



STATE OF TENNESSEE
DEPARTMENT OF CORRECTION

**INVITATION TO BID # 32901-12296
AMENDMENT # 1
FOR INMATE FOOD PACKAGE PROGRAM**

DATE: ITB AMENDMENT RELEASE DATE

ITB # 32901-12296 IS AMENDED AS FOLLOWS:

1. This ITB Schedule of Events updates and confirms scheduled ITB dates. Any event, time, or date containing revised or new text is highlighted.

EVENT	TIME	DATE
Solicitation Posted		April 12, 2022
Questions and Comments Due		April 20, 2022
Proposals Due	2:00pm CST	June 10, 2022

2. State responses to questions and comments in the table below amend and clarify this ITB.

Any restatement of ITB text in the Question/Comment column shall NOT be construed as a change in the actual wording of the ITB document.

ITB SECTION	PAGE #	Question #	QUESTION / COMMENT	STATE RESPONSE
		1	What will be the first ordering period that the person receiving the contract will be responsible for?	TDOC anticipates the awarded respondent will be responsible with the winter package program.
		2	What will be the mix of core and non-core items in each ordering period? Will all core items be offered every ordering period? Also will all 100 non-core items be offered each ordering period.	All Core items will be offered during every ordering period. The non-core items may be revised for each season upon review and approval from the TDOC Director of Purchasing or his designee.
		3	Are the catalogs the presently offered optional or is this going to be a mandatory requirement in addition to the posters?	The Catalogs presently offered are mandatory in addition to the posters.
		4	Are the forms/ catalogs and posters sent to each institution by	The forms and catalogs are sent by the awarded respondent directly to the institution.

			us or do we send them in bulk to tdoc and let them distribute them?	
		5	Is it permissible for us to allow VIA website orders for family and friends to add to each inmates order to the max amount is reached?	TDOC will only allow one order.
		6	How will we obtain the information all inmates, their numbers and locations and updates? Will this be electronically uploaded or manual listing?	TDOC will provide a FTP file weekly that will have this information
		7	Can orders be placed in individual boxes as they presently do instead of totes? Totes create a great deal of crush damage to the products.	Yes, Please see the revisions to section A.9 in Item 5 below
		8	On all the downloaded forms, do we fill these out then upload them into Edison or is there a place in Edison for us to type in this information.? This would include the sales tax registration also.	You can fill out the forms within Edison at the link provided in the email. If you would prefer to fill out the forms and mail them in via USPS, FedEx, UPS etc you may mail them to the address listed in the Terms and Conditions in section 3.9
		9	We have two companies that will be consider subcontractors we also have a strategic partner company. How do we list this company because they aren't a subcontractor but they're also not a supplier?	If the strategic partner is working with you to meet the requirements of this contract but is not itself a respondent, then they are a subcontractor to you as the prime contractor.
		10	Will there be two ordering periods during the holidays, as a presently offered, or has this been changed to only one during the holiday.?	TDOC has adjusted this to only one during the holidays
		11	Are all bid prices on the core items locked in for all five	TDOC will allow respondents to request price increases after 365 days. It is TDOC's discretion to accept or reject

			years of the contract or is there a period for change?	price increases. Please see item 6 below regarding price increases.
		12	Is it mandatory to offer ordering by phone or only ordering assistance and customer service by phone?	Respondent must offer both ordering by phone and customer service by phone.
		13	How are monies received from Institutional Trust Funds?	After an inmate makes their order and submits their withdrawal to the trust fund, at the end of the ordering period one check is given to the company which will cover all orders.
		14	How do the insurance requirements apply to us since we are a small company it will be using subcontractors for most functions?	Insurance is required to be held by the prime contractor in accordance with the Terms and Conditions. The Contractor is responsible for ensuring that their subcontractors adhere to the Terms and Conditions of the State.
		15	Do you get any consideration on a word of contract for being a Tennessee woman owned small business?	This solicitation is awarded to the lowest bidder meeting specifications.
		16	The Fisherman Paradise Lightly Smoked Sardines in Oil and the Market Square Sugar Free Strawberry Creme Wafers are trademarked and packed specifically for Union Supply Group and the Keefe Group and unavailable commercially. Although we can and will substitute these with other brands, we cannot come close to matching the price points of these products. This gives these companies a big advantage when bidding because they can obtain these products at a extremely low price point. Please bring this to the attention of whoever evaluates the bid. If the bids are close, the price difference on these two products alone	The State understands that it is common for respondents to each have their own avenues for obtaining items that will inherently result in different pricing. The Core items are items that need to be available across seasons. The State has accounted for this by allowing equivalent brands to be proposed by a respondent.

			could make all the difference	
		17	while researching this project we discovered that the \$125.00 package limit has remained the same for the past twenty-two years. While food prices have increased many times over, thus cutting deeply into the inmate's buying power. Do you think the TDOC would be open to raising the limit to \$150.00? Most all of the inmates we surveyed requested this	TDOC will not be increasing the package limit.
		18	The Velveeta Spicy Cheese Rice (2 .oz) is a licensed by and co-packed product for Keefe/Union Supply Groups. This product is not available commercially in ANY form or size	TDOC is open to an equivalent branded item.
		19	<p>1.3. Questions. Respondents may submit written questions about this ITB to the Solicitation Coordinator. All questions must be submitted no later than April 20, 2022, 2pm CT</p> <p>1.4. Responses Due. The response must be received by the State on or before the date and hour designated for the response opening. April 27, 2022, 2pm CT</p> <p>Request/Question: That the response opening date be extended by 14 days to allow for a complete evaluation of the Q&A from all prospective proposers. This additional time would allow each vendor to review data and provide</p>	The State has extended the solicitation until May 27, 2022 2pm CT.

			the most competitive cost proposal to the State.	
		20	<p>We did not see how costs in the ITB for product costs (selling Price) have the ability to be increased by CPI and our other means and the allowable request for those increases be captured in an agreement.</p> <p>•Request/Question: Can the State define/describe the ability for a vendor to increase pricing based on the everchanging Market?</p>	See response on question 11.
		21	<p>Our food distributor emailed us late yesterday and had found two more additional items that are packed for the Keefe/Union Supply Group and/or other commissary operations. The Gracey's Goodies Sugar-free Starlight Mints are packed exclusively for Food Express USA, which is a Union Supply Brand. They sell these via their commissary operations and also sold them in the December 2021 TDOC food package program for .30 cents. (Our distributor can't even come close to this price point on any commercial brands.)</p> <p>The Corner Store Sugar Free Wild Fruit Candy is also another co-packed product and not available on the commercial market. Our distributor suspects that it is packed for the</p>	TDOC would allow for equivalent brands. The Event Workbook also currently allows for equivalent brands. Additionally, the Velveeta Rice Spicy Cheese has been removed from the line items and the Event Workbook has been updated to reflect this.

			<p>Keefe Group, but could not confirm.</p> <p>Mike, we have no choice to respectfully and formally request that either these five(5) items be replaced with comparable, commercially available products, (Although there is nothing available to replace the Velveeta Cheesy Rice. Kraft makes nothing similar for the commercial markets. (Our Food Distributor called Kraft) Other companies have somewhat similar products but at 6.5oz to 7.6oz sizes.)</p> <p>OR</p> <p>Disregard these items when totalling the bid items up. As it is now, the bid is biased towards Keefe/Union Supply. This would level the playing field and make the bid fair.</p> <p>Mike we know this is a major inconvenience for you and for that we apologize. Naturally, if you or someone else has a better suggestion, we are open to any solution that gives us a fair chance at this contract. We thank you for your time and help on this matter.</p>	
		22	<p>Will the contractor be permitted to increase prices if needed throughout the term of the contract? If so, at what intervals are</p>	<p>See response to Question 11.</p>

			price increases allowed?	
		23	Is it a requirement that the contractor offer layaway and split payment options to friends and family purchasing the holiday packs?	TDOC does not require respondents to offer layaway or split payment options.
		24	If awarded this contract, what date will the contractor start taking orders?	TDOC anticipates the awarded respondent will be responsible with the winter package program.
		25	For inmate orders, if the institution trust fund managers are billing the inmates and sending us the order form, does this mean that they will know what each inmate is and is not permitted to order or will we have to notify them of the restrictions in place so that they are able to credit the inmate if they ordered something they're not allowed to have?	The inmates are only allowed to order what is in the catalog. Any items not allowed for that inmate will have to be returned and a credit issued.
		26	In order to maintain accurate and up to date inmate restrictions and order minimums/maximums, would TN DOC use our trust fund accounting software?	TDOC will not utilize an external trust fund software from what is currently used.
		27	For inmate orders, do the institution trust fund managers submit the inmate order forms at set times/days?	The order forms are submitted during the approved package month/period for the inmate.
		28	Could we have access to a sample order file from previous order in building the bid?	See PDF titled Attachment #1, attached to this Amendment
		29	May vendors collect any amount for shipping and handling (S&H) fees to offset current high cost of transportation? If yes, what is the maximum dollar	Please see section A.10 of the Contract as well as the response to question 11. Shipping costs are included in the price of the goods, however prices may not be changed until after 365 days. Please see Item #6.

			figure TDOC will allow for S&H per order?	
		30	<p>Many of the Core Items listed in the Event Workbook of the ITB are name brands but “or equivalent brand” is listed as acceptable. Example row 18 states: “Folgers 100% Columbia Coffee or equivalent brand”.</p> <p>(a)</p> <p>Will a vendor’s private label, that is 100% Columbia Coffee, be considered an equivalent brand?</p> <p>(b)</p> <p>Where “or equivalent brand” is listed in the Event Workbook, may vendors submit a similar quality product, packaged under their own private label brand? For example, Cloverhill manufactures private label pastry products for Keefe and other vendors.</p> <p>(c)</p> <p>Please identify and provide any/all Core Item which TDOC would not consider a vendor’s private label brand to be equivalent?</p>	<p>A) Yes B) Yes C) Private label is acceptable on all lines</p>
		31	From the Event Workbook, please confirm that the drink mix quoted prices should be for the box of single serve drink mixes and not a single stick.	Correct, the price is for the entire box
		32	Will the awarded vendor be allowed to increase the price of a Core Item at any point during the potential 5-year contract?	see response to question 11.

		33	TDOC has provided prior annual sales volumes but has not provided annual order count volume. The incumbent vendor has those values and must provide them to TDOC in various reports. Please provide the order count by quarter for calendar years 2020 and 2021.	Sales volumes should be sufficient for respondents to respond to this solicitation.
		34	Please provide a sales report, by item, annually for 2020 and 2021.	See response for question #33
		35	Page 10 A1 – Please confirm if there is a separate holiday package outside of the quarterly program making the total packages available five (5) to each inmate.	TDOC has adjusted the package program to 4 times a year from the previous 5 times a year.
		36	Please provide the most recent quarterly menu including pricing	see response to question #28.
		37	Will market basket items be evaluated on a price per ounce basis to give a true value comparison for each line item?	No, as long as the item is within the specified range the price for the product as a whole will be evaluated.
		38	Will a glazed or iced honey bun be an acceptable equivalent for the chocolate iced honey bun?	No. It must be a chocolate iced honey bun as required by the workbook. The brands may vary for each item to allow for more open competition.
		39	A.2 Can the State provide the current and entire end-user offerings by the current suppliers menu to include the pricing to the program participants? a. How are the Costs of the Non-core 100+ end-user items pricing, (to be offered) being evaluated in the process as “other items” selling prices could	A.2. See attachment from question # 28 a. TDOC is only evaluating the core items. The non-core items will be reviewed and approved by the TDOC Director of Purchasing or his designee.

			arbitrary be inflated to reduce the cost of the core 25.	
		40	1)A.2 Can the State provide the: a. Number of orders delivered to each location, each quarter for the past 4 quarters b. Can the State provide the value of the orders delivered to each facility each quarter for the past 4 quarters?	This information is not available.
		41	A.2 Can the State provide the State's Current Inmate Commissary Menu with pricing please?	Please see Attachment #2 for Commissary pick lists for each facility.
		42	A.6 Can the State please provide the # of Inmate Orders and the \$ Values each facility each quarter for the past 4 quarters?	This information is not available. We provided the respondents with an estimated annual sales.
		43	A.6 How many orders do the Inmate place?	Each inmate can place or receive 4 orders a year (1 each season) unless the individual inmate is restricted due to a disciplinary action.
		44	As the state has their own commissary operation, can the state provide a background as to the purpose of allowing inmates to order from the Food Package Program, when the majority of these items would be available through the normal commissary operations?	The purpose of this program is to be used as an incentive and to allow for inmates to receive food items that are not available in the commissary.
		45	A.6 When are inmate orders placed and paid for to ensure that funds are available?	If the order is placed by the inmate at the facility the facility collects all orders and submits one check to the awarded respondent. If the order is placed by the family or friends the respondent should collect at the time the order is placed.
		46	A.6 What is current cutoff date for inmate order placement? Same as F&F?	All orders must be placed prior to the cut off dates set forth in section A.4

		47	<p>A.6 Can the State better describe the process for inmates placing orders as there is a requirement for 42,000 paper order forms?</p> <p>a. Orders in provided envelopes Monthly, Quarterly are mailed to the Vendor?</p> <p>b. Will the State consider other options for the ordering process from the inmate, such as Phone?</p> <p>c. Do the inmates housed in the DOC have access to internet for potentially ordering?</p>	<p>A.6 42,000 order forms help ensure the inmate population all have the ability to place an order.</p> <p>a. Orders will be processed via mail as needed if placed by an inmate.</p> <p>b. Inmates must place orders via the order form and mailed to the respondent. The inmates have no other form of communication available.</p> <p>c. No</p>
		48	<p>A.9 (Last Sentence) Can the State describe the process in place today, once an order is picked/packed/boxed and ready for shipping and or in route, we're are curious as how this requirement if fulfilled. How does the communication process work? What is the process if an inmate is released during this same time period we described?</p>	<p>a. See the revised section A.9.</p> <p>b. The awarded respondent will notify each facilities point of contacts when a new ordering period has started and advise them of the new catalogs that have been shipped out. Once a ordering period has concluded the awarded respondent will notify the institutions of estimated delivery dates and individually provide each site the shipping manifests.</p> <p>c. If an inmate is released during this time the inmates package will be returned and a refund will need to be issued.</p>
		49	<p>Due to inflation will (quarterly/annual/as they occur) CPI increases be allowed to the selling price of products?</p>	<p>See response on Question # 11</p>
		50	<p>A.8 Who is the States JMS Provider?</p>	<p>This contract is not relevant to the current procurement. To obtain this contract please fill out the records request found at the following link: https://stateoftennessee.formstack.com/forms/dgs_public_records_request</p>
		51	<p>A.8 Who is the States Phone Provider?</p>	<p>This contract is not relevant to the current procurement. To obtain this contract please fill out the records request found at the following link: https://stateoftennessee.formstack.com/forms/dgs_public_records_request</p>

		52	<p>Does the State maintain information as to the sales and product mix (What products are sold and the volume of specific items) Normally a report provided by the Vendor Quarterly and if available may we have it please.</p>	This information is not available.
		53	<p>The expectation for the additional 100+ no-core items have not been described as to expectation, Can the proposing vendor provide their concepts with regard to the Non-core items?</p> <p>a. Is there a limit as to the number of items?</p>	The Non-Core Items are not being requested as part of the initial bid as they will change each season. Non-Core Items can be discussed with TDOC after contract award. There is no limit to the number of items.
		54	<p>There is a normally and nominal fee to any and all web transactions that has not been addressed in the ITB. What is the current vendors fee for web-based transactions and are there restrictions that we need to understand?</p>	TDOC is not aware of any nominal fee for web based transactions.
		55	<p>A-9/A10 Packaging/Shipping requirements. As specific as these are written, and in such great detail as to the process to Tote and box requirements:</p> <p>[Respondent name redacted] needs to understand the number of Totes required for each locations housing units. The State only provided the Facility Locations in the ITB.</p> <p>a. How many inmate housing units/Pods are in need of Totes by</p>	<p>a. Please see the modified section A.9. TDOC is unable to adequately provide this information as it depends on how many orders are placed during the specific season. Each facility has different sized housing units.</p> <p>b. The state has changed section A.9.</p> <p>c. Without further information TDOC cannot answer this question”.</p>

			<p>each facility Please?</p> <p>b. Can the State provide a picture of the specific tote mandated in the specification (A-9), and manufacture of this exact item required?</p> <p>c. Is the State open to discussion of other various transportation with may be better suited to the facility needs?</p>	
		56	<p>"Austin Grilled Cheese Crackers" size 1.38 oz.: This item is discontinued and no longer available to any contractor. Will the State accept the "Austin Cheddar Cheese Crackers" size 1.38 oz. as an alternative item? If not, we request that this item be removed from the bid product list.</p>	TDOC will accept this substitute.
		57	<p>"Austin PB&J Crackers" size 1.38 oz.: We do not have access to this item. To ensure this solicitation remains competitive, will the State accept the "Austin Peanut Butter Crackers" size 1.38 oz. as an alternative item? If not, we request that this item be removed from the bid product list.</p>	Per the workbook, respondents may substitute an equivalent brand, but the must be "PB&J Crackers"
		58	<p>"Cheez-It Crackers Extra Toasty": Please confirm this item must be "Extra Toasty."</p>	Confirmed
		59	<p>"Cloverhill Jumbo Honey Bun Chocolate Iced": Please confirm that this item must be "Chocolate."</p>	Confirmed
		60	<p>"Folgers 100% Columbia Coffee": Please confirm that</p>	Confirmed

			this item must be "100% Columbian."	
		61	"Hawaiian Punch Fruit Juicy Red Sugar Free 8 ct.": Please confirm that this item must be an "8 ct."	Confirmed
		62	"Kellogs Pop Tarts Red Velvet Cupcake": Please confirm that this item must be "Red Velvet Cupcake," or whether a similar item may be offered.	Must be Red Velvet Cupcake, but the brand may vary.
		63	<p>"Market Square Sugar DEWW Strawberry Crème Wafers":</p> <p>a. Please define "DEWW" in the product description?</p> <p>b. Can a different flavor be offered (for example, vanilla or chocolate)?</p> <p>c. Please confirm if this item is, or must be, sugar-free?</p>	<p>a. This was a mistype. DEWW is actually FREE. Please see the updated Event Workbook in this solicitation.</p> <p>b. No</p> <p>c. This must be sugar free.</p>
		64	"Orange Crush Sugar Free 6 ct.": Please confirm that this item must be a "6 ct."	Confirmed
		65	"Tony Chachares Rice Dinner Gumbo": Please confirm that this item must be "Gumbo."	confirmed
		66	"Velveeta Rice Spicy Cheese" 2 oz.: This particular item is made exclusively for another vendor such that no other contractor would be able to supply it for the state. To ensure this solicitation remains competitive, we request that this item be removed from the bid product list.	TDOC is open to an equivalent branded item.

		67	Are all inmates eligible to receive Quarterly Food Packages? If not, will the state identify eligible and ineligible inmates in the shared FTP file so contractors do not accept orders from or for ineligible inmates?	TDOC will provide a daily file via FTP that will have the inmate's location. TDOC is unable to provide eligibility status via the FTP file.
		68	Due to the global increase in freight costs, we request that contractors be permitted to charge a shipping fee as a separate cost per order. Please confirm whether the State would amend the ITB to permit this.	Per section A.10 respondent must incorporate cost of shipping and handling into the price of the goods. TDOC will not allow a separate shipping and handling line.
		69	Please confirm that the total annual sales have historically been \$5,000,000, as stated in the ITN. Based on experience, it is our understanding that the annual sales have actually been under \$2,000,000.	The corrected annual sales as been roughly \$2,000,000 annually. Section A.3 Has been adjusted, please see Item 3 below
		70	We request that the minimum order amount be increased to \$25.00. Please confirm whether the State would amend the ITB as requested.	TDOC will accept increasing the minimum order amount to \$25.00. Adjusted Section A.4, please see item #4.
		71	Due to historical levels of inflation, we request that the maximum spending limit be increased to \$150.00. Please confirm whether the State would amend the ITB as requested.	TDOC will not accept increasing the maximum spending limit.

3. Delete ITB Revenue Contract section A.3 in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

- A.3. TDOC Facilities to be Serviced:
The inmate population for TDOC is approximately twenty-one thousand (21,000) individuals across all Institutions. The total inmate population per institution has been provided below.

Historically end-users have purchased **two** million dollars (**\$2,000,000**) worth of Inmate Food Package Program items per year.

Bledsoe County Correctional Complex (BCCX)
1045 Horsehead Road
Pikeville, TN 37367
Inmate Population: 2400

Lois M. DeBerry Special Needs Facility (DSNF)
7575 Cockrill Bend Blvd.
Nashville, TN 37243-0469
Inmate Population: 736

Mark H. Luttrell Transition Center (MLTC)
6000 State Road
Memphis, TN 38134-7697
Inmate Population: 436

Morgan County Correctional Complex (MCCX)
541 Wayne Cotton Morgan Drive
Wartburg, TN 37887
Inmate Population: 2400

Northeast Correctional Complex (NECX)
5249 Highway 67 West
Mountain City, TN 37683-5000
Inmate Population: 1840

Northwest Correctional Complex (NWCX)
960 State Route 212
Tiptonville, TN 38079
Inmate Population: 2377

Riverbend Maximum Security Institution (RMSI)
7475 Cockrill Bend Blvd.
Nashville, TN 37243-0471
Inmate Population: 714

Debra Johnson Rehabilitation Center (DJRC)
3881 Stewarts Lane
Nashville, TN 37243-0468
Inmate Population: 790

Turney Center Industrial Complex (TCIX)-Main
1499 R.W. Moore Memorial Hwy
Only, TN 37140-4050
Inmate Population: 1113

Turney Center Industrial Complex (TCIX)-Annex
245 Carroll Road
Clifton, TN 38425
Inmate Population: 367

West Tennessee State Penitentiary (WTSP)
480 Green Chapel Road
Henning, TN 38041-1150
Inmate Population: 1500

Women's Therapeutic Residential Center (WTRC)
480 Green Chapel Road
Henning, TN 38041-1150
Inmate Population: 1000

Hardeman County Correctional Facility (HCCF)
P. O. Box 549
2520 Union Spring Road
Whiteville, TN 38075
Inmate Population: 1976

South Central Correctional Facility (SCCF)
P. O. Box 279
555 Forrest Avenue
Clifton, TN 38425-0279
Inmate Population: 1641

Whiteville County Correctional Facility (WCCX)
P. O. Box 679
1440 Union Springs Road
Whiteville, TN 38075
Inmate Population: 1505

Trousdale County Correctional Complex (TCCX)
140 Macon Way
Hartsville, TN 37074
Inmate Population: 2552

4. Delete ITB Revenue Contract section A.4 in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

- A.4. Order Amounts and Order Frequency:
Inmates are permitted to receive one (1) Inmate Food Package per quarter. The combined minimum order of items purchased per inmate shall be **twenty five dollars (\$25.00)** and the combined maximum order per inmate shall be one hundred and twenty-five dollars (\$125.00) in accordance with TDOC policy.

The following is the schedule for ordering and processing of orders:

Spring Program
Ordering: February 1 - 28
Delivery – By March 31

Summer Program
Ordering: May 1 - 31
Delivery – By June 30

Fall Program
Ordering: August 1 - 31
Delivery – By September 30

Winter Program
Ordering: November 01-30
Delivery – By December 20

The Contractor shall collect orders during the above referenced ordering timeframes and deliveries shall be made on or before the above referenced delivery dates.

5. Delete ITB Revenue Contract section A.9 in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

A.9. Packaging:

Inmate Food Package Program orders shall be assembled and packaged by the Contractor in a secure environment for delivery direct to the institutions. Each individual order shall be packaged in a clear poly bag with small holes. The clear poly bags shall be a minimum of 3 mil thick with a minimum of one (1) hole approximately 1/4" in diameter punched every 6" at a minimum. The clear poly bag shall be heat sealed at both ends. Each bag shall be clearly identifiable with self-adhesive labels attached to the outside listing the inmate number, inmate's last name and first name, institution, and housing unit number. Each bag shall contain two (2) pick tickets for the inmate to sign. One (1) copy shall be given to the inmate and the other copy shall be given back to the institution for their records. The Contractor shall place each individual order into a 23" 5/8 Length X 15 5/8 width X 13in 1/4 height cardboard box. The Contractor shall inspect the boxes before they are opened and distributed to inmates. The Cardboard boxes shall be stacked maximum of 30 boxes per pallet. Each box shall have a manifest attached to the outside that lists the interior contents by inmate number, inmate the last and first name, and inmate location for transportation to each facility.

6. Add the following clause as ITB Revenue Contract section C.2. in its entirety:

- C.2. Price Changes. Prices listed in awarded published catalog, price lists or price schedule shall remain firm for Three Hundred Sixty Five (365) days ("Firm Price Period").
- a. Price Decreases. After the Firm Price Period, prices shall be equitably adjusted to reflect a decrease in Contractor's costs.
 - b. Price Increases. After the Firm Price Period, Contractor may request price increases. The request shall: include copies of the new price lists or catalog that reflect a change in the Contractor's cost; not constitute an increase in profit; and apply to all of the Contractor's customers.
 - c. Approval of Price Changes. The State may at its sole option: (1) grant the Contractor's request; (2) cancel the Contract and award it to the next apparent best evaluated Respondent; (3) cancel the Contract and reissue the solicitation; or (4) deny the Contractor's request. If approved, any price changes of less than seven percent (7%) will become effective upon the State's approval in writing. Price changes exceeding seven percent (7%) shall require a Contract amendment. The Contractor shall honor all purchase orders dated prior to the approved price change. Upon request from the State, the Contractor shall furnish the approved catalog, price schedule or price list as applicable to the State at no charge.

7. ITB Amendment Effective Date. The revisions set forth herein shall be effective upon release. All other terms and conditions of this ITB not expressly amended herein shall remain in full force and effect.