

COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
OPERATIONAL SERVICES DIVISION

TONER CARTRIDGES—PROCUREMENT LANGUAGE

EPP-SPECIFIC LANGUAGE

PURPOSE AND SCOPE

Purpose of the Procurement

The Commonwealth of Massachusetts, hereinafter referred to as the Commonwealth, through the Operational Services Division, seeks to establish a multi-year statewide contract for the purchase and recycling of new (OEM) and remanufactured printer laser toner cartridges to be ordered as needed by eligible entities for various brands and models of printers. Awarded Contractors will be required to supply new and/or remanufactured products that meet or exceed new OEM performance standards, as well as provide services as listed in the RFR and a user friendly process for the return of these products for recycling and/or remanufacturing.

In order to strengthen the markets for recycling of these materials, make more efficient use of our natural resources, reduce the volume of waste going to landfills, and serve as a model for public and private institutions, it is the Commonwealth's intent to increase the purchase of remanufactured products to the maximum extent possible over the term of the contract.

Product Specifications and Certification

The specifications identified in this section are the minimum standards acceptable under this RFR and resulting contract.

New Cartridge Specifications

All new cartridges must meet the Original Equipment Manufacturer (OEM) standards for performance and quality.

All new OEM cartridges must be eligible for remanufacture. No single use cartridges are permitted under this contract. However, in the event it is the only cartridge available for a printer, approval from the PMT must be obtained to add the item to this contract.

Remanufactured Cartridge Specifications

New or refurbished parts are required in all remanufactured toner cartridges. All components used in the construction of remanufactured cartridges must meet OEM standards. All components shall be dismantled and examined for damage and/or excessive wear. These include, but are limited to:

- a. Wand (if applicable)
- b. A new or ultrasonically cleaned corona wire (if applicable)
- c. PCR Rollers must be new or recoated (if applicable)
- d. Cartridge must be sealed with a pressure sensitive seal that meets OEM standards; air tested

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30 seconds and leak proof. The seal shall be readily removable by the user at time of installation. Any cartridge that shows evidence of toner leakage through improper sealing shall be termed defective and replaced by the contractor. Hard card seals or equivalent are acceptable when products are hand deliveries.

- e. OEM drum must be tested and replaced as required due to wear or damage.
- f. Wiper blades may be treated to comply with OEM standards and are acceptable for reuse.
- g. Replace pins, clip foams, doctor blades, mag rollers, felts, etc. as needed.

Print yield shall be equal to or exceed OEM rating for each cartridge. Yield shall be determined by the use of the standard pattern which features 5 percent toner coverage.

Serial number/lot number must be visible to the end user.

Exterior surfaces shall be thoroughly cleaned, with all traces of old labels, and toner removed entirely.

Packaging Specifications (for new and remanufactured cartridges)

Each cartridge must be packaged and sealed in an anti-static bag meeting OEM standards which protects the cartridge from light, moisture, and static. The bag shall be sealed so its contents are completely sealed from the outside elements.

The cartridge shall be boxed with a protective cushion (insert) to prevent damage in shipment.

It is desirable that all corrugated packaging contain a minimum of 35 percent post-consumer recycled content and provide certification from the carton manufacturer/supplier to verify the actual percentage of recycled content.

Packaging must be constructed to permit users to re-package empty cartridges for return to contractor.

Required inserted materials include:

All pertinent installation and maintenance instructions; Pre-paid return labels (UPS/Postal Service) (where applicable); Instructions for return of empty cartridge (where applicable); Print test sheets from the final cartridge are required for remanufactured cartridges and preferable for new cartridges; Labels affixed to the carton must include cartridge model number and compatible printers (for reference only); Name and address of the Contractor and toll free number for access to a technical/customer service representative must be visible on the carton or cartridge, or both.

Bidder Profile

Environmental Initiatives

Describe any environmental initiatives that your company may be currently conducting such as but not limited to: recycling of cartridges and/or other parts (e.g., are cartridges/parts remanufactured by your company, sold to another for remanufacture back into cartridges, sold for remanufacture into other products, other?); use of packaging with high percentages (minimum of 35 percent) of recycled content, and/or environmentally preferable alternative products (e.g., replacements for polystyrene); recycling of waste in office and/or plant operations; use of energy efficient products in other aspects of the company's operation; use of recycled paper for marketing materials; what award(s) have you received, if any?

Is your company or the OEM you represent ISO 9000 certified, ISO 14000 certified, and/or other certifications?

Describe how your company will be providing statewide coverage for cartridges and service.

State the kind of ongoing training your technicians receive to keep updated on the latest manufacturer technology.

Empty Cartridge Return

As the Commonwealth has established the goal of recycling empty cartridges in order to reduce the volume of these products in the waste stream and encourage the reuse of these materials to strengthen new markets for economic development, Bidders must offer customers a means of returning any and all empty cartridges.

The method and expense of conducting such cartridge returns shall be the sole responsibility of the awarded contractors and maybe conducted by either contractor pick-up (potential area of partnerships with M/WBE contractors), prepaid return shipment label, or both.

Pick up and deliveries shall be made during normal business hours and shall be made within seven business days of request for pickup.

Eligible Entities shall be responsible to return empty cartridges with insert in the original box in which it was received.

A contractor may reject for credit an empty cartridge if it is cracked, shattered, or otherwise unacceptable.

Bidders must also include in their bid response: the proposed detailed plan for recovering empty cartridges, such plan must include sample instruction sheets and sample pre-paid freight labels; on the completed cost sheet, Bidders are required to indicate by line item: a) which cartridges the Bidder will accept back for purposes of recycling; b) remanufacturing; and c) any trade-in allowance offered for each brand (use the symbol N/A where a trade-in is not offered); any criteria which deems a cartridge unacceptable; if items are to be hand delivered, include box labels and cartridge labels; repackaging instructions; the proposed detailed plan must include a projected customer return rate of used cartridges.

Used Cartridge Trade-In Allowance

Bidders must accept all cartridges for return (both OEM and remanufactured). It is desirable for a Bidder to offer a trade-in allowance, and if applicable, must be indicated in cost sheets. Credit amounts on cartridge returns will not be deducted until written confirmation of the credit is obtained from the Contractor. Such written confirmation must be given to the entity within five business days of receipt of the cartridge(s). While confirmation of the credit return must be given to the customer within five business days of receipt of the cartridge(s), OSD and the PMT will work with the Contractor to determine the most efficient and cost effective means of handling the credit portion of the procurement for all parties concerned.

Bidders must also provide in their bid response: specific details on how credit amounts (when applicable) will be transferred and communicated to Commonwealth customers; trade-in allowance (where applicable) will be fixed for six (6) month intervals to allow for fluctuation in the market.

Service/Technical Assistance

Contractors shall, upon request, furnish within 48 hours trained personnel qualified to give instructional help pertaining to all items covered by its contract and to resolve all complaints resulting from use of its supply items. This service shall be made available to all eligible entities at no additional charge. Contractors must supply information relative to all new developments relating to materials and procedures.

A toll free technical support number must be given to resolve cartridge problems and complaints at individual locations during normal business hours. Notice of this technical support line shall be written on or inside the box of each cartridge. Bidder must provide a name and telephone number of company representative in bid response.

Testing

In the event of cartridge performance problems, the PMT reserves the right to request at any time, random testing of remanufactured cartridges by an independent laboratory at the contractor's expense. This testing will be for quality and confirmation of meeting RFR technical specifications. Unsatisfactory test results will be basis for contract cancellation if it is deemed in the best interest of the Commonwealth.

OTHER APPLICABLE CONTRACT LANGUAGE

GENERAL RFR INFORMATION

Brand Name or Equal

Unless otherwise specified in this RFR, any reference to a particular trademark, trade name, patent, design, type, specification, producer, or supplier is not intended to restrict this RFR to any manufacturer or proprietor to constitute an endorsement of any commodity or service, and the department may consider clearly identified orders of substantially equivalent commodities and services submitted in response to such reference.

Alternatives

A response which fails to meet any material term or condition of the RFR, including the submission of required attachments, may lose points or be deemed unresponsive and disqualified. Unless otherwise specified, bidders may submit responses proposing alternatives which provide equivalent, better, or more cost effective performance than achievable under the stated RFR specifications. These alternatives may include related commodities or services that may be available to enhance performance during the period of the contract. The response should describe how any alternative achieves substantially equivalent or better performance to that of the RFR specifications. The department will determine if a proposed alternative method of performance achieves substantially equivalent or better performance. The goal of this RFR is to provide the best value of commodities and services to achieve the procurement goals of the department. Bidders that propose discounts, uncharged commodities and services or other benefits in addition to the RFR specifications may receive a preference or additional points under this RFR as specified.

Best Value Selection and Negotiation

The Procurement Team (PMT) may select the response(s) which demonstrates the best value overall, including proposed alternatives, that will achieve the procurement goals of the department. The PMT and a selected bidder, or a contractor, may negotiate a change in any element of contract performance or cost identified in the original RFR or the selected bidder's or contractor's response which results in lower costs or a more cost effective or better value than was presented in the selected bidder's or contractor's original response.

PURPOSE AND SCOPE

Environmentally Preferable Products and Services

The department and contractor(s) may negotiate during the contract term to permit the substitution or addition of Environmentally Preferable Products (EPPs) when such products become available at a competitive cost and satisfy the department's performance needs. Unless otherwise specified in the RFR, during the evaluation of responses, an EPP may be considered best value even when the price is greater than that of a non-EPP. Bidders are encouraged to submit information to identify any and all environmental attributes of the product or services being procured, even when such attributes are not being required. See Bidder Profile for further information.

Vendor Fair Participation

All awarded Contractors will be requested to attend and participate as an exhibiting Contractor in at least two vendor fair/conferences sponsored by OSD each fiscal year. Annual events include the Buy Recycled and EPP Vendor Fair and Conference and the Statewide Contractors Fair. The cost of participating in these fairs will be assumed by the Contractor.

Environmental Plan

Beginning the first year of the contract and throughout the life of the contract, awarded Contractors must agree to work with OSD and the PMT to examine the feasibility of implementing an environmental plan. Such a plan may include, but not be limited to, the following:

Periodically review and, upon mutual agreement, determine where additional remanufactured,

and/or other EPP may be added to the contract.

Consider the introduction of recycled, remanufactured, and/or EPP into other operational areas, such as using recycled paper that meets the federal standards for all printing/publishing and/or advertising needs (brochures, catalogs, etc.), vehicle maintenance (re-refined oil and antifreeze, retread tires).

Examine the feasibility of source reduction efforts to reduce the use of primary packaging and/or secondary packaging (e.g., polystyrene, shrink-wrap).

Develop a plan to implement collection and recycling of materials at the manufacturer's or distributor's facility(ies).

Encourage environmental initiatives at a corporate/manufacturing level, such as requiring subcontractors to clearly identify recycled content of packaging on the packaging, consider product life cycle assessments as a means to educate customers on cost saving benefits, the elimination of ozone depleting chemical usage in the manufacturing process, and internal environmental auditing related to pollution control, for the purpose of identifying ways to reduce the impact of manufacturing on the environment.

Work with the PMT to develop and distribute information and/or materials to Commonwealth customers on the Contractor's environmental practices and initiatives throughout the term of the contract.

The PMT may award points to Bidders who provide evidence that measures and initiatives such as these are already in place within their operations, and/or for written proposals submitted with their response detailing a commitment to action contingent upon receipt of a contract award.