BID03BNS

TYPE OF RECORD:	ACTIVE NON-PERMANENT
CATEGORY OF RECORD:	**CONTRACT**
NAME OF CONTRACTOR:	BIDNET
SUBJECT/PROJECT:	E-PROCUREMENT AND BID NOTIFICATION SYSTEM
CITY DEPARTMENT:	ADMINISTRATIVE SERVICES
YEAR:	2003
EXPIRATION DATE:	10/14/04 - RENEWAL ANNUALLY
DESTRUCTION DATE:	6 YEARS AFTER EXPIRATION

BidNet® a division of

INTERNATIONAL DATA BASE CORPORATION

Address: **Post Office Box 5600, Albany, New York 12205**
Phone#: **(800) 677-1997   Fax#:   (800) 721-6985**
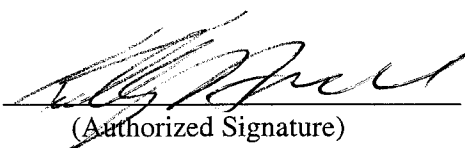**Website:** **www.bidnet.com E-mail: e-support@bidnet.com**

AGREEMENT FOR SERVICES

1. **Parties to this Agreement:** This Agreement is hereby made by and between BidNet®, located at 20A Railroad Avenue, Post Office Box 5600, Albany, New York, 12205-0600, and the City of Grand Junction, located at 2549 River Road, Grand Junction, CO, 81505, hereinafter referred to as the Participating Organization.

2. **Description of Program:** Participation on the Rocky Mountain e-Procurement System managed by BidNet®.

3. **Term of Agreement:** Three 12 month terms renewable annually to begin upon the execution of this Agreement by both parties.

4. **Payment for Services:** There are no fees or charges due to BidNet® from the Participating Organization under this agreement. Registered suppliers will incur no fees or charges, except for optional e-mail or fax notification.

5. **Termination:** This agreement may be terminated with or without cause by either party upon sixty (60) days notice. Notice shall be in writing, sent by certified mail, return receipt requested.

6. **Entire Agreement:** This agreement constitutes the entire understanding of the parties and the parties agree that there are no other understandings, representations or warranties, either expressed or implied, whether written or oral, made by either party, except as stated within this agreement.

7. **Amendments:** No alteration of this agreement shall be valid unless made in writing and signed by the parties and no oral understanding or agreements not incorporated herein shall be binding on the parties.

8. **Governing Law:** This Agreement shall be governed by the laws of the State of Colorado.

9. **Extension of Agreement:** The period of this agreement may be extended in one year increments, upon the mutual agreement of the parties, with no change in terms or conditions. BidNet® shall notify the Participating Organization of its interest in extending the agreement by submitting a written request to the Participating Organization ninety (90) days before the termination date of this Agreement.

10. **Severability:** If any provision of this Agreement will be held to be invalid or unenforceable for any reason, the remaining provisions will continue to be valid and enforceable.

11. **Work Product Ownership:** Any copyrighted works, ideas, discoveries, inventions, patents, products, or other proprietary information developed in whole or in part by BidNet® in connection of this Agreement, will be the exclusive property of BidNet®. The Participating Organization supplier database is not subject to this Work Product Ownership provision, and remains the property of the Participating Organization and upon written notice will transmit the database to the Participating Organizations in an ODBC compliant format.
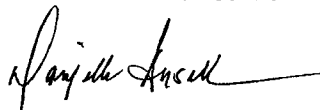
12. **Mutual Indemnification:** To the extent permitted by law, BidNet agrees to indemnify and hold Participating Organization, and all of Participating Organization's officers, employees, agents, and representatives, harmless for any losses, claims, causes of action or other liabilities, as well as any costs, expenses and attorney fees incurred by Participating Organization which arise from the acts or omissions of BidNet®, if and only to the extent any such claim, cause of action or other liability is not caused by a tortuous or negligent act or omission of Participating Organization, or by breach of the terms of this Agreement by Participating Organization. To the extent permitted by law, Participating Organization agrees to indemnify and hold BidNet®, and all of BidNet's® officers and employees, harmless for any losses, claims, causes of action or other liabilities, as well as any costs, expenses and attorney fees incurred by BidNet® which arise from the acts or omissions of Participating Organization, if and only to the extent any such claim, cause of action or other liability is not caused by a tortuous or negligent act or omission of BidNet, or by breach of the terms of this Agreement by BidNet.

13. **Warranty:** BidNet® shall provide its services and meet its obligations under this Agreement in a timely manner, using knowledge for performing the services which meet a standard of care equal to service providers similar to BidNet® on similar projects.

14. BidNet® will not advertise or promote any products or services within the E-procurement system without prior written approval from the Participating Organizations.

In Witness Whereof, the parties hereto, by their duly authorized representatives, have executed this Agreement effective the day and year written below.

City of Grand Junction

By: _____
        (Authorized Signature)

Title: _City Manager, City of_
         Grand Junction

Date: _10-14-2003_

BidNet®, a division of
INTERNATIONAL DATA BASE CORPORATION

By: _____
        (Authorized Signature)

Title: Executive Vice President

Date: September 9th, 2003
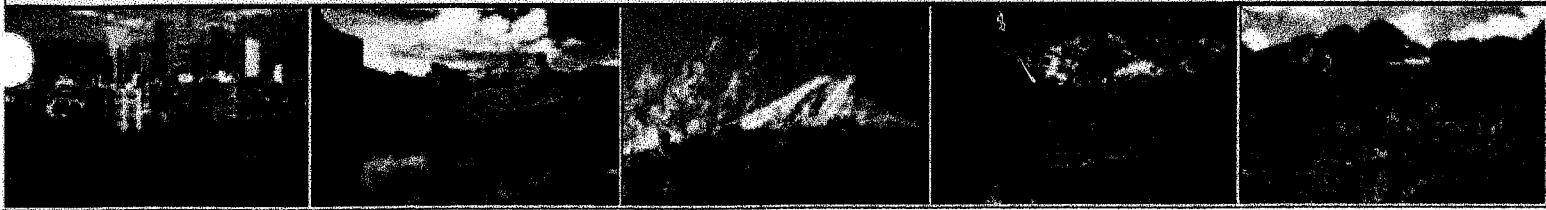
E-PROCUREMENT
AND
BID NOTIFICATION SYSTEM

I. Introduction

BidNet® has created this information package for the Colorado MAPO members to present an overview of the e-Procurement Solution we are offering to you. Some or all of you may already know that we designed, implemented and currently manage a system for the City of Aurora. In mid-July of this year, the City of Fort Collins began using the Aurora system as a "pilot", in order to determine if it was a solution that would also meet their needs.

We would like to point out that the logo shown at the top of the page is only for demonstration purposes to give you an idea of what your centralized purchasing system could look like. Ultimately, BidNet would work with the participating agencies to create a look and logo that you were comfortable with.

The City of Aurora officially launched their e-Procurement System on February 11th, 2002. With BidNet's assistance, all vendors on their bidders list received a letter (on their letterhead), alerting them of a new registration process and the website address to register. Their office began issuing bids, quotes and addenda the last week of February. As of 9/27/2002, the total number of City of Aurora vendors that are registered totaled approximately 1,380.

For those agencies who might be unfamiliar with BidNet, we will quickly introduce ourselves.

BidNet® has provided bid information services to countless government agencies and government vendors for over 15 years. Our Bid Alert Division provides a service that receives bid information from thousands of government agencies from across the United States and match their information to our national database of government vendors to help them increase the competition. This Division provides both fax and e-mail services to notify our government vendors of new bid opportunities (and addenda), coupled with an Internet service that allows them to view or print bid notices, bid documents and addenda online.

BidNet's e-Procurement Division, which was launched in July of 2000, works with state and local purchasing organizations that want to automate their vendor registration and bidding processes. With 15 years experience in dealing with government agencies and government vendors, we are very aware that each agency is unique and has unique requirements.

We worked with many of the agencies that participate in our National bid matching service to design a "Core e-Procurement System" that provides the basic functionality that most agencies need. As more agencies implement one of our systems, they provide us input for enhancements,

which we constantly incorporate not only into their system, but also into the "Core System". This expands the functionality for the next agency that implements a new one.

Although we provide all programs to drive the system, we put it in place for the agency's use, not BidNet's. The systems that we develop are <u>totally independent</u> from our National bid matching service, unless an agency requests otherwise. All of the data stored on each system is owned by the agency (or agencies) that use it, and the vendor information can be integrated (exported to), many financial/accounting systems.

In summary, we customize purchasing systems for either one agency to use, or create larger "regional" systems for a group of agencies to use. All systems are designed, implemented, supported and provided free of charge to those agencies that participate on each system.

The rest of this document contains a brief description of the features the City of Aurora's e-Procurement System currently offers, and an overview of the services all agencies can expect to receive, whether they decide to work with BidNet to join an existing system, or create and implement a new one.

II. <u>Overview of the Services Every Agency Receives</u>

Our philosophy is that any e-Procurement system we develop should assume the identity of the agency or purchasing network for which we developed it. Each system is designed to mimic the look of an existing agency website (or purchasing group), and displays their logo on all pages. Our approach is to improve and support the procurement process, not just automate it.

For any interested agencies that would like to join the City of Aurora/Fort Collins system, the following steps would be taken:

A) Demonstrate the current system with all key decision makers to familiarize your agency with its capabilities. (A new logo would obviously need to be created to represent the group of participating agencies in Colorado). **Please see page 8 for an example of one of the regional systems BidNet developed in New York.**

B) Your agency will sign an agreement then send your vendor database to BidNet. We have found from experience that most vendor lists contain significant duplication, irrelevant records (i.e., non vendors), and erroneous mailing addresses. We "clean" your database and code each of these type of records, then do a mailing to the remaining names announcing the fact that your agency has joined this system and a date you will begin posting bid documents.

C) As your vendors begin to register, our customer support staff will assist them with any questions they might have. For those vendors that do not have Internet access, BidNet will register them for you over the phone.

D) While your vendors are registering, we provide onsite training to the purchasing staff in your office that will be using the system. Training consists of "walking" through all system features, with a main focus on issuing bids, quotes, addenda and awards. Training typically takes less than 1 day.

E) Once your agency is "up and running", you can expect full support from BidNet's customer and technical staff anytime you or your vendors require it. Questions from vendors regarding vendor registration, selecting the appropriate NIGP codes, responding to RFQs, etc, are handled by our customer and technical support teams. Likewise, questions from your purchasing staff, or suggestions from them for system enhancements, etc. are managed by your account representative and coordinated with the key decision makers in your agency.

III. **SYSTEM FEATURES**

Public Web Pages - BidNet created several public web pages for this e-Procurement system. The "home page" contains a link to the City of Aurora (and Fort Collins), and currently displays the City of Aurora logo. These pages include: All Bids, Quotes and Proposals each agency issues, a link to a page where vendors can review their "Registration Options", a link for vendors to "Register", a link for registered vendors to login to their main menu to look at documents, and a link for help, should any visitor have any questions or need assistance. **Please see page 7 for a sample of what the home page could look like for regional Colorado e-procurement system.**

Vendor Registration with Commodity Codes - As vendors register, they select NIGP 5-digit commodity and service codes that identify the specific products and services they supply.

Combined Vendor Database - Vendor bid lists from each participating agency are combined to create a single vendor database for all agency's to share. This provides instant access to an expanded vendor pool that results in greater competition on your Bids and RFP's; resulting in an obvious cost savings for each participant.

Vendor Maintained Database - Vendors not only register themselves (or with BidNet's assistance), they are also responsible for maintaining and updating their own account information. Participating agencies are instantly freed from the task of maintaining and updating their vendor (or bidders) lists.

Links to BidNet's Support Department - All agency members may contact BidNet with questions and concerns. Vendors may also contact them with questions regarding registration, (for example - selecting the appropriate NIGP codes). BidNet will provide all customer and technical support where necessary, which saves all members time dealing with these issues.

Advertising and Notification Services - All participating members have the ability to issue Bids, RFP's, Quotes, Amendments, and Awards through this system. Actual documents can be uploaded to the website so those interested vendors can view them, (or they can call BidNet to obtain a copy if they do not have Internet access). This enables all members to instantly reduce their printing and mailing costs.

Electronic Quote System - Members are able to issue and receive electronic Requests for Quotation. Here is how it works: The agency creates the Request for Quotation on the system, attaches the quote specifications (if desired), selects vendors from the list of vendors that match, and the system instantly sends the quote to those vendors by fax or e-mail. Vendors who registered for the e-mail and/or fax service will receive the RFQ by fax or e-mail (depending on what they registered for), and can respond instantly by either faxing their pricing to the buyer, or by logging in to their main menu and sending pricing online.

All of the matching is done using NIGP codes, so you only notify the appropriate vendors. This electronic quote system substantially reduces turn around times for Requests for Quotation under your formal bid threshold.

In addition, the City of Aurora recently enhanced this system to give their users the ability to enter pricing from those vendors that fax their quotes in. Once entered, all responses are automatically tabulated. Award messages can also be sent to all vendors that responded to an RFQ, eliminating the phone calls your offices currently receive for this information.

Document Tracking - The Aurora system automatically tracks the vendors who open, view, or order documents. Reports are built in that each agency can review at any time. If an amendment to a document is issued, the system knows who matched the original document, therefore sends each vendor that matched the original document either a fax or e-mail message (depending on their chosen service type), alerting them to the amendment. *Vendors that register free are not automatically notified, it is their responsibility to login and check the e-Procurement website for amendments for all documents they have downloaded, until they close.*

Bid Award and Tabulation Information - In addition to awarding RFQs online, the system also enables you to post bid award information and/or full tabulation documents for RFBs, RFPs and RFIs. All registered vendors are directed to watch the website for this information (which they have access to from their main menu when they login), therefore, again reducing the number of phone calls to your respective purchasing departments from vendors requesting this information. All awards are also posted in the public area of this website, to allow non-registered vendors access to this information as well.

Regional and National Bid Specification Library's - All documents issued by agencies that join this system are automatically stored in a central bid library accessible to members only. Members are able to search for stored documents in a multitude of ways including searching a specific agency's documents by titles, NIGP category, document number and even by buyer. Members are also given a link to search BidNet's National Bid Library, where there are thousands of additional bid specifications available for your research purposes, should a need arise.

Vendor Database Access - All vendors in your "central database" are also accessible and searchable by members only. The ability is given to look up vendors by NIGP general category, specific NIGP codes, company name, contacts last name, and account number. All information collected on a vendor when they registered can be viewed instantly, such as, the status of their account (example - active, inactive, free or paid), whether they selected the fax or e-mail service, general company information such as address, website address, main contact, alternate contact, payment / remittance contact, minority certification information and all NIGP codes they selected.

Reports - BidNet has built in numerous reports that all members may run at anytime from their "Reports Main Menu" (again, accessible by members only). Examples of some of these reports include; registered vendors by NIGP general category or specific NIGP codes, vendors that downloaded specific documents (to include addenda), statistics of how many vendors are registered on the system (free vs. fax vs. e-mail), names and addresses of vendors that registered free and new vendors that register each day. There are several more reports included, and if there is a particular report that a member would like to add to the menu, BidNet will be happy to work with you to design it and program it free of charge.

Please see page 9 for the specific features currently included on the City of Aurora's e-Procurement System. Any agency that decided to join this system (or implement a new one) will be given access to these features as well.

IV. SUMMARY OF FEATURES FOR VENDORS

Single Point of Access - Vendors have a single point of access to register, search for, and receive bids from, all agency members that participate. They only register once, no matter how many agencies continue to join.

Easy Registration - Vendors can go directly to the registration form and register themselves online. As a reminder, all of the information a vendor enters when they register is incorporated into the central vendor database for all participating members to share. Vendors that do not have Internet access can contact BidNet's support department to register via phone.

Two Registration Options - Vendors that would like to have access to, and receive bid opportunities from the agency members have two options:

A. Option 1 - Free Registration

1. Vendors are able to register free in order to obtain documents from all participating agencies. Vendors may not view or download any documents unless they register first. (RFQs, or quotes _are not included_ with free registration).

2. Vendors that register free are directed to watch for new addenda that match any bid documents they may have downloaded, until those bids close. _Vendors that register free are not automatically notified when addenda are issued._

3. Free registrants are given access to all award information from all participating members. They again, check the website periodically for this information, they are not notified automatically when new awards are posted.

4. Free registrants are also able to update their own account information, as needed, online. If they do not visit this area within a 6-month period, they are prompted to do so when they login. _This ensures the information on each vendor is kept up-to-date in their central vendor database._

B. Option 2 - Automatic E-Mail or Fax Registration

1. Vendors are given the 2nd option to register for e-mail or fax notification. This option notifies them instantly when new formal bids (over the bid threshold), and informal bids (quotes - under the bid threshold), are issued that match their NIGP codes. The Aurora system automatically sends these vendors an e-mail or fax message (based on their chosen method of service), every-time they match with a new document, from any participating agency. (E-mail service vendors are be able to click on a link within each e-mail message they receive, to view the full documents you upload. Fax service vendors are instructed on each cover sheet they receive to call BidNet® if they want to obtain the full document (this is only for formal bids, all attachments are automatically faxed for quotes.)

2. Vendors also automatically receive an e-mail or fax message every time a new amendment matches a document they previously matched with. (E-mail service vendors are, again, able to click on a link within each e-mail message they receive to view the full amendment document. Fax service vendors automatically receive the entire amendment; they would not need to call your offices, or BidNet® to obtain these.)

3. Fax and E-mail service vendors are also given access to all award information from all participating agency members. For formal bids, they are instructed to check the website periodically for this information, they are not notified automatically. For informal bids (quotes), they are sent an e-mail message when an award is posted if they respond with pricing. If they do not respond with pricing for an RFQ, they area still able to view the award information by visiting the website on their own.

4. Fax and E-mail service vendors are able to update their account information as needed, online including adding and deleting to their list of NIGP codes. If they do not visit these areas within a 6-month period, they are prompted to do so when they login.

5. Vendors that decide to register for the fax or e-mail service are given the option to register for one year, two years, or three years, for a nominal fee. Pricing is currently set at $29.95 (for one year), or $49.95 (for two years) and $59.95 (for three years).

The fee for the notification services is the only revenue BidNet collects from the vendors that register. There are no additional or hidden charges for your vendors to obtain your documents, receive and respond to your quotes, and no percentages taken from those vendors who are awarded contracts and that you place orders with.

Should this e-Procurement system grow to a point where it is hosting more than 3 or 4 Counties, BidNet reserves the right to renegotiate registration pricing. As an example, the Hudson Valley website BidNet manages charges $49.95, (for one year), $79.95 (for two years) and $99.95 (for three years), because it serves vendors and agencies in 7 counties.

V. Summary and Contact Information

If you would like to see full demonstration of this system, or have general questions, please contact Danielle Ansell at BidNet. She can be reached at 800-677-1997, ext #222, or by e-mail at **danielle@bidnet.com**.

If you would prefer to speak to a purchasing official, Barbara Calloway at the City of Aurora is the primary contact for their agency. She can be reached at 303-739-7343, or by e-mail, **bcallowa@ci.aurora.co.us**. Keith Ashby at the City of Fort Collins is a second contact. He can be reached at 970-416-2191, or by e-mail **kashby@fcgov.com**.

We look forward to working with you.

Last Revised: 9/27/2002

Bid Opportunities and Vendor Registration

The Rocky Mountain Regional Purchasing System (RMRPS), is a website that has been created for agencies within Colorado to notify businesses of bid and contract opportunities.

Businesses will now have access to all participating agencies bid information from this website. This system provides instant access to all of our Bids, RFP's, Quotes, Amendments and Awards online. All types of government agencies in Colorado can utilize this system. In addition to the current users, many other municipal agencies are expected to join in the near future. Please see the links to all current participating agencies in the table below.

Vendors may register to access bids, quotes, amendments and award information, by clicking on the link for "Vendor Registration". If you need assistance when registering, please contact **BidNet**. BidNet provides all technical and customer support for the Rocky Mountain System and will be happy to assist you.

Links Regarding Bids & Registration	Links to Participating Agencies
Bids, Quotes and Proposals	City of Aurora Colorado
Login for Registered Vendors	City of Englewood
Vendor Registration Options	City of Fort Collins
Vendor Registration	City of Grand Junction
Contact Support	City of Greeley
	City/County of Broomfield
	City of Thornton
	Adams County
	Boulder County
	Larimer County
	Denver Public Schools

- Snapshot of what the Colorado home page could look like for the central e-procurement system

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HVMPG Bid Opportunities & Vendor Registration

The Hudson Valley Municipal Purchasing Group (HVMPG), is a group of municipal agencies located in New York's Hudson Valley Region that recently joined forces to create a Regional Bid Notification System to notify businesses of bid and contract opportunities.

Businesses will now have access to all HVMPG participating agencies bid information from one single website. This system provides instant access to all of our Bids, RFP's, Quotes, Amendments and Awards online. Government agencies from Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester Counties can utilize this system. In addition to the current users, many other Hudson Valley municipal agencies are expected to join in the near future. Please see the links to all current participating agencies in the table below.

Vendors may register to access bids, quotes, amendments and award information, by clicking on the link for "Vendor Registration". If you need assistance when registering, please contact **BidNet**. BidNet provides all technical and customer support for HVMPG system and will be happy to assist you anytime.

We look forward to providing our vendors with more bid information, with less paperwork, and an easier method of doing business with us. We are excited about implementing this new system and look forward to your participation.

Links Regarding Bids & Registration	Links to Participating Agencies
Bids, Quotes and Proposals	**County of Dutchess**
Login for Registered Vendors	**County of Rockland**
Vendor Registration Options	**County of Ulster**
Vendor Registration	**City of New Rochelle**
Contact Vendor Support for Assistance	**City of Poughkeepsie**
	Clarkstown Central School District
	Fairview Fire District
	Pearl River School District
	Town of Cortlandt
	Town of Clinton

- Snapshot of the HVMPG central home page, http://www.govbids.com/scripts/hvmpg/public/home1.asp

Administration Main Menu

Logoff the e-Procurement System

Contact BidNet Support

Enter Pricing From a Vendor for an RFQ

Issue a New Document

Issue a Stored Document

Issue Addenda Documents

Post Bid Tabulations or Awards for Formal Documents

Print a Document for a Vendor

Register a New Vendor

Reports Main Menu

Review Responses to RFQs (Includes Issuing Awards)

Search BidNet's Bid Library

Search The City of Aurora Colorado Bid Library

Search The City of Aurora Colorado Vendor Database

Search the NIGP Code List

- Snapshot of the City of Aurora's current e-procurement administration main menu

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