

**BID PROPOSAL DETAILS / BID PROPOSAL INFORMATION**  
**RESPONDENT'S COMMENT**  
**PARTAC PEAT CORPORATION**  
**ATHLETIC EQUIPMENT AND SUPPLIES BID #ESCNJ 17/18 – 31 Opening: 3/22/18 @11 AM**

Mr. Patrick M. Moran, Business Administrator  
**Educational Services Commission of New Jersey**  
1660 Stelton Road – 2<sup>nd</sup> Floor  
Piscataway, NJ 08854

Dear Mr. Moran:

Enclosed please find our Bid Submittal for the **Athletic Equipment and Supplies Bid #ESCNJ 17/18 – 31**.

We would like to take a few minutes to explain details of our bid submittal as a clarification.

**SHIPPING / FREIGHT NOTES:** We are submitting the attached price lists a bid for hundreds of Bulk and Palletized Materials available from our Great Meadows, NJ Plant. We are providing you and your members with a delivered price list for each county for Bulk products (the attached pricelist sheet indicates the catalog number where members can find the details about each specific product). The price list sheets also include picked-up prices at our Great Meadows, NJ Plant for those members that have their own trucks or carrier. In order to offer your members the best prices there is a minimum product order and delivery amount of 23 tons for bulk material. Materials will be delivered in Tri-Axle or Bulk Dump Trailer – carrier chooses which type of truck unless customer specifies that a Tri-Axle is required for delivery when we are scheduling load(s) for delivery.

Palletized products have also been provided as delivered prices as well as picked up in Great Meadows, NJ. To give your members the most flexibility based on individual needs, we have provided delivered prices not only by full pallets, but partial pallets in the following increments 10, 15, 20, 25, 30, 35, 40, 50 bags per pallet (and various full pallet options 48, 55, 56, 70 or super sacks based on the various products) which are all delivered to any zip code in New Jersey. By offering “partial” pallets it allows us to mix and match pallets based on member needs and enable members to get the most “bang” for their buck delivered by creating full pallets. Delivered pallet prices have been listed 2 ways – as regulated by our negotiated Tariffs with various carriers for outbound shipments skids must be 40 x 48 with varying height restrictions for safety and transporting purposes. Pallets can be delivered to a facility that has a loading dock & forklift or forklift and pallet jack or to a limited access point requiring lift-gate services (Limited access means they do not have loading dock & forklift or forklift and pallet jack. Lift-gate service means the driver, using the lift-gate & pallet jack, will set the pallet on the ground at the back of the truck, tail gate delivery.) It does not mean the carrier will deliver to a field or off pavement. There are different weight limitations for carriers, and therefore, we have established delivered prices based on the varying criteria each carrier set forth in our tariffs. As your membership broadens to other states, we would be willing to submit delivered prices for bulk and bagged/palletized to meet the needs of your affiliate members as needed and feasible.

We have 43 catalogs listing thousands drop-ship items. We ran into numerous road blocks when trying to obtain shipping rates from all the manufacturers. They were just not able or willing to provide them. As indicated on page 36 of the RFB we are voluntarily offering an alternative for the thousands of drop-

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Representative Name: James C. Kelsey

Signature: \_\_\_\_\_

Date: 3/10/2018

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ship items we supply. We ask that you would allow us to continue the same process we have for the past six years of bids with the MRESC/ESCNJ Co-op. We would obtain freight / shipping rates, send members a quote with all costs clearly listed along with the applicable 5% product / catalog discount, prior to receiving / processing any purchase order.

In reviewing our product offerings there is an inordinate amount of "larger" items that are considered "oversized" and as such freight is based on zip code to zip code, what accessorial services are needed at pick-up and delivery, etc.

For the duration of this bid **we agree to pass through ACTUAL freight / shipping charges for all drop-shipped items.** For the drop-ship orders, where **ACTUAL** freight is used, we would add a flat *per order* \$10 drop-ship fee (to cover administrative costs). We believe this to be fair for all parties. If this process is not acceptable, please disregard this paragraph and the Bid submittal for the drop-ship products. We still submit for your review our bulk and bagged materials from our Great Meadows, NJ Plant. Moreover, we excluded from our bid submittal all bleachers 5 rows and larger (found in catalog 112B) as they are awarded under a separate bid award - *BID #MRESC 15/16-60 - 3/18/16 to 3/17/19 - Nickerson Corporation*. We will gladly provide requesting members with that bid information and contact information for the Nickerson Corporation. Furthermore, with regard to our catalog for Artificial Turf we wish to clarify that this catalog is meant for small DIY (do it yourself) Projects such as batting practice / stance mats 7' x 12', 12' x 90' Bocce Courts, batting cages, 6' diameter fungo / on-deck batting mats, etc. We are not looking to compete against any other bid award, especially the Synthetic Turf Bid. Customers inquiring about large projects would be guided toward the MRESC/AEPA #16-G 3/1/16 - 2/28/19 Turf -Synthetic -Repair, Maintenance & Replacement Bid Award and respective contact information to the awarded vendors will be provided. As in the past, we assure the ESCNJ that we have internal processes in place to ensure that items not awarded – cannot be ordered. Again, as in the past, when given the opportunity we will gladly co-market your other bid awards to help increase ESCNJ member awareness of co-op purchasing opportunities.

We are also submitting a bid for products available from the **Athletic Connection Master Catalog 2018** labeled Prices good through August 1<sup>st</sup>, 2018. Please know that this is the 2018 catalog and we understand that if awarded this catalog the discounted prices would be firm for at least 12 months from the date of ESCNJ approval. There are a few exclusions from the catalog of approximately 4,700 items as they would require a custom price "call for quote" for either product customization or shipping due to the nature of the product. We have also excluded from their master price list all bleachers 5 rows and larger as they are awarded under a separate bid award - *BID #MRESC 15/16-60 - 3/18/16 to 3/17/19 - Nickerson Corporation*. We will gladly provide requesting members with that bid information and contact information for the Nickerson Corporation. We have clearly noted which items will not be available by using a "strike thru font" on "their" master price list. Additionally, we have internal processes in place to ensure that items not award – cannot be ordered. We obtained a digital copy of the catalog / price list and have added headers and footers noting pertinent bid details. See Athletic Connection Price List for details. Products excluded include, but are not limited to:

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*Scoreboards are excluded from our bid (pages 318-325)*  
*Uniforms are excluded from our Bid (pages 84-89, 115-117,148-149, 227)*  
*All bleachers 5 rows and larger are excluded - as they are awarded under BID #MRESC 15/16-60 -*  
*3/18/16 to 3/17/19 - Nickerson Corporation*  
*All items that requiring special freight quotes are excluded from our bid*  
*All items listed as Call for Pricing are excluded from our bid*  
*Our bid prices are DELIVERED PRICES - F.O.B. includes delivery ONLY to customer's location. Buyer is*  
*responsible for arranging installation and assembly/set-up if required.*

We are also submitting a catalog bid of 5% off product list prices plus we will quote actual freight at the time of each request for the **Stackhouse Athletic Equipment Catalog 2018** items listed as "call for quote" would be excluded. Shipping / freight rates are based zip code to zip code from shipping stocking/warehouses. We obtained a digital copy of the catalog / price list and have added headers and footers noting pertinent bid details.

**FORCE MAJEURE:** Although we strive to meet obligations set forth in our promotional material, we will not be liable for any failure to perform any such obligations by reasons of acts of God or the elements (fire, rain/snow/flood, drought, earthquake, windstorm); acts, delays and failures to act by governmental authorities; riots, insurrections, terrorism, sabotage and war; interruption, suspension, curtailment or other disruption of utilities; or other matters beyond our reasonable control.

**RETURN POLICY:** All returns must be authorized by us and require return authorization. Call our Customer Care Team at the 1-800 number located at the top of packing slip for a return authorization number with 10 days of receipt. Returns must be postmarked within 10 days of return authorization issue date; otherwise the return will not be eligible for credit. Items must be returned in their original condition, including all tags, packaging and accessories (if applicable). Shipping charges will not be refunded unless the merchandise is defective or it was shipped incorrectly. Items will be subject to return shipping charges. Items are also subject to a restocking fee of 15%. Certain standard size products may not be returnable due to infrequent sales. For example, an orange spot cover, or a yellow folding mat. Custom orders may not be returned unless the merchandise is defective or an error was made when making the custom order product. Bulk materials can not be return due to cross-contamination probabilities. The return authorization number must be included in all correspondence and returns. We are not responsible for misuse, customer installation or improper storage.

**SHIPPING CHARGES:** For items purchased via Athletic Connection bid price list, there is a \$15 minimum shipping charge for items that ship FedEx, and \$75 minimum for all items which must ship by Truck\*. With regard to Athletic Connection free shipping promotions this only applies to ground shipping items, in the Contiguous United States only. Items which ship via Truck carrier are not eligible for free shipping promotions. No inside or residential delivery available. If ordering, large items shipped by truck, customer should indicated whether or not they have loading dock and forklift or forklift and pallet jack to assist with offloading of products. (\*Shipping methods are shown next to each item in the Athletic Connection Catalog.)

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**SALES TAX:** Where applicable, customers must provide the appropriate sales tax exemption or resale certification to qualify for tax exemption. Otherwise, state sales tax will be added. If we do not have your current sales tax exemption or resale certificate on file we must charge sales tax on your orders. We cannot subsequently remove sales tax charges from orders that are processed before your sales tax exemption or resale certificate is on file.

**MINIMUM ORDER IS \$50:** As indicated on page 29 of the RFB, the minimum dollar value of an order delivered to a single location is \$50.

**ORDER MINIMUM ATHLETIC CONNECTION:** For items purchased via Athletic Connection bid price list, their catalog represents products from numerous manufacturers. Each manufacturer has established minimum order policies. Throughout the Athletic Connection catalog they have noted by the various items charges for "minimums" as it relates to size, quantity or minimum dollar amount. Minimum dollar amounts exclude freight, taxes, handling, etc.

**MINIMUM ORDER FOR BULK MATERIALS DELIVERED:** Bulk/loose materials have a minimum of 23 tons for delivery. Customers with their own trucking can pick-up any quantity from our Great Meadows, NJ Plant.

**MINIMUM ORDER FOR BAGGED / PALLETIZED MATERIALS DELIVERED:** In order to maximum the benefit of pallet rates, there is a 10 bag minimum. Pallets can be a mix and match of bagged material up to the proposed weight classes and meet safe shipping standards as define in approved tariffs.. We have proposed rates for 10, 15, 20, 30, 35, 40, Full Pallets (1, 35, 40, 48, 50, 55, 56, 70, etc.). Customers with their own vehicle / trucking can pick-up any quantity from our Great Meadows, NJ Plant.

**CHANGES TO ORDER:** Changes to orders may be made if the items have not reached production. If production has begun, charges incurred due to changes to order are determined on a case by case basis.

**CANCELLATION POLICY:** Cancelled orders are subject to a cancellation charge if the order is in the process of production. All cancellation requests must be in writing. Orders cannot be cancelled after items have left point of shipment. See below for Returns policy.

**PRICES:** All prices quoted, whether by individual quotation or price list, are FOB: Shipping Point, unless otherwise indicated. All prices are for goods only and DO NOT include any services, including installation or unloading.

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**DELIVERY ESTIMATES:** Shipping dates, written and oral, are considered estimates and are not contracts to ship or deliver on such date. Unless otherwise stated and agreed to, vendor/manufacturer reserves the right to make delivery in installments. In the event of war, fire, flood, strike, labor trouble, accident, riot, act of God, act of governmental authority or any other contingencies beyond our control interfering with the production, supply, transportation, or consumption of the goods covered by this agreement, or with the supply of any raw material used in connection therewith, quantities so affected may be eliminated from the agreement without liability but the agreement shall otherwise remain unaffected. During periods of shortage, vendor/manufacturer may allocate its supply of goods among its customers in such a manner as each considers fair and practicable. No back charges will be paid for lateness of any delivery and we will not be liable for any damages, including any consequential damages, whether foreseeable or unforeseeable, resulting from any delay.

During peak seasons **our Great Meadows, NJ warehouse on average stocks nearly 30,000+ bags of material.** Bulk material is continually made throughout the year. We make every effort to maintain "good" stock piles of each bulk material throughout the year that we manufacture, **HOWEVER, due to the nature of our business and products weather plays a SIGNIFICANT role in production schedules.** Material cannot be produced in "wet" weather / "wet" conditions no matter which part of the country we ship from, frankly, it's like working with mud in many cases. We do not want to ship material that is excessively wet as it holds water = less material for your members and I am sure your members do not want to pay for water weight – when if shipped in optimal conditions they get more material for their money. Throughout the season we make every effort to accommodate customer needs. For example, we make VERY early morning and Saturday deliveries to avoid school parking lot traffic nightmares during the week for a bulk dump trailer trying to access a school field.

As orders are received they are put on the scheduling list which changes by the hour. Please know that we do our best to accommodate "customer" deadlines when it comes to manufacturing of bulk materials – whether for bulk or bagged orders.

We observe the following holidays and our facility is closed: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, day after Thanksgiving, Christmas Day, day after Christmas.

**24 HOUR QUICK SHIP:** Most products labeled as IN STOCK will ship within 24 hours upon verification of order. Actual arrival time at your location depends on the method of shipment and distance from the warehouse. Standard freight rules apply.

**SUBSTITUTIONS:** Our manufacturers strive to continually improve their products to give you the best value possible. On occasion, they may ship you a product that differs slightly from the one pictured and described in the catalog. However, they substitute with a product of equal or better quality and value. If your requirements prohibit substitution, please let us know when you place the order.

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**ORDER PROCESSING / SERVICE:** We generally process orders within 2-3 days they are received and generally ship within 3-7 business days. If delivery is required by a specific date, please notify us when placing your order. BULK MATERIALS ARE EXEMPT due to weather restrictions – see notes above.

**EASY PAYMENT TERMS:** We accept school/college/municipal purchase orders. If paying via VISA, MasterCard, American Express and Discover, there will be a convenience fee of 3.5% added to the order.

**INSPECT YOUR SHIPMENT:** When you receive your shipment, inspect the carton/goods BEFORE signing the delivery receipt. Open Cartons BEFORE signing, check the contents against packing list and examine merchandise for "concealed" damage. Keep all receipts, cartons and the packing materials. DO NOT move any damaged freight to a different location. Notify our customer service team about freight damage within 48 hours of receipt. Failure to follow any of the above procedures may invalidate any claim you may have against the carrier.

**FREIGHT CLAIMS:** We will gladly assist you with your freight claim. If a shipment is short or damaged, the shortage or damage must be noted on the freight delivery document BEFORE signing. Please notify us immediately if you need assistance with your claim.

**DAMAGES RESPONSIBILITY:** The delivering carrier will not be responsible for any damage to curbs, sidewalks, roadways or lawn area when requested to make a delivery beyond a public thoroughfare. Customer assumes full responsibility for any other damages consequent to making a delivery at customer's request off pavement.

**WARRANTY:** Standard Commercial Warranty - Manufacturers generally guarantee all items for one full year to be free from defects in workmanship or materials when installed and maintained properly. They generally agree to repair or replace, without charge, any item judged defective for either of these reasons and to return the item (or its replacement) freight prepaid. Written claims under the limited warranty must be made to Partac Peat Corporation, 1 Kelsey Park, Great Meadows, NJ 07838. Upon receipt of your claim, our customer service department will contact customers with return instructions which include sending freight prepaid.

**TOWING CHARGES:** Customer responsible for towing charges if truck gets stuck unloading off pavement at customer's request.

**TERMS:** Net 30 days, with interest charged a 1½% (min. 50¢) per month (18% per year) on all accounts not paid after 30 days. **Not permitted in this ESCNJ bid award.**

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**WARNING:** Participating in any sport can lead to injury. It is the purchaser's responsibility to inform participants of this danger. Manufacturers advise that deviation from proper installation, failure to maintain equipment, and groomed playing surfaces could increase the risk of injury to players. All equipment should be inspected for damage before each use and replaced or repaired immediately if damage is found. All playing surfaces should be properly groomed.

**TO ORDER:** Purchase Orders can be sent by email (to sales@partac.com), fax (908-637-8421), or U.S. Mail (Orders – Partac Peat Corporation, 1 Kelsey Park, Great Meadows, NJ 07838). We do ask that a valid daytime phone number be provided so we have a way of contacting you should we have any questions regarding your order.

**ERRORS, OMISSIONS & DISCREPANCIES:** We always endeavor to provide accurate descriptions & prices for the items listed in our catalog and on our website. Unfortunately from time to time we find errors caused by either manufacturers that have changed a product's specification, package contents, or pricing without notifying us, or we have made an error or have omitted relevant information related to a particular item. We reserve the right to correct errors.

We appreciate your consideration of our Bid Submittal.

If I can clarify any questions or concerns, please contact me.

Sincerely,

  
James C. Kelsey, President  
jim@partac.com  
800-247-2326