



REQUEST FOR PROPOSALS
FOR
QUALIFIED MARKETING AND POINT OF SALE
EQUIPMENT AND ITEMS
VENDORS LIST

RFP #19-POS-817

DATE ISSUED: August 17, 2020



Anything
can happen in Jersey.™

1. GENERAL INFORMATION

Northstar New Jersey Lottery Group, LLC (“Northstar”) acts on behalf of the New Jersey Lottery (“Lottery”) under a Lottery Growth Management Services Agreement (“Services Agreement”) awarded to Northstar by the State of New Jersey and the Lottery in June of 2013. Through this Request for Proposals #19-POS-817 (“RFP”), Northstar is inviting suppliers of a variety of marketing and point of sale equipment and items to submit proposals in order to be placed on a list of Qualified Marketing and Point of Sale Equipment and Items Vendors (“Qualified Vendors List” or “Qualified Vendors”) from which Northstar may order on an as needed basis, to support the Lottery’s sales, marketing, research, advertising and promotional programs.

An Evaluation Committee will review all interested vendor proposals in accordance with the requirements set forth in this RFP. Based on that evaluation, a Qualified Vendors List will be established. Qualified vendors will be considered qualified for a period of two (2) years from the date the Qualified Vendors List is published on Northstar’s website. Qualification and placement on the Qualified Vendors List is NOT a guarantee of future orders or any minimum volume of orders by Northstar. Issuance of this RFP does not constitute a legal offer capable of acceptance.

2. RFP ADMINISTRATION

A. Goal

Northstar’s goal in issuing this RFP is to improve the efficiency and economy of marketing and point of sale equipment and items expenditures. Northstar expects to obtain reliable, consistent, and quality marketing and point of sale equipment and items at reasonable prices.

B. Timeline

August 17, 2020	RFP Issued
September 16, 2020 by 12:00 p.m. ET	Questions Due from Vendors
September 23, 2020	Answers Issued by Northstar
October 7, 2020 by 12:00 p.m. ET	Proposals Due from Vendors
October 14, 2020	Qualified Vendors List Published

This timeline is subject to change in Northstar’s discretion. Any changes to the timeline will be posted to the procurement tab on Northstar’s website and emailed to interested vendors who have submitted a proposal in response to this RFP and/or who have signed up to receive marketing and point of sale equipment and items procurement notifications from Northstar.

C. Contacts

If additional information is needed for a vendor to understand this RFP, only written questions submitted electronically by email will be accepted until 12:00 p.m. ET on September 16, 2020. Telephone inquiries will not be accepted under any circumstances. Submit all questions by email to NSNJProcurements@nsnj.com with "Marketing and Point of Sale Equipment and Items RFP Questions" in the subject line. Interested vendors' questions and Northstar's answers to those questions may, in Northstar's discretion, be shared with all interested vendors at the same time to ensure that all interested vendors have equal access to the same information.

To be considered for evaluation, a proposal submitted in response to this RFP must include the information required by Sections 3, 4, and 5 of this RFP and must be received in the manner, date and time specified in Section 6 of this RFP.

3. GENERAL REQUIREMENTS

The following General Requirements are Pass/Fail standards. If an interested vendor cannot meet (or fails to demonstrate in its written proposal that it can meet) any General Requirement listed in this Section 3, that interested vendor may be disqualified from consideration under this RFP at the discretion of Northstar.

Marketing and Point of Sale Equipment and Items	Provide some or all of the marketing and point of sale equipment and items listed on the Schedule 1 to this RFP. <u>See</u> Schedule 1 – Marketing and Point of Sale Equipment and Items Worksheet.
Quality	Provide PDF Proofs and JPEG Images within three (3) business days of a request by Northstar and/or production samples within one (1) to three (3) weeks of a request by Northstar.
Order Turnaround	Delivery time requirements vary; Delivery typically required within 30 days of order placement. Rush order capabilities are also required.
Handling Orders	Electronic quoting and ordering capabilities required. Production samples delivered to: Senior Manager Merchandising Strategy and Execution, Senior Manager Retail Experience and Events and Promotions Manager.
Reports	Provide online tracking and delivery confirmations. Provide weekly status and delivery reports.

Packing & Shipping	Ability to satisfy the packing and shipping requirements set forth in the Schedule 2 to this RFP. <u>See</u> Schedule 2 – Delivery Requirements and Guidelines.
Electronic receipt of files	Required.
Invoicing	Net 60.

4. SUBMISSION REQUIREMENTS

The following Submission Requirements are Pass/Fail standards. If an interested vendor fails to comply with any of the following Requirements listed in this Section 4 in responding to the RFP, that vendor may be disqualified from consideration under this RFP at the discretion of Northstar. Each interested vendor must:

- A. Confirm in its written proposal that it can meet or exceed the General Requirements listed in Section 3, above.
- B. Electronically submit a written proposal in the form, manner and time required by this RFP, which written proposal shall include all of the proposal contents listed in Section 5 as well as a description of the interested vendor’s resources and capabilities to provide some or all of the marketing and point of sale equipment and items listed in Schedule 1 to this RFP. See Schedule 1- Marketing and Point of Sale Equipment and Items Worksheet.
- C. Electronically submit, with the written proposal, a completed Schedule 1 - Marketing and Point of Sale Equipment and Items Worksheet that includes estimated pricing.
- D. Electronically submit, with the written proposal, confirmation of the ability to satisfy the packing and shipping requirements described in Schedule 2 to this RFP. See Schedule 2- Delivery Requirements and Guidelines.
- E. Electronically submit, with the written proposal, a signed copy of Appendix A – Standard Subcontract Provisions. A vendor selected for inclusion on the Qualified Vendors List will receive a fully executed Appendix A countersigned by Northstar.
- F. Electronically submit, with the written proposal, a signed copy of Appendix B – Non-Disclosure Agreement (“NDA”). A vendor selected for inclusion on the Qualified Vendors List will receive a fully executed Appendix B countersigned by Northstar.

5. PROPOSAL CONTENTS

The Proposal Contents Requirements are Pass/Fail standards. An interested vendor's written proposal must be divided into the sections described in the following table and contain the following information. Failure to include the information required in this Section 5 may result in an interested vendor's disqualification from consideration under this RFP.

<p>(a) <u>Cover Letter</u>: An interested vendor's written proposal must include a cover letter signed by a person authorized to agree to a contract on behalf of the interested vendor, affirming that the interested vendor can meet or exceed the requirements specified in this RFP, and listing:</p> <ul style="list-style-type: none">• the vendor's full legal name;• address;• telephone number;• email address;• and location(s) of the facility(ies) where any marketing and point of sale equipment and items required by Northstar will be made;• any confidential or proprietary information contained in the interested vendor's proposal (see Section 6(C) of this RFP).
<p>(b) <u>Resources and Capabilities</u>: An interested vendor's written proposal must include a list of the vendor's current marketing and point of sale equipment and items process capabilities. This may be in the form of an electronic catalog.</p>
<p>(c) <u>Order Processing and Project Oversight Resources and Capabilities</u>: An interested vendor's written proposal must include an overview of its internal resources and capabilities for order processing and project oversight as follows:</p> <ul style="list-style-type: none">• Guaranteed response time for estimates• Order status tracking – Shipping reports and weekly updates• Quality control processes• Fulfillment services• Delivery – On time and in full• Ability to satisfy the packing and shipping requirements described in Schedule 2.
<ul style="list-style-type: none">• <u>Estimated Pricing</u>: An interested vendor's written proposal must include in the completed Schedule 1 – Marketing and Point of Sale Equipment and Items Worksheet an estimate of the price(s) per sample size an interested vendor would charge for the representative order.• Interested vendors are encouraged to electronically submit a written proposal for some or all of Northstar's marketing and point of sale equipment and items needs as identified in the Schedule 1 – Marketing and

Point of Sale Equipment and Items Worksheet. Northstar reserves the right to select separate Qualified Vendors or multiple Qualified Vendors for each category of work.

- A interested vendor that does not sell or does not have the capability to provide equipment or an item listed on the Schedule 1- Marketing and Point of Sale Equipment and Items Worksheet should respond “N/A” for that particular equipment or item on the worksheet.
- Pricing may be listed as a specific price, a minimum price, a maximum price, or a range of prices for each representative order. Estimated pricing will not be used as firm prices to be payable to Qualified Vendors selected through the Vendor Qualification process under this RFP. Estimated pricing will be used by the Evaluation Committee in reviewing an interested vendor’s proposal to determine whether an interested vendor offers prices that Northstar considers in its discretion to be reasonable.
- No changes to the specifications (including materials) listed on the Schedule 1- Marketing and Point of Sale Equipment and Items Worksheet are permitted. The materials and services must be provided exactly as listed in the Worksheet without changes or substitutions.

(d) **Standard Subcontract Provisions:** Each written proposal must include Appendix A – Standard Subcontract Provisions – signed on behalf of the interested vendor, by an individual authorized to sign on behalf of and legally bind the vendor.

- The services to be provided by the Qualified Vendors selected pursuant to this RFP are for the benefit of the State of New Jersey and the Lottery. Northstar’s Services Agreement requires Northstar to pass through various non-negotiable provisions from its Services Agreement to all Qualified Vendors. Those provisions are included in the Standard Subcontract Provisions.
- Any purchase order or invoice for marketing insights/research services project(s) issued as a result of this procurement shall be subject to the Standard Subcontract Provisions, and the Standard Subcontract Provisions shall take priority over any conflicting terms in such purchase order or invoice. Northstar reserves the right to incorporate additional provisions in any purchase order or invoice in the best interest of Northstar and/or the Lottery.

(e) **Non-Disclosure Agreement:** Each written proposal must include Appendix B – NDA – signed on behalf of the interested vendor, by an individual authorized to sign

on behalf of and legally bind the vendor, in substantially the same form as that attached in the Appendix B.

(f) **Customer References**: Each written proposal must include a list of the names, addresses, telephone numbers, and email addresses of at least three (3) current customers for which the interested vendor supplies satisfactory marketing and point of sale equipment and items. If applicable, Northstar or the Lottery may be listed as a customer reference.

6. **PROPOSAL SUBMISSION**

A. Submission Deadline; Electronic Submission

To be considered for evaluation a proposal must be received electronically at the following email address not later than 12:00 p.m. ET on October 7, 2020: NSNJProcurements@nsnj.com

B. Late Proposal

Any proposal received after the time and date specified in this Section 6 may be rejected.

C. Ownership of Proposals; Confidential Materials

Proposals submitted by interested vendors in response to this RFP will become the exclusive property of Northstar upon receipt and will not be returned. Any request by an interested vendor for confidential treatment of any portion of the interested vendor's proposal should follow the cover letter. Northstar may be required to furnish to the State of New Jersey and/or the Lottery certain information and materials with respect to, among other things, this RFP and proposals submitted in response to this RFP.

Under the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq. ("OPRA") and New Jersey law, information, documents and materials furnished to the State of New Jersey and/or the Lottery may be subject to public disclosure. Any information in an interested vendor's proposal that an interested vendor claims is confidential and should not be publicly disclosed must be clearly identified in the proposal. Each page or relevant portion of a page containing such information must be clearly marked as "Confidential," and the proposal must include an explanation of the specific grounds for exemption under OPRA (or any other law or rule that supports a request for confidential treatment). If an interested vendor requests confidential treatment of a portion of a proposal, the interested vendor must submit with the proposal an additional, redacted version of the proposal with confidential information deleted. The redacted version of the proposal must describe the general nature of the redacted material. Northstar will not honor any attempt by an interested vendor to designate its entire proposal as proprietary, confidential and/or to claim copyright protection for its entire proposal. Whether or not certain information, documents and materials that an interested vendor has marked as

confidential is/are exempt from public disclosure will be decided by the State of New Jersey based upon an interested vendor's explanation of the specific grounds for exemption under OPRA, the applicable requirements of OPRA and New Jersey law.

7. PROPOSAL EVALUATION

A. Evaluation Committee

Northstar will appoint an Evaluation Committee including members of Northstar's Finance, Sales, Marketing and Advertising Departments to evaluate the interested vendors' proposals. The Evaluation Committee will evaluate each interested vendor's proposal for compliance with the requirements specified in this RFP.

B. Proposal Review

The Evaluation Committee will base the evaluation of each interested vendor's proposal on the requirements specified in this RFP and the interested vendor's responses to those requirements as described in the interested vendor's written proposal, including the estimated pricing reflected on the Schedule 1 – Marketing and Point of Sale Equipment and Items Worksheet.

C. Proposal Clarification

During the review of each interested vendor's proposal, the Evaluation Committee may have question(s) about an interested vendor's proposal. The Evaluation Committee may ask for clarification by written question(s) sent by email to an interested vendor.

An interested vendor is expected to answer the Evaluation Committee's question(s) within 24 hours unless it asks for, and the Evaluation Committee agrees to, additional time. Depending on the nature of the information, an interested vendor's answer may, in Northstar's discretion, be shared with other interested vendors and that information may be incorporated into a purchase order subsequently issued to a vendor listed on the Qualified Vendors List.

8. ESTABLISHMENT AND USE OF QUALIFIED MARKETING AND POINT OF SALE EQUIPMENT AND ITEMS VENDORS LIST

On or about the date specified in Section 2 of this RFP, Northstar's Evaluation Committee will determine which interested vendor(s) meet the requirements to be placed on the Qualified Vendors List as specified in this RFP. The decisions of Northstar's Evaluation Committee shall be final. Northstar reserves the right to reject any or all of the proposals submitted, or to withdraw this RFP at any time. Northstar also reserves the right to accept proposals from interested vendors in part only.

A. Notice to Vendors

Each interested vendor that Northstar's Evaluation Committee determines meets the requirements to be placed on the Qualified Vendors List will receive (i) written notice

that its name has been placed on the Qualified Vendors List; (ii) a fully executed Appendix A, Standard Subcontract Provisions, countersigned by Northstar and (iii) a fully executed Appendix B, NDA, countersigned by Northstar.

B. Publication

The Qualified Vendors List will be published on the Procurement page of Northstar's website and emailed to each Qualified Vendor.

C. Effective Period of List

The Qualified Vendors List will remain in effect for a period of two (2) years from the date the Qualified Vendors List is published on Northstar's website, unless Northstar or the Lottery determines in its/their sole discretion that it is in the best interests of Northstar or the Lottery to either extend or terminate the two (2) year effective period of the Qualified Vendors List.

D. Removal from List

A Qualified Vendor may be removed from the Qualified Vendors List by request if Northstar agrees to release the Qualified Vendor, subject to reasonable conditions. Northstar may remove a Qualified Vendor from the Qualified Vendors List if Northstar or the Lottery determines in its/their discretion that the Qualified Vendor (i) is no longer capable or available to fulfill the requirements of an order, (ii) no longer possesses the financial or technical ability or reputation required to be considered a responsible vendor qualified to supply equipment and/or services to the State of New Jersey, (iii) it is in the best interests of either Northstar or the Lottery to remove a vendor from the Qualified Vendors List for any reason.

E. Ordering from Any Qualified Vendor Permitted

During the two (2) year effective period of the Qualified Vendors List, Northstar may place order(s) for marketing and point of sale equipment and items from any Qualified Vendor that submitted an estimated pricing proposal for the particular item that Northstar seeks to procure. Northstar may procure such order from one or more Qualified Vendors listed on the Qualified Vendors List without requiring competitive quotes, bids, or offers from other vendors on the Qualified Vendors List. Northstar, however, reserves the right in its discretion to seek competing quotes, bids, or offers from other vendors on the Qualified Vendors List.

F. No Ordering from Unlisted Vendors: Exception

In the event that, during the two (2) year effective period of the Qualified Vendors List, Northstar determines a need for a marketing and point of sale equipment and items not originally identified in the Schedule 1 to the RFP, Northstar will first seek estimated pricing from the Qualified Vendors List. However, if Northstar determines in its discretion that the estimated price, quality, quantity or time and place of delivery offered by the vendors on the Qualified Vendors List is/are unreasonable, Northstar reserves the right to procure such service from a vendor not included on

the Qualified Vendors List. In addition, Northstar reserves the right to order marketing and point of sale equipment and items from a vendor not listed on the Qualified Vendors List in the event Northstar determines that no Qualified Vendors are capable or available to fulfill the specific requirements of the order.

9. NEWS RELEASE

A Qualified Vendor shall not issue any written or oral communication to any news media representative regarding Northstar, the Lottery, or this RFP unless such communication is expressly approved in advance by Northstar and/or the Lottery.

10. DISCLAIMER

By issuing this RFP neither Northstar nor the Lottery guarantees that any contract will be awarded or that any orders will be issued to any Qualified Vendor listed on the Qualified Vendors List.

Neither Northstar nor the Lottery shall be liable for any costs or fees incurred by an interested vendor in responding to this RFP, or for costs or fees incurred by an interested vendor in attending meetings or preparing demonstrations, presentations or clarifications in connection with the RFP procurement process.

Interested vendors may not take advantage of any apparent error or omission in this RFP. In the event that any errors or omissions are discovered, an interested vendor shall immediately notify Northstar.