

**EXCEPTIONS TO PROPOSAL, TERMS, CONDITIONS,  
AND SOLUTIONS REQUEST**



Company Name: **Gradall Industries, Inc.**

Any exceptions to the terms, conditions, specifications, or proposal forms contained in this RFP must be noted in writing and included with the Proposer's response. The Proposer acknowledges that the exceptions listed may or may not be accepted by Sourcewell or included in the final contract. Sourcewell will make reasonable efforts to accommodate the listed exceptions and may clarify the exceptions in the appropriate section below.

Section/page	Term, Condition, or Specification	Exception	Sourcewell ACCEPTS
		No Exceptions	

Proposer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Sourcewell's clarification on exceptions listed above:**



Contract Award  
RFP #040319

**FORM D**



**Formal Offering of Proposal**  
(To be completed only by the Proposer)

MEDIUM DUTY AND COMPACT CONSTRUCTION EQUIPMENT WITH RELATED ATTACHMENTS,  
ACCESSORIES, AND SUPPLIES

In compliance with the Request for Proposal (RFP) for MEDIUM DUTY AND COMPACT CONSTRUCTION EQUIPMENT WITH RELATED ATTACHMENTS, ACCESSORIES, AND SUPPLIES, the undersigned warrants that the Proposer has examined this RFP and, being familiar with all of the instructions, terms and conditions, general and technical specifications, sales and service expectations, and any special terms, agrees to furnish the defined products and related services in full compliance with all terms and conditions of this RFP, any applicable amendments of this RFP, and all Proposer's response documentation. The Proposer further understands that it accepts the full responsibility as the sole source of solutions proposed in this RFP response and that the Proposer accepts responsibility for any subcontractors used to fulfill this proposal.

Company Name: Gradall Industries, Inc. Date: March 25, 2019  
Company Address: 406 Mill Ave. SW  
City: New Philadelphia State: Ohio Zip: 44664  
CAGE Code/DUNS: 00-494-8191  
Contact Person: Michael Popovich Title: VP Excavator Sales  
Authorized Signature:   
Michael Popovich

**FORM E**

**CONTRACT ACCEPTANCE AND AWARD**



(Top portion of this form will be completed by Sourcewell if the vendor is awarded a contract. The vendor should complete the vendor authorized signatures as part of the RFP response.)

Sourcewell Contract #: 040319-GRD

Proposer's full legal name: Gradall Industries, Inc.

**Based on Sourcewell's evaluation of your proposal, you have been awarded a contract. As an awarded vendor, you agree to provide the products and services contained in your proposal and to meet all the terms and conditions set forth in this RFP, in any amendments to this RFP, and in any exceptions that are accepted by Sourcewell.**

The effective date of the Contract will be May 31, 2019 and will expire on May 31, 2023 (no later than the later of four years from the expiration date of the currently awarded contract or four years from the date that the Sourcewell Chief Procurement Officer awards the Contract). This Contract may be extended for a fifth year at Sourcewell's discretion.

**Sourcewell Authorized Signatures:**

DocuSigned by:  
Jeremy Schwartz  
C0FD2A139D06489  
SOURCEWELL DIRECTOR OF OPERATIONS AND  
PROCUREMENT/CPO SIGNATURE

Jeremy Schwartz  
(NAME PRINTED OR TYPED)

DocuSigned by:  
Chad Coquette  
7E42B8F817A64CC...  
SOURCEWELL EXECUTIVE DIRECTOR/CEO SIGNATURE

Chad Coquette  
(NAME PRINTED OR TYPED)

Awarded on May 28, 2019

Sourcewell Contract # 040319-GRD

**Vendor Authorized Signatures:**

The Vendor hereby accepts this Contract award, including all accepted exceptions and amendments.

Vendor Name Gradall Industries, Inc.

Authorized Signatory's Title VP Sales

[Signature]  
VENDOR AUTHORIZED SIGNATURE

Michael Popovich  
(NAME PRINTED OR TYPED)

Executed on 5/29, 2019

Sourcewell Contract # 040319-GRD



**Form F**

**PROPOSER ASSURANCE OF COMPLIANCE**

**Proposal Affidavit Signature Page**

**PROPOSER'S AFFIDAVIT**

The undersigned, authorized representative of the entity submitting the foregoing proposal (the "Proposer"), swears that the following statements are true to the best of his or her knowledge.

1. The Proposer is submitting its proposal under its true and correct name, the Proposer has been properly originated and legally exists in good standing in its state of residence, the Proposer possesses, or will possess before delivering any products and related services, all applicable licenses necessary for such delivery to Sourcewell members agencies. The undersigned affirms that he or she is authorized to act on behalf of, and to legally bind the Proposer to the terms in this Contract.
2. The Proposer, or any person representing the Proposer, has not directly or indirectly entered into any agreement or arrangement with any other vendor or supplier, any official or employee of Sourcewell, or any person, firm, or corporation under contract with Sourcewell, in an effort to influence the pricing, terms, or conditions relating to this RFP in any way that adversely affects the free and open competition for a Contract award under this RFP.
3. The Proposer has examined and understands the terms, conditions, scope, contract opportunity, specifications request, and other documents in this solicitation and affirms that any and all exceptions have been noted in writing and have been included with the Proposer's RFP response.
4. The Proposer will, if awarded a Contract, provide to Sourcewell Members the /products and services in accordance with the terms, conditions, and scope of this RFP, with the Proposer-offered specifications, and with the other documents in this solicitation.
5. The Proposer agrees to deliver products and services through valid contracts, purchase orders, or means that are acceptable to Sourcewell Members. Unless otherwise agreed to, the Proposer must provide only new and first-quality products and related services to Sourcewell Members under an awarded Contract.
6. The Proposer will comply with all applicable provisions of federal, state, and local laws, regulations, rules, and orders.
7. The Proposer understands that Sourcewell will reject RFP proposals that are marked "confidential" (or "nonpublic," etc.), either substantially or in their entirety. Under Minnesota Statute §13.591, Subd. 4, all proposals are considered nonpublic data until the evaluation is complete and a Contract is awarded. At that point, proposals generally become public data. Minnesota Statute §13.37 permits only certain narrowly defined data to be considered a "trade secret," and thus nonpublic data under Minnesota's Data Practices Act.
8. The Proposer understands that it is the Proposer's duty to protect information that it considers nonpublic, and it agrees to defend and indemnify Sourcewell for reasonable measures that Sourcewell takes to uphold such a data designation.

**[The rest of this page has been left intentionally blank. Signature page below]**

By signing below, Proposer is acknowledging that he or she has read, understands, and agrees to comply with the terms and conditions specified above.

Company Name: Gradall Industries, Inc.  
Address: 406 Mill Ave. SW  
City/State/Zip: New Philadelphia, OH 44663  
Telephone Number: 330-339-2211 / Toll Free 800-445-4752  
E-mail Address: [mjpopovich@gradall.com](mailto:mjpopovich@gradall.com)

Authorized Signature:



Authorized Name (printed): Michael Popovich  
Title: VP Excavator Sales  
Date: 3-21-2019


Notarized

**Carla K. Cannon**  
**Notary Public, State of Ohio**  
**Commission Expires April 27th, 2020**

Subscribed and sworn to before me this 21<sup>st</sup> day of March, 2019.

Notary Public in and for the County of Tuscarawas, State of Ohio.

My commission expires: April 27, 2020

Signature: 



## Form P

### PROPOSER QUESTIONNAIRE

#### Payment Terms, Warranty, Products and Services, Pricing and Delivery, and Industry-Specific Questions

Proposer Name: Gradall Industries, Inc.

Questionnaire completed by: Michael Popovich

#### Payment Terms and Financing Options

- 1) What are your payment terms (e.g., net 10, net 30)?
  - Net 30.
- 2) Do you provide leasing or financing options, especially those options that schools and governmental entities may need to use in order to make certain acquisitions?
  - We provide access to 3<sup>rd</sup> party leasing or financing options upon request and many of our Dealers also provide the same.
- 3) Briefly describe your proposed order process. Please include enough detail to support your ability to report quarterly sales to Sourcewell. For example, indicate whether your dealer network is included in your response and whether each dealer (or some other entity) will process the Sourcewell Members' purchase orders.
  1. Customer contacts the local Gradall Excavator dealer for Sourcewell Contract Purchase.
  2. Determine if local agency is a Sourcewell member:
    - i. If member proceed.
    - ii. If not a member - assist agency with online membership application.
  3. Dealer determines product specifications and supplies quote.
    - i. Pricing – 4% discount from list - published by Gradall.
    - ii. Contact Connie Popovich for assistance with Sourcewell questions.
  4. Develop Quote with:
    - i. Machine Pricing.
    - ii. Freight – Estimate based upon Actual Cost.
    - iii. Open market items, if applicable.
  5. Quote presented to local agency:
    - i. Accepted - Proceed.
    - ii. Denied - Dealer does not proceed.
  6. Dealer places orders with Gradall Industries, Inc.
  7. Dealer receives machine and preps for delivery to local agency.
  8. Dealer delivers machine to customer:
    - i. Perform operator familiarization, as needed.
    - ii. File warranty, as required.
  9. Gradall logs Sourcewell sale and compiles sales info to report quarterly.
  10. Gradall makes payment to Sourcewell quarterly.
  11. Once the order is received, it will be handled in the normal process flow. Sourcewell's fee will be calculated off of the total quarterly sales and remitted to Sourcewell. Currently 1% fee to Sourcewell.
- 4) Do you accept the P-card procurement and payment process? If so, is there any additional cost to Sourcewell Members for using this process?
  - No. All purchase orders go through our authorized Dealers and we have never been asked to accept it.

## Warranty

- 5) Describe in detail your manufacturer warranty program, including conditions and requirements to qualify, claims procedure, and overall structure. You may include in your response a copy of your warranties, but at a minimum please also answer the following questions.

Warranty on Gradall Excavators is 24 months or 3,000 operating hours, whichever comes first, from the date of delivery to the customer. For a full description of the warranty see the included Gradall Warranty Certificate.

- Do your warranties cover all products, parts, and labor?  
Yes.
- Do your warranties impose usage restrictions or other limitations that adversely affect coverage?  
No.
- Do your warranties cover the expense of technicians' travel time and mileage to perform warranty repairs?  
Up to 3 hours travel time per incident is covered under warranty.
- Are there any geographic regions of the United States for which you cannot provide a certified technician to perform warranty repairs? How will Sourcewell Members in these regions be provided service for warranty repair?  
The Gradall Dealer Network can provide a trained technician for required repairs in all of the populated areas of the United States.
- Will you cover warranty service for items made by other manufacturers that are part of your proposal, or are these warranties issues typically passed on to the original equipment manufacturer?  
A Gradall is covered bumper to bumper by our Dealer Network with the exception of the Allison Transmission and in some instances the Volvo Penta Engine. During delivery the Customer is informed to always call our dealer for any problems and they decide when to involve Allison, Volvo Penta, Gradall, etc.
- What are your proposed exchange and return programs and policies?  
Wholegoods: None.  
Service Parts: Service Parts Warranty is one year.

- 6) Describe any service contract options for the items included in your proposal.
- None.

## Pricing, Delivery, Audits, and Administrative Fee

- 7) Provide a general narrative description of the equipment/products and related services you are offering in your proposal.
- By design, a Gradall is designed to do more jobs and get to more job sites faster. And over the past half-century and more, Gradall has delivered the proof. The best known advantage lies in the boom — a concept like no other — that handles more jobs better, thanks to its movements and superior strength. But the Gradall also is known for its unique range of undercarriages which have re-shaped the industry idea of equipment mobility, both on and off highway. There is an extensive collection of advantages that benefit both operators and owners, cementing the Gradall value tradition. Our units are sold as Crawler units, Rough Terrain & Highway speed units.
- 8) Describe your pricing model (e.g., line-item discounts or product-category discounts). Provide detailed pricing data (including standard or list pricing and the Sourcewell discounted price) on all of the items that you want Sourcewell to consider as part of your RFP response. If applicable, provide a SKU for each item in your proposal. (Keep in mind that reasonable price and product adjustments can be made during the term of an awarded Contract. See the body of the RFP and the Price and Product Change Request Form for more detail.)
- See the included model spreadsheets along with their available options & attachments including list price and Sourcewell price.

9) Please quantify the discount range presented in this response. For example, indicate that the pricing in your response represents is a 50% percent discount from the MSRP or your published list.

- We offer Sourcewell Customers 4% off all our standard list prices for machines, options & attachments.

10) The pricing offered in this proposal is

- \_\_\_\_\_ a. the same as the Proposer typically offers to an individual municipality, university, or school district.
- \_\_\_\_\_ b. the same as the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.
- X c. better than the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.
- \_\_\_\_\_ d. other than what the Proposer typically offers (please describe).

11) Describe any quantity or volume discounts or rebate programs that you offer.

- Gradall Excavators are typically bought one at time therefore a volume discount is not applicable, however, in cases where multiple machines are being bought we generally work with the Dealer and Customer to provide some additional discount.

12) Propose a method of facilitating “sourced” products or related services, which may be referred to as “open market” items or “nonstandard options”. For example, you may supply such items “at cost” or “at cost plus a percentage,” or you may supply a quote for each such request.

- We will use our cost plus 30% (multiply cost by 1.30) to establish net Sourcewell Pricing for any nonstandard options or attachments.

13) Identify any total cost of acquisition costs that are **NOT** included in the pricing submitted with your response. This cost includes all additional charges that are not directly identified as freight or shipping charges. For example, list costs for items like installation, set up, mandatory training, or initial/pre-delivery inspection. Identify any parties that impose such costs and their relationship to the Proposer.

- Our Dealer Network will determine any special pricing that may need to be charged when satisfying unique Customer requirements such as additional training, pre-delivery inspections and/or nonstandard installations of customer supplied parts like radios or fleet management systems.

14) If travel expense, delivery or shipping is an additional cost to the Sourcewell Member, describe in detail the complete travel expense, shipping and delivery program.

- Freight is added to the invoice at the time of shipment and is based on actual cost without markup. In the event attachments are required to be shipped separate by LTL that freight cost is also added to the dealer invoice without markup. Freight, PDI and Training is always a pass-through cost and not subject to Sourcewell fees.

15) Specifically describe those travel expense, shipping and delivery programs for Alaska, Hawaii, Canada, or any offshore delivery.

- Shipping will be based on the point of origin and all terms will be quoted at the time of sale.

16) Describe any unique distribution and/or delivery methods or options offered in your proposal.

- We can arrange or cooperate with the shipping requirements of the Customer on a machine by machine basis.

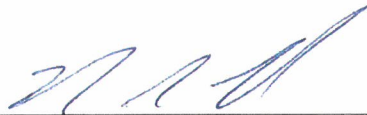
17) Please specifically describe any self-audit process or program that you plan to employ to verify compliance with your proposed Contract with Sourcewell. This process includes ensuring that Sourcewell Members obtain the proper pricing, that the Vendor reports all sales under the Contract each quarter, and that the Vendor remits the proper administrative fee to Sourcewell.

- All quotes & sales are reviewed by the contract administrator to assure pricing standards & NJPA compliance.
- .8) Identify a proposed administrative fee that you will pay to Sourcewell for facilitating, managing, and promoting the Sourcewell Contract in the event that you are awarded a Contract. This fee is typically calculated as a percentage of Vendor's sales under the Contract or as a per-unit fee; it is not a line-item addition to the Member's cost of goods. (See RFP Section 6.29 and following for details.)
- We pay a 1% fee calculated off the net sale price.

**Industry-Specific Questions**

- 19) Describe any industry-specific quality management system certifications obtained by your organization.
- ISO-9001:2015
- 20) Describe any environmental management system certifications obtained by your organization.
- We do not have any environmental certifications.
- 21) Describe any preventive maintenance programs that your organization offers for the solutions you are proposing in your response.
- Our Dealers can develop, quote & execute custom preventative maintenance programs as required by the Customer.

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



Date: \_\_\_\_\_

3/26/19