

RFP "C" SERIES

REQUEST FOR PROPOSALS

PRINTING, BINDING, PACKAGING, AND DELIVERING THE
2008 IOWA ACTS AND THE 2009 IOWA CODE

C-1 INSTRUCTIONS FORM

(1) Acts and (2) 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 2008 IOWA ACTS & 2009 IOWA CODE**

**C-1
INSTRUCTIONS FORM**

This C-series of documents is a request for proposals (RFP), including this Instructions Form (C-1) for the Iowa Acts or "Acts" and the Iowa Code or "Code," issued by the Legislative Services Agency (Agency). A bidder may submit a proposal for both the Acts and the Code or for only one of the publications. To complete a proposal, read this Instructions Form and consult the relevant tables in the Appendices (C-4) or the Contract Form (C-2). Bidders must complete the Proposal Form (C-3) in an electronic format. Contact the Agency at (515) 281-3566 to receive a copy of that form in Microsoft Word®. Proposals submitted in prior years are also available on the web site. 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.

TABLE OF CONTENTS

Pt.	Subject	Page
I.	READING THIS RFP	3
II.	RFP TIMELINES	4
III.	CHECKLIST OF ESSENTIAL CONTRACT TERMS AND CONDITIONS	5
IV.	COMMUNICATION	6
V.	SUBMISSION OF A PROPOSAL FORM	8
VI.	CONTENTS OF A PROPOSAL FORM	9
VII.	EVALUATION OF PROPOSALS AND THE SELECTION OF A BIDDER	10



REQUEST FOR PROPOSALS (FORM C-1) INSTRUCTIONS FORM 2008 IOWA ACTS & 2009 IOWA CODE

I. READING THIS RFP

- A. Purpose.** This RFP is issued by the Agency to solicit proposals for two different publications, the Iowa Acts and the Iowa 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, loose-spine, case-bound book including statutory provisions and miscellaneous materials, tables, and an index.
 - 2. The Iowa Code ("Code").** The "Code," formally referred to as the Code of Iowa, is a set of seven loose-spine case-bound volumes (or books) that includes (1) a Statutory Volumes set of six books (Volumes I-VI) that contains statutes and miscellaneous materials including constitutions, compacts, and a skeleton index, and (2) an index volume, a single loose-spine 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. Acts and Code Produced and Delivered According to Two Overlapping Schedules.** The Acts and Code 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. The Code must be produced and delivered according to a separate schedule, with the Index Volume produced and delivered after the production and delivery of the statutory volumes sets. There is some overlap between the two schedules.
- C. RFP Documents.** This RFP consists of the following documents: this Instructions Form (C-1), the Contract Form (C-2), the Proposal Form (C-3), and the Appendices (C-4). The four documents include common provisions for the two publications.
- D. Getting Started.** A bidder makes a proposal in response to this RFP by completing and submitting the Proposal Form to the Agency.
- 1. Consult Instructions and Appendices.** A bidder is expected to consult this Instructions Form, the Contract Form, and the Appendices, which together contain 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 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 specified in the Contract Form.¹
 - b. Production.** To provide all production materials, production items, and books, and to use the degree of workmanship required according to general and detailed production standards.²
 - c. Delivery of Production Items.** To (1) produce and correct sample covers, (2) produce digital proofs from electronically transmitted PDF files of composed

¹ Contract Form (C-2), Parts I-III.

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



REQUEST FOR PROPOSALS (FORM C-1)

INSTRUCTIONS FORM 2008 IOWA ACTS & 2009 IOWA CODE

pages, and (3) produce sets of assembled pages as required during the trial performance periods and the standard performance periods.³

- d. Delivery of Books.** To produce and deliver books during the standard performance periods.⁴
- e. Communication.** To comply with required communication protocols, including timely responses to messages delivered by the Agency's contact persons.⁵
- f. Payment.** To comply with the payment schedule, including adjustments to payment and procedures for billing and payment.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 within a short time period after being selected by the Agency as the Contractor.⁹

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

II. RFP TIMELINES

Event	Date
Agency Issues the RFP	August 4
Bidder Deadline to Request an Extension for All Bidders to Submit Questions or Concerns ...	August 19
Bidder Deadline for All Bidders to Submit Questions or Concerns	August 25
Bidder Deadline to Request Extension for All Bidders to Submit Proposals	August 27
Bidder Deadline for All Bidders to Submit Proposals	August 29
Agency Selects Bidder as Potential Contractor	September 3
Agency and Contractor Execute a Contract	September 10

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

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

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

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

⁷ Contract Form (C-2), Parts X-XIII.

⁸ Contract Form (C-2), Part XIV.

⁹ Contract Form (C-2), Part XV.



REQUEST FOR PROPOSALS (FORM C-1)

INSTRUCTIONS FORM 2008 IOWA ACTS & 2009 IOWA CODE

III. CHECKLIST OF ESSENTIAL CONTRACT TERMS AND CONDITIONS

Checklist

Issue		Book	Requirement		Consult Form	
Construction	Standards for Production Materials ¹⁰	Acts	Generally, Same as the 2007 Edition of the Acts		C-2, Pt. IV, B(1). C-4, App. A & B.	
		Code	Generally, Same as the 2005 Edition of the Code, Except for Page Paper Which Must be Comparable to 2007 Acts			
	Standards for Workmanship	Acts	Generally, Same as the 2007 Edition of the Acts		C-2, Pt. IV, B(2).	
		Code	Generally, Same as the 2005 Edition of the Code, Except for Blind Stamping and the Mitering of the Corners. ¹¹			
	Book and Page Size	Acts	Book: 7 1/2" X 10 3/4"	Page: 7 1/4" X 10 1/2" Finished		C-4, App. A.
		Code	Book: 7 1/2" X 10 1/2"	Page: 7 1/4" X 10" Finished		
Cover	Acts	Case-bound			C-2, Pt. II, B & D.	
	Code	Case-bound				
Signature Size (By Page Count)	Acts	(1) Full 32-page			C-4, App. B.	
	Code	(2) Half (Split) 16-page Upon Agency Approval				
Number and Turnaround Time Standard Performance Periods	Production Items	1 Finished Cover	Acts	10 Calendar Days After the Agency Delivers its Final Page Count for a Book to the Contractor (Acts or Code Volume)		C-4, App. D.
		2 Sets of Digital Proofs	Acts	5 Business Days After the Agency Delivers Composed Pages to the Contractor		
		12 Sets of Assembled Pages	Acts	2 Business Days After the Agency Delivers its Approval of the Final Sets of Digital Proofs for a Book (Acts or Code Volume)		
	Ordered Books (1) 3250 Acts (2) 5750 Codes	Acts	30 Calendar Days After the Agency Delivers its Approval of the Final Sets of Digital Proofs			C-4, App. D.
Code		30 Calendar Days After the Agency Delivers its Approval of the Final Sets of Digital Proofs for Volume VI for Statutory Volume Sets and 15 Calendar Days After the Agency Delivers if Approved of the Final Sets of Digital Proofs for the Index Volume 5.				

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.

¹¹ The Agency will provide a potential bidder with examples of books with correct blind stamping and mitered corners.



REQUEST FOR PROPOSALS (FORM C-1)

INSTRUCTIONS FORM 2008 IOWA ACTS & 2009 IOWA CODE

Checklist Continued

Issue		Book	Requirement	Consult Form
Delivery	Package and Load Production Items and Books	Acts Code	<p>(1) Production Items. Package/Load and Ship/Unload Production Items for Delivery to Des Moines and Receive Corrected Production Items From Des Moines.</p> <p>(2) Books. Package/Load and Ship/Unload Books to Special Dock at Des Moines and Eight Locations Throughout the State.</p>	C-4, App. C & D.
	Communication	Acts Code	<p>(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.</p> <p>(2) Reply. Promptly Reply to a Message Delivered by Agency Staff.¹²</p>	C-4, App. E.

IV. 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 and electronic mail address of the contact person for the potential bidder.
- 2. Communication to the Agency.** All communications regarding this RFP to the Agency must be addressed to both the Agency's contact persons: Alternate Agency contact persons may be designated.

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, 3rd Floor West		Ola Babcock Miller Building, 3rd Floor West	
	Des Moines, Iowa 50319		Des Moines, Iowa 50319	

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



REQUEST FOR PROPOSALS (FORM C-1)

INSTRUCTIONS FORM 2008 IOWA ACTS & 2009 IOWA CODE

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, the Agency's responses to those questions or comments, and new information about this RFP that the Agency makes available upon its own initiative. 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 submitted by a potential bidder or to maintain a record of or disclose communications between the Agency and potential bidders.

4. **Agency Web site.** The Agency customarily places documents relating to the issuance of RFPs and contracts on its web site: <http://www.legis.state.ia.us> (under "Contracts and RFPs"), including bidder questions and Agency responses, bidder proposal forms completed and submitted to the Agency, the Agency's scoring results of the bidders' proposal forms, the name of the bidder that the Agency selects as a potential contractor, and the name of the bidder that the Agency selects as the Contractor.

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 25, 2008.

2. **Exception.** A potential bidder who cannot comply with the deadline provided in Subparagraph 1, may request an extension of the deadline in Subparagraph 1 by contacting the Agency no later than 4:00 p.m., August 19, 2008. 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. A sample of the books' page paper is available.

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 2008 IOWA ACTS & 2009 IOWA CODE

V. SUBMISSION OF A PROPOSAL FORM

- A. Manner of Submission.** The Agency will only accept a proposal submitted in the manner required in this Paragraph "A." If the Agency does not accept a proposal, it shall be considered as unsubmitted.
- 1. Completed Proposal Form.** A bidder's proposal must be completed using the Proposal Form as made available on the Agency's web site <http://www.legis.state.ia.us>. 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 completed Proposal Form must be submitted to the Agency no later than 4:00 p.m., August 29, 2008. A completed Proposal Form is submitted to the Agency when the Agency receives the Proposal Form.
 - 3. Submission.** The bidder shall:
 - a. Electronic Version.** 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.** 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 West
 1112 East Grand Avenue
 Des Moines, Iowa 50319
 *Specify "Acts," "Code", or "Acts and Code"
 - 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 for the submission of a completed Proposal Form as provided in Subparagraph 2 must be submitted to the Agency prior to the deadline. 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 VII from a proposal which the Agency accepts under waiver.



REQUEST FOR PROPOSALS (FORM C-1)

INSTRUCTIONS FORM 2008 IOWA ACTS & 2009 IOWA CODE

5. Exception. A person who cannot comply with the deadline as provided in Subparagraph 2, may request an extension of the deadline by contacting the Agency no later than 4:00 p.m., August 27, 2008. 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 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.

VI. 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. Answers 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 to complete and submit the Proposal Form for both the Acts and the Code. The Agency will consider such a Proposal Form as two separate proposals, and if the Agency selects the bidder to produce and deliver only the Acts or the Code, 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 submit a Proposal Form which expressly provides that it applies to the Acts alone, or the Code alone.



REQUEST FOR PROPOSALS (FORM C-1)

INSTRUCTIONS FORM 2008 IOWA ACTS & 2009 IOWA CODE

VII. 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. Iowa Code § 2A.5 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 a model scoring sheet. The Agency expects to reexamine the criteria in the model scoring sheet and reserves the right to revise the criteria or assigned points after the issuance of this RFP.

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)	75
Completeness and Timeliness of Proposal	50
In-State Production	25
<u>Combined Proposal (Acts and Code)</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, 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., September 3, 2008, execute a contract within a short time period thereafter, and begin transmission of test-composed pages for the Acts to the Contractor. 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.