

State of Florida
Department of Transportation
Procurement Office, MS 7-700
11201 North McKinley Drive
Tampa, Florida 33612-6456

INVITATION TO BID REGISTRATION

PLEASE COMPLETE AND RETURN THIS FORM ASAP
FAX TO (813) 975-6473 OR E-MAIL TO LORI.VICARI@DOT.STATE.FL.US

Bid Number: ITB-DOT-17/18-7011LV

Title: WRONG WAY VEHICLE DETECTION, WARNING AND ALARM SYSTEMS

Bid Due Date & Time (On or Before): See "TIMELINE" in INTRODUCTION SECTION

Potential bidders should notify our office by returning this Bid Registration Form as soon as possible after downloading. Complete the information below and fax this sheet only to the Florida Department of Transportation Procurement Office at (813) 975-6473, or e-mail to lori.vicari@dot.state.fl.us.

THE INVITATION TO BID DOCUMENT YOU RECEIVED IS SUBJECT TO CHANGE. Notice of changes (Addenda), will be posted on the Florida Vendor Bid System at www.myflorida.com, under this bid number (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", then click on "Search Advertisements", click on the drop-down arrow beside the box under "Advertisement Type", select "Competitive Solicitation", click on the drop-down arrow beside the box under "Agency", select "DEPARTMENT OF TRANSPORTATION", then go to the bottom of the same page and click on "Advertisement Search"). It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting your bid.

Company Name: _____

Address: _____

City, State, Zip: _____

Telephone: (____) _____ Fax Number: (____) _____

Contact Person: _____

Internet E-Mail Address: _____

For further information on this process, you may e-mail or telephone: Lori Vicari, Contract Administrator, (813) 975-6199 or (800) 226-7220 x6199, lori.vicari@dot.state.fl.us.

**State of Florida
Department of Transportation**



INVITATION TO BID
**WRONG WAY VEHICLE DETECTION, WARNING AND
ALARM SYSTEMS**

ITB-DOT-17/18-7011LV

CONTACT FOR QUESTIONS:

Lori Vicari, Contract Administrator
Procurement Office, MS 7-700
lori.vicari@dot.state.fl.us
FAX: (813) 975-6473
Phone: (813) 975-6199 or (800) 226-7220 x6199
Florida Department of Transportation
11201 North McKinley Drive
Tampa, Florida 33612-6456

INTRODUCTION SECTION

1) INVITATION

The purpose of this Invitation to Bid (ITB) is to obtain competitive bids to establish a three year contract for the purchase of Wrong Way Vehicle Detection, Warning and Alarm Systems by the Department of Transportation, hereafter referred to as the "Department". The contract will become effective upon contract execution and will be in effect for three years. After the award, said bidder(s) will be referred to as the "Vendor(s)".

The Department intends to award up to five contracts to the lowest priced responsive and responsible Vendors who are determined to be the most advantageous to the Department.

All commodities identified in this ITB will be subject to the availability of identical commodities as provided by mandatory Department of Management Services' State Contract(s) at such time these commodities become available. In the event of duplication(s) of commodities, the Department of Management Services' mandatory State Contract shall prevail.

2) TIMELINE

Provided below is a list of critical dates and actions. These dates are subject to change. Notices of changes (Addenda) will be posted on the Florida Vendor Bid System at www.myflorida.com (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", click on "Search Advertisements") under this bid number. It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting your bid.

ACTION / LOCATION	DATE	LOCAL TIME
DEADLINE FOR TECHNICAL QUESTIONS - (There is no deadline for administrative questions)	10-11-2017	11:00 AM
BIDS DUE (ON OR BEFORE) - Florida Department of Transportation Attn: Lori Vicari, Contract Administrator Procurement Office, MS 7-700 11201 North McKinley Drive Tampa, Florida 33612-6456	10-20-2017	10:00 AM
PUBLIC OPENING - Florida Department of Transportation Manatee Conference Room 11201 North McKinley Drive Tampa, Florida 33612-6456	10-23-2017	8:30 AM
POSTING OF INTENDED DECISION/AWARD -	10-24-2017	3:00 PM

3) BID OPENING AGENDA

The sealed bids will be opened by the Department's Procurement Office personnel at the date, time and location in the Timeline. All bid openings are open to the public and will be conducted according to the following agenda:

Opening remarks – Approximate time of two minutes by Department Procurement Office personnel.

Public input period – To allow a maximum of 15 minutes total for public input related to the bid solicitation.
Bids opened – At conclusion of public input or 15 minutes, whichever occurs first, bids received timely will be opened with bidder's name and prices to be read aloud.
Adjourn - After all bids received timely have been opened, the meeting will be adjourned.

4) SPECIAL ACCOMMODATIONS

Any person with a qualified disability requiring special accommodations at a pre-bid conference, public meeting, and/or opening shall contact the contact person at the phone number, e-mail address or fax number provided on the title page at least five working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services which can be reached at 1 (800) 955-8771 (TDD).

5) CONTRACT USE

Use of the contract resulting from this bid will be optional for the Department. The Department reserves the right to solicit separate bids for any unusual or abnormal quantity requirements that may arise during the term of the contract.

6) ESTIMATED PURCHASES

It is anticipated that the Department will purchase approximately \$150,000.00 under any contract resulting from this bid. This estimated amount is given only as a guideline for preparing your bid and should not be construed as representing an actual amount to be purchased under this contract. The Vendor(s) shall supply, at bid prices, the actual amounts ordered regardless of whether the total of such amounts is more or less than anticipated. This bid and the resulting contract will be subject to annual appropriated funding.

7) RENEWAL

Upon mutual agreement, the Department and the Contract Vendor may renew the contract for a period that may not exceed three years or the term of the original contract, whichever is longer. The renewal must be in writing and signed by both parties, and is subject to the same terms and conditions set forth in the initial contract and any written amendments signed by the parties. Any renewal shall specify the renewal price, as set forth in the solicitation response except that an agency may negotiate lower pricing. Renewal is contingent upon satisfactory performance evaluations and subject to the availability of funds.

SPECIAL CONDITIONS

1) MYFLORIDAMARKETPLACE (MFMP)

BIDDERS MUST BE ACTIVELY REGISTERED IN THE STATE OF FLORIDA'S MYFLORIDAMARKETPLACE SYSTEM BY THE TIME AND DATE OF THE BID OPENING OR THEY MAY BE CONSIDERED NON-RESPONSIVE (see Special Condition 21). All prospective bidders that are not registered, should go to <https://vendor.myfloridamarketplace.com/> to complete on-line registration, or call 1-866-352-3776 for assisted registration.

All payment(s) to the vendor resulting from this competitive solicitation **WILL** be subject to the 1% MFMP Transaction Fee in accordance with the referenced Form PUR 1000 General Contract Condition #14. However, all vendors should be aware, that effective July 1, 2017 through June 30, 2018, in accordance with House Bill 5003 Sec.73, the Transaction Fee will be seven-tenths of one percent (.70%) of the payment issued. The Transaction Fees imposed shall be based upon the date of issuance of the payment.

2) FLORIDA DEPARTMENT OF FINANCIAL SERVICES (DFS) W-9 REQUIREMENT

The Florida Department of Financial Services (DFS) requires all vendors that do business with the state to submit an electronic Substitute Form W-9. Vendors must submit their W-9 forms electronically at <https://flvendor.myfloridacfo.com> to receive payments from the state. Contact the DFS Customer Service Desk at (850) 413-5519 or FLW9@myfloridacfo.com with any questions.

3) QUESTIONS & ANSWERS

In accordance with section 287.057(23), Florida Statutes (F.S.), respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

Any technical questions arising from this ITB must be forwarded, in writing, to the procurement agent identified below. Questions must be received no later than the time and date reflected on the Timeline. The Department's written response to written inquiries submitted timely by bidders will be posted on the Florida Vendor Bid System at www.myflorida.com (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", click on "Search Advertisements"), under this bid number. It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting their bid.

WRITTEN TECHNICAL QUESTIONS should be submitted to:

Florida Department of Transportation
Attn: Lori Vicari, Contract Administrator
Procurement Office, MS 7-700
11201 North McKinley Drive
Tampa, Florida 33612-6456
lori.vicari@dot.state.fl.us

Questions regarding administrative aspects of the bid process should be directed to the Contract Administrator in writing at the address above or by phone: (813) 975-6199 or (800) 226-7220 x6199.

4) ORAL INSTRUCTIONS / CHANGES TO THE ITB (ADDENDA)

No negotiations, decisions, or actions will be initiated or executed by a bidder as a result of any oral discussions with a State employee. Only those communications which are in writing from the Department will be considered as a duly authorized expression on behalf of the Department.

Notices of changes (Addenda) will be posted on the Florida Vendor Bid System at www.myflorida.com (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", click on "Search Advertisements") under this bid number. It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting your bid. All Addenda will be acknowledged by signature and subsequent submission of Addenda with bid when so stated in the Addenda.

5) DIVERSITY ACHIEVEMENT

The Department, in accordance with ***Title VI of the Civil Rights Act of 1964, 42 USC 2000d- 2000d-4, Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21***, Nondiscrimination in federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that the Department will affirmatively ensure that in any contract/agreement entered into pursuant to this advertisement, minority and disadvantaged business enterprises will be afforded the full opportunity to submit bids in response to this invitation and will not be

discriminated on the basis of race, color, national origin, or sex in consideration for an award.

The Department encourages the recruitment and utilization of small, minority, women, and service-disabled veteran businesses. The Department, its vendors, suppliers, and consultants should take all necessary and reasonable steps to ensure that small, minority, women, and service-disabled veteran businesses have the opportunity to compete for and perform contract work for the Department in a nondiscriminatory environment.

6) PRICES/DELIVERY

Prices shall be firm, net, delivered prices, F.O.B. destination.

Delivery must be made within 30 calendar days or less upon receipt of a purchase order by the contract vendor at their designated ordering location. If more time is needed, the bidder should state the extra time required and the reasons why, in their bid response. Acceptance will be subject to the Department's approval.

7) IN-STATE PREFERENCE FOR COMMODITY BIDS

In accordance with Section 287.084, F.S., when the lowest responsible and responsive bid is submitted by a vendor whose principal place of business is located outside the state of Florida, a 5% price preference shall be awarded to the lowest responsible and responsive vendor whose principal place of business is located in the state of Florida unless the state where the out-of-state vendor is located provides a price preference for businesses having a principal place of business in that state. In that case, the same price preference shall be awarded to the lowest responsible and responsive vendor whose principal place of business is located in the state of Florida responding to this ITB.

All bidders should complete the attached "In-State Preference Form" and submit with their bid response. A vendor whose principal place of business is located outside the state of Florida, must accompany their bid response documents with a written opinion of an attorney licensed to practice law in that foreign state, as to the preferences granted by that state to its own business entities in the letting of public contracts.

For the 5% preference, the Department will apply 5% to the bid price(s) of the lowest out of state vendor whose state does not grant a preference if that vendor has submitted the lowest responsible and responsive bid. The "In-State Preference" does not apply to transportation projects that use federal funds.

8) INTENDED AWARD

As the best interest of the State may require, the right is reserved to make award(s) by individual item, group of items, all or none, or a combination thereof: on a geographical district basis and / or on a statewide basis with one or more suppliers, to reject any and all bids or waive any minor irregularity or technicality in bids received. When it is determined there is competition to the lowest responsible bidder, evaluation of other bids is not required. Bidders are cautioned to make no assumptions, unless their bid has been evaluated as being responsive. All awards made as a result of this bid shall conform to applicable Florida Statute. If the Department is confronted with identical pricing or scoring from multiple vendors, the Department shall determine the order of award in accordance with section 295.187(4), F.S., and Rule 60A-1.011 Florida Administrative Code (F.A.C.).

9) PRE-BID CONFERENCE: A PRE-BID CONFERENCE WILL NOT BE HELD.

10) ALTERNATES

Alternate brands will be considered for this bid. The "Department" reserves the right to require each bidder to demonstrate to the satisfaction of the "Department" that the items/materials will perform in a completely acceptable manner. In the event the "Department" judges that the demonstrated performance is unsatisfactory, the "Department" may reject the bid. The bidder must be prepared to demonstrate the materials within 14 days after the bid opening date. Demonstration time and place is subject to agreement of

the "Department" and the bidder.

Bidders submitting a bid that is based on an alternate brand of equipment must submit, with their bid, complete specifications and descriptive technical literature for the equipment proposed.

11) WARRANTY/SUBSTITUTIONS

A warranty is required on all items purchased against defective materials, workmanship, and failure to perform in accordance with required industry performance criteria, for a period of not less than 90 days from the date of acceptance by the purchaser. Any deviation from this criteria must be documented in the bid response or the above statement shall prevail. Delivery of substitute commodities requires prior written approval from the ordering location.

12) REPLACEMENT/RESTOCKING

Replacement of all materials found defective within the warranty period shall be made without cost to the purchaser, including transportation if applicable. All fees associated with restocking cancelled orders shall be the responsibility of the vendor.

13) PRODUCT REQUIREMENTS/SPECIFICATIONS

Items furnished shall be standard products of the manufacturer or their suppliers, shall be new, unused, clean, and free from any defects or features affecting appearance, serviceability, or the safety of the user in normal intended use.

Any deviation from specifications indicated herein must be clearly pointed out; otherwise, it will be considered that items offered are in strict compliance with these specifications, and successful bidder will be held responsible therefore. Deviations must be explained in detail on separate attached sheet(s).

14) ACCEPTANCE

All items listed in the specifications, delivered to the Department not meeting specifications or found to be poorly manufactured will not be accepted, but returned to the vendor, at their expense, for replacement. Replacement of all items found defective shall be made without cost to the Department, including transportation, if applicable. As it may be impossible for each facility to inspect all items upon arrival, a reasonable opportunity must be given to these facilities for inspection of the items, and returning those that are defective.

15) REVIEW OF BIDDER'S FACILITIES & QUALIFICATIONS

After the bid due date and prior to contract execution, the Department reserves the right to perform or to have performed, an on-site review of the bidder's facilities and qualifications. This review will serve to verify data and representations submitted by the bidder and may be used to determine whether the bidder has adequate facilities, equipment, qualified and experienced staff, and overall management capabilities to provide the required items. The review may also serve to verify whether the bidder has financial capabilities adequate to meet the contract requirements.

Should the Department determine that the bid package has material misrepresentations or that the size or nature of the bidder's facilities, equipment, management capabilities, or the number of experienced personnel (including technical staff) are not adequate to ensure satisfactory contract performance, the Department has the right to reject the bid.

16) PROTEST OF ITB SPECIFICATIONS

Any person who is adversely affected by the contents of this ITB must file the following with the Department of

Transportation, Clerk of Agency Proceedings, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0450:

1. A written notice of protest within 72 hours after the posting of the solicitation (the notice of protest may be faxed to 850-414-5264), and
2. A formal written protest in compliance with Section 120.57(3), F.S., within 10 days of the date on which the written notice of protest is filed.

Failure to file a protest within the time prescribed in section 120.57(3), F.S., or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, F.S.

17) UNAUTHORIZED ALIENS

The employment of unauthorized aliens by any contractor is considered a violation of Section 274A (e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of the contract.

18) SCRUTINIZED COMPANIES LISTS

Responses of \$1,000,000 or more must include a completed [Vendor Certification Regarding Scrutinized Companies Lists](#) to certify the respondent is not on either of those lists. The Form should be submitted with the Price Proposal.

Section 287.135, F.S., requires that at the time a vendor submits a bid or proposal for a contract for goods or services of \$1,000,000 or greater, the vendor must certify that the company is not on Scrutinized Companies with Activities in the Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List.

For Contracts \$1,000,000 and greater, if the Department determines the Vendor submitted a false certification under Section 287.135(5) of the F.S., or if the Vendor has been placed on the Scrutinized Companies with Activities in the Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List, the Department shall either terminate the Contract after it has given the Vendor notice and an opportunity to demonstrate the Department's determination of false certification was in error pursuant to Section 287.135(5)(a) of the F.S., or maintain the Contract if the conditions of Section 287.135(4) of the F.S. are met.

19) RESERVATIONS

The Department reserves the right to accept or reject any or all bids received and reserves the right to make an award without further discussion of the bids submitted. Therefore, the bidder should make sure that the bid package submitted is complete and accurate and submitted to ensure delivery on or before the bid opening time and date specified in this solicitation. It is understood that the bid will become a part of the Department's official file, without obligation to the Department.

20) ADDITIONAL TERMS & CONDITIONS

No conditions may be applied to any aspect of the ITB by the bidder. Any conditions placed on any aspect of the bid documents by the bidder may result in the bid being rejected as a conditional bid (see "RESPONSIVENESS OF BIDS"). **DO NOT WRITE IN CHANGES ON ANY ITB SHEET.** The only recognized changes to the ITB prior to bid opening will be a written Addenda issued by the Department.

21) RESPONSIVENESS OF BIDS

Bids will not be considered if not received by the Department **on or before** the date and time specified as the due date for submission. All bids must be typed or printed in ink. A responsive bid is an offer to provide the items specified in this ITB in accordance with all requirements of this ITB. Bids found to be non-responsive will not be considered. Bids may be rejected if found to be irregular or not in conformance with the specifications and instructions herein contained. A bid may be found to be irregular or non-responsive by reasons that include, but are not limited to, failure to utilize or complete prescribed forms, modifying the bid specifications, submitting conditional bids or incomplete bids, submitting indefinite or ambiguous bids, or executing forms or the bid sheet with improper and/or undated signatures. Other conditions which may cause rejection of bids include, evidence of collusion among bidders, obvious lack of experience or expertise to provide the required items, and failure to perform or meet financial obligations on previous contracts.

22) REQUIRED DOCUMENTS

The bidder must use the attached Bid Sheet to submit its bid. The Bid Sheet must be signed and dated in ink by a representative who is authorized to contractually bind the bidder. All bid sheets and other documentation submitted in response to this solicitation must be executed and submitted in a sealed envelope. **Indicate the bid number, Vendor name, with the time and date of the bid opening, on the envelope used to return the bid.**

23) "DRUG-FREE WORK PLACE" PREFERENCE

Whenever two or more bids which are equal with respect to price, quality, and service are received, the Department shall determine the order of award in accordance with section 295.187(4), F.S., and Rule 60A-1.011 F.A.C., which includes a preference for bid responses that certify the business has implemented a drug-free workplace program in accordance with Section 287.087, F.S. The "Drug-Free Workplace Program Certification" must be completed and submitted with the bid response to be eligible for this preference.

24) COPYRIGHTED MATERIAL

Copyrighted material will be accepted as part of a bid only if accompanied by a waiver that will allow the Department to make paper and electronic copies necessary for the use of Department staff and agents. It is noted that copyrighted material is not exempt from the Public Records Law, Chapter 119, F.S. Therefore, such material will be subject to viewing by the public, but copies of the material will not be provided to the public.

25) ATTACHMENT TO ITB SUBMITTAL - CONFIDENTIAL MATERIAL

The Bidder must include any materials it asserts to be exempted from public disclosure under Chapter 119, F.S., in a separate bound document labeled "Attachment to ITB, Number ITB-DOT- 17/18-7011LV - Confidential Material". The Bidder must identify the specific Statute that authorizes exemption from the Public Records Law. Any claim of confidentiality on materials the Bidder asserts to be exempt from public disclosure and placed elsewhere in the bid will be considered waived by the Bidder upon submission, effective after opening.

26) MAIL OR DELIVER BIDS TO: (DO NOT FAX OR SEND BY E-MAIL)

**Florida Department of Transportation
Attn: Lori Vicari, Contract Administrator
Procurement Office, MS 7-700
11201 North McKinley Drive
Tampa, Florida 33612-6456**

It is the bidder's responsibility to assure that the bid is delivered to the proper place **on or before** the Bid Due date and time (See Introduction Section 2 Timeline). Bids which for any reason are not so delivered will not be considered.

27) MODIFICATIONS, RESUBMITTAL AND WITHDRAWAL

Bidders may modify submitted bids at any time prior to the bid due date. Requests for modification of a submitted bid shall be in writing and must be signed by an authorized signatory of the bidder. Upon receipt and acceptance of such a request, the entire bid will be returned to the bidder and not considered unless resubmitted by the due date and time. Bidders may also send a change in a sealed envelope to be opened at the same time as the bid. The ITB number, opening date and time should appear on the envelope of the modified bid.

28) POSTING OF INTENDED DECISION/AWARD

28.1 - General:

The Department's decision will be posted on the Florida Vendor Bid System at www.myflorida.com, (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", on date and time in the Timeline, and will remain posted for a period of 72 hours. Any bidder who is adversely affected by the Department's recommended award or intended decision must file the following with the Department of Transportation, Clerk of Agency Proceedings, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0450:

1. A written notice of protest within 72 hours after posting of the Intended Award (the notice of protest may be faxed to 850-414-5264), and
2. A formal written protest and protest bond in compliance with Section 120.57(3), F.S., within 10 days of the date on which the written notice of protest is filed. At the time of filing the formal written protest, a bond (a cashier's check or money order may be accepted) payable to the Department must also be submitted in an amount equal to one percent of the estimated contract amount based on the contract price submitted by the protestor.

Failure to file a protest within the time prescribed in Section 120.57(3), F.S., or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, F.S.

28.2 - Inability to Post:

If the Department is unable to post as defined above, the Department will notify all bidders by electronic notification on the Florida Vendor Bid System (see special condition 28.1, above) or by mail, fax, and/or telephone. The Department will provide notification of any future posting in a timely manner.

28.3 - Request to Withdraw Bid:

Requests for withdrawal will be considered if received by the Department, in writing, within 72 hours after the bid opening time and date. Requests received in accordance with this provision will be granted by the Department upon proof of the impossibility to perform based upon obvious error on the part of the bidder. Bidders that do not withdraw as stated above will forfeit their bid bond, if applicable.

29) AWARD OF THE CONTRACT

The Department will issue a Purchase Order.

30) RECYCLED MATERIAL

The Department encourages the use of products and materials with recycled content and post-consumer recovered materials. If the item(s) specified herein is available with recycled content, we request that you

provide product information to help in our search for recycled products. However, this bid request is for the product as specified herein and does not require prices for recycled product unless specified.
This information should be sent separately and not as a part of your bid response.

31) ATTACHED FORMS

The Bidder must complete all required items below and submit them as part of the Bid package. Any Bid in which these forms are not used or in which these forms are improperly executed may be considered non-responsive and the bid may be subject to rejection.

Bid Sheet
Drug-Free Workplace Program Certification
In-State Preference
Scrutinized Companies Lists (bids of \$1 million or more)
Ordering Instructions

32) TERMS AND CONDITIONS

32.1 General Contract Conditions (PUR 1000)

The State of Florida's General Contract Conditions are outlined in form PUR 1000, which is a downloadable document incorporated into this ITB by reference. Any terms and conditions set forth in this ITB document will take precedence over the PUR 1000 form where applicable.
<http://www.dms.myflorida.com/content/download/2933/11777/1000.pdf>

The following paragraphs do not apply to this Invitation to Bid:
Paragraph 31, Dispute Resolution - PUR 1000
Paragraph 40, PRIDE – PUR 1000, when federal funds are utilized.

32.2 General Instructions to Respondents (PUR 1001)

The State of Florida's General Instructions to Respondents are outlined in form PUR 1001, which is a downloadable document incorporated into this ITB by reference. Any terms and conditions set forth in this ITB document take precedence over the PUR 1001 form where applicable.
<http://www.dms.myflorida.com/content/download/2934/11780/1001.pdf>

The following paragraphs do not apply to this Invitation to Bid:
Paragraph 3, Electronic Submission – PUR 1001
Paragraph 4, Terms and Conditions – PUR 1001
Paragraph 5, Questions – PUR 1001

32.3 MFMP Purchase Order Terms and Conditions

All MFMP Purchase Order contracts resulting from this solicitation will include the terms and conditions of this solicitation and the State of Florida's standardized Purchase Order Terms and Conditions, which can be found at the Department of Management Services website at the following link:
http://www.dms.myflorida.com/content/download/117735/646919/Purchase_Order_Terms_Sept_1,_2015_.pdf
Section 8(B), PRIDE, is not applicable when using federal funds.

33) ORDER OF PRECEDENCE

All responses are subject to the terms and conditions of this solicitation, which, in case of conflict, shall have the following order of precedence listed:

Special Conditions

Bid Specification
Bid Sheet
Terms for Federal Aid Contracts (Appendix I)
MFMP Purchase Order Terms and Conditions
General Instructions to Respondents (PUR 1001)
General Contract Conditions (PUR 1000)
Introduction Section

34) PRICE ADJUSTMENTS

Price(s) shall remain firm for the life of the contract. Price adjustments will not be allowed.

35) ORDERING INSTRUCTIONS

Manufacturers are encouraged to bid direct naming dealers who will accept orders and complete deliveries. Bidders must include complete ordering instructions, including FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEID), for invoicing dealers, with the bid on a separate sheet.

36) ORDER QUANTITIES

No minimum order quantities will be accepted. The Department will order as needed in the quantities needed.

37) INVOICING

Invoices must match units specified on the Purchase Order.

BID SPECIFICATIONS

WRONG WAY VEHICLE DETECTION, WARNING AND ALARM SYSTEMS

FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT SEVEN

Contracts resulting from this bid will provide required equipment which shall be installed by a Florida Department of Transportation (FDOT) contractor under the guidance and supervision of the awarded vendor(s) or their representative.

1 Description:

Furnish and provide onsite installation support for a wrong way vehicle detection, warning, and alarm systems.

2 Materials:

2.1 General Requirements: The wrong way vehicle detection, warning, and alarm systems must detect vehicles traveling in the wrong direction, provide a warning to the wrong way motorist, and transmit an immediate alarm to a remote monitoring location such as a traffic management center or law enforcement dispatch center. The alarm must include data that can be used to confirm detected wrong way events (e.g., images or video clips of the event).

The system must include Manual of Uniform Traffic Control Devices (MUTCD)-compliant wrong way signs with flashing beacons that activate when vehicles approach them in the wrong direction. Vehicles travelling in the correct direction must not activate the system. Flashing beacons on all signs within the system must be synchronized wirelessly and operate in unison. The activation, flash rates and patterns of all beacons within the system must be synchronized. Wireless links used to activate beacons must have an operating range of at least 800 feet.

2.1.1 Security: The system must include features that prevent unauthorized physical access to electronic equipment and unauthorized access to system configuration settings, system operation, and network-accessible resources.

2.1.2 Configuration and Management: Ensure that the system is provided with computer software that allows a user to program, operate, exercise, and diagnose the system using a laptop computer. The system must support local configuration and management, which must include access to all user-programmable features, including but not limited to: addressing, port configuration, detector configuration, device monitoring, diagnostic utilities, and security functions. Ensure that the system supports configuration and management via serial login and web browser interface. Software must operate on the Department's current approved Microsoft Windows® Operating System.

The system must allow a user to save configurations settings, including detector settings, to a file and reload configuration settings to the system from a saved file. Programmed parameters for the system must be stored in non-volatile memory.

2.1.3 Logging: The system installed in the field must be able to store a log of wrong way events detected. This log must be able to record a minimum of 90 event records. Each event record must include a timestamp, the location of the event, and images of the detected wrong way vehicle (e.g., multiple snapshots or a video clip).

2.1.4 Vehicle Detection and Alarms: The system must be able to detect vehicles and operate reliably in all types of weather conditions, including: rain, fog, and wind-blown dust. The system must continue to operate normally when visibility drops as low as 330 feet.

The system must detect vehicles that approach from the wrong way and activate the flashing beacons. The beacons must remain active as long as the vehicle continues to approach the wrong way signs. The system must detect vehicles that continue driving in the wrong direction past the wrong way signs. The system must capture and store images of wrong way vehicles. The system must activate a local alarm contact closure output when a wrong way vehicle continues past the sign. A minimum of two detection devices (i.e. primary / confirmation) must be triggered for an alarm to be generated in order to reduce false alarms.

The system must detect and transmit an alarm for at least 95% of all wrong way events where a vehicle approaches from the wrong way and continues past the signs. The system shall not produce false alarms, of any kind, more than once per week.

2.2 Signs: Provide the system with 42" x 30" R5-1A single column ground signs in accordance with Section 700 of the FDOT Standard Specifications.

2.3 Beacons: The system must include at least two separate wrong way signs (See attached Bid Sheet) with one of the following vehicle-activated beacon configurations as specified by the FDOT Contract Manager.

2.3.1 Red Light emitting diode (LED) Rapid Rectangular Flashing Beacon (RRFB) Beacons: Each sign must have two RRFBs with red LEDs. One RRFB must be placed above the sign and the other RRFB must be placed below the sign.

2.3.2 Orange LED RRFB Beacons: Each sign must have two RRFBs with orange LEDs. One RRFB must be placed above the sign and the other RRFB must be placed below the sign.

2.3.3 Red LED 12" Beacons: Each sign must have two 12" flashing beacons with red LEDs. One beacon must be placed above the sign and the other beacon must be placed below the sign.

2.4 Detection: The vendor must provide a system capable of both primary and confirmation detection. Based on field conditions, the system must be capable of using either in-pavement inductive loops or radar (separate pay items will be provided for each primary detection method) as a primary detection method. Each system will be required to have two primary detection devices (deployed in a fashion to capture the initial approach of a wrong way vehicle and the confirmation of the vehicles continuation past the site) and one secondary detection method.

2.4.1 Primary Radar Detection: The radar units must transmit / receive and process all electromagnetic waves from a National Electrical Manufacturers Association (NEMA) 3R sensor housing. The radar units (both front and rear) are to be fully configurable from an onboard communications port for all settings. The system shall be able to have a configurable detection zone capable of detecting wrong way event at a minimum of 200'. The system must log all beacon activations and each combination of beacon and alarm relay activations with timestamps up to a period of 90 days assuming a single event trigger per day.

2.4.2 Primary in Pavement Inductive-Loop Detection: The in-pavement inductive loop detection units must operate at a frequency between 10 kHz to 200 kHz. The vendor shall be responsible for providing all components of the system including but not limited to loops, lead in wires, pull boxes, detection cards and card racks. Each primary detection location will be required to have at a minimum two loops per lane. The vendor must provide the Department with drawings specific to each location on the loop placement / spacing, depth or any other pertinent information on the loops installation. The loop detection card / controller shall be fully configurable / tunable from an onboard communications port for all settings. The system must log all beacon activations and each combination of beacon and alarm relay activations with timestamps up to a period of 90 days assuming a single event trigger per day.

All material necessary to provide a fully functional loop detection system shall be provided. The Department shall assume responsibility for the actual installation of the loop with vendors' onsite oversight,

2.4.3 Camera: The camera must be capable of, recording images and video, transmitting stored images and video, and video analytics to detect wrong way movements. At a minimum, the camera detection shall have the following: progressive scan (Red, Green, Blue (RGB), Complementary Metal Oxide Silicon (CMOS), fixed iris, manual variable focus lens 15 -50 mm, light sensitivity E shall equal 1.0 -1000 lux, with 256 MB RAM, 16 GB of onboard flash memory and power range from 8-28V DC max at 4.7 watts. The camera shall be installed in an IP66 National Electric Manufacturers Association (NEMA) 4X enclosure.

2.5 Control Electronics: The system control electronics must include serial or Ethernet communication ports that allow an authorized local user to interface with all programmable components of the system using a laptop computer.

2.5.1 Serial Interface: Ensure that serial data interfaces utilize TIA-232 communication. Ensure that the serial ports support data rates up to 230 kbps; error detection procedures utilizing parity bits (i.e., none, even, and odd); and stop bits (1 or 2). Serial interface ports may utilize RJ-45 connectors, D-sub connectors, or screw terminals.

2.5.2 Digital inputs and outputs: Ensure the system includes at least one local contact closure output. Ensure that the normal state of digital inputs and outputs is configurable (i.e., normally open, normally closed).

2.6 Cabinets and Small Equipment Enclosures: All Cabinets and small equipment enclosures must be currently listed on the Approved Product List (APL) or meet the applicable criteria of Section 676 of the FDOT Standard Specifications.

2.7 Mechanical: Equipment must be permanently marked with manufacturer name or trademark, part number, date of manufacture, and serial number. Do not use self-tapping screws on the exterior of the assembly.

Ensure that all parts are made of corrosion-resistant materials, such as plastic, stainless steel, anodized aluminum, brass, or gold-plated metal. Ensure that all assembly hardware, including nuts, bolts, external screws and locking washers less than 5/8 inch in diameter, are Type 304 or 316 passivated stainless steel. Stainless steel bolts, screws and studs must meet American Society for Testing and Materials (ASTM) F593. Nuts must meet ASTM F594. All assembly hardware greater than or equal to 5/8 inch in diameter must be galvanized. Bolts, studs, and threaded rods must meet ASTM A307. Structural bolts must meet ASTM A325.

2.8 Electrical: The system must operate on solar power and on a nominal voltage of 120 volts alternating current (VAC). Supply an appropriate voltage converter for devices that require operating voltages of less than 120 VAC. All power inputs must be fuse and reverse polarity protected. The wrong way vehicle detection, warning, and alarm systems must be able to recover from power loss and return to an operational state without user intervention.

2.8.1 Solar Power: Solar powered systems must be capable of full operation 24 hours per day, 365 days per year. The system solar budget shall contain enough capacity and battery backup for the Department to install a wireless radio (budget an additional 1.75W [0.13A @ 12VDC]). Batteries must be suitable for the application and operating environment. Flooded lead-acid batteries are prohibited.

Batteries must be capable of providing three days of continuous operation without sunlight. Charging system must use a solar charge controller with temperature compensation. The system must provide for automatic battery charging, overcharge protection, and have indications that display current status and faults.

2.9 Environmental: Ensure equipment performs all required functions during and after being subjected to the environmental testing procedures described in the NEMA TS2, Sections 2.2.7, 2.2.8, and 2.2.9.

The system must comply with all applicable Federal Communications Commission (FCC) requirements.

3 Installation:

Provide all material needed to install system in accordance with Section 700 of the FDOT Standard Specifications. Include foundations, break away bases, aluminum poles, solar panels, signs, beacons, detectors, cameras, mounting hardware, sign to sign wireless communications, surge protection, and all other associated equipment required to create a fully functional wrong way vehicle detection, warning, and alarm systems. Provide onsite installation support to ensure equipment is mounted on the poles in a manner that does not distract from or obscure signs, and does not negatively impact the operation of the system.

At a minimum provide two wrong way signs with beacons (one flashing beacon sign on each side of the road) for installation, unless otherwise shown in the plans.

The Vendor must review and approve proposed installation locations and confirm proper system functionality prior to shipment from the factory. A Vendor's representative will be required to perform a field review to ensure ideal operation conditions are present prior to installation.

The Vendor must supervise the installation (physical installation will be completed by current ITS maintenance contractor), configuration, and field testing of the equipment.

3.1 Field Testing: The Vendor shall be responsible for the configuration of the units and testing that demonstrates proper function, including the required detection accuracy. The Vendor must submit a test plan for approval 30 days prior to the start of testing. At the Department's discretion, testing may include a mock setup of the installation site at an alternate location to demonstrate functionality prior to deployment. The Vendor must coordinate testing with the Department.

3.2 Training: Provide a minimum of two days of training and certification for up to 20 Department personnel (including approved maintenance contractors) at a location to be determined and provided by the Department. Training must cover the installation, configuration, calibration, operation, and maintenance of the system. Instructors must be certified by the system vendor/manufacturer. Formal factory authorized training is required for installers, contractors, and system operators.

4 Warranty:

Ensure that the wrong way vehicle detection, warning, and alarm systems has a warranty covering defects for a minimum of five years from the date of final acceptance by the Department. The warranty shall include the provision of replacement units, within 10 calendar days of notification, for defective parts and equipment during the warranty period at no cost to the Department or the maintaining agency. All shipping charges shall be covered by the vendor for such replacements and any return material authorizations.

The Vendor must provide technical support, including software and firmware updates, for the system during the warranty period at no cost to the Department or the maintaining agency.

BID #: ITB-DOT-17/18-7011LV

BID TITLE: Wrong Way Vehicle Detection, Warning and Alarm Systems

BID AS SPECIFIED OR APPROVED EQUIVALENT

Inclusive of all materials and man-hours required to complete one ramp on both sides of the roadway. Items listed below shall be specified as to brand/model by the vendor. Vendor is requested to also include a spare parts catalog with pricing for the purchase of parts bid as needed by the Department. This pricing will be included as part of the Vendor's contract.

	EQUIPMENT IN SPECIFICATIONS	BRAND NAME/MODEL VENDOR IS BIDDING	ESTIMATED AMOUNT (A)	UNIT COST (B)	TOTAL (A x B)
1 a	Radar Detection Based WWD system w/ Rapid Flashing Beacons (Red or Amber), solar power		2	\$	\$
1 b	Radar Detection Based WWD system w/ Rapid Flashing Beacons (Red or Amber), AC power		2	\$	\$
2 a	Radar Detection Based WWD system w/ 12" Flashing Beacons (Red or Amber), solar power		2	\$	\$
2 b	Radar Detection Based WWD system w/ 12" Flashing Beacons (Red or Amber), AC power		2	\$	\$
3 a	In Pavement Loop Detection Based WWD system w/ Rapid Flashing Beacons (Red or Amber), solar power		2	\$	\$
3 b	In Pavement Loop Detection Based WWD system w/ Rapid Flashing Beacons (Red or Amber), AC power		2	\$	\$
4 a	In Pavement Loop Detection Based WWD system w/ 12" Flashing Beacons (Red or Amber), solar power		2	\$	\$

4 b	In Pavement Loop Detection Based WWD system w/ 12" Flashing Beacons (Red or Amber), AC power		2	\$	\$
5	Foundation		4	\$	\$
6	Break-away base		6	\$	\$
7	Wind collar		6	\$	\$
8	Vertical Pole		6	\$	\$
9	Signage (including mounting hardware and Z bars)		6	\$	\$
10	Cabinets		3	\$	\$
11	Controllers		2	\$	\$
12	Loggers		2	\$	\$
13	Batteries		6	\$	\$
14	Solar panel		6	\$	\$
15	Solar chargers		4	\$	\$
16	Radar detection unit		2	\$	\$
17	Loop detection unit		2	\$	\$
18	Camera		3	\$	\$
19	Wireless communications (including radios and antennas)		2	\$	\$
20	RRFP(rapid rectangular flashing beacon) light bars (red and amber)		2	\$	\$
21	Beacon assemblies (red and amber)		6	\$	\$
22	On-site re-calibration / certification fee		2	\$	\$
TOTAL					\$

Vendor guarantees that the power sources being provided will power the equipment for up to _____ hours without sunlight. The Department has the right to request power calculations.

The estimated quantities are for determining the low bid and have no bearing on the actual quantities that may be utilized under this contract

NOTE: Cut sheets shall be submitted with bid for all equipment.

DELIVERY: Delivery will be made within _____ days after receipt of Purchase Order.

MFMP TRANSACTION FEE:

All payment(s) to the vendor resulting from this competitive solicitation **WILL** be subject to the MFMP Transaction Fee in accordance with the referenced Form PUR 1000 General Contract Condition #14. However, all vendors should be aware, that effective July 1, 2017 through June 30, 2018, in accordance with House Bill 5003 Sec.73, the Transaction Fee will be seven-tenths of one percent (.70%) of the payment issued. The Transaction Fees imposed shall be based upon the date of issuance of the payment.

NOTE: In submitting a response, the bidder acknowledges they have read and agree to the solicitation terms and conditions and their submission is made in conformance with those terms and conditions.

ACKNOWLEDGEMENT: I certify that I have read and agree to abide by all terms and conditions of this solicitation and that I am authorized to sign for the bidder. I certify that the response submitted is made in conformance with all requirements of the solicitation.

Bidder: _____ FEID#: _____

Address: _____ City, State, Zip: _____

Phone: _____ Fax: _____ E-mail: _____

Authorized Signature: _____ Date: _____

Printed/Typed: _____ Title: _____

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
DRUG-FREE WORKPLACE PROGRAM CERTIFICATION

375-040-18
PROCUREMENT
03/17

287.087 Preference to businesses with drug-free workplace programs. --Whenever two or more bids, proposals, or replies that are equal with respect to price, quality, and service are received by the state or by any political subdivision for the procurement of commodities or contractual services, a bid, proposal, or reply received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

(1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

(2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.

(3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).

(4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than 5 days after such conviction.

(5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by, any employee who is so convicted.

(6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

Does the individual responding to this solicitation certify that their firm has implemented a drug-free workplace program in accordance with the provision of Section 287.087, Florida Statutes, as stated above?

YES

NO

NAME OF BUSINESS: _____

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
IN-STATE PREFERENCE FORM
For Invitation-to-Bid Commodity

375-040-56
PROCUREMENT
OGC – 03/13

Bid Number: ITB-DOT-17/18-7011LV

Title: Wrong Way Vehicle Detection, Warning and Alarm Systems

Pursuant to Section 287.084, Florida Statutes, relating to the Florida-based business preference, effective July 1, 2012:

In a competitive solicitation in which the lowest bid is submitted by a vendor whose principal place of business is located outside the state of Florida and that state where the vendor's principal place of business is located does not grant a preference in competitive solicitation to vendors having a principal place of business in that state, the preference to the lowest responsible and responsive vendor having a principal place of business in this state shall be 5 percent.

Note: The Vendor is required to complete and submit this form with its bid to be considered for this preference.

Vendor Name: _____

Vendor FEIN: _____

The Vendor (does) (does not) have a principal place of business located in the state of Florida.

If so, please provide an address:

Note: A vendor whose principal place of business is outside the state of Florida must accompany any written bid documents with a written opinion of an attorney licensed to practice law in that foreign state, as to the preferences, if any or none, granted by the law of that state to its own business entities whose principal places of business is in that foreign state in the letting of any or all public contracts.

Authorized Signature: _____

Title: _____

Date: _____

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**VENDOR CERTIFICATION REGARDING
SCRUTINIZED COMPANIES LISTS**

Respondent Vendor Name: _____
Vendor FEIN: _____
Vendor's Authorized Representative Name and Title: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone Number: _____
Email Address: _____

Section 287.135, Florida Statutes, prohibits agencies from contracting with companies for goods or services of \$1,000,000 or more, that are on either the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector Lists which are created pursuant to s. 215.473, F.S., or the Scrutinized Companies that Boycott Israel List, created pursuant to s. 215.4725, F.S., or companies that are engaged in a boycott of Israel.

As the person authorized to sign on behalf of Respondent, I hereby certify that the company identified above in the section entitled "Respondent Vendor Name" is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List. I further certify that the company is not engaged in a boycott of Israel. I understand that pursuant to section 287.135, Florida Statutes, the submission of a false certification may subject company to civil penalties, attorney's fees, and/or costs.

Certified By: _____
who is authorized to sign on behalf of the above referenced company.
Authorized Signature Print Name and Title: _____
Date: _____

ORDERING INSTRUCTIONS

Bid Number: ITB-DOT-17/18-7011LV

Title: WRONG WAY VEHICLE DETECTION, WARNING AND ALARM SYSTEMS

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEID): _____

VENDOR: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

TELEPHONE: _____

TOLL FREE NO.: (800) _____ FAX NO.: _____ / _____

DELIVERY: DELIVERY WILL BE MADE WITHIN ____ DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

TELEPHONE: _____ / _____

TOLL FREE NO.: (800) _____ FAX NO.: _____ / _____

INTERNET E-MAIL ADDRESS: _____

INTERNET WEBSITE URL: _____

Will you accept the State of Florida Purchasing Card (VISA)? ____ Yes ____ No

**TERMS FOR FEDERAL AID CONTRACTS (APPENDIX I):
CONTRACT (Purchase Order) # _____**

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") agrees as follows:

- A. It is understood and agreed that all rights of the Department relating to inspection, review, approval, patents, copyrights, and audit of the work, tracing, plans, specifications, maps, data, and cost records relating to this Agreement shall also be reserved and held by authorized representatives of the United States of America.
- B. It is understood and agreed that, in order to permit federal participation, no supplemental agreement of any nature may be entered into by the parties hereto with regard to the work to be performed hereunder without the approval of U.S.D.O.T., anything to the contrary in this Agreement notwithstanding.
- C. **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
- D. **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- E. **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
- F. **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- G. **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the Florida Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may determine to be appropriate, including, but not limited to:
 - a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
 - b. cancellation, termination or suspension of the contract, in whole or in part.
- H. **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (C) through (I) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the Contractor may request the Florida Department of Transportation to enter into such litigation to protect the interests of the Florida Department of Transportation, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.
- I. **Compliance with Nondiscrimination Statutes and Authorities:** Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21; The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects); Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex); Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27; The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age); Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);

The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38; The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

- J. Interest of Members of Congress: No member of or delegate to the Congress of the United States shall be admitted to any share or part of this contract or to any benefit arising there from.
- K. Interest of Public Officials: No member, officer, or employee of the public body or of a local public body during his tenure or for one year thereafter shall have any interest, direct or indirect, in this contract or the proceeds thereof. For purposes of this provision, public body shall include municipalities and other political subdivisions of States; and public corporations, boards, and commissions established under the laws of any State.
- L. Participation by Disadvantaged Business Enterprises: The Contractor shall agree to abide by the following statement from 49 CFR 26.13(b). This statement shall be included in all subsequent agreements between the Contractor and any sub-Contractor or contractor.

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

- M. It is mutually understood and agreed that the willful falsification, distortion or misrepresentation with respect to any facts related to the project(s) described in this Agreement is a violation of the Federal Law. Accordingly, United States Code, Title 18, Section 1020, is hereby incorporated by reference and made a part of this Agreement.
- N. It is understood and agreed that if the Contractor at any time learns that the certification it provided the Department in compliance with 49 CFR, Section 26.51, was erroneous when submitted or has become erroneous by reason of changed circumstances, the Contractor shall provide immediate written notice to the Department. It is further agreed that the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction" as set forth in 49 CFR, Section 29.510, shall be included by the Contractor in all lower tier covered transactions and in all aforementioned federal regulation.
- O. The Department hereby certifies that neither the Contractor nor the Contractor's representative has been required by the Department, directly or indirectly as an express or implied condition in connection with obtaining or carrying out this contract, to
 1. employ or retain, or agree to employ or retain, any firm or person, or
 2. pay, or agree to pay, to any firm, person, or organization, any fee, contribution, donation, or consideration of any kind;

The Department further acknowledges that this agreement will be furnished to a federal agency, in connection with this contract involving participation of Federal-Aid funds, and is subject to applicable State and Federal Laws, both criminal and civil.

- P. The Contractor hereby certifies that it has not:
 1. employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above contractor) to solicit or secure this contract;
 2. agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out this contract; or
 3. paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above contractor) any fee contribution, donation, or consideration of any kind for, or in

connection with, procuring or carrying out the contract.

The Contractor further acknowledges that this agreement will be furnished to the State of Florida Department of Transportation and a federal agency in connection with this contract involving participation of Federal-Aid funds, and is subject to applicable State and Federal Laws, both criminal and civil.

- Q. Federal-aid projects for highway construction shall comply with the Buy America provisions of 23 CFR 635.410, as amended.
- R. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of federally assisted construction contract" in 41 CFR Part 60-1.3 shall comply with the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."

BID CHECKLIST

(DOES NOT NEED TO BE RETURNED WITH YOUR BID RESPONSE)

This Checklist is provided as a guideline, only, to assist bidders in the preparation of their bid response. Included are some important matters that the bidder should check. This checklist is just a guideline, and is not intended to include all matters required by the ITB. Bidders are responsible to read and comply with the ITB in its entirety.

Check off each the following:

- 1. The "Bid Sheet" has been filled out completely, signed, and enclosed in the bid response.
- 2. The Federal Employers Identification Number or Social Security Number has been entered in the space provided.
- 3. "Drug-Free Workplace Program Certification" form has been read, signed, and enclosed in the bid response, if applicable.
- N/A 4. "Scrutinized Companies Lists" certification form has been read, signed, and enclosed in the bid response, if applicable (bids of \$1 million or more).
- 5. The Technical Specifications section has been thoroughly reviewed for compliance to the bid requirements.
- 6. The prices bid have been reviewed for accuracy and all price corrections have been initialed in ink.
- 7. The www.myflorida.com website has been checked and any Addendums posted have been completed, signed, and included in the bid response.
- 8. The bid response must be received, at the location specified, on or before the Bid Due Date and Time designated in the ITB.
- 9. On the Lower Left Hand Corner of the Envelope transmitting your bid response, write in the following information:

Bid No.: ITB-DOT-17/18-7011LV

Title: Wrong Way Vehicle Detection, Warning and Alarm System

Vendor Name: _____

Opening Date & Time: See "TIMELINE" in INTRODUCTION SECTION