

Email: [denny.tooker@ezliner.com](mailto:denny.tooker@ezliner.com) Phone: 712-707-9774

**Form C**

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



Company Name: *Vogel Traffic Services, Inc. dba EZ-Liner Industries*

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 NJPA or included in the final contract. NJPA 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	NJPA ACCEPTS
		<i>No exceptions taken.</i>	

Proposer's Signature:

*[Handwritten Signature]*  
General Manager/Vice President

Date: 5/19/2017

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

Review and Approved:

*[Handwritten Signature]* 9/27/17  
NJPA Legal Department

Contract Award  
RFP #052417

**FORM D**



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

ROADWAY MAINTENANCE EQUIPMENT WITH RELATED ACCESSORIES, ATTACHMENTS, MATERIALS,  
AND SUPPLIES

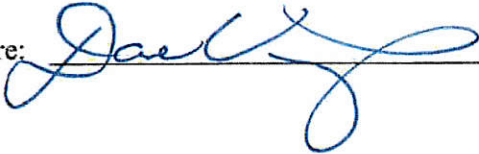
In compliance with the Request for Proposal (RFP) for ROADWAY MAINTENANCE EQUIPMENT WITH RELATED ACCESSORIES, ATTACHMENTS, MATERIALS, AND SUPPLIES, the undersigned warrants that the Proposer has examined this RFP and, being familiar with all of the instructions, terms and conditions, general and technical 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: Vogel Traffic Services, Inc.  
dba EZ-Liner Industries Date: June 6, 2017

Company Address: PO Box 140; 1920 Albany Place S.E.

City: Orange City State: IA Zip: 51041

Contact Person: Norm Scholten Title: Truck Project Manager

Authorized Signature:  Dave Van Gorp  
(Name printed or typed)

**FORM E**  
**CONTRACT ACCEPTANCE AND AWARD**



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

NJPA Contract#: 052417-EZL

Proposer's full legal name: Vogel Traffic Services, Inc. dba EZ-Liner Industries

**Based on NJPA'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 of the terms and conditions set forth in this RFP, in any amendments to this RFP, and in any exceptions that are accepted by NJPA.**

The effective date of the Contract will be October 2, 2017 and will expire on October 2, 2021 (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 NJPA Chief Procurement Officer awards the Contract). This Contract may be extended for a fifth year at NJPA's discretion.

**NJPA Authorized Signatures:**

  
\_\_\_\_\_  
NJPA DIRECTOR OF COOPERATIVE CONTRACTS  
AND PROCUREMENT/CPO SIGNATURE

Jeremy Schwartz  
(NAME PRINTED OR TYPED)

  
\_\_\_\_\_  
NJPA EXECUTIVE DIRECTOR/CEO SIGNATURE

Chad Coquette  
(NAME PRINTED OR TYPED)

Awarded on September 29, 2017

NJPA Contract # 052417-EZL

**Vendor Authorized Signatures:**

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

Vendor Name Vogel Traffic Services, Inc. dba EZ-Liner Industries

General Manager/Vice President

Authorized Signatory's Title

  
\_\_\_\_\_  
VENDOR AUTHORIZED SIGNATURE

Dave Van Gorp  
(NAME PRINTED OR TYPED)

Executed on Sep. 29, 2017

NJPA Contract # 052417-EZL

**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 NJPA 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 NJPA, or any person, firm, or corporation under contract with NJPA, 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 NJPA 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 NJPA Members. Unless otherwise agreed to, the Proposer must provide only new and first-quality products and related services to NJPA 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 NJPA 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 NJPA for reasonable measures that NJPA 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: Vogel Traffic Services, Inc. dba EZ-Liner Industries

Address: PO Box 140; 1920 Albany Place S.E.

City/State/Zip: Orange City, IA 51041

Telephone Number: 712-737-4016

E-mail Address: sales@ezliner.com

Authorized Signature: 

Authorized Name (printed): Dave Van Gorp

Title: General Manager/Vice President


Date: June 6, 2017

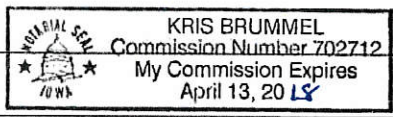
**Notarized**

Subscribed and sworn to before me this 6<sup>th</sup> day of June, 20 17

Notary Public in and for the County of Sioux State of Iowa

My commission expires: 4-13-18

Signature: 



**Form P**



**PROPOSER QUESTIONNAIRE**

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

Proposer Name: *Vogel Traffic Services, Inc. dba EZ-Liner Industries*

Questionnaire completed by: *Norm Scholten*

**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? *Yes, EZ-Liner works with Bankers Equipment Leasing a division of American Financial Network, Inc., 1704 Savannah Way, Waunakee, WI 53597, Richard Homan, 877-898-1519, [RHoman@AFNLeasing.com](mailto:RHoman@AFNLeasing.com); [www.AFNLeasing.com](http://www.AFNLeasing.com). Please refer to the information provided.*
- 3) Briefly describe your proposed order process. Please include enough detail to support your ability to report quarterly sales to NJPA. For example, indicate whether your dealer network is included in your response and whether each dealer (or some other entity) will process the NJPA Members' purchase orders. *Orders will be submitted through EZ-Liner's Regional Sales Managers. The orders will be processed by EZ-Liner's Accounts Receivable Department. EZ-Liner's Accounts Receivable Department will submit the quarterly reports to NJPA.*
- 4) Do you accept the P-card procurement and payment process? If so, is there any additional cost to NJPA Members for using this process? *EZ-Liner doesn't accept the P-card procurement and payment process. Credit cards are accepted for parts purchases.*

**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. *Please refer to EZ-Liner's attached warranty.*
  - Do your warranties cover all products, parts, and labor? *Products furnished by but not manufactured by EZ-Liner (such as chassis, engines, compressor, etc.) will carry only the warranty of the original equipment manufacturer. Any labor that is required to correct the defects of products not furnished by EZ-Liner will be the responsibility of the manufacturer of the product. EZ-Liner warrants all equipment manufactured by it and bearing its brand names to be free from defects in material and workmanship at the time of sale by EZ-Liner or an authorized EZ-Liner distributor.*
  - Do your warranties impose usage restrictions or other limitations that adversely affect coverage? *EZ-Liner's warranty doesn't cover any damage, wear or malfunction caused by improper or inadequate maintenance, or substitution of components not supplied by EZ-Liner. The warranty doesn't apply to normal wear and tear due to equipment operation or to consumable replacement parts. Wearable parts are not covered by warranty.*

- Do your warranties cover the expense of technicians' travel time and mileage to perform warranty repairs? *This is addressed on a case by case basis. It depends on the situation. If the component or product that is defective but not manufactured by EZ-Liner it will be the responsibility of the manufacturer of the product.*
  - Are there any geographic regions of the United States for which you cannot provide a certified technician to perform warranty repairs? How will NJPA Members in these regions be provided service for warranty repair? *There are no regions in the United States where a technician cannot perform warranty repairs. In very remote areas the time required for a technician to reach the customer will be increased.*
  - 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? *Any warranty issues on products furnished by, but not manufactured by EZ-Liner will be passed on to the original equipment manufacturer. As needed EZ-Liner's Customer Support Manager will coordinate or facilitate any warranty support.*
  - What are your proposed exchange and return programs and policies? *On returns the customer is to return prepaid freight part covered under warranty. EZ-Liner will verify the claimed defect. EZ-Liner has the option to repair or replace any defective parts. EZ-Liner will return the repaired or replaced part via prepaid freight to the customer.*
- 6) Describe any service contract options for the items included in your proposal. *At this time EZ-Liner doesn't offer a service contract as an option.*

**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. *As part of its RFP proposal to NJPA EZ-Liner is offering its line of paint striping equipment. The pricing listed is F.O.B. Orange City, IA. Freight costs are listed separately. Training is included in the base price on the paint striping trucks. On the pallet units training is quoted separately based upon the customer's location and the number of days the customer requests.*
- 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 NJPA discounted price) on all of the items that you want NJPA to consider as part of your RFP response. 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.) *A discount from MSRP across the product line has been provided on the pricing listed for NJPA customers.*
- 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. *The pricing listed is considered MSRP. At the bottom of the pricing sheets a statement has been included that a 3% discount is available to NJPA members.*

**Please refer to the attached Pricing Sheets.**

- 10) The pricing offered in this proposal is
- \_\_\_\_\_ a. the same as the Proposer typically offers to an individual municipality, university, or school district.
  - \_\_\_\_\_ **X** b. the same as the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.
  - \_\_\_\_\_ 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. *EZ-Liner doesn't offer any quantity or volume discounts or rebate programs. The competitive nature of the selling of paint striping trucks doesn't lend itself to allowing for these types of programs.*
- 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. *Any NJPA member requests for special or nonstandard options will be handled by providing quotes for each request.*
- 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 inspection. Identify any parties that impose such costs and their relationship to the Proposer. *For shipments to Canada any brokerage fees or other fees would be the responsibility of the customer. Because of changes in Canadian laws EZ-Liner cannot be the importer of record. The NJPA member in Canada would pay all applicable fees and taxes for crossing the border. For all of EZ-Liner's customers the traffic paint and glass beads required for use during the training session would be the responsibility of the NJPA member. Also any training that is to be provided that is not within the US and Canada would be quoted separately.*
- 14) If delivery or shipping is an additional cost to the NJPA Member, describe in detail the complete shipping and delivery program. *EZ-Liner has provided a shipping schedule either based upon mileage or that delivery is to any Continental US destination.*  
**Please refer to the attached Delivery Schedule.**
- 15) Specifically describe those shipping and delivery programs for Alaska, Hawaii, Canada, or any offshore delivery. *Shipping for Alaska would be quoted to a forwarder at the port in Spokane, WA. EZ-Liner would supply a separate quote to deliver to the delivery location within the State of Alaska. Usually customers in Alaska have their own contracts for the delivery of equipment from a forwarder in Spokane. For Hawaii and other offshore deliveries, the equipment would be quoted to a port of the NJPA member's choice. The NJPA member or their representative would be responsible for delivery from the port to their location.*
- 16) Describe any unique distribution and/or delivery methods or options offered in your proposal. *EZ-Liner is willing to give the NJPA member the option of picking up their equipment at the factory and to receive training at the factory.*
- 17) Please specifically describe any self-audit process or program that you plan to employ to verify compliance with your proposed Contract with NJPA. This process includes ensuring that NJPA 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 NJPA. *EZ-Liner has internal checks and balances to self-audit compliance with the requirements of the contract. When orders are written up by the Regional Sales Managers, they are double checked by the Sales Manager and in the case of truck bodies by the Truck Project Managers to ensure NJPA Members receive proper pricing.*
- 18) Identify a proposed administrative fee that you will pay to NJPA for facilitating, managing, and promoting the NJPA 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.) *EZ-Liner is proposing a 2% administrative fee that will be paid to NJPA for facilitating, managing and promoting the contract on the paint striping body only.*

### **Industry-Specific Questions**

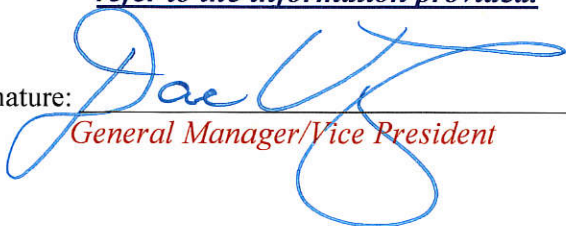
- 19) Identify the required subcategory or subcategories that best describe your solutions: Subcategory A) Roadway Surface Maintenance and Repair Equipment; Subcategory B) Roadway Surface Marking Equipment and Paint; Subcategory C) Road Right-of-Way Management Equipment and Chemicals; and/or Subcategory D) Equipment



and Products in Support of Roadway Maintenance and Repair. *EZ-Liner is submitting a proposal based upon Subcategory B-Roadway Surface Marking Equipment and Paint.*

- 20) Describe the features of your proposed solution(s) that address serviceability (parts availability, maintenance, repairs, support, etc.) and which you believe are “vendor differentiators.” *EZ-Liner’s equipment designs provide simple controls for operating the paint striping equipment. Concerning serviceability EZ-Liner’s equipment designs allow for accessibility to the major components of the paint striping body. The air preparation components are installed around the perimeter of the paint striping bodies for accessibility for servicing and maintenance. For parts availability EZ-Liner stocks all of the major component brands for paint striping equipment and also for pneumatic and hydraulic components. EZ-Liner also uses recognized mainline manufacturers of components that are readily available in the market place throughout the US and Canada. EZ-Liner has customer support and parts departments that are staffed by individuals with the knowledge and experience to provide superior customer support. EZ-Liner has some of the industry’s best field technicians that provide training and customer support for its customers.*
- 21) Describe any manufacturing processes or material specification attributes that differentiate your offered solutions. *EZ-Liner provides equipment designs that are simple to service, maintain and operate. Since most paint striping equipment is not used on a daily basis a simple design makes it easier to operate. EZ-Liner’s open equipment designs allow for easier access to controls located on the deck of a paint striping body.*
- a. *EZ-Liner was the first OEM in the paint striping industry to extensively use aluminum construction for weight savings and also corrosion resistance. Using aluminum also allows for increased payload capacity.*
  - b. *EZ-Liner’s equipment platforms are constructed using a formed rub rail which provides a clean more professional appearance. **Please refer to the information provided.***
  - c. *EZ-Liner exclusively provides foldup safety ladders for access to the equipment platform. When the ladders are swung down a slight angle is provided that allows easier ascent and descent to the equipment platform. **Please refer to the information provided.***
  - d. *EZ-Liner provides “stairstep type” rear access for its truck mounted stripers. These rear steps with a right side handle railing provide easy and safe access to the operators’ station. **Please refer to the information provided.***
  - e. *EZ-Liner provides heavy duty gun carriages on its long line paint striping trucks that are equipped with heavy duty “aircraft style” carriage tires. **Please refer to the information provided.***
  - f. *EZ-Liner provides electric “gun raisers” for the paint guns so they can be remotely raised and lowered from the operators’ station for changing line widths. **Please refer to the information provided.***
  - g. *EZ-Liner provides a hinged lid on its bead tanks on truck mounted paint stripers. The bead tanks are also equipped with 2” sight glasses to monitor the amount of beads left in the tank. **Please refer to the information provided.***
  - h. *EZ-Liner provides special options such as a bike lane attachment for painting bike lanes while striping the edge line on a road. Options like this improve efficiencies. **Please refer to the information provided.***

Signature:



General Manager/Vice President

Date: 5/19/2017