VII.

⁴ Appendices (CS-4), Appendices C and D. See also Contract Form (CS-2) Parts V and VIII.

⁵ Appendices (CS-4), Appendix E. See also Contract Form (CS-2), Part V, Paragraph "A."

⁶ Contract Form (CS-2), Part IX. See also Appendices (CS-4), Appendix D, Table D-3.

⁷ Contract Form (CS-2), Parts X-XIII.

⁸ Contract Form (CS-2), Part XIV.

⁹ Contract Form (CS-2), Part XV.



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3. Ask Questions. If a bidder is uncertain about how to respond to a inquiry, communicate with the Agency as provided in Part III.

RFP TIMELINES

Event	Date
Agency Issues the RFP	July 17
Bidder Deadline to Request an Extension for All Bidders to Submit Questions	August 10
Bidder Deadline for All Bidders to Submit Questions	August 13
Bidder Deadline to Request Extension for All Bidders to Submit Proposals	August 17
Bidder Deadline for All Bidders to Submit Proposals	August 21
Agency Selects Bidder as Potential Contractor	August 24
Agency and Contractor Execute a Contract	August 31

II. CHECKLIST OF ESSENTIAL CONTRACT TERMS AND CONDITIONS

By submitting the Proposal Form (CS-3) 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 Contract Form (CS-2), unless the Contractor provides otherwise in the Proposal Form. However, before proceeding, consider the following checklist of essential contract terms and conditions which are nonnegotiable.

Checklist

	Issue	Book	Requirement	Consult Form	
Construction	Standards for Production Materials ¹⁰	Acts	Generally, Appearance Must Be the Same as the 2006 Edition of the Acts	CS-2, Pt. IV, ¶B(1). CS-4, App. A & B	
		CS	Generally, Appearance Must Be the Same as the 2005 Edition of the CS		
	Standards for Workmanship	Acts	Generally, Same as the 2006 Edition (Although the Spine Must be Loose and Rounded)		CS-2, Pt. IV, ¶B(2)
		CS	Generally, Same as the 2005 Edition		
	Book and Page Size	Acts	Book: 7 1/2" x10 3/4"	Page: 7 1/4" X 10 1/2" Finished	CS-4, App. A, Table A-1
		CS	Book: 7 1/4" X 10 1/2"	Page: 7 1/4" X 10 1/2" Finished	
	Cover	Acts	Casebound		CS-2, Pt. II, ¶B & D
		CS	Perfect Bound		
	Signature Size (By Page Count)	Acts	(1) Full 32-page		CS-4, App. B, Table B-2a
		CS	(2) Half (Split) 16-page Upon Agency Approval		

¹⁰ There is no requirement that a bidder must select a certain manufacturer or brand of materials (e.g., fabric material or paper stock). The Agency considers these matters negotiable so long as the production materials comply with the specifications of this RFP.



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Checklist *Continued*

Issue		Book	Requirement	Consult Form	
Number and Turnaround Time Standard Performance Periods	Production Items	1 Finished Cover	Acts CS	10 Calendar Days After the Agency Delivers its Final Page Count for the Books to the Contractor	CS-4, App. D, Table D-1
		2 Sets of Press Proofs	Acts CS	5 Business Days After the Agency Delivers Composed Pages to the Contractor	
		12 Sets of Assembled Pages	Acts CS	10 Calendar Days After the Agency Delivers its Approval of the Final Sets of Press Proofs	
	Ordered Books (1) 3,250 Acts (2) 4,000 Code Supplements	Acts CS	30 Calendar Days After the Agency Delivers its Approval of the Final Sets of Press Proofs (1) General. 15 Calendar Days After the Agency Delivers its Approval of the Final Sets of Press Proofs. (2) Special. Special Delivery of 420 Books to Des Moines by 01/10/08 Assuming Agency Delivers Composed Pages to Contractor by 12/15/07. ¹¹	CS-4, App. D, Table D-2	
Delivery	Package and Load Production Items and Books	Acts CS	(1) Production Items. Package/Load and Ship/Unload Production Items for Delivery to Des Moines and Receive Corrected Production Items From Des Moines. (2) Books. Package/Load and Ship/Unload Books to Special Dock at Des Moines and Eight Locations Throughout the State.	CS-4, App. C & D	
	Communication	Acts CS	(1) Contact Person. Provide the Agency With Telephone and E-Mail Contact to the Person Primarily Responsible for Managing Day-to-Day Operations for Book Production and Delivery. (2) Reply. Promptly Reply to a Message Delivered by Agency Staff. ¹²	CS-4, App. E, Tables E-1 & E-2a	

III. COMMUNICATION

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

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.

¹¹ The Agency assumes that the Special Delivery of Code Supplements for Legislative Distribution will be delivered with other Code Supplements shipped as part of Normal Delivery to the Grimes State Office Building (although the 420 books must be segregated).

¹² The exact time deadline for a reply is negotiable and flexible in practice.



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- 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	
Contact	Telephone	(515) 281-8871	Telephone	(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
Office	Ola Babcock Miller Building		Ola Babcock Miller Building	
	3rd Floor		3rd Floor	
	Des Moines, Iowa 50319		Des Moines, Iowa 50319	

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 available 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.
- b. Limitation.** Nothing in this RFP requires the Agency to 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 selected as a potential contractor.



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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 RFP documents, bidder proposal forms completed and submitted to the Agency, samples, 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., August 13, 2007.
 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., August 10, 2007. 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 Supplement (e.g., sample pages, electronic files, or books) should contact the Agency. A sample of the books' page paper is available on the Agency's website.
- 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.

IV. SUBMISSION OF A PROPOSAL FORM

- A. Manner of Submission.** The Agency will only accept a proposal which is submitted in the manner required in this Paragraph "A." 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.** A bidder's proposal must be completed using the Proposal Form as made available by the Agency to potential bidders on the Agency's website (See Part III, 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.



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2. **Deadline.** A completed Proposal Form must be submitted to the Agency no later than 4:00 p.m., August 21, 2007. A completed Proposal Form is submitted to the Agency when the Agency receives the Proposal Form.
3. **Filing.** A bidder shall submit a completed Proposal Form 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

joanne.page@legis.state.ia.us

- b. **Printed Version.** The bidder shall deliver five copies of a 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

*Specify "Acts," "CS," or "Acts and CS"

- 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 date and time that the Agency received the bidder's submitted Proposal Form.
4. **Waiver.** 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 2. 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 completed Proposal Form in a printed format by the deadline provided in Subparagraph 2. 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., August 17, 2007. 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.



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- 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.
- 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.

V. 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.
- B. *Combined Proposals Encouraged.*** A bidder is encouraged but not required to complete and submit the Proposal Form for the Acts and the Code Supplement. If a bidder submits a Proposal Form for the Acts and the Code Supplement, the Agency shall consider the Proposal Form as two separate proposals, and if the Agency selects the bidder to produce and deliver only the Acts or the Code Supplement, the bidder is bound by the submitted Proposal Form submitted to the Agency, unless the bidder expressly provides otherwise in the Proposal Form. A bidder may also submit an alternative Proposal Form which must expressly provide that it is an alternative which applies to the production and delivery of the Acts if the bidder is selected to produce and deliver the Acts alone, or that it is an alternative which applies to the Code Supplement if the bidder is selected to produce and deliver the Code Supplement alone.



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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 Code of Iowa § 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 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	175
Compliance with Standards (Production Materials)	75
Bidder's Satisfactory Past Performance (Experience)	75
Contractor's Control of Production (Subcontracting)	50
In-State Production	50
Completeness and Timeliness of Proposal	50
<u>Combined Proposal (Acts and Code Supplement)</u>	<u>25</u>
TOTAL	500

- C. Selection of Bidder.** The Agency will evaluate all completed and timely submitted proposal forms for the Acts and the Code Supplement, but is under no obligation to select a bidder as a potential contractor for either book. The Agency expects to select a bidder as the Contractor not later than 4:00 p.m., August 24, 2007, execute a contract by 4:00 p.m., August 27, 2007, 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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