State Documented Quote Template (Non-Construction)

**INSTRUCTIONS- DELETE THIS PAGE PRIOR TO POSTING**

Note to users: This template is permissive and provides language for State Agencies and Institutions of Higher Education (IHE) to use with a Documented Quote solicitation. It includes all requirements from the Procurement Code and Rules, although your agency/IHE may have additional requirements. This template includes placeholder Sections for Background/Overview, Statement of Work/Specifications and quote submission instructions to post with the DQ. Be sure to fill all sections out thoroughly and attach the correct draft Contract or purchase order terms and conditions as well as any Exhibits and/or Attachments.

**Tips on how to use the template:**

* Complete all fillable or highlighted fields.
* Review all comments and delete when completed.
* Make any additional applicable modifications.
* Be consistent – for example, if “project” and “work” mean the same thing, use the same term throughout the solicitation.
* Use spellcheck and correct spelling or grammatical errors.
* Make all changes in track changes and accept changes when ready to finalize.
* READ the document in its entirety before publishing!
* If you are publishing the DQ using a system other than VSS, such as BidNet, you must modify the DQ accordingly to list the system and any other relevant changes.
* Quotes will be submitted via email.

**REMEMBER:**

* Add/remove sections and Appendices as needed and update the Table of Contents
* DQs are not intended to be “mini-RFPs” and should not involve an evaluation committee or formal evaluation criteria. However, the basis for selection must be documented.
* If the spend will be over the $250,000 threshold during the years of the DQ, fill out and submit the DQ Over the Threshold form on the SPCO webpage prior to publishing.

Documented Quote

**INSERT AGENCY LOGO**

**Insert Solicitation Number:**

**Insert Solicitation Title and Date**

**Insert Amendment Dates as needed**

.

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1. SOLICITATION INFORMATION
   1. Introduction

On behalf of the State of Colorado, **Insert State Agency/IHE** is issuing this Documented Quote for **Insert title of DQ or general purpose.**

* 1. Background, Overview and Goals

**Insert additional information**

* 1. Anticipated Term
     1. The anticipated term of the Contract or Purchase Order resulting from the award of this solicitation is **insert additional information.**
     2. The State is not responsible for any goods delivered or services performed by the awarded Respondent without a State issued Contract or Purchase Order.
  2. Schedule of Activities
     1. This Schedule of Activities is for information and planning purposes only. Schedules for Activities listed as “Estimated” may be subject to change depending on the needs of the State. All times are stated in Mountain Time (MT), as adjusted for daylight savings.
        1. The date of publication for this solicitation on Colorado VSS is **Insert Date.**
        2. Written inquiries must be submitted to insert Procurement Point of Contact email no later than insert time and date.
        3. The estimated date for the State’s responses to vendors’ written inquires to be published on Colorado VSS is **Insert Date.**
        4. All quotes must be submitted in the method described below no later than **insert time and date.**
        5. The estimated date for award selection and notification is **Insert Date.**
        6. The desired Contract or Purchase Order start date is **Insert Date.**
  3. Procurement Point of Contact
     1. The State’s sole point of contact for this solicitation is **Insert Name**, **Insert Title**, who may be reached via email at **Insert Email**, or via phone at **Insert Phone #.**
  4. Respondent Inquiries
     1. Respondents may submit written inquires via email concerning this solicitation to obtain clarifications. The State, in its sole discretion, may or may not accept inquires received after the date and time indicated on the Schedule of Activities.
     2. Send all inquiries to the Procurement Point of Contact listed above. Inquiries should be clearly marked with the solicitation number and title. Where appropriate, inquiries should include references to any relevant Section and paragraph of the solicitation.
     3. Responses to Respondent inquires will be published on Colorado VSS collectively, as an amendment to the solicitation. Respondents shall not rely on any verbal statements that alter any specification or other term or condition of the solicitation. Such changes are valid only if provided in writing by the Procurement Contact.

1. REQUIREMENTS
   1. Accessibility Requirements
      1. All work performed as a result of this solicitation must comply with all applicable provisions of §§24-85-101, C.R.S., et seq*.*, and the*Accessibility Standards for Individuals with a Disability,* as established by the Office Of Information Technology pursuant to §24-85-103 (2.5), C.R.S. and 3) all State of Colorado technology standards related to technology accessibility and with Level AA of the most current version of the Web Content Accessibility Guidelines (WCAG), incorporated in the State of Colorado technology standards.
      2. Insert any additional accessibility-related requirements
   2. Insurance Requirements

The awarded Respondent will be required to submit a certificate(s) of insurance evidencing insurance coverage for the types and amounts of insurance as required by the Insurance provision in the Contract or Purchase Order Terms and Conditions, included in this solicitation as **Appendix B**, prior to execution of the Contract or Purchase Order.

* 1. Mandatory/Minimum Requirements
     1. Insert any additional requirements

1. SCOPE OF WORK/SPECIFICATIONS
   * 1. Insert Scope of Work/Specifications
2. QUOTE SUBMISSION INFORMATION
   1. Email Quote Submission Instructions
      1. Respondents shall submit Quotes via email to the Procurement Point of Contact identified above. The Quote submission email should include the subject line “Quote submission from (Insert Respondent Name) for **Insert DQ number, Insert DQ title**
      2. Quotes should be included as one or more attachments of commonly accessible file types.
   2. Timeliness of Quote Submission

A Quote received after the submission deadline may, at the sole discretion of the State, be rejected without further consideration.

* 1. Quote Format and Content
     1. Insert Additional Information
  2. Pricing
     1. Proposed pricing must remain firm during the initial term of the Contract or Purchase Order.
     2. Pricing must include any fees associated with the delivery of goods or services, including, but not limited to, shipping and installation.
     3. Insert additional information or instructions regarding the submission of pricing information.

1. AWARD
   1. Basis for Award (See Procurement Rule R-24-103-204-01)
      1. This solicitation and the resulting Contract or Purchase Order will be awarded to the responsible Respondent whose acceptable Quote is determined to be the most advantageous to the State, with price/cost being the primary consideration. Other considerations may include, but are not limited to, sample quality, and lead time for delivery.
      2. “Acceptable” means that the goods or services submitted in the Respondent’s Quote will meet the state’s needs, and that the price is fair and reasonable. The determination of whether a Respondent’s Quote is acceptable is solely within the State’s discretion.
   2. Negotiations

The State may negotiate with any Respondent to clarify the Respondent’s Quote or to effect modifications that will make the Quote Acceptable or more advantageous to the State; however, any requirements identified in this solicitation may not be negotiated. Reference Procurement Rule R-24-103-204-01(d).

* 1. Single Quote

If only one Quote is received in response to this solicitation, an award may be made to the single Respondent if the procurement official finds that the price submitted is fair and reasonable and that other prospective Respondents had reasonable opportunity to respond to the solicitation. If the price submitted is not fair and reasonable and there is not adequate time for re-solicitation, the procurement official may enter into competitive negotiations in accordance with Procurement Rule R-24-103-208-02.

* 1. Notice of Award

A notice of the intent to award will be announced on Colorado VSS.

* 1. Documents After Award

Prior to Contract or Purchase Order execution, the awarded Respondent must provide the State with proof of Good Standing with the Colorado Secretary of State and an insurance certificate documenting coverage as required by the Contract or Purchase Order.

1. GENERAL ADMINISTRATIVE INFORMATION
   1. Colorado Vendor Self Service
      1. This solicitation is being published on [Colorado Vendor Self Service](http://www.colorado.gov/vss) (Colorado VSS), so that Offerors who have an interest may submit a proposal in accordance with the terms of this solicitation.
         1. Vendors can self-register for this system free of charge, or may click on “Public Access” on the website to view solicitation documents and modifications without registering. Vendors are encouraged but not required to register prior to or at the time they submit their response. The State also recommends that interested vendors check Colorado VSS on a regular basis throughout this solicitation process.
   2. Modifications and/or Supplemental Information to the Solicitation
      1. Any modifications, amendments or supplemental information to the solicitation will be published on Colorado VSS. A modification notice will be published on Colorado VSS in the event that it becomes necessary to revise any part of this solicitation.
      2. It is the Respondent’s sole responsibility to check Colorado VSS on a regular basis, prior to the Quote submission deadline, as this is the primary means for communicating any clarifications or changes to solicitation content, timeline and/or requirements.
   3. Solicitation Cancellation and/or Rejection of Quotes
      1. In accordance with §24-103-301, C.R.S., and the related Procurement Rules, the State may cancel this solicitation, or any and all Quotes may be rejected in whole or in part, without penalty, at any time before a Contract or purchase order is executed, when it is in the best interest of the State. The reason and documentation supporting the decision to cancel the solicitation or reject Quote(s) shall remain confidential for the lesser of six months or until a Contract or purchase order is awarded by the State. Reference Procurement Rule R-24-101-401-05.
      2. If the solicitation is canceled after Quotes are received, the Quotes that have been opened shall be retained in the procurement record, or if unopened, they will be disposed of, or returned to the Respondent upon request at the Respondents’ expense.
   4. Modifications or Withdrawal of Quotes

A Respondent may modify or withdraw its Quote by written notice to the Procurement Contact prior to the established Quote submission deadline. Withdrawal of a Respondent’s Quote following the Quote submission deadline and prior to award, may be allowed, in the State’s discretion. Withdrawal of a Respondent’s Quote after award is not allowed. Reference Procurement Rules R-24-103-201-08 and R-24-103-201-09.

* 1. Mistake and Minor Informalities in Respondent Quotes

In certain circumstances, a Respondent may correct a mistake(s) in its Quote and/or the State may waive minor informalities. Reference Procurement Rule R-24-103-201-08.

* 1. News Releases and Announcements

Respondents shall not issue any news releases, communications or announcements of any kind pertaining to this solicitation, without prior written approval by the State.

* 1. Not a Legally Binding Offer

Neither this solicitation nor a Respondent’s Quote submitted in response to this solicitation constitute a legally binding offer. Reference Procurement Rule R- 24-103-204-01(b).

* 1. Respondent Quote Content

The contents of the Quote of the awarded Respondent and any modifications to the Quote negotiated by the State included in the resulting Contract or Purchase Order will become contractual obligations. Failure of the awarded Respondent to accept these obligations may result in cancellation of the award to that Respondent.

* 1. Quote Response Material Ownership

All material submitted in response to this solicitation becomes property of the State.

* 1. Certification of Independent Price Determination

By submitting a Quote, the Respondent certifies that the prices and other terms in the Quote have been arrived at independently without any consultation, communication, agreement with, or knowledge of the contents of the Quote by any other competing Respondent. For purposes of this paragraph, "consultation, communication, agreement with, or knowledge" does not include knowledge of prices or terms gained through availability of established price lists or catalogues made available to the public by the competing Respondents. No attempt has been made or will be made by the Respondent to induce any other person or firm to submit or not to submit a Quote for restricting competition. Reference §6-4-101, C.R.S., et seq., (Colorado Antitrust Act of 1992) as amended.

* 1. Submission of Confidential or Proprietary Information
     1. The State of Colorado is subject to the requirements of §24-72-200.1, C.R.S., et seq., Colorado Open Records Act.
     2. A Respondent may submit, as a part of its Quote, a written request for classification of certain portions of the Quote as a trade secret or other confidential or proprietary information. Material for which the Respondent is requesting confidentiality shall be readily identifiable and separated from other portions of the Quote to facilitate public inspection of the non-confidential portion of the Quote. Commingling of confidential and non-confidential information is not acceptable. Neither price information nor any information that will be included in a resulting Contract or purchase order will be considered confidential.
     3. The Respondent must include the rationale for any request to classify portions as a trade secret or confidential or proprietary, including references to the authority that allows for such treatment.
     4. A complete redacted Quote response should also be included along with an unredacted Quote and confidentiality justification.
     5. In no event shall an entire Quote be classified as confidential. The Procurement Official or his or her designee shall determine if the information identified in the Respondent’s request is exempt from disclosure in accordance with §24-72-204, C.R.S., and shall inform the Respondent in writing of his or her determination. If the Respondent does not agree with the determination, the Respondent may protest the determination in accordance with article 109 of the Colorado Procurement Code and the terms of this solicitation. Reference Procurement Rule R-24-101-401-03.
     6. Any additional Respondent information, which may be part of the evaluation/negotiation process and for which a Respondent claims confidentiality, is subject to the same requirements and processes identified above.
  2. Modifications to the State Contract
     1. A draft Contract or the State Purchase Order terms and conditions is included in Appendix B to this solicitation.
     2. Respondents are instructed to review the attached draft Contract and submit any proposed modifications or redlines with their Quote. The decision to reject, accept, or further negotiate any requested changes will be at State’s discretion. If a Respondent normally seeks counsel on Contract terms, they are advised to do so before submitting a Quote in response to this solicitation.
     3. In the event that a Respondent’s requested modifications violate State law, regulation, or policy, or would otherwise not be justifiable as being in the best interest of the State, the State may make a determination that a Respondent’s Quote is no longer acceptable and therefore ineligible for award. The section of the Contract identified as the Colorado Special Provisions are considered non-negotiable.
  3. Ethics and Conflicts of Interest
     1. The Respondent must disclose in its Quote any potential or actual conflict of interest in connection with a response to this solicitation. A conflict of interest may include, but is not limited to, access to any non-public information by the Respondent regarding the solicitation or its subject matter.
     2. The Respondent acknowledges that even the appearance of a conflict of interest may be harmful to the State’s interests. The Respondent shall disclose in its Quote whether there currently is, or potentially could be, the appearance of a conflict of interest regarding this solicitation, its staff, any proposed subcontractors or partners, or any related business with the State.
     3. Requirements set forth in this Section are continuing requirements throughout the solicitation process and, for the awarded Respondent, the Contract or Purchase Order term, including any extensions. Reference §24-18-201, C.R.S., et seq. (Proscribed Acts Related to Contracts and Claims); §24-50-507, C.R.S.(Conflict of Interest); §18-8-301, C.R.S., et seq. (Bribery and Corrupt Influence); §18-8-401, C.R.S., et seq. (Abuse of Public Office); §6-4-101, C.R.S., et seq., (Colorado Antitrust Act of 1992); §24-109-105, C.R.S .(Debarment and Suspension); and Procurement Rule R-24-101-107-01 (Ethics).
  4. Protested Solicitations and Awards

An aggrieved party may file a protest concerning a Material Issue(s), at any phase of solicitation, including but not limited to, specifications, award or a disclosure of information marked confidential in the Quote. “Material issue” means a nontrivial defect in the solicitation or award that would prejudice the outcome of the procurement.  The presence of multiple nonmaterial issues in a solicitation or award does not constitute a material issue unless the aggrieved party can establish that those nonmaterial issues together would prejudice the outcome of the procurement.” The protest shall be submitted to the **Insert Agency Name** Procurement Official within three (3) business days after such aggrieved person knows, or should have known, of the facts giving rise thereto. Reference §24-109-102, C.R.S., as amended, and Procurement Rule R-24-109-102-01, et seq. Protests should be submitted via email to **Insert Procurement Official contact information**.

* 1. Performance Outside of Colorado

Awarded Respondent, per Section 24-102-206, C.R.S., prior to contracting shall disclose in a written statement whether it anticipates performing or subcontracting any services under the contract, where such subcontracted services will be performed under the contract, including any subcontracts, and whether any subcontracted services under the contract or any subcontracts are anticipated to be performed outside the United States or the state. If the prospective vendor anticipates services under the contract or any subcontracts will be performed outside the United States or the state, the vendor shall provide in its written statement a provision setting forth why it is necessary or advantageous to go outside the United States or the state to perform the contract or any subcontracts.

* 1. Service Disabled Veteran Owned Small Businesses (SDVOSB) (ref. §24-103-905, C.R.S., et seq
     1. SDVOSB Respondents must submit documentation of certification issued through the U.S. Department of veteran’s affairs in their Quote. §24-103-905 C.R.S. sets a SDVOSB goal of at least 3% of all contracts by dollar value be awarded to SDVOSBs who must be incorporated or organized in Colorado or they must maintain a place of business or have an office in Colorado and must be officially registered and verified as a SDVOSB by the Center for Verification and Evaluation within the United States department of veteran’s affairs.
     2. Verified SDVOSB Offers shall receive a preference of **Insert Percentage** on their Quote. This preference applies only to the Quote price, and the SDVOSB Respondent must still meet all other requirements of this solicitation.
  2. Vendor Assistance

Any vendors needing support responding to solicitations may contact the Colorado Supplier Diversity Navigator at the [Statewide Equity Office of Supplier Diversity](https://urldefense.proofpoint.com/v2/url?u=https-3A__dhr.colorado.gov_statewide-2Dequity-2Doffice_supplier-2Ddiversity&d=DwMFaQ&c=sdnEM9SRGFuMt5z5w3AhsPNahmNicq64TgF1JwNR0cs&r=2K9kkYDPzg9W7wrnb9URPPzWuzXzmzc6oQUqmP_d9mA&m=UsSCoCc_Nnj_It7iTj2w9Xh-U0kW8zKwh7sIdTrgvW_OXQDDQG8CMBmOZsCmKo6l&s=AHk9LQL8xQKwtYW6AlMhIpKhc64M4gHnBm1wvGiKqhU&e=). Services provided include assistance with responding to solicitations, interpretation of solicitation documents, technical assistance referrals, availability of resources, and bond assistance through the Construction [Statewide Bond Assistance Program](https://urldefense.proofpoint.com/v2/url?u=https-3A__dhr.colorado.gov_supplier-2Ddiversity_construction-2Dand-2Dbond-2Dassistance&d=DwMFaQ&c=sdnEM9SRGFuMt5z5w3AhsPNahmNicq64TgF1JwNR0cs&r=2K9kkYDPzg9W7wrnb9URPPzWuzXzmzc6oQUqmP_d9mA&m=UsSCoCc_Nnj_It7iTj2w9Xh-U0kW8zKwh7sIdTrgvW_OXQDDQG8CMBmOZsCmKo6l&s=zAjgTZu5BkDViYCi42ZSaaEFbnZ4EzaMtQulSrBPsw8&e=). The office can be reached during normal business hours by calling 303-866-5765 or emailing [DPA\_SupplierDiversityHelp@state.co.us](mailto:DPA_SupplierDiversityHelp@state.co.us).