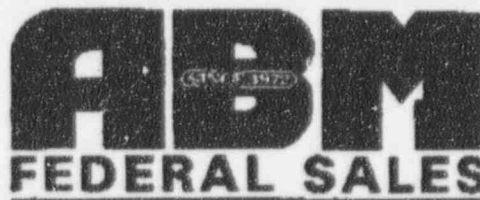


January 23, 1997



"Your Approved Source"

FOIAPA REQUEST

Case No: _____
 Date Rec'd: _____
 Action Off: _____
 Related Case: _____

97-0024
 1-28-97
 Reed

Ms. Ann Hoyle
 U.S. Nuclear Regulatory Commission
 Div. Of Contracts & Property Management
 Washington, D.C. 20555

RE: F.O.I.A. Request/Toner Bid Closing 12/23
 Awarded 1/21/97

Dear Ms. Hoyle:

Dave Holzum submitted a bid on various laser toner cartridges prior to the closing date of December 23, 1996. He informed me that on January 21, you informed him that ABM Federal Sales was not the successful bidder and that Federal Sales had won the contract. He also stated that he inquired at that time for a debriefing on the awarding of the contract and that you stated you did not have the file available. Dave has also indicated that he has left numerous phone calls requesting information on this bid and you have not returned any phone calls as of January 23.

As you have not provided us with the debriefing, we are formally requesting the following information under the Freedom of Information Act:

- A) A copy of the abstract or information summarizing the bidders, part numbers, brand, corresponding prices offered, delivery terms, and discounts
- B) A copy of the purchase order/contract submitted to the successful awardee

As your written request reflected FSS schedule only, we want to know if this was awarded under Corporate Express's Desktop contract GS-14F-0170D? If so, all orders must be delivered within 24 hours. Is this the case. If it was not awarded under this particular contract number, they do not have HP on schedule.

We look forward to hearing from you and had hoped a debriefing would have occurred. Nonetheless, you informed us via phone on January 21 and we want to exercise our rights under the FAR. Should you need to contact me, please do so at (800) 522-9226. If you are not the person to receive this FOIA request, please let us know. Thank you.

Sincerely,

Gloria J. Lewis

Government Contracts Administrator

9702100227 970206

PDR FOIA

LEWIS97-24

PDR

Post-it* Fax Note	7671	Date	1/23/97	# of pages	1
To	Ann Hoyle		From		
Co./Dept	US Nuc. Reg.		Co.		
Phone #	301-415-6313		Phone #		
Fax #	301-415-5761		Fax #		

QUOTATION FOR SMALL PURCH SES

REQUESTION NUMBER <i>4070009</i>	PURCHASE ORDER NUMBER <i>97-0175</i>	QUOTE TYPE WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>
DATE QUOTE POSTED (PCN 87.01)	DATE QUOTE REQUESTED	

1 SYNOPSIS IN COMMERCE BUSINESS DAILY (CBO)	2 APPROVAL OTHER THAN FULL AND OPEN COMPETITION
OTHER THAN FULL AND OPEN COMPETITION \$10,000 AND ABOVE APPROVED BY COMPETITION ADVOCATE NO REASONABLE EXPECTATION OF RECEIVING AT LEAST TWO RESPONSIBLE AND RESPONSIBLE OFFERS NOT REQUIRED	Over \$2,500 by Branch Chief \$10,000 AND ABOVE BY COMPETITION ADVOCATE NOT REQUIRED

3 AVAILABILITY	4 BASIS OF "FAIR AND REASONABLE" PRICE IF ONLY ONE QUOTE RECEIVED
AGENCY INVENTORIES EXCESS-OTHER AGENCIES FEDERAL PRISON IND BLIND/HANDICAPPED	AGENCY INVENTORIES EXCESS-OTHER AGENCIES FEDERAL PRISON IND BLIND/HANDICAPPED
EXPIRATION DATE	MANDATORY NON MANDATORY
OPEN MARKET BLANST PURCHASE AGREEMENT (BPA)	

4 JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
714

7 OFFERORS
Federal Sales Service
Reel Muehleis
Federal Marketing
ABM 3
DATE 4/2/94

5 JUSTIFICATION FOR OTHER THAN SMALL BUSINESS PURCHASE
714

1 ID#	ARTICLE(S) OR SERVICE(S)	QUANTITY	UNIT OF ISSUE	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
	Toner Supplies for HP Printers - Brand Name of equal								
	Toner for HP 55i	100	ea	170.90	17,090.00	175.30	17,530.00	151.14	15,114.00
	Toner for HP 35i/45i Printers	50	ea	89.05	4,452.50	98.00	4,900.00	84.13	4,486.50
	Toner for HP 14 Printers	20	ea	88.25	1,765.00	88.00	1,760.00	75.78	1,515.60
	Toner for HP 40/44 Printers	30	ea	61.66	1,849.80	54.60	1,638.00	62.62	1,878.60
	Toner for HP 5P Printers	50	ea	74.02	3,701.00	74.00	3,700.00	73.80	3,690.00
	Toner for HP 11/111 Printers	600	ea	46.90	28,140.00	61.00	36,600.00	53.30	31,980.00
	TAX IDENTIFICATION NUMBER (TIN)								
	APPROVAL OF OTHER THAN FULL AND OPEN COMPETITION								

TOTAL PRICE	<i>56,880.00</i>
DELIVERY F.O.B.	<i>Net 30</i>
DELIVERY TIME	<i>See below</i>
BUSINESS SIZE/TYPE	<i>See below</i>
CONTRACT NO.	<i>See below</i>

Chief, FIP Acquisition Branch

3

Federal Sales Service,
A Corporate Express Company
 10400 Eaton Place Suite 305
 Fairfax Va 22030

POC: Rick Muehleib (703) 293-6452 Fax: (703) 293-6482

REQUEST FOR QUOTATIONS

Date Issued: December 16, 1996
 Closing Date: December 23, 1996
 Issued By: U.S. Nuclear Regulatory Commission
 Division of Contracts
 Washington, D. C. 20555

For information call Anne Hoyle on (301)415-6513 Fax (301)415-6761

To All Offerors (Federal Supply Schedule Only):

Indefinite Delivery/Indefinite Quantity Requirement for the following purchase and delivery of toner supplies for the Hewlett Packard laserjet printer models listed below, brand name or equal.

This award for this requirement shall be made on an all or none basis.

Period of performance is from date of award for one year.

1. Toner for HP 5Si printers, HP#C3909A
 Minimum order: 100 EA ^{17,090.00} Maximum order: 300 EA
 Unit Price: \$ 170.90 Aggregate Amount: \$ 51,270.00
2. Toner for HP3Si/4Si printers, #HP#92291A
 Minimum order: 60 EA Maximum order: 200 EA
 Unit Price: \$ 89.05 ^{4,452.00} Aggregate Amount: \$ 17,810.00
3. Toner for HP IV printers, #HP92298A
 Minimum order: 20 EA Maximum order: 60 EA
 Unit Price: \$ 88.25 ^{1,765.00} Aggregate Amount: \$ 5,295.00
4. Toner for the HP 4P/4A printers, #HP92274A
 Minimum order: 30 EA Maximum order: 60 EA
 Unit Price: \$ 61.06 ^{1,831.80} Aggregate Amount: \$ 3,663.60
5. Toner for HP 5P printers, HP#C3903A
 Minimum order: 60 EA Maximum order: 200 EA
 Unit Price: \$ 72.02 ^{3,601.00} Aggregate Amount: \$ 14,404.00
6. Toner for HP II/III printers, HP#92295A
 Minimum order: 600 EA Maximum order: 1300 EA
 Unit Price: \$ 46.90 ^{28,140.00} Aggregate Amount: \$ 60,970.00
^{1.40} ^{880.80}

All cartridges to be purchased must be new, non-recycled, non-remanufactured types.

Federal Supply Schedule Contract No: GS-14F-0170D / GS-26F-1013B

Low Total
153,412.60

9/30/98
A/V

ONE

REQUEST FOR QUOTATION

IF TONER BRAND HAS A MAIL-IN PROGRAM IN PLACE, NRC WILL ABIDE BY THOSE TERMS AND CONDITIONS. IF MANUFACTURER DOES NOT HAVE A MAIL-IN PROGRAM NRC SHALL REQUIRE A PER CALI. SCHEDULE PICK-UP FOR USED CARTRIDGES

less discounts or promotions if applicable

\$ Price is net. discount have been applied

Shipping & handling charges if applicable

\$ 0

See attached for Trade-in allowance.

Federal Sales Service, Inc.



Rick Mushleib
Account Manager

10400 Eaton Place, Suite 305
Fairfax City, Virginia 22030
703 293-8452
703 293-6482 Fax

800 706-6183
800 706-9349 Fax



Federal Sales Service, Inc.

10400 Eaton Place, Suite 305
Fairfax, Virginia 22030
800/708-9287



Trade-in Toner Cartridge Allowance as of January 1, 1997

Part #	Brand	Model	Allowance
C3909A		HP 5si	\$10.00
92291A	LT I	HP IIIsi/4si	--
92298A	Lexmark (IBM)	HP 4	\$ 9.00
92274A	HP	HP 4P	\$ 4.00
C3903A	HP	HP 5P	\$ 4.00
92295A	Green Cartridge	HP II/III	\$ 1.00

Trade-in values are subject to change.

Values will be updated quarterly.

Trade-in allowances will be credited only for cartridges returned directly to Federal Sales/Corporate Express or their assigned agents for remanufacturing. Cartridges returned directly to Hewlett Packard or others will not be credited. All cartridges returned must be in recyclable condition and are subject to inspection and acceptance before credits will be applied.

still on
- Label
attach return Label on ea box
once a month summary of what they receive
to get credit

PURCHASE/DELIVERY ORDER

POINT OF ISSUE: U.S. NUCLEAR REGULATORY COMMISSION

THIS NUMBER MUST APPEAR ON ALL
INVOICES AND/OR PACKAGES AND
PAPERS RELATING TO THIS ORDER

DATE

ORDER NUMBER

DR-97-0175

1/15/97

REQUISITION NUMBER

40700009

INSTRUCTIONS: See billing address, lower left corner of this form.

BOC 2690

<input checked="" type="checkbox"/> PURCHASE ORDER PER YOUR <u>WRITTEN QUOTE</u> OF _____		APPROPRIATION/ALLOTMENT 31X0200	JOB CODE D2350	B & R NUMBER 740-15-	BOC NUMBER 32-20-32	
NEGOTIATED PURSUANT TO THE AUTHORITY OF 41 USC 252(C)(3).		CONSIGNEE AND DESTINATION (SHIP TO NRC WAREHOUSE UNLESS OTHERWISE SPECIFIED)				
<input checked="" type="checkbox"/> DELIVERY ORDER UNDER CONTRACT NUMBER: <u>GS-26F-1013B</u> <u>GS-14F-0170D, GS-265000180</u>		U.S. NUCLEAR REGULATORY COMMISSION BILLING BROOK PARKWAY ROCKVILLE, MD 20852 [Delivery Rec'd 7:15 am - 3:45 pm, M-F]				
TO (Seller) FEDERAL SALES SERVICE 10400 EATON PLACE, SUITE 305 FAIRFAX, VIRGINIA 22030 ATTN: RICK MUEHLEIB		DELIVERY F.O.B. <u>Destination</u>		PLACE OF INSPECTION AND ACCEPTANCE		DATE
		DELIVERY DATE		DISCOUNT PAYMENT TERMS <u>Net 30</u>		

PLEASE FURNISH THE FOLLOWING ON THE TERMS SPECIFIED ON BOTH SIDES OF THIS SHEET AND ON THE ATTACHED, IF ANY, EXCEPT THAT ANY SUCH TERMS WHICH MIGHT BE INCONSISTENT WITH THE TERMS OF ANY EXISTING FEDERAL CONTRACT OR AGREEMENT UNDER WHICH THIS ORDER IS PLACED WILL NOT APPLY

ITEM NO.	ARTICLES OR SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
	THIS IS AN INDEFINITE DELIVERY/INDEFINITE QUANTITY DELIVERY ORDER FOR THE PURCHASE AND DELIVERY OF NEW TONER CARTRIDGES FOR THE HEWLETT PACKARD LASERJET PRINTERS LISTED BELOW.				
	THIS INDEFINITE DELIVERY/INDEFINITE QUANTITY DELIVERY ORDER WHEREIN THE CONTRACTOR SHALL PROVIDE NRC WITH THE MINIMUM QUANTITIES LISTED BELOW AS ORDERED BY THE NRC "PROJECT OFFICER".				
	THEREAFTER THE MAXIMUM QUANTITIES CAN BE ORDERED BY THE NRC "PROJECT OFFICER" PENDING ADDITIONAL FUNDS AND BY A FORMAL MODIFICATION SIGNED BY AN NRC CONTRACTING OFFICER.				
	PERIOD OF PERFORMANCE IS FROM EFFECTIVE DATE OF AWARD FOR ONE YEAR.				
1.	MINIMUM QUANTITY - 100, MAXIMUM QUANTITY - 300 TONER FOR HP 5Si PRINTERS	100	EA	\$170.90	\$17,090.00
2.	MINIMUM QUANTITY - 50, MAXIMUM QUANTITY - 200 TONER FOR HP3Si/4Si PRINTERS	50	EA	\$89.05	\$4,452.50
3.	MINIMUM QUANTITY - 20, MAXIMUM QUANTITY - 60 TONER FOR HP IV PRINTERS	20	EA	\$88.25	\$1,765.00
4.	MINIMUM QUANTITY - 30, MAXIMUM QUANTITY 60 TONER FOR THE HP 4p/4a PRINTERS	30	EA	\$61.06	\$1,831.80
5.	MINIMUM QUANTITY - 50, MAXIMUM QUANTITY 200 TONER FOR HP 5p PRINTERS	50	EA	\$72.02	\$3,601.00
6.	MINIMUM QUANTITY - 600, MAXIMUM QUANTITY 1300 TONER FOR HP 11/11i PRINTERS	600	EA	\$46.90	\$28,140.00

PERSON TO CONTACT REGARDING THIS ORDER		TELEPHONE		TOTAL \$56,880.30
		AREA CODE	NUMBER	
NAME <u>JOYLE</u>		<u>301</u>	<u>415 6513</u>	
SUBMIT INVOICE IN DUPLICATE IN ACCORDANCE WITH INSTRUCTIONS ON REVERSE. (P.O. NUMBER MUST BE INCLUDED ON ALL INVOICES) AND FORWARD TO: DIVISION OF ACCOUNTING AND FINANCE OFFICE OF THE CONTROLLER T-9 E2 U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON D.C. 20555-0001		SIGNATURE AND TYPED NAME <u>MARY MACE</u> CONTRACTING OFFICER		

**PURCHASE ORDER
CONTINUATION**

CR-07-0175

INSTRUCTIONS. Purchase orders describing services may provide data crossing the Quantity, Unit, Unit Price, and Amount columns.

NAME: CONSIGNEE
FEDERAL SALES SERVICE

ITEM NUMBER	ARTICLES OR SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
	ALL CARTRIDGES TO BE PURCHASED MUST BE NEW, NON-RECYCLED, NON-REMANUFACTURED TYPES. THE PRICES FOR EACH NEW ITEM SHALL REMAIN CONSTANT DURING THE PERIOD OF THE CONTRACT.				
	IF CARTRIDGES ARE IN GOOD SHAPE THE FOLLOWING CREDIT ALLOWANCE WILL BE GIVEN:				
PART#	MODEL	ALLOWANCE			
C3909A	HP 5S4	\$10.00			
92298A	HP 4	\$ 9.00			
92274A	HP 4P	\$ 4.00			
C3903A	HP 5P	\$ 4.00			
92295A	HP II/III	\$ 1.00			
	TRADE-IN ALLOWANCES WILL BE CREDITED ONLY FOR CARTRIDGES RETURNED DIRECTLY TO FEDERAL SALES/CORPORATE EXPRESS FOR REMANUFACTURING. TRADE-IN VALUES ARE SUBJECT TO CHANGE. VALUES WILL BE UPDATED QUARTERLY. IF CREDIT ALLOWANCE CHANGES DURING THE LIFE OF THIS PURCHASE ORDER, CONTRACTOR SHALL NOTIFY THE PROJECT OFFICER IN WRITING OF CREDIT CHANGE AND NOT ACCEPT NEW CALLS UNTIL THIS PURCHASE ORDER IS MODIFIED TO REFLECT NEW CREDIT ALLOWANCES.				
	ORDERING PROCEDURE ORDERS WILL GENERALLY BE MADE BY ORAL SOLICITATION WITHOUT WRITTEN CONFIRMATION BY THE GOVERNMENT. EACH ORDER PLACE WILL BE GIVEN ASSIGNED A SEQUENTIAL CALL NUMBER BY THE PROJECT OFFICER. THESE CALL NUMBERS SHALL BE PLACED ON THE VENDORS INVOICE FOR PAYMENT TO BE SENT TO THE COMMERCIAL ACCOUNTS UNIT. ORAL ORDERS PLACED SHALL PROVIDE THE CONTRACTOR WITH THE FOLLOWING INFORMATION"				
	a. Date of oral order b. Purchase Order Number c. NRC call number d. Description and amount of goods requested and the description and amount of itmes to be picked up e. Place of delivery (NRC Warehouse unless otherwise stated) f. Any other pertinent informatio				
	THE NRC PROJECT OFFICER IS STEPHEN ESLIN (301)415-5776.				
	FAR Clause is 52.215.22 (Indefinite Quantity) is hereby incorporated as part of this order.				

**PURCHASE ORDER
CONTINUATION**

0175
~~DR-C7-XXXX~~

INSTRUCTIONS. Purchase orders describing services may provide data crossing the Quantity, Unit, Unit Price, and Amount columns.

NAME - CONSIGNEE

FEDERAL SALES SERVICE

ITEM NUMBER	ARTICLES OR SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
	<p><u>"Electronic Payment"</u> The Debt Collection Improvement Act of 1996 requires that all payments except IRS tax refunds be made by Electronic Funds Transfer. It is the policy of the Nuclear Regulatory Commission to pay vendors by the Automated Clearing House (ACH) electronic funds transfer payment system. The electronic system is known as Vendor Express. Payment shall be made in accordance with FAR 52.232-33, entitled "Mandatory Information for Electronic Funds Transfer Payment."</p> <p>To receive payment, the contractor shall complete the "Company Information" portion of the Form Standard Form 3081, entitled "ACH Vendor/ Miscellaneous Payment Enrollment Form." The contractor shall take the form to the ACH Coordinator at the financial institution that maintains its company's bank account. The contractor shall discuss with the ACH Coordinator how the payment identification information (addendum record) will be passed to them once the payment is received by the financial institution. To ensure that adequate payment information will be available to the contractor, the contractor should inform the financial institution that the addendum record must not be stripped from the payment. Further information concerning the addendum is provided at Attachment 1. The ACH Coordinator should fill out the "Financial Institution Information" portion of the form and return it to the Office of the Controller at the following address: Nuclear Regulatory Commission, Division of Accounting and Finance, Financial Operation Section, Mail Stop T-9H4, Washington, DC 20555, ATTN: ACH/Vendor Express. It is the responsibility of the contractor to ensure that the financial institution returns the completed form to the above address. If the contractor can provide the financial information, signature of the financial institution's ACH Coordinator is not required. The NRC is under no obligation to send reminders. Only after the Office of the Controller has processed the contractor's sign-up form will the contractor be eligible to receive payments.</p> <p>Once electronic funds transfer is established for payments authorized by NRC, the contractor needs to submit an additional SF 3881 only to report changes to the information supplied.</p> <p>Questions concerning ACH/Vendor Express, should be directed to the Financial Operations staff at (301) 415-7520.</p>				