

## **INVITATION TO BID (ITB)**

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ITB Number: **B175640579SL**  
ITB Title: **Cordley East AV Renovation**  
Submittal Email: [bids@oregonstate.edu](mailto:bids@oregonstate.edu)

## **INTRODUCTION**

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Procurement, Contracts and Materials Management is seeking responsive responsible bidders to submit bids for Audio/Visual (AV) Equipment and Related Accessories.

## **SCHEDULE OF EVENTS**

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Question Deadline: September 18, 2023 (2:00 pm, PT)  
**Closing: September 25, 2023 (2:00 pm, PT)**

## **OSU ADMINISTRATIVE CONTACT**

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Name: Scott Lommers  
Title: Purchasing Analyst  
E-Mail: [Scott.Lommers@oregonstate.edu](mailto:Scott.Lommers@oregonstate.edu)

Procurement, Contracts and Materials Management (PCMM) at Oregon State University (OSU) is the issuing office and is the sole point of contact for this Invitation to Bid (ITB). Address all concerns or questions regarding this ITB to the Administrative Contact identified above.

## I. GENERAL

### 1. BACKGROUND:

The Cordley East AV Renovation ITB is to procure AV components for Phase 2 of the Cordley Hall renovation (east side of building) on the Oregon State University Corvallis campus. Phase 1 (west side of Cordley Hall) was impacted by the supply chain delay. The project has a completion date of September 20, 2024.

### 2. OREGON STATE UNIVERSITY:

Founded in 1868 as Oregon's land grant institution, OSU serves the state, the nation, and the world as a premier 21st-century research university. OSU is committed to exceptional research, discovery, innovation, and engagement – and to integrating its research and engagement mission with the delivery of a high-quality, globally relevant, and affordable education for the people of Oregon and beyond. OSU is one of only three land, sea, and space and sun grant universities in the U.S. and is the only university in Oregon to have earned both Carnegie Classifications for Very High Research Activity and Community Engagement.

Through its centers, institutes, Extension offices and Experiment Stations, Oregon State University (OSU) has a presence in all of Oregon's 36 counties, including its main campus in Corvallis, the Hatfield Marine Sciences Center in Newport and OSU-Cascades Campus in Bend. OSU offers undergraduate, master's and doctoral degrees through 11 academic colleges enrolling more than 35,000 students from every county in Oregon, every state in the country and more than 105 nations.

OSU's 570-acre main campus is in the city of Corvallis, a vibrant college town of nearly 58,000 in the heart of Western Oregon's Willamette Valley. The campus is located within the traditional homelands of the Mary's River or Ampinefu Band of Kalapuya. Following the Willamette Valley Treaty of 1855 (Kalapuya etc. Treaty), Kalapuya people were forcibly removed to reservations in Western Oregon. Today, living descendants of these people are a part of the Confederated Tribes of Grand Ronde Community of Oregon and the Confederated Tribes of the Siletz Indians.

### 3. TERMS AND CONDITIONS:

Contracts resulting from this ITB are subject to the applicable [OSU Standard Terms and Conditions for Goods](#), unless otherwise specified.

### 4. APPLICABLE REGULATIONS / JURISDICTION AND VENUE:

This ITB is subject to the applicable provisions and requirements of the Oregon Revised Statutes, Oregon Administrative Rules, and OSU Standards and Policies. OSU Standards 03-010 and 03-015 govern OSU's procurement activities. In case of confusion or dispute of a word or term used in this ITB, the definitions included in OSU Standards 03-010 and 03-015 control.

This ITB, and any dispute arising out of this ITB, shall be construed in accordance with, and governed by, the laws of the State of Oregon. Any other action to enforce any provision of this ITB or to obtain any relief from or remedy in connection with this ITB may be brought only in the Circuit Court of Oregon for Benton County.

## **II. INSTRUCTIONS TO BIDDERS**

### **1. COMMUNICATIONS DURING BID PROCESS:**

Bidders are prohibited from communicating with OSU employees, other than the Administrative Contact, or any party in a position to create an advantage for the bidder or disadvantage for other bidders with respect to this bid process or award of a new contract. This restricted period of communication begins on the date the ITB is issued and ends with the conclusion of the appeal period following notice of intent to award. This restriction does not apply to communications during a pre-bid conference or other situations where the OSU Administrative Contact is present. A bidder who intentionally violates this requirement or otherwise benefits from such a violation by another party may have its bid rejected due to failing to comply with all prescribed solicitation procedures.

### **2. QUESTIONS:**

Questions about this ITB must be sent via email and received by the OSU Administrative Contact no later than the question deadline indicated in the schedule of events on the first page of this ITB. OSU will consider all timely submitted questions and if appropriate either amend the ITB or answer questions through an addendum. Questions should be clearly marked with the ITB Number and Title.

### **3. ADDENDA:**

Only documents issued as written addenda by PCMM serve to change the ITB in any way. No other direction, written or verbal, serves to change the ITB. Addenda will be publicized on the OSU bid opportunities website. Bidders are advised to consult the OSU bid opportunities website prior to submitting a bid to ensure that all relevant addenda have been incorporated into their bid. Bidders are not required to submit addenda with their bid however, bidders are responsible for obtaining and incorporating any changes made by addenda into their bid. Failure to do so may make the bid non-responsive, which in turn may cause the bid to be rejected.

### **4. SIGNATURE:**

Any submittals that require signature must be signed, in ink or electronically, by an authorized representative with authority to bind the bidder. Bidder's signature certifies that the bidder has read, fully understands, and agrees to be bound by the ITB and all exhibits and addenda to the ITB.

### **5. PUBLIC RECORD:**

Upon completion of the ITB process, information in all bids will become subject records

that can be disclosed under Oregon Public Records Law. Oregon Revised Statute 192.345 contains exemptions from disclosure including “trade secrets”, which may include, but are not limited to: any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within an organization and which is used in a business it conducts, having actual or potential commercial value, and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it. NOTE: Price is NOT a trade secret.

If a bid contains “trade secrets” the bidder must only mark those sections of the bid with the words “TRADE SECRET” prior to, and at the end of, the trade secret information. Only bona fide “trade secrets” may be exempt and only if public interest does not require disclosure. Marks or claims that the entirety of a bid is “trade secret” or “confidential” WILL RESULT IN NONE OF THE BID BEING TREATED AS SUCH.

#### **6. SUBMISSION:**

Bidders must submit their bid as attachment(s) in an e-mail sent to the [bids@oregonstate.edu](mailto:bids@oregonstate.edu) email address. Electronic versions must be sized appropriately for transfer (under 150 mb per email.) Multiple emails may be sent to submit bid attachments as necessary. Bids must be received, in their entirety, by PCMM no later than the closing date and time indicated in the schedule of events on the first page of this ITB. The e-mail subject line should contain the ITB number and ITB title. It is the bidder’s responsibility to ensure that the bid is received prior to the closing date and time. Only those bids received at this e-mail address by the closing date and time will be considered responsive. Do not e-mail a copy of the bid to any other OSU e-mail addresses.

It is highly recommended that the bidder confirms receipt of the email with the OSU Administrative Contact noted above. The OSU Administrative Contact may verify receipt but will NOT verify the integrity of the attachment(s), answer questions related to the content of the bid or address the overall responsiveness of the bid.

#### **7. MODIFICATION:**

Modification of a bid after submittal but prior to closing may be completed by submitting a written notice indicating the modifications and a statement that the modification amends and supersedes the prior bid. After the closing, bidders may not modify their bid.

#### **8. WITHDRAWALS:**

A bidder may withdraw their bid by submitting a written notice to the OSU Administrative Contact prior to the closing date and time. The written notice must be on the bidder’s letterhead and signed by an authorized representative of the bidder.

#### **9. LATE SUBMITTALS:**

Bids and written notices of modification or withdrawal must be received no later than the closing date and time. For purposes of this ITB, the official date and time is the date and time that the email is received at the [bids@oregonstate.edu](mailto:bids@oregonstate.edu) email address. OSU may not accept or consider late bids, modifications, or withdrawals except as permitted in OSU Standard 03-015, Sec 5.9. Sole responsibility rests with the bidder to ensure OSU's receipt of its bid prior to closing. OSU shall not be responsible for any delays or misdeliveries caused by transmission errors, malfunctions, or electronic delays including those within OSU's network. IT IS THE BIDDER'S RESPONSIBILITY TO ENSURE OSU HAS RECEIVED THE BID BY CLOSING DAY AND TIME. Any risks associated with electronic transmission of the Bid are borne by the Bidder.

#### **10. BID OPENING:**

Bids will be opened immediately following the closing. Bidders may request to attend a virtual bid opening which may be conducted via Zoom or other electronic meeting platform. Please inform the OSU Administrative Contact if you would like to attend the bid opening. Only the names of the bidders will be announced. No other information regarding the content of the bids will be available.

#### **11. BIDS ARE OFFERS:**

The bid is the bidder's offer to enter a contract pursuant to the terms and conditions specified in the ITB, its exhibits, and addenda. The offer is binding on the bidder for one hundred twenty (120) days. OSU's award of a contract constitutes acceptance of the offer and binds the bidder.

#### **12. RIGHT TO REJECT:**

OSU may reject, in whole or in part, any bid not in compliance with the ITB, exhibits, or addenda. OSU may reject all bids for good cause, if OSU finds that it is in the public interest to do so. Notification of rejection of all bids, will be sent to all bidders.

#### **13. BID CANCELLATION:**

If an ITB is cancelled prior to closing, notification of cancellation will be sent, and all bids already received will be deleted. If an ITB is cancelled after closing, or all bids are rejected, the bids received will be retained and become part of OSU's bid file.

#### **14. BID PREPARATION COST:**

OSU is not liable for costs incurred by the bidder during the ITB process.

#### **15. REVIEW:**

Bids will be reviewed for responsiveness. Bids that do not comply with the instructions, that are materially incomplete, that do not meet required specifications, or that are submitted by bidders who do not meet minimum qualifications may be deemed non-responsive. Written notice will be sent to bidders whose bid is deemed non-responsive and will include the reason the bid was determined non-responsive and the bidder's right to appeal.

**16. AWARD:**

Award will be made to the lowest responsive responsible bidder(s). In determining the lowest responsive responsible bidder OSU reserves the right to make award(s) by line item, groups, entire bid, or any combination thereof. OSU reserves the right to delete any item from the award when deemed to be in the best interest of OSU. If a successful Contract cannot be completed with the lowest responsive responsible bidder(s) after award, OSU may rescind its award to the bidder(s) and award to the next lowest responsive responsible bidder.

**17. BID RESULTS:**

A written notice of intent to award will be issued to all bidders. The bid file will be available for bidder's review during the appeal period. Bidders must make an appointment with the Administrative Contact to view the bid file electronically. After the contract is executed or canceled, the file will be available through OSU's Public Records Request process.

**18. CONTRACT REVIEW AND NEGOTIATION:**

Prior to execution of a Contract, the Contract may be reviewed and negotiated. This review may result in modifications of the applicable terms and conditions specified on OSU's website, in the ITB, exhibits, addenda, or those proposed by a bidder. OSU's negotiation of, or acceptance of alternate terms and conditions, is at OSU's discretion as may be in the best interest of OSU.

**19. INVESTIGATION OF REFERENCES:**

OSU reserves the right to investigate and to consider the references and the past performance of any bidder with respect to evaluation and determining bidder's responsibility. OSU may consider such things as bidder's past performance, provision of similar goods or services, compliance with specifications, contractual obligations, and its lawful payment of suppliers, subcontractors, and workers.

### **III. SPECIFICATIONS**

#### **1. SPECIFICATIONS:**

Specifications are included in Exhibit B. All goods should be bid as specified: NO SUBSTITUTIONS. For any product that is at end of life, please send notification/question before the question deadline, and OSU will review and approve replacement item, if appropriate, by Addendum. OSU will accept bids on individual items, partial or whole lots, groups of items, or entire list of items in bid. We are requesting advance notice of any line item that cannot be delivered by July 15, 2024.

#### IV. SUBMITTALS

It is the bidder's sole responsibility to submit information in fulfillment of the requirements of this ITB. If submittals are not substantially compliant in all material respects with the criteria outlined in the bid, it may cause the bid to be deemed non-responsive.

Bidders should submit the following information:

	Submittal Document	Check-off
1.	Exhibit A, Certifications	<input type="checkbox"/>
2.	Exhibit B, Bid Price Sheet	<input type="checkbox"/>
3.	Exhibit C, References	<input type="checkbox"/>

**EXHIBIT A  
CERTIFICATIONS**

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By signature below the undersigned certifies that they are authorized to act on behalf of the bidder and agrees and certifies that:

- the bidder, to the best of the undersigned's knowledge, is not in violation of any Oregon tax laws defined in ORS 305.380(4);
- pursuant to OSU Standard 03-010, Section 5.8.1 and OSU Policy 016-001, that they have not discriminated and will not discriminate against Minority, Women, Service-Disabled Veterans or Emerging Small business in obtaining any required subcontracts;
- they have read, understands, and agrees to be bound by the ITB and all exhibits and addenda;
- the information provided is true and accurate, and that providing incorrect or incomplete information may be cause for rejection of the bid or contract termination; and
- they will furnish the designated item(s) and/or service(s) in accordance with the ITB and the contract.

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

Date: \_\_\_\_\_

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

Telephone: (\_\_\_\_) \_\_\_\_\_

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

Email: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address, City, State, Zip: \_\_\_\_\_

**EXHIBIT B**  
**BID PRICE SHEET**

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See Exhibit B Bid Price Sheet Excel spreadsheet attached separately.

**EXHIBIT C  
REFERENCES**

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**COMPANY NAME:** \_\_\_\_\_

**REFERENCE 1**

COMPANY: \_\_\_\_\_  
CONTACT NAME: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_  
EMAIL: \_\_\_\_\_  
GOODS/SERVICES  
PROVIDED: \_\_\_\_\_

**REFERENCE 2**

COMPANY: \_\_\_\_\_  
CONTACT NAME: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_  
EMAIL: \_\_\_\_\_  
GOODS/SERVICES  
PROVIDED: \_\_\_\_\_

**REFERENCE 3**

COMPANY: \_\_\_\_\_  
CONTACT NAME: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_  
EMAIL: \_\_\_\_\_  
GOODS/SERVICES  
PROVIDED: \_\_\_\_\_