

COUNTY OF ROCKLAND
Department of General Services
Purchasing Division

Contract Award Notification

Title: **Vending Machine Commission Program**

Contract Period: June 1, 2025 through May 31, 2030

Original Date of Issue: April 17, 2025

Date of Revision:

BID No: **RFCO-RC-2024-009**

Ordering Method: **Order by Special Request**

Authorized Users: County Agencies, All Political Subdivisions

Address Inquiries To:

Name: Raheela Akhter
Title: Purchaser I
Phone: 845-364-3813
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E-mail: akhterr@co.rockland.ny.us

Description

This contract is for Vending Machine Services

Contract #	Vendor Number	Contractor & Address	Telephone No.
RFCO-RC-2024-009	0000029453	Distributors Vending Corp. 2 Lawrence Street Ardsley, NY 10502 Contact: Mark Koerner kkvend@aol.com	914-693-6420 FAX: 914-693-6426

COUNTY OF ROCKLAND
DGS – PURCHASING DEPARTMENT
BLDG. A, 2ND FLOOR, 50 SANATORIUM ROAD
POMONA, NY 10970
TELEPHONE NO.: 845-364-3820
FAX NO.: 845-364-3809

VENDOR: _____

*Distributors Vending
Corporation*

LINE NO	DESCRIPTION	ESTIMATED ANNUAL GROSS RECEIPTS	% COMMISSION	COMMISSION = GROSS RECEIPTS X % COMMISSION
1	% Commission of gross receipts for beverages - includes bottle and can types- Annual Gross receipt is only an estimate based on previous year sales and is not a guaranteed sales receipt.	25,000	$\frac{31}{\%}$	\$7750.00
2	% Commission of gross receipts for snacks - includes combo machines -Annual Gross receipt is only an estimate based on previous year sales and is not a guaranteed sales receipt.	\$20,000.00	$\frac{31}{\%}$	\$6200.00
4	Sum of Item #'s 1 through 2			13,950.00

Upon receipt of all required approvals a Contract shall be deemed executed and created with the successful Bidder(s) upon the Commissioner's mailing or electronic communication to the address on the bid of:

i) a Letter of Acceptance; or ii) a fully executed contract; or iii) a Purchase Order authorized by the Commissioner

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PURCHASES BY OTHER

LOCAL GOVERNMENTS, SCHOOL DISTRICTS, AND NON PROFIT AGENCIES

As per the New York State General Municipal Law, all political subdivisions of New York State are allowed to make purchases through the resulting contract(s). As per Rockland County Procurement Policy, Non Profit Agencies approved to participate in New York State's Contract Extension Program are authorized to make purchases through the resulting contract(s).

1. The County of Rockland shall make all contract award information available to other political subdivisions and non profit agencies through our website: www.rcpurchasing.com
2. Any other political subdivision or Rockland County non profit agency will issue purchase orders directly to vendors within the specified contract period referencing the County's contract and shall be liable for any payments due on such purchase orders; and shall accept sole responsibility for any payment due.
3. All purchases shall be subject to audit and inspection by the other political subdivisions and Rockland County non profit agencies for which the purchase was made.
4. No officer, board or agency of a county, town, village, or school district shall make any purchase through the County when bids have been received for such purchase by such officer, board or agency, unless such purchase may be made upon the same terms, conditions and specifications at a lower price through the County.
5. All bidders shall be on notice that as a condition of the award of a County contract, the successful bidders shall accept the award of a similar contract with any other political subdivision in New York State and Rockland County non profit agencies authorized to use New York State's contracts, if called upon to do so. A listing of approved Rockland County non profit agencies is available on the Purchasing Division's website at www.rcpurchasing.com. The County, however, will not be responsible for any debts incurred by the participants pursuant to this or any other agreement.
6. Necessary deviations from the County's specifications in the award of a participant contract, whether such deviations relate to quantities, or delivery points shall be resolved between the successful bidder/s and the other political subdivisions and Rockland County non profit agencies.

DEPARTMENT OF GENERAL SERVICES, PURCHASING DIVISION

Dr. Robert L. Yeager Health Center
50 Sanatorium Rd, Building A
Pomona, New York 10970
Phone: (845) 364-3820 Fax: (845) 364-3809
Email: purchasing@co.rockland.ny.us

Paul Brennan, FNIGP, NIGP-CPP, CPPO
Director of Purchasing

ADDENDUM # 1

RFCO-RC-2024-009
VENDING MACHINE COMMISSION PROGRAM

Questions and Clarifications.

Question 1: Request of items being offered by existing vendor.

**Response: See attachment with list of items from Building A 2nd floor locations.
This list is provided for information purpose only.**

Question 2: Sales and commissions report for the current year.

Response: See attached Data for the first half of 2024 sales and commissions.

Question 3: Can a vendor opt out to offer a machine on low sales location?

Response: Yes, A vendor may opt out to offer a machine on a low sales location, however be advised that this factor to opt out may result on lower scoring in evaluation.

The information in this addendum supersedes any contradictory information set forth in the contract documents. Acknowledge receipt of this addendum in the space provided on the signature page of the bid proposal. Failure to do so, may subject the bidder to disqualification. This addendum forms a part of the contract documents.

SIGNED:

Paul J. Brennan

PAUL J. BRENNAN, FNIGP, NIGP-CPP, CPPO
DIRECTOR OF PURCHASING

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SPECIFICATIONS

1. SCOPE OF SERVICES

- 1.1. The successful supplier (herein known as Concessionaire) shall provide beverages and snacks of nutritional value and furnish, install, maintain, supply and remove, as needed, various vending machines in designated locations of the County of Rockland and at other locations as may be mutually decided upon for a period of twenty-four months with the option to renew for three additional one-year terms. All vending machine items shall comply with the Smart Snacks in School, USDA's "All Food's Sold in Schools" standards (see for reference <https://www.fns.usda.gov/cn/tools-schools-focusing-smart-snacks>).
- 1.2. County of Rockland currently has more than 1900 employees plus visitors using these vending machines in several county buildings.
- 1.3. The amount of user traffic will vary by location. It is anticipated that traffic will include public (to some extent) to health and human service departments, employee & other personnel and visitors to all county facilities.

1.4. PRE-BID CONFERENCE

- 1.4.1. There will be a pre-bid conference on December 18, 2024, at 10:00 am until 10:30 am via Teams meetings. It is not mandatory to join but vendors are encouraged to join.

See Link here.

[Click here for Pre-Bid Meeting](#)

Meeting ID: 219 659 420 244
Passcode: Bb9zy6jR

2. SPECIAL REQUIREMENTS, PRICING & PAYMENT

- 2.1. The County will contract with a Concessionaire to allow the placement of various vending machines at designated locations within County facilities. Concessionaire shall pay the County a percentage of gross receipts from all vending, and related, machines placed within any County building or location by the contractor during the term of the agreement.
- 2.2. Offeror shall enter the commission percentage of gross receipts.
 - 2.2.1. "Gross receipts from vending machines" shall be all monies received from vending machines, except sales tax revenues.
 - 2.2.2. The commission rate offer shall be firm for the entire term of the contract regardless of the costs of vending items.
 - 2.2.3. Payments shall be paid monthly and be delivered by the Concessionaire, along with a gross receipts report as defined herein, to the Director of Purchasing for the County of Rockland. Payment and report shall be prepared and delivered on or before the twentieth day of each succeeding month. An example of the vendors monthly report shall be included in offer response.
 - 2.2.3.1. Checks shall be made payable to the Commissioner of Finance, County of Rockland.
- 2.3. The County of Rockland will not assert a cost for the space used by the machines nor such utilities as may be needed to operate the machines and expects this factor to be considered in the commission rate.

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3. BACKGROUND

- 3.1. The current contract was awarded in 2018 for a two (2) year term with 3- additional 1-year options.
- 3.2. The 2022 and 2023 commission is over \$14,000.00 for each year based on a 38.5% commission rate.
- 3.3. The numbers of machines and gross Revenue figures are based solely on immediate history and do not represent guarantees for future business.

5. EXPERIENCE AND PERFORMANCE HISTORY

- 5.1. The concessionaire shall have a minimum of three years in providing vending machine services of similar size and scope as outlined in these specifications.
- 5.2. Concessionaire shall complete and submit the Certificate of Experience and included in this solicitation with their offer.
- 5.3. Concessionaire shall provide documentation of a minimum of three current customers where they provide and met the Federal Smart Snacks in School Program.

6. LOCATIONS

- 6.1. Concessionaire shall place vending machines in only those locations designated by the Director of Purchasing. An initial list of these locations is supplied in this package; however, the County reserves the right to add to or subtract from the total number of machines in place at any given time and the same criteria shall apply to all machine placements and/or replacements as may apply under this agreement. The term "placements" shall be construed to include multiple units within a single location as well as multiple locations within a single site. Concessionaire shall not change the physical location of any vending machine in any manner from the specific locations designated and approved without the prior written consent of the Director of Purchasing or an authorized representative.
- 6.2. Vending machines will be placed in the locations as shown in **Exhibit "A"** unless otherwise noted. This list is not a permanent and can be revised on as needed basis.

7. FOOD TYPES

- 7.1. Vending machines shall contain packaged items following the Smart Snacks in School program including, but not limited to, fruit juices, chips, snack foods, and other food items for on-premise consumption and use. This agreement is also intended to include canned or bottled beverages. A list of the types of items needed is supplied with this package as "FOOD LIST". This list is intended to provide a guideline for proposers. Any and all items containing alcohol or tobacco are prohibited.
- 7.2. Submit product menus with brand names and product size of all products to be sold, as well as plan-o-grams of recommended product by machine. Emphasis must be placed on health selections, backed chips, 100% fruit juices, health bars, etc.
- 7.3. A printed copy from the smart snacks Calculator will be required if needed in case of a school district wishes to piggyback this contract
- 7.4. Initial food selections will be made using history and forecasting, but will be subject to change according to need and/or popularity. All items sold thru the machines shall be in first class condition and restocked prior to expiration dates. Contents shall be restocked according to the schedule in Concessionaire's offer response.

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8. COMPLIANCE WITH LOCAL LAW

- 8.1. Concessionaire shall comply by all county, city, state and federal laws, ordinances, rules and regulations, expressly including, but not limited to, those relating to health and sanitation of foods, and operation and maintenance of vending machines. Concessionaire shall obtain and preserve all applicable state, federal and local licenses and/or permits required for the operation of vending machines and disbursement of foods.

9. PRICING STRATEGIES

- 9.1. Items sold in the vending machines shall be priced as described in article 18 of this document. All vending prices shall be firm for the duration of the contract including renewals unless a change is specifically requested by the County. Prices may require adjustment from time to time as a result of food market changes that are beyond the Concessionaire's control. In such event, Concessionaire shall present appropriate documentation along with a request for items cost changes to the Director of Purchasing, annually at time of contract renewal. County reserves the right to seek any additional information as may be necessary to decide and reserves the right to reject such application without penalty or grievance.

10. EQUIPMENT QUALITY AND AESTHETIC APPEAL

- 10.1. Contractor must be aware that the intent of this agreement is to expand the service and capability of the vending program. Contractor must ensure that equipment is modern, functional and appropriate for the placement within public spaces. Contractor shall provide equipment brochures, photos or a video link of offered equipment. See below variations of machine types that are required.

- vending - room temperature food items
- vending - canned soft drinks, bottled liquids
- vending – bottled soft drinks, juices
- money changing unit (may be built into the vending machine or be a separate unit)
- money changing unit to be provided for the Rockland County Clerk's Office
- vending machines shall be able to also accept credit/debit cards
- two (2) pricing is allowed, ie \$.10 upcharge on credit/debit sales
- vending machines must have a 24/7 customer Service toll free or a customer service telephone to report an issue with item or payment problem such as item not dispensed after a payment is done or wrong item is dispensed. Vendor can choose to leave a reasonable cash amount with County of Rockland contract manager Raheela Akhter to refund the customer for wrong or no item dispensed case scenario. Contract Manager will issue a receipt for each refund. The receipt will be sent via email to contractor's provided email address for tracking purposes.

- 10.2. All equipment shall operate on regular wall voltage - 110 VAC. All plugs shall be three pronged, properly grounded. The contractor should use energy efficient units wherever possible.

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- 10.3. It is not anticipated County personnel will need to move any of the machines, however, in the event of an emergency or need, County reserves the right to move any unit in response to resolution of a problem.
- 10.4. All machines shall be able to accept all United States currency including Dollar coin.
 - 10.4.1. Concessionaire shall submit brochures of the proposed machines with his proposal.
 - 10.4.2. All machines shall be neat and clean in appearance.
- 10.5. Cold Drink vending machines shall hold cans with pull top openers and/or plastic bottles with twist off tops.
- 10.6. Pastry, Candy and Snack Machines shall vend pastry, candy and snack items. A minimum of 32 selections shall be offered. Machines shall have healthier choices available.
- 10.7. Industry improvements to vending operations that occur during the term of this contract shall be incorporated by the supplier in subsequent installations. Each machine shall have capability to handle the following items/functions:
 - 10.7.1. Dispense a variety of items, not limited to a single type item or brand of items;
 - 10.7.1.1. Be properly equipped with a non-reset table counter for recording all sales by each machine;
 - 10.7.1.2. receive and give coin change for one- and five-dollar bills, minimum. This may be accomplished by having the change mechanism installed in the vending machine and/or providing a separate money-changing unit on site. In any case, the Concessionaire will be entirely responsible for funding change machines and for their proper operations and functions.

11. DELIVERY AND INSTALLATION PLAN & SCHEDULE

- 11.1. Machines will be installed at locations listed herein, however, title ownership of each machine shall be retained by the Concessionaire, who shall be responsible for the equipment at all times and in all respects. The County shall neither own nor rent or lease the machines in conjunction with this contract.
- 11.2. Vendor must submit a schedule for delivery and installation for each machine to fit within county's official hours. Certain areas may need an authorization from facilities management to install or remove a machine.
- 11.3. Concessionaire shall bear all costs to deliver, install, stock, maintain, repair and remove all vending machines placed under this contract, including replacement machines. The County will not obligate the Concessionaire to pay utility costs incurred to operate the vending machines, but Concessionaire will bear all other costs in connection with machine operation and related activities. Every effort shall be made by the Concessionaire to keep energy consumption to a minimum and comply with such conservation practices and County policies as may be appropriate. The County shall not be liable for any loss that may result from the interruption or failure of the power supply to any vending machine.

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- 11.4. Upon completion of installations, Concessionaire shall provide a list of all their equipment and all locations of said equipment, to the Director of Purchasing, and certify that each unit is in proper working order in accordance with original equipment manufacturer's specifications including any/all electrical and/or plumbing connections, drainage, stability, etc. as is appropriate to the unit.

12. MANAGEMENT, MAINTENANCE AND RESTOCKING.

- 12.1. Concessionaire shall maintain all vending machines in good working order when installed and thereafter to completion of the agreement. A preventive maintenance program by the Concessionaire should also be in place and a copy of it included in the returned proposal. A copy of each machine inspection and/or maintenance activity must be forwarded to the Director of Purchasing upon completion of the work.
- 12.2. County shall have no liability to Concessionaire for maintenance of the equipment or any damage to vending machines by a third party and Concessionaire shall not make any claim against, or seek recovery from, the County for any loss or damage to the vending machines.
- 12.3. Contractor MUST be available to service machines placed via this agreement from 9 a.m. thru 8 p.m. Contract machines shall be repaired within four hours of a reported malfunction. Any request for service after 3 p.m. must be serviced no later than noon of the next workday.
- 12.4. For purposes of this offer, maintenance shall be construed to include a regular and ongoing cleaning and refreshing the appearance of each machine proper and the immediate area around the machines in terms of removing wrappers and related debris each time any unit is replenished and/or serviced for maintenance or repair. Continued maintenance, as described herein, will be a primary consideration of the continuation of this agreement, future contract renewals and subsequent awards.
- 12.5. County reserves the right to require the contractor to replace or remove any machine which may be unacceptable or unsafe and reserves the right to remove any such machine at its discretion in an effort to protect persons and/or County property.
- 12.6. Vending machines must be removed within five business days of notice to Concessionaire for completion, termination or cancellation of contract, nonpayment of commissions to the County, for machine malfunctions not corrected within two days of notification, or at the discretion of County, including any and all units and replacements.
- 12.7. Whenever Concessionaire is required to remove machines, as directed herein, within five days of notice to remove, the Director of Purchasing shall have the option to remove any vending machine and hold it in storage until claimed by Concessionaire. In case of removal by the County, no officers and/or employees shall be liable for damages to said machines or their contents. If County removes the machines, a reasonable storage charge, as determined by County, must be paid by the Concessionaire before Concessionaire can reclaim the machines. Vending machines held in storage by the County must be reclaimed within six months of storage or be declared abandoned property and may be sold at auction as provided by law.
- 12.8. Vendor MUST restock items based on sales inventory report and by auditing expiration date of items.

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13. GROSS RECEIPTS REPORT

- 13.1. Concessionaire shall make and present gross receipts reports each month to the Director of Purchasing on or before the twentieth day of each month covering all appropriate receipts for the full, immediate, prior month. A sworn statement certifying that the amount of gross receipts for the immediately preceding calendar month is true and correct shall accompany each report. A report sample is provided in attachments of this bid document.
- 13.2. The County shall have the right to make periodic audits and inspections of Concessionaire's records of gross receipts at any reasonable time without notice. Such audit may include, and is not limited to, inventory control at all applicable locations, vending food service personnel accounting controls, methods of recording, checking and reporting sales, route and internal control of cash handling, internal audit, accounting and cash collection, commission statements, etc. In addition, County may require supplementary information as needed to perform and conclude an audit. Concessionaire must keep and maintain all such records for a period of two years.
- 13.3. In the event an audit suggests a discrepancy between reported receipts and actual receipts, County will require a written statement of explanation and shall receive such reimbursement of moneys as may be due from accounting or other errors.

14. CONTRACT DIGRESSION

- 14.1. Concessionaire shall not assign or transfer this concession, or any right or privilege granted hereunder, without the prior written consent of the County. If Concessionaire is adjudged bankrupt, or if a receiver is appointed to or for the Concessionaire, or if Concessionaire makes any assignment for the benefit of creditors, the County may, at its option, terminate this agreement upon giving five business days' notice to Concessionaire of County's intent.
- 14.2. Violation of any terms of this agreement can subject Concessionaire to immediate cancellation of this agreement without prior notice of cancellation. The County may, but is not required to, allow Concessionaire to cure the violation.

15. FOOD LIST

- 15.1. The County intends the following type foods to be distributed through equipment placed by the contractor. The food will vary from location to location and from time to time based on the appeal of the population of the building, popularity of items, costs of product, availability of product and the supplier's scheduled rotations. Proposers need not have these exact items in each case, but be able to provide like items.
- 15.2. In an effort to increase employee and general public access to healthy beverages and snack food items, the County of Rockland Department of Health has developed Snack Food & Beverage Standards following the "NYS Smart Snacks in School Standards" for Vending Machines located and operated on County owned property. See 15.3.

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15.3. Standards for Snack Vending Machines - Require food/snacks meet all of the following criteria, per package:

- **Snack items \leq 200 calories per package**
- **Sodium limits \leq 200 mg per package**
- **Fat limits $<$ 35% of calories**
- **Saturated fat $<$ 10% of calories**
- **Trans fat: 0 grams**
- **Sugar limit \leq 35% of weight from total sugars in foods**

16. PLACEMENT LEVELS

- 16.1. Water must be placed in the position with the highest selling potential (generally eye level or most prominent area of machine).
- 16.2. High Calorie beverages must be placed in the highest or lowest position in the machine (least prominent area of machine)
- 16.3. For machines where the buttons are arrayed vertically, highest selling potential means those closest to eye level, usually the top buttons, and lowest selling potential means those furthest from eye level, usually the bottom buttons. Or as determined by industry best practices.
- 16.4. All beverage selections with the exception of water and seltzer are limited to 12 oz. cans or 20 oz. bottles.
- 16.5. All water and seltzer selections must be at least 12 oz.
- 16.6. Portion sizes smaller than 12 oz. are encouraged for High Calorie beverages.
- 16.7. Pricing models that encourage healthy choices (e.g. by establishing lower prices for healthy beverage choices (\leq 25 calories per 8 oz) relative to High Calorie beverages ($>$ 25 calories per 8 oz) are encouraged. **Water relative to other items in the machine must be priced lower.**
- 16.8. All vending machines shall offer brand name products that the customer is familiar with as well as offering new items as they become available.

17. VENDING SALES HISTORY

- 17.1. The gross commission report is attached separately. **(See Exhibit B)**
- 17.2. A sample of sales report is provided for information purpose only.

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18. PRODUCT SALE PRICES

Sales prices for the products sold will be set by the County according to the following schedule:

SNACKS AND DRINKS	Current Price List
Candy, 1.5-2.2 oz.	\$1.50
Pastry, 3.75 oz. (cakes)	\$1.50
Chips, popcorn 1.50 - 2.0 oz.	\$1.50
Pretzels, 1.50 - 2.0 oz.	\$1.00
Cookies 2-2.5 oz.	\$1.50
Nuts, 1.75 oz.	\$1.00
Gum- 5 sticks	\$1.00
candy, rolled	\$1.50
Cereal/granola/breakfast bars	\$1.00
Fruit snacks bag	\$1.00
DRINKS	Current Price List
Soda Bottle, 20oz.	\$2.50
Soda, canned- 12 oz.	\$1.25
Bottled Water	\$1.50
Gatorade	\$2.00-\$2.50
Vitamin Water	\$2.50
Juices, canned 12 Oz.	\$1.50
Juices	\$2.00
Snapple 20 oz.	\$2.50
Iced Tea - 20 oz.	\$2.00
Non carbonated drinks	\$1.50
Energy Drink - ("Red Bull") or like item only to be added if requested by County of Rockland at a certain location	\$3.00

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19. EVALUATION CRITERIA DETAIL (see Questionnaire in attachments)

- 300 Points Commission Rate – vendor commission offered will be evaluated based on commission rates for strong revenue potential. Vendor may add other factors as added value to County of Rockland such as an increased % commission if gross sale reaches a certain sales goal for vendor.
- 100 Points Experience from other government sites – vendor will furnish at least 3 references for vending services provided from a school district and other government organizations. Certificate of experience must be provided as supporting document for this criterion.
- 200 Points Equipment and Technology- Vendor will demonstrate technical capability of operating the equipment being offered. Submit detail of full functionality of the equipment, reporting capabilities, Digital reports samples.
- 200 Points Customer Service - vendor to submit a customer service description detailing maintenance and stock machines, prompt response time for service calls, customer service hotline, keeping contract manager informed with any service disruption. Machine upkeep plan, communication and relationship with contract manager and being receptive to customer feedback.
- 100 Points Delivery and installation plan to be provided as described in the specifications. Submit a plan for each location provided in Exhibit A. provide name and number of staff for initial new machine delivery and installation.
- 100 Points Vendor to submit a detailed description of contract management plan of actions for example routine schedule for machine maintenance, product audit, stock audit, monthly or quarterly reports for gross sales for each machine.