

## **Board of Trustees Agenda Item**

**Board Meeting Date:** December 6, 2010

**Title of Item:** Award Two-Year Contract for Adobe Software

### **Background and Analysis:**

The Foothill-De Anza Community College District participates in the Adobe Open Options Cumulative Licensing (CLP) 4.5 Education program. The CLP 4.5 Education Program provides the highest discount level available to the District for all orders placed during the program term. Adobe does not sell its products directly. Therefore, the District must purchase Adobe software licenses and media from an Adobe Authorized Education Reseller.

Purchasing Services staff in cooperation with Educational Technology Services staff prepared bid documents and specifications for the selection of an Authorized Education Reseller for Adobe CLP 4.5 Education software licenses and media. The specifications were written based upon the current needs of various departments within the District. The specified quantities are an estimate only and do not obligate the District to purchase any specific quantity. The specifications required bidders to submit firm pricing for two years for the complete Adobe software product line.

Bid Number 1302 was advertised in the San Jose Post Record on October 5 and October 12, 2010. Additionally, the bid documents were sent to four (4) vendors and it was posted on "BidNet" at [www.govbids.com](http://www.govbids.com). The deadline to submit bids was November 10, 2010. Three (3) Adobe Authorized Education Resellers submitted bids. The bid prices are based upon the District's projected purchases during the two-year contract period.

<b>ADOBE AUTHORIZED EDUCATION RESELLER</b>	<b>BID PRICE*</b>
<b>Computer Intelligence Association</b>	<b>\$40,799.98</b>
CCT Technologies (dba ComputerLand of Silicon Valley)	\$42,720.10
CDW	\$43,891.95
*plus applicable sales tax	

The lowest responsible, responsive bidder is Computer Intelligence Association based upon the bid specifications. The various departments within the District will fund the purchases.

**Recommendation:** Director of Purchasing Services Carmen Redmond requests board authorization to award a contract and issue purchase orders to Computer Intelligence Association pursuant to Bid Number 1302

Submitted by:	Carmen Redmond, Director of Purchasing
Additional contact	Fred Sherman, Pam Eberhardt, Frank Greco
Is backup provided?	Yes

FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT  
SELECTION OF EDUCATION AUTHORIZED RESELLER FOR ADOBE CLP  
PRODUCTS

Invitation To Bid Number 1302

**SECTION 6: BID FORMS**

**BID PROPOSAL FORM**

The Bid Proposal forms and all required documents must be returned to the District in a sealed envelope per Section 2 (Bid Instructions and General Conditions) and filed at the District Purchasing Department located at Foothill-De Anza Community College District, 12345 El Monte Rd., Los Altos Hills, CA 94022. Bid is due no later than 2:00 PM, **November 10, 2010** at which time it shall be publicly opened and read.

The undersigned, doing business under the firm name of Computer Intelligence Association having carefully examined the Bid document for the proposed acquisition, and having been familiarized with local conditions affecting the performance of the Contract proposes and agrees to perform the contract, including all of the component parts, and to timely furnish all items called for, and to perform in strict conformity with the specifications.

The following are the forms included in this section of the Bid Packet:

- Bid Proposal Form
- Certification of Non Discrimination Form
- Statement of Non Collusion Form
- Bid Question Form

**BID FORM**

For purposes of determining lowest responsive/responsible bid, vendors are required to provide prices and part numbers on the following items:

Software Product	List Adobe Part Numbers	Number of Licenses	Adobe List Price	Discount Offered	Net Unit Price	Net Extended Price
Acrobat Professional, 2-Year Maintenance Renewal License	09972573AB03A24	100	16.00	8.2%	14.69	1,469.00
After Effects Pro, 2-Year Maintenance Renewal License	65053627AB03A24	2	74.00	8.2%	67.93	135.86
CS5 Design Premium, 2-Year Maintenance Renewal License	65060101AB03A24	150	126.00	8.2%	115.67	17,350.50

FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT  
SELECTION OF EDUCATION AUTHORIZED RESELLER FOR ADOBE CLP  
PRODUCTS

Invitation To Bid Number 1302

**SECTION 6: BID FORMS**

Software Product	List Adobe Part Numbers	Number of Licenses	Adobe List Price	Discount Offered	Net Unit Price	Extended Net Price
Dreamweaver, 2- Year Maintenance Renewal License	65058941AB03A24	11	42.00	8.2%	38.56	424.16
Dreamweaver, 2- Year Concurrent Maintenance License Renewal	65058750AB03A24	50	74.00	8.2%	67.93	3,396.50
Flash Pro, 2-Year Maintenance Renewal License	65052741AB03A24	5	54.00	8.2%	49.57	247.85
Flash Pro, 2-Year Concurrent Maintenance License Renewal	65052705AB03A24	50	94.00	8.2%	86.29	4,314.50
FrameMaker, 2- Year Maintenance Renewal License	09973197AB03A24	50	56.00	8.2%	51.41	2,570.50
Illustrator, 2-Year Concurrent Maintenance License Renewal	65059013AB03A24	25	74.00	8.2%	67.93	1,698.25
InDesign, 2-Year Maintenance Renewal License	65052555AB03A24	11	42.00	8.2%	38.56	424.16

FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT  
SELECTION OF EDUCATION AUTHORIZED RESELLER FOR ADOBE CLP  
PRODUCTS

Invitation To Bid Number 1302

**SECTION 6: BID FORMS**

Software Product	List Adobe Part Numbers	Number of Licenses	Adobe List Price	Discount Offered	Net Unit Price	Extended Net Price
InDesign, 2-Year Concurrent License Renewal	65052884AB03A24	25	74.00	8.2%	67.93	1,698.25
PhotoShop Elements, 2-Year Maintenance Renewal License	65087319AB03A24	30	16.00	8.2%	14.69	440.70
PhotoShop, 2-Year Concurrent License Renewal *	65052208AB03A24	25	64.00	8.2%	58.75	1,468.75
PhotoShop Extended, 2-Year Concurrent License Renewal	65052291AB03A24	50	112.00	8.2%	102.82	5,141.00
					Subtotal	40,779.98
					Taxes	** SEE NOTE
					Grand Total	40,779.98

\* Applicable Part Number for Photoshop Extended 2-Year Renewal listed per Section (5) Specifications listed on page (17). All Part Numbers and Prices may be further verified and cross-referenced in Tab (5) labeled Price List.

\*\* Per Section 4.II.5(a) of Standard Instruction & Conditions located on Page (3), Tax has not been included for evaluation purposes.

FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT  
SELECTION OF EDUCATION AUTHORIZED RESELLER FOR ADOBE CLP  
PRODUCTS

Invitation To Bid Number 1302

**SECTION 6: BID FORMS**

**I. Please respond to all of the following in the space provided:**

A. **BIDDER:** Have you completed and submitted the attached bid proposal form with this bid package?

YES X NO \_\_\_\_\_

B. Have you submitted a complete price list, including part #'s, of products based upon Adobe Open Options CLP v.4.5 level 3 pricing for Foothill-De Anza, valid thru the future membership term, expiration 02/28/13?

YES X NO \_\_\_\_\_

C. Are these prices firm thru 02/28/13 based upon Foothill-De Anza Community College District Adobe Open Options CLP 4.5 Education Membership programs?

YES X NO \_\_\_\_\_

**D. SHIPMENT AND DELIVERY TIME:**

Delivery of the software/equipment shall occur WITHIN 30 CALENDAR DAYS OF RECEIPT OF THE PURCHASE ORDER. DO YOU GUARANTEE DELIVERY BY THIS TIMEFRAME?

YES X NO \_\_\_\_\_

E. **PAYMENT TERMS:** Cash terms (if applicable) N/A% N/A Days; Net 30 days after the equipment and services have been received and accepted by the District.

**F. AMENDMENTS:**

Any changes to this document will be issued in writing as amendments no. 1, 2, 3, etc.

I acknowledge receipt of the following amendment(s): \_\_\_\_\_.

G. **PIGGYBACK:** Will prices quoted herein be available to other public agencies or school districts within California? ☒ yes ☐ no

If yes, state period of time prices are valid: For Duration of Contract

The bidders answer to "H" is not a factor in the District's award decision.

H. I certify (or declare) under penalty of perjury under the laws of the State of

FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT  
SELECTION OF EDUCATION AUTHORIZED RESELLER FOR ADOBE CLP  
PRODUCTS  
Invitation To Bid Number 1302

**SECTION 6: BID FORMS**

California that the foregoing proposal is true and correct:

**SUBMITTED BY:**

Company name: Computer Intelligence Association

Authorized Signature:  (please print or type)

By

(name) Michael Carpenter, Sr. Contract Analyst

(please print or type)

Date: 8 November 2010

Street Address: 10425 Dalebrooke Lane

City, State, Zip: Potomac, MD 20854

Phone: (301) 762-1051

Federal Tax ID Number: 52-2278330

FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT  
SELECTION OF EDUCATION AUTHORIZED RESELLER FOR ADOBE CLP  
PRODUCTS  
Invitation To Bid Number 1302

**SECTION 6: BID FORMS**

**"EXHIBIT "ND"  
CERTIFICATION OF NONDISCRIMINATION BY SUPPLIERS**

As suppliers of goods or services to the agencies listed in this bid proposal, the firm listed below certifies that it does not discriminate in its employment with regards to any person in the provision of any program or services based on race, color, national or ethnic origin, age, gender, religion, sexual orientation, marital status, or physical or mental disability; that it is in compliance with all Federal, State, and local directives and executive orders regarding nondiscrimination in employment; and that it agrees to demonstrate positively and aggressively the principle of equal opportunity in employment.

We agree specifically:

1. To establish or observe employment policies which affirmatively promote opportunities for minority persons at all job levels.
2. To communicate this policy to all persons concerned, including company employees, outside recruiting services, especially those serving minority communities, and to the minority communities at large.
3. To take affirmative steps to hire minority employees within the company.

FIRM: Computer Intelligence Association

BY: Michael Carpenter

TITLE: Sr. Contract Analyst

SIGNATURE: 

ADDRESS: 10425 Dalebrooke Lane, Potomac, MD 20854

PHONE: (301) 762-1051

DATE: 8 November 2010



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SELECTION OF EDUCATION AUTHORIZED RESELLER FOR ADOBE CLP  
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“EXHIBIT NC”

STATEMENT OF NONCOLLUSION

I, Michael Carpenter, Sr. Contract Analyst  
(Name) (Title)

of Computer Intelligence Association  
(Insert name of company)

hereby certify:

- That all statements of fact in this proposal are true.
- That such proposal was not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization, or corporation;
- That such proposal is genuine and not collusive or sham;
- That said bidder has not, directly or indirectly, by agreement, communication, or conference with anyone, attempted to induce action prejudicial to the interest of the Foothill-De Anza Community College District, or of any other bidder or anyone else interested in the proposed contract; and further
- That prior to the public opening and reading of proposals, said bidder:
  - A. Did not, directly or indirectly, induce or solicit anyone else to submit a false or sham proposal;
  - B. Did not, directly or indirectly, collude, conspire, connive, or agree with anyone else that said bidder or anyone else would submit a false or sham proposal, or that anyone should refrain from bidding or withdraw his proposal;
  - C. Did not, in any manner, directly or indirectly, seek by agreement, communication, or conference with anyone to raise or fix the proposal price of said Bidder or of anyone else, or to raise or fix any overhead, profit, or cost element of his proposal price, or of that of anyone else;
  - D. Did not, directly or indirectly, submit his proposal price or any breakdown thereof, or the contents thereof, or divulge information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, or to any individual or group of individuals, except to the Foothill-De Anza Community College District, or to any person or persons who have a partnership or other financial interest with said bidder in his business.

By: \_\_\_\_\_

