



REQUEST FOR BIDS RFB-21-22-34

ANNUAL CONTRACT FOR PUBLISHING LEGAL ADVERTISEMENTS

ADDENDUM NO. 1

Issued: January 13, 2022

Bids Due: **Friday, January 20, 2023 @ 2:00 P.M.**

This Addendum is being issued to provide responses to questions that have been submitted regarding this project and to provide additional information. This addendum becomes part of the RFB 21-22-34 bid document and must be signed and submitted with bid/proposal.

ITEM 1: QUESTIONS/RESPONSES

1. Will the contract be only a 12-month period? **Response:** Yes, once contract is awarded and executed it will remain in effect for 12 months. It must be re-bid annually (provided there is more than one adjudicated newspaper for publishing legal ads in Visalia).
2. What qualifies a business as a local vendor? **Response:** The Council enacted the Local Vendor Preference in 2010 which states that anyone with a business address in Tulare County for the past six (6) months prior to bidding on a City project is considered a local vendor. A post office box is not accepted as a business address.
3. Under the **BACKGROUND** section on page 4 of 28 in the first paragraph on that page, the City states a qualified agency is one who can: "offer a minimum of three days per week for publishing City's legal notices."

If this requirement is taken literally, to mean the newspaper must be printed three days per week, this would exclude The Sun-Gazette from the bidding process because it is a weekly publication, printing once per week on Wednesdays. The Sun-Gazette can publish six days per week online if that information is useful.

Please provide specific examples of when this would be necessary. Also, if this is in fact a literal requirement, would the city consider publishing once per week for most legal advertisements in one paper and those needed more than once per week in another publication?

Response: Unfortunately, publishing one day per week will not meet the City's needs. It is important that the City have adequate opportunity to advertise legal notices to avoid delays in any project timelines, public hearings and bid meetings, project awards, etc. Many of the City's timelines are specifically tied to projects with funding that has expiration deadlines.

Currently, the City has opportunity to publish on 5 days per week. But we anticipate that a minimum of three days per week would be adequate opportunity for our publishing needs.

The City charter states: All official advertising of the City shall be done in a newspaper of general circulation as defined by the laws of the State of California, which newspaper shall be published in the City of Visalia and shall be designated by the Council as the official newspaper.

The State of California defines "Newspaper of General Circulation" as a newspaper published for the dissemination of local or telegraphic news and intelligence of a general character, which has a bona fide list of paying subscribers, and has been established, printed and published at regular intervals in the State, County

or City where publication, notice by publication or official advertising is to be given or made for at least one year preceding the date of publication, notice or advertisement.

According to the State, "Published" means issued from the place where the newspaper is sold to or circulated among the people and its subscribers.

While online publishing is widespread and provides multiple opportunities for the sharing of information 24/7, the City's Legal Notices must be published and printed to be "official notice".

The City of Visalia desires a minimum of 3 days per week for advertising our legal advertisements. This means printing and publishing 3 days per week.

4. RFB Section VIII, Award, Item 1 states:

Lowest Bidder will be determined by the Lowest Total Cost to Reach Each Subscriber for Monday through Friday legal advertising. Award shall be made to the lowest bidder, whose bid is deemed both responsive and responsible and meets the requirements and criteria set forth in this RFB, price and other factors considered, and whose Bid is determined to result in the optimum economic advantage to the City. What type of "other factors" considered would be a consideration?

Response: Since this is a Request for Bid, the City bases the decision on Lowest Price (assuming that the Bidder meets all desired criteria). Examples of "other factors" that could be considered: Bidder's references (either by providing negative feedback; not being able to verify the references or if the Bidder has not performed the same type of service in the past).

5. Page 12 of the RFB asks for Bidder information, specifically Date of Current Adjudication and Expiration Date. If there is no expiration date of adjudication status how should Bidder complete the form?

Response: Bidder should write "N/A" in the space provided for Expiration date. If awarded contract, the Bidder must continue to remain on the County's list of adjudicated newspapers for Visalia, CA for the whole term of contract with City of Visalia.

ITEM 2: CHANGES

1.Exhibit B-7, IRAN CONTRACTONG ACT CERTIFICATION

The B-7 Exhibit included a typographical error in the 3rd bulleted item. A corrected form has been attached to this Addendum. Bidder is to complete and submit the corrected form with Bid Submittal.

END OF ADDENDUM NO. 1

/s/ Purchasing Division
(559) 713-4334

BIDDER to sign and submit with BID.

Firm: _____ Date: _____

By: _____
Bidder's Signature

EXHIBIT "B-7"

Submit with Bid

IRAN CONTRACTING ACT CERTIFICATION

(Public Contract Code Section 2200 et seq.)

As required by California Public Contract Code Section 2204, the Contractor certifies subject to penalty for perjury that the option checked below relating to the Contractor's status in regard to the Iran Contracting Act of 2010 (Public Contract Code Section 2200 et seq.) is true and correct:

- ☐ The Contractor is not:
- (1) Identified on the current list of persons and entities engaged in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203; or
 - (2) A financial institution that extends, for 45 days or more, credit in the amount of \$20,000,000 or more to any other person or entity identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203, if that person or entity uses or will use the credit to provide goods or services in the energy sector in Iran.
- ☐ The City has exempted the Contractor from the requirements of the Iran Contracting Act of 2010 after making a public finding that, absent the exemption, the City will be unable to obtain the goods and/or services to be provided pursuant to the Contract.
- ☐ The amount of the Contract payable to the Contractor for the Project does not exceed \$1,000,000 over the life of the contract (up to 5 years).

Signature: _____ Printed Name: _____

Title: _____ Agency Name: _____

Date: _____

Note: In accordance with Public Contract Code Section 2205, false certification of this form shall be reported to the California Attorney General and may result in civil penalties equal to the greater of \$250,000 or twice the Contract amount, termination of the Contract and/or eligibility to bid on contracts for three years.