

STATE OF MICHIGAN
INVITATION TO BID

FORM DMB
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RETURN BID TO :
DEPARTMENT OF CORRECTIONS
5656 S CEDAR STREET
LANSING , MI, 48911

DUE : 11/14/08 02:00 PM

DATE ISSUED: 10/01/08
BID NUMBER: 472I9200001

CONTACT: CORI SACKRIDER
517 373-3910 EXT:

REQUESTING DEPARTMENT/AGENCY:
ADMINISTRATION AND BUSINESS OFFICE

VENDOR ID : /

VENDOR PHONE :

THE UNDERSIGNED CERTIFIES THAT HE/SHE OFFERS TO FURNISH MATERIALS AND/OR SERVICE IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF THE BID INCLUDING INSTRUCTIONS AND CONDITIONS; THAT PRICES QUOTED ARE CORRECT; AND THIS BID MAY NOT BE WITHDRAWN FOR A PERIOD OF 90 DAYS FROM THE DUE DATE NOTED ABOVE.

CASH DISC _____ DAYS

SHIPMENT _____ DAYS ARO

F.O.B _____

SHIP PT. _____

EST. SHIP WT. _____

TOTAL BID \$ _____

X _____
SIGNATURE [IN INK] DATE

NAME [PRINT OR TYPE]

SHIP TO : DEPARTMENT OF CORRECTIONS
MICHIGAN STATE INDUSTRIES
LANSING BUSINESS OFFICE - 1260
5656 S CEDAR STREET
LANSING , MI, 48911

ITEM	COMMODITY ID	QTY	U/M	UNIT COST	AMOUNT
001	918-75	1.00	EA		

MANAGEMENT CONSULTANT

THIS IS AN INVITATION TO BID / REQUEST FOR PROPOSAL TO ESTABLISH A CONTRACT FOR A SUPPLY CHAIN CONSULTANT FOR A ONE YEAR CONTRACT WITH A ONE YEAR OPTION.

THE MICHIGAN DEPARTMENT OF CORRECTIONS/MICHIGAN STATE INDUSTRIES

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(MDOC/MSI) IS SEEKING A PERMANENT AND DEPARTMENT WIDE SUPPLY CHAIN STRATEGY INITIATIVE BUSINESS CASE AND MASTER PLAN (SUPPLY CHAIN MASTER PLAN). THE SUPPLY CHAIN MASTER PLAN WILL

DETAIL THE DEVELOPMENT AND IMPLEMENTATION OF A CROSS-FUNCTIONAL MANAGEMENT INFRASTRUCTURE FOR ITS SUPPLY CHAINS THAT WILL PRODUCE LOW COSTS, WILL MAXIMIZE EFFICIENCIES AND MEET DEPARTMENTAL POLICIES AND LEGAL MANDATES. THE SUPPLY CHAIN MANAGEMENT INFRASTRUCTURE WILL ENGAGE ALL MDOC/MSI ACTIVITIES ASSOCIATED WITH SOURCING, PURCHASING, INVENTORY, WAREHOUSING AND TRANSPORTATION.

SEE THE ATTACHEMENT FOR COMPLETE TERMS AND SPECIFICATIONS.

THE CONTRACTOR SHOULD BE AWARE THAT THERE IS A POSSIBILITY OF A MOBILIZATION AT ANY OF THE CORRECTIONAL FACILITIES WHICH PROHIBITS PERSONS ENTERING THE FACILITY AT TIME OF ARRIVAL. MDOC/MSI WILL NOT BE RESPONSIBLE FOR ANY ADDITIONAL CHARGES WHICH MAY ARISE DUE TO ADDITIONAL COSTS CAUSED BY A MOBILIZATION.

BIDS ARE DUE BY 2:00 PM, NOVEMBER 14, 2008.

PROPOSALS THAT ARE RECEIVED AFTER THE SPECIFIED DUE DATE AND TIME CANNOT BE CONSIDERED UNLESS (A) ALL OTHER BIDS RECEIVED ON TIME DO NOT MEET SPECIFICATIONS, OR (B) NO OTHER BIDS ARE RECEIVED.

BIDS MAY BE DELIVERED TO THE RECEPTIONIST DESK OF THE MDOC/MSI PURCHASING BUILDING AT:

5656 S. CEDAR ST.
LANSING, MI 48911.

BIDDERS MUST ALLOW ADEQUATE TIME TO CHECK IN AT THE RECEPTIONIST DESK BEFORE BID SUBMISSION DEADLINE.

MDOC/MSI PURCHASING ADDRESS FOR PROPOSALS SUBMITTED BY CONTRACT CARRIER, COURIER DELIVERY, OR PERSONAL DELIVERY, IS:

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
MICHIGAN STATE INDUSTRIES
PURCHASING SECTION
5656 S. CEDAR ST.
LANSING, MICHIGAN 48911

PROPOSALS SUBMITTED THROUGH THE U.S. POSTAL SERVICE SHOULD BE ADDRESSED AS FOLLOWS:

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
MICHIGAN STATE INDUSTRIES
PURCHASING SECTION
P.O. BOX 30723

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LANSING, MICHIGAN 48909					

QUESTIONS CONCERNING THE RFP ARE TO BE SUBMITTED IN WRITING, NO LATER THAN TEN (10) DAYS AFTER THE POSTING OF THE RFP ON SEPTEMBER 30, 2008. THE QUESTION DUE DATE IS OCTOBER 15, 2008. ANSWERS WILL POSTED POSTED BY OCTOBER 29, 2008

QUESTIONS SHOULD BE RETURNED TO:
TIMOTHY M. JOHNSON
MICHIGAN DEPARTMENT OF CORRECTIONS
MICHIGAN STATE INDUSTRIES
5656 S. CEDAR ST.
LANSING, MI 48911
EMAIL: JOHNSOTM@MICHIGAN.GOV
PHONE: (517) 373-4107
FAX (517) 373-6697

BIDDERS MUST SUBMIT THE FOLLOWING:
(1) COMPLETED AND SIGNED INVITATION TO BID (FORM DMB 285)
(2) COMPLETED RFP
(3) PROPOSAL
(4) PRICING STRUCTURE
SEE SECTION 3.050 FOR FURTHER INFOMATION

MDOC/MSI ALSO REMINDS VENDORS THAT ANY COMPANY RECOMMENDED FOR AWARD MUST BE ELECTRONIC FUNDS TRANSFER (EFT) COMPLIANT BY THE TIME THE STATE ADMINISTRATIVE APPROVAL HAS BEEN OBTAINED. IN THE EVENT THAT EFT COMPLIANCE IS NOT MET, MDOC/MSI MAY WITHDRAW THE ORIGINAL RECOMMEDATION, RESUBMIT, AND AWARD INSTEAD TO A COMPANY WHICH IS COMPLIANT.

ALL NECESSARY INFORMATION REGARDING THIS INVITATION TO BID / REQUEST FOR PROPOSAL WILL BE POSTED ON THE WEBSITE WWW.MICHIGAN.GOV/MSI-ITB. BIDDERS SHOULD MONITOR THE WEBSITE FOR ALL ADDENDA ISSUED AND POSTED AFTER THE INTITAL ITB POSITNG. ALL APPROPRIATE DOCUMENTS MUST BE INCLUDED WHEN SUBMITTING THE ITB/RFP.

BIDDERS: IT IS IMPERATIVE THAT ALL ATTACHED SPECIFICATIONS, TERMS AND CONDITIONS, AND ANY ADDITIONAL ADDENDA THAT MAY BE POSTED ON THE WEBSITE BE INCLUDED WITH YOUR SUBMITTED ITB. SIGN ALL FORMS WHERE INDICATED.

ADDITIONAL REQUIREMENTS :
PROCUREMENT POLICY - PROCUREMENT FOR THE STATE OF MICHIGAN SHALL BE HANDLED IN A MANNER PROVIDING FAIR OPPORTUNITY TO ALL BUSINESSES, INCLUDING WOMAN OWNED, MINORITY OWNED AND HANDICAPPER OWNED

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BUSINESSES. THIS SHALL BE ACCOMPLISHED WITHOUT REDUCTION OR SACRIFICE OF QUALITY AND AS DETERMINED TO BE IN THE BEST INTEREST OF THE STATE. THE STATE PURCHASING DIRECTOR HAS THE VESTED AUTHORITY TO MAKE THE FINAL DECISION ON THE AWARD OF A PURCHASE ORDER OR BLANKET PURCHASE ORDER.

PRICES AND NOTATIONS - PRICES AND NOTATIONS MUST BE TYPED OR IN INK. PRICES SHALL BE FOR NEW ITEMS ONLY UNLESS SPECIFIED OTHERWISE IN THE INVITATION TO BID (ITB). ANY FORM OF PRICING CORRECTIONS MADE TO THE QUOTATION BY THE BIDDER PRIOR TO SUBMISSION SHOULD BE INITIALED IN INK BY THE PERSON SIGNING THE QUOTATION. IN THE EVENT OF UNINITIALED PRICING CORRECTIONS, THE BUYER, WITH MANAGEMENT APPROVAL, MAY REQUIRE AN AFFIDAVIT FROM THE BIDDER CONFIRMING THE PRICE CORRECTION WAS MADE PRIOR TO THE BID SUBMISSION.

UNIT PRICES - UNIT PRICES SHOULD BE STATED BASED ON UNITS SPECIFIED. THE BIDDER MAY QUOTE ON ALL OR A PORTION OF A QUANTITY AS SPECIFIED. QUOTE ON EACH ITEM SEPARATELY AND INDICATE BRAND NAME OR MAKE. EXTEND AND TOTAL THE BID. IN CASE OF DISCREPANCIES BETWEEN UNIT PRICE AND EXTENDED PRICE THE UNIT PRICE WILL BE THE BASIS FOR AWARD.

DELIVERY TIME - DELIVERY TIME IS A PART OF THE CONSIDERATION FOR THE AWARD AND MUST BE STATED IN DEFINITE TERMS AND ADHERED TO. IF TIME VARIES ON DIFFERENT ITEMS, THE BIDDER SHALL SO STATE.

QUOTATIONS - A QUOTATION MUST BE SIGNED BY AN AUTHORIZED OFFICER OR EMPLOYEE OF THE COMPANY APPEARING ON THE ITB. THE SIGNATURE REPRESENTS A BINDING COMMITMENT UPON THE COMPANY TO PROVIDE SUCH GOODS AND/OR SERVICES OFFERED TO THE STATE SHOULD IT BE DETERMINED THE LOWEST RESPONSIVE BIDDER.

SAMPLES - SAMPLES OF ITEMS, WHEN REQUIRED, MUST BE FURNISHED FREE OF EXPENSE AND IF NOT DESTROYED BY TESTS WILL BE RETURNED AT BIDDER'S EXPENSE. SAMPLES MUST BE RECEIVED ON OR BEFORE BID OPENING IF SO REQUESTED ON THE BID.

DELIVERY TERMS - UNLESS OTHERWISE STATES, BIDS MAY BE QUOTED EITHER F.O.B. DELIVERED OR F.O.B. SHIPPING POINT. F.O.B. DELIVERED MEANS DELIVERED TO THE DOCK OF THE "SHIP TO" ADDRESS NOTED ON THE ITB, AND INCLUDES ALL CHARGES FOR TRANSPORTATION OR ANY OTHER SERVICE. IF BIDDERS ELECT TO QUOTE F.O.B. SHIPPING POINT, POINT OF SHIPMENT AND SHIPPING WEIGHT MUST BE INCLUDED. AWARDS WILL BE BASED ON THE LOWEST COST INCLUDING TRANSPORTATION CHARGES, AS DETERMINED BY THE STATE.

CASH DISCOUNTS - THE STATE WILL NOT CONSIDER CASH DISCOUNTS FOR PROMPT PAYMENT IN DETERMINING THE LOWEST RESPONSIVE BIDDER.

NO BID RESPONSES - BIDDERS WHO CANNOT QUOTE SHOULD RETURN THE ITB COVER PAGE STATING THE REASON FOR NOT BIDDING. FAILURE TO DO SO MAY RESULT IN REMOVAL OF THE BIDDER'S NAME FROM ALL BIDDER LISTS.

ALTERNATE BIDS - BIDDERS MAY OFFER ALTERNATE BIDS WHICH ARE AT VARIANCE FROM THE EXPRESS SPECIFICATIONS OF THE QUOTATION, AND THE STATE RESERVES THE RIGHT TO CONSIDER AND ACCEPT SUCH BIDS IF, IN THE

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JUDGMENT OF THE ACQUISITION SERVICES DIRECTOR, THE ALTERNATE BID WILL PRODUCE GOODS AND/OR SERVICES EQUAL TO OR BETTER THAN THOSE WHICH WOULD BE SUPPLIED BY FOLLOWING THE EXPRESS SPECIFICATIONS OF THE QUOTATION, AND ACCEPTANCE OF THE ALTERNATE BID IS DEEMED TO SERVE THE BEST INTERESTS OF THE STATE OF MICHIGAN. AN ALTERNATE BID MUST CLEARLY DESCRIBE ALL VARIANCES FROM THE EXPRESS SPECIFICATIONS.

RECEIPT OF BIDS - IT IS THE BIDDER'S RESPONSIBILITY TO ENSURE BIDS BE RECEIVED PRIOR TO THE DATE, TIME, AND AT THE ADDRESS SPECIFIED ON THE FACE OF THE ITB. THIS RESPONSIBILITY RESTS ENTIRELY WITH THE BIDDER, NOTWITHSTANDING DELAYS RESULTING FROM POSTAL HANDLING OR FOR ANY OTHER REASONS. LATE BIDS WILL NOT BE ACCEPTED OR CONSIDERED EXCEPT UNDER THE FOLLOWING CIRCUMSTANCES: A) BIDS RECEIVED ON TIME DO NOT MEET SPECIFICATIONS, OR B) NO OTHER BIDS ARE RECEIVED.

SPECIFICATIONS - SPECIFICATIONS WHICH REFER TO BRAND NAMES ARE GIVEN FOR REFERENCE ONLY. BIDDERS MAY QUOTE ON EQUIVALENT GOODS, PROVIDED COMPLETE DESCRIPTIVE LITERATURE IS FURNISHED ALONG WITH BRAND NAME AND CATALOG NUMBER. ANY DEVIATIONS FROM THE SOLICITATION MUST BE NOTED ON THE BID. WHEN EQUIVALENT GOODS WILL NOT BE ACCEPTED, THE QUOTATION WILL STATE "DO NOT SUBSTITUTE".

AWARD - THE STATE RESERVES THE RIGHT TO AWARD BY ITEM, GROUP OF ITEMS, OR TOTAL BID. THE STATE FURTHER RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS IF IT IS DETERMINED BY THE STATE PURCHASING DIRECTOR THAT THE BEST INTEREST OF THE STATE WILL BE SERVED BY DOING SO. IN DETERMINING AN AWARD, QUALIFICATIONS OF THE BIDDER, CONFORMITY WITH SPECIFICATION OF GOODS AND/OR SERVICES, COST, AND DELIVERY TERMS WILL BE CONSIDERED.

MINORITY/WOMEN/HANDICAPPER SUBCONTRACTING - TO HELP INSURE PARTICIPATION IN STATE PURCHASE ORDERS/BLANKET PURCHASE ORDERS BY MINORITY, WOMEN AND HANDICAPPER OWNED AND OPERATED BUSINESSES, THE STATE OF MICHIGAN STRONGLY ENCOURAGES COMPANIES, WHEN RESPONDING TO INVITATIONS TO BID, TO SUBCONTRACT WITH CERTIFIED MINORITY, WOMAN AND HANDICAPPER OWNED AND OPERATED BUSINESSES. FOR ASSISTANCE IN LOCATING POTENTIAL SUBCONTRACTORS, CONTACT: MICHIGAN DEPARTMENT OF CIVIL RIGHTS
CONTRACTUAL SERVICES DIVISION
STATE OF MICHIGAN PLAZA BUILDING - 5TH FLOOR
1200 SIXTH AVENUE
DETROIT, MICHIGAN 48226
1-313-456-3822

BIDDERS SHOULD INDICATE IN THEIR RESPONSE THE NAMES, ADDRESSES, AND TYPE OF WORK ASSIGNED FOR EACH PROPOSED MINORITY/WOMEN/HANDICAPPER OWNED AND OPERATED FIRM WHICH WILL BE A SUBCONTRACTOR. THE TOTAL AMOUNT AND/OR PERCENTAGE OF DOLLARS TO BE PAID TO EACH SUBCONTRACTOR(S) SHOULD BE INCLUDED WITH THE PRICE SUBMISSION.

ACCOMMODATION/ACCESS - IF ANY BIDDER NEEDS AN ACCOMMODATION OR ACCESS TO SUBMIT A BID, THEY SHOULD CONTACT THE BUYER INDICATED ON THE FACE OF THE ITB FOR ASSISTANCE.

TAXES - THE STATE OF MICHIGAN IS EXEMPT FROM FEDERAL EXCISE TAX, STATE AND LOCAL SALES TAX, AND USE TAX, AND SUCH TAXES SHALL NOT

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BE INCLUDED IN THE BID PRICE. SALES TO THE STATE OF MICHIGAN ARE NOT EXEMPT FROM THE ENVIRONMENTAL PROTECTION REGULATORY FEE IMPOSED PURSUANT TO SECTION 8 OF ACT 152 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1989.

CANCELLATION OF CONTRACT - (A) THE STATE MAY CANCEL THE CONTRACT FOR DEFAULT OF THE CONTRACTOR. DEFAULT IS DEFINED AS THE FAILURE OF THE CONTRACTOR TO FULFILL THE OBLIGATIONS OF THE QUOTATION OR CONTRACT. IN CASE OF DEFAULT BY THE CONTRACTOR, THE STATE MAY IMMEDIATELY AND/OR UPON 30 DAYS PRIOR WRITTEN NOTICE TO THE CONTRACTOR CANCEL THE CONTRACT WITHOUT FURTHER LIABILITY TO THE STATE, ITS DEPARTMENTS, DIVISIONS, AGENCIES, SECTIONS, COMMISSIONS, OFFICERS, AGENTS AND EMPLOYEES, AND PROCURE THE SERVICES FROM OTHER SOURCES, AND HOLD THE CONTRACTOR RESPONSIBLE FOR ANY EXCESS COSTS OCCASIONED THEREBY.

(B) THE STATE MAY CANCEL THE CONTRACT IN THE EVENT THE STATE NO LONGER NEEDS THE SERVICES OR PRODUCTS SPECIFIED IN THE CONTRACT, OR IN THE EVENT PROGRAM CHANGES, CHANGES IN LAWS, RULES OR REGULATIONS, RELOCATION OF OFFICES OCCUR, OR THE STATE DETERMINES THAT STATEWIDE IMPLEMENTATION OF THE CONTRACT IS NOT FEASIBLE, OR IF PRICES FOR ADDITIONAL SERVICES REQUESTED BY THE STATE ARE NOT ACCEPTABLE TO THE STATE. THE STATE MAY CANCEL THE CONTRACT WITHOUT FURTHER LIABILITY TO THE STATE, ITS DEPARTMENTS, DIVISIONS, AGENCIES, SECTIONS, COMMISSIONS, OFFICERS, AGENTS AND EMPLOYEES BY GIVING THE CONTRACTOR WRITTEN NOTICE OF SUCH CANCELLATION 30 DAYS PRIOR TO THE DATE OF CANCELLATION.

(C) THE STATE MAY CANCEL THE CONTRACT FOR LACK OF FUNDING. THE CONTRACTOR ACKNOWLEDGES THAT, IF THIS CONTRACT EXTENDS FOR SEVERAL FISCAL YEARS, CONTINUATION OF THIS CONTRACT IS SUBJECT TO APPROPRIATION OF FUNDS FOR THIS PROJECT. IF FUNDS TO ENABLE THE STATE TO EFFECT CONTINUED PAYMENT UNDER THIS CONTRACT ARE NOT APPROPRIATED OR OTHERWISE MADE AVAILABLE, THE STATE SHALL HAVE THE RIGHT TO TERMINATE THIS CONTRACT WITHOUT PENALTY AT THE END OF THE LAST PERIOD FOR WHICH FUNDS HAVE BEEN APPROPRIATED OR OTHERWISE MADE AVAILABLE BY GIVING WRITTEN NOTICE OF TERMINATION TO THE CONTRACTOR. THE STATE SHALL GIVE THE CONTRACTOR WRITTEN NOTICE OF SUCH NON-APPROPRIATION WITHIN 30 DAYS AFTER IT RECEIVES NOTICE OF SUCH NON-APPROPRIATION.

(D) THE STATE MAY IMMEDIATELY CANCEL THE CONTRACT WITHOUT FURTHER LIABILITY TO THE STATE ITS DEPARTMENTS, DIVISIONS, AGENCIES, SECTIONS, COMMISSIONS, OFFICERS, AGENTS AND EMPLOYEES IF THE CONTRACTOR, AN OFFICER OF THE CONTRACTOR, OR AN OWNER OF A 25% OR GREATER SHARE OF THE CONTRACTOR, IS CONVICTED OF A CRIMINAL OFFENSE INCIDENT TO THE APPLICATION FOR OR PERFORMANCE OF A STATE, PUBLIC OR PRIVATE CONTRACT OR SUBCONTRACT; OR CONVICTED OF A CRIMINAL OFFENSE INCLUDING BUT NOT LIMITED TO ANY OF THE FOLLOWING: EMBEZZLEMENT, THEFT, FORGERY, BRIBERY, FALSIFICATION OR DESTRUCTION OF RECORDS, RECEIVING STOLEN PROPERTY, ATTEMPTING TO INFLUENCE A PUBLIC EMPLOYEE TO BREACH THE ETHICAL CONDUCT STANDARDS FOR STATE OF MICHIGAN EMPLOYEES; CONVICTED UNDER STATE OR FEDERAL ANTITRUST STATUTES; OR CONVICTED OF ANY OTHER CRIMINAL OFFENSE WHICH IN THE SOLE DISCRETION OF THE STATE, REFLECTS ON THE CONTRACTOR'S BUSINESS INTEGRITY.

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(E) THE STATE MAY IMMEDIATELY CANCEL THE CONTRACT IN WHOLE OR IN PART BY GIVING NOTICE OF TERMINATION TO THE CONTRACTOR IF ANY FINAL ADMINISTRATIVE OR JUDICIAL DECISION OR ADJUDICATION DISAPPROVES A PREVIOUSLY APPROVED REQUEST FOR PURCHASE OF PERSONAL SERVICES PURSUANT TO CONSTITUTION 1963, ARTICLE 11, SECTION 5, AND CIVIL SERVICE RULE 4-6.

(F) THE STATE MAY, WITH 30 DAYS WRITTEN NOTICE TO THE CONTRACTOR, CANCEL THE CONTRACT IN THE EVENT PRICES PROPOSED FOR CONTRACT MODIFICATION/EXTENSION ARE UNACCEPTABLE TO THE STATE. SEE SECTIONS I-P, PRICE PROPOSAL, AND I-S, MODIFICATION OF SERVICE.

INSPECTION - ALL GOODS ARE SUBJECT TO INSPECTION AND TESTING. IN THE EVENT GOODS ARE DEFECTIVE IN MATERIAL OR WORKMANSHIP, OR OTHERWISE FAIL TO MEET THE REQUIREMENTS OF THE QUOTATION, THE STATE SHALL HAVE THE RIGHT TO REJECT THE GOODS OR RETAIN THE GOODS AND CORRECT THE DEFECTS. THE CONTRACTOR SHALL PAY THE STATE FOR EXPENSES INCURRED IN CORRECTING DEFECTS. REJECTED GOODS WILL BE HELD FOR 45 DAYS AFTER DELIVERY. THE CONTRACTOR MUST ARRANGE FOR THE RETURN OF SAID GOODS, INCLUDING PAYING FOR HANDLING, PACKING, AND TRANSPORTATION COSTS. THE STATE HAS THE AUTHORITY TO DISPOSE OF THE GOODS WITHOUT FURTHER LIABILITY TO THE STATE IN THE EVENT THE CONTRACTOR FAILS TO MAKE SUCH ARRANGEMENTS WITHIN THE SPECIFIED TIME.

NON-DISCRIMINATION CLAUSE - IN THE PERFORMANCE OF ANY CONTRACT OR PURCHASE ORDER RESULTING HEREFROM, THE BIDDER AGREES NOT TO DISCRIMINATE AGAINST ANY EMPLOYEE OR APPLICANT FOR EMPLOYMENT, WITH RESPECT TO THEIR HIRE, TENURE, TERMS, CONDITIONS OR PRIVILEGES OF EMPLOYMENT, OR ANY MATTER DIRECTLY OR INDIRECTLY RELATED TO EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, ANCESTRY, AGE, SEX, HEIGHT, WEIGHT, MARITAL STATUS, PHYSICAL OR MENTAL DISABILITY UNRELATED TO THE INDIVIDUAL'S ABILITY TO PERFORM THE DUTIES OF THE PARTICULAR JOB OR POSITION. THE BIDDER FURTHER AGREES THAT EVERY SUBCONTRACT ENTERED INTO FOR THE PERFORMANCE OF ANY CONTRACT (OR PURCHASE ORDER) RESULTING HEREFROM WILL CONTAIN A PROVISION REQUIRING NON-DISCRIMINATION IN EMPLOYMENT, AS HEREIN SPECIFIED, BINDING UPON EACH SUBCONTRACTOR. THIS COVENANT IS REQUIRED PURSUANT TO THE ELLIOTT LARSEN CIVIL RIGHTS ACT, 1976 PA 453, AS AMENDED, MCL 37.2101, ET SEQ, AND THE PERSONS WITH DISABILITIES CIVIL RIGHTS ACT, 1976 PA 220, AS AMENDED, MCL 37.1101, ET SEQ, AND ANY BREACH THEREOF MAY BE REGARDED AS A MATERIAL BREACH OF THE CONTRACT OR PURCHASE ORDER.

STATE LAWS - ALL CONTRACTS OR PURCHASE ORDERS ISSUED AS A RESULT OF THIS SOLICITATION ARE SUBJECT TO, SHALL BE GOVERNED BY, AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF MICHIGAN. ANY DISPUTE ARISING HEREIN SHALL BE RESOLVED IN THE STATE OF MICHIGAN.

ASSIGNMENT OF ANTITRUST CAUSE OF ACTION - FOR AND IN CONSIDERATION OF THE OPPORTUNITY TO SUBMIT A QUOTATION AND OTHER GOOD AND VALUABLE CONSIDERATION, THE BIDDER HEREBY ASSIGNS, SELLS AND TRANSFERS TO THE STATE OF MICHIGAN ALL RIGHTS, TITLE AND INTEREST IN AND TO ALL CAUSES OF ACTION IT MAY HAVE UNDER THE ANTITRUST LAWS OF THE UNITED STATES OR THIS STATE FOR PRICE FIXING, WHICH CAUSES OF ACTION HAVE ACCURED PRIOR TO THE DATE OF PAYMENT AND WHICH RELATE SOLELY TO THE PARTICULAR

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GOODS, COMMODITIES, OR SERVICES PURCHASED OR PROCURED BY THIS STATE
PURSUANT TO THIS TRANSACTION.

UNFAIR LABOR PRACTICES - PURSUANT TO 1980 PUBLIC ACT 278, AS AMENDED,
MCL 423.231, ET SEQ, THE STATE SHALL NOT AWARD A CONTRACT OR SUB-
CONTRACT TO AN EMPLOYER WHOSE NAME APPEARS IN THE CURRENT REGISTER OF
EMPLOYERS FAILING TO CORRECT AN UNFAIR LABOR PRACTICE COMPILED
PURSUANT TO SECTION 2 OF THE ACT. A CONTRACTOR OF THE STATE, IN
RELATION TO THE CONTRACT, SHALL NOT ENTER INTO A CONTRACT WITH A
SUBCONTRACTOR, MANUFACTURER, OR SUPPLIER WHOSE NAME APPEARS IN THIS
REGISTER. PURSUANT TO SECTION 4 OF 1980 PUBLIC ACT 278, MCL 423.324,
THE STATE MAY VOID ANY CONTRACT IF, SUBSEQUENT TO AWARD OF THE
CONTRACT, THE NAME OF THE CONTRACTOR AS AN EMPLOYER, OR THE NAME OF
THE SUBCONTRACTOR, MANUFACTURER OR SUPPLIER OF THE CONTRACTOR APPEARS
IN THE REGISTER.

IN ORDER TO BE CONSIDERED FOR AWARD EACH BIDDER MUST COMPLETE THIS
DMB285 FORM, SUBMIT A PROPOSAL BASED ON THE ATTACHED INVITATION TO BID
PACKET AND COMPLETE ARTICLE 3 CERTIFICATIONS AND REPRESENTATIONS.

WHEN YOU RETRIEVE THIS INFORMATION FROM THE INTERNET, IT IS IMPORTANT
THAT YOU CLICK ON ALL OF THE ATTACHMENTS. YOU WILL NOT BE ABLE TO
PROPERLY BID UNLESS YOU HAVE ALL OF THE APPROPRIATE DOCUMENTS.

PLEASE READ THE ATTACHED TERMS, CONDITIONS, AND SPECIFICATIONS PRIOR
TO COMPLETING YOUR BID, OR SUBMITTING QUESTIONS.

--- END OF DOCUMENT ---