

# **REQUEST FOR PROPOSALS (RFP)**

# FOR

# **TELECOMMUNICATIONS INFRASTRUCTURE PROJECT SERVICES 2**

# RFP NO: DMS-18/19-045

# THE STATE OF FLORIDA

# **DEPARTMENT OF MANAGEMENT SERVICES**

Procurement Officer: Caitlen Boles Departmental Purchasing Florida Department of Management Services 4050 Esplanade Way, Suite 335 Tallahassee, FL 32399-0950 Phone: 850-410-1423 Email: <u>DMS.Purchasing@dms.myflorida.com</u>

Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, 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, Florida Statutes. Any protest must be timely filed with the Department of Management Services' Agency Clerk listed at:

Department of Management Services Office of the General Counsel 4050 Esplanade Way, Suite 160 Tallahassee, FL 32399-0950

# NOTICE PURSUANT TO SECTION 287.057(23), FLORIDA STATUTES

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.

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- Attachment C Pricing Workbook
- Attachment D Contact Worksheet
- Attachment E Region Map
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- Attachment H Project Final Submittal Section A
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- Attachment J Definitions and Acronyms
- Attachment K Evaluator Scoring Workbook

#### Forms:

- FORM 1 CONTACT INFORMATION
- FORM 2 NOTICE OF CONFLICT OF INTEREST
- FORM 3 NON-COLLUSION STATEMENT
- FORM 4 STATEMENT OF NO INVOLVEMENT
- FORM 5 BUSINESS EXPERIENCE
- FORM 6 ADDENDUM ACKNOWLEDGEMENT FORM
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# SECTION 1. INTRODUCTION

# 1.1 Solicitation Objective

The State of Florida, Department of Management Services (Department or DMS), Division of Telecommunications (DivTel) is issuing this solicitation to establish Contracts for Telecommunications Infrastructure Project Services (TIPS 2). This solicitation will be administered through the Vendor Bid System (VBS). Vendors interested in submitting a Proposal must comply with all terms and conditions described in this solicitation.

The annual spend for all Contracts from this solicitation is estimated to be three million dollars. This estimate is for informational purposes only and should not be construed as representing actual, guaranteed or minimum spend under any new contract.

The purpose of this Request for Proposals (RFP) is to establish multiple contracts within each of the ten (10) regions. However, the Department reserves the right to make a single award, multiple awards, or to make no awards. The Contract(s) can cover either one (1) division or both divisions of work, as described in Attachment A - Statement of Work, section 1.3.

- (1) Division One Cabling Distribution System.
- (2) Division Two E-Rate Category Two.

See additional description of services in Attachment A – Statement of Work.

#### **1.2 Background Information**

The Department began offering The Telecommunications Infrastructure Project Services (TIPS) in 1998 to provide assistance to Florida government, municipalities, schools, and libraries for their voice and data cabling distribution system needs.

#### 1.3 Term

The initial term of the Contract will be for three (3) years with up to three (3) renewal years. The Contract may only be renewed in accordance with section 287.057(13), Florida Statutes.

# 1.4 Special Accommodations

Any person requiring a special accommodation due to a disability should contact the Department's Americans with Disabilities Act (ADA) Coordinator at (850) 488-0439. Requests for accommodation for meetings must be made at least five working days prior to the meeting. A person who is hearing or speech impaired can contact the ADA Coordinator by using the Florida Relay Service at (800) 955-8771 (TDD).

#### **1.5 Procurement Officer**

The Procurement Officer is the **sole point of contact** as described in PUR 1001, Section 21.

Caitlen Boles, Procurement Officer Departmental Purchasing Florida Department of Management Services 4050 Esplanade Way, Suite 335.1X Tallahassee, FL 32399-0950 Phone: 850-410-1423 Email: <u>DMS.Purchasing.dms@myflorida.com</u>

# \*\*\* PLEASE INCLUDE THE SOLICITATION NUMBER IN THE SUBJECT LINE OF ALL EMAILS TO PROCUREMENT OFFICER. \*\*\*

#### **SECTION 2. SOLICITATION PROCESS**

#### 2.1 General Overview

The RFP is a method of competitively soliciting a commodity or contractual service under Chapter 287, Florida Statutes. Vendors can submit formal questions in writing to the Procurement Officer by the deadline listed in subsection 2.3, Timeline of Events.

Proposals must be submitted by the deadline. The Respondent is responsible for ensuring the Department receives the Proposal no later than the date and time provided in subsection 2.3, Timeline of Events (or as revised by addenda). All methods of delivery or transmittal to the procurement officer are exclusively the responsibility of Respondents and the risk of non-receipt or delayed receipt shall be borne exclusively by the Respondents.

The Department will hold a public opening of the Proposals at the date, time, and location listed in subsection 2.3, Timeline of Events. After the Department has reviewed and evaluated the Proposals, the Department will post its decision on the VBS.

#### 2.2 Questions and Answers

Respondents will submit all questions regarding this solicitation to the Procurement Officer, via email, during the Question and Answer period. The deadline for submission of questions is reflected in subsection 2.3, Timeline of Events.

The Department requests that all questions have the solicitation number in the subject line of the email. Questions are requested to be submitted in the following format:

Question #	Vendor Name	<b>RFP Section</b>	RFP Page #	Question

Questions will not constitute formal protest of the specifications of the solicitation.

The Department's answers to written inquiries will be issued by addendum via the VBS.

#### 2.3 Timeline of Events

The table below contains the Timeline of Events for this solicitation. The dates and times within the Timeline of Events are subject to change. It is the Respondent's responsibility to check for any changes. All changes to the Timeline of Events will be made through an addendum to the solicitation. Respondents are responsible for submitting all required documentation by the dates and times (Eastern Time) specified below (or as revised by addenda).

TIMELINE OF EVENTS		
Events	Event Time	Event Date
RFP posted on the VBS.		4/25/2019
Deadline to submit questions to the Procurement Officer.	3:00 PM	5/1/2019
Department's anticipated posting of answers to Respondent's questions on the VBS.		5/7/2019
Deadline to submit Proposal and all required documents to the Procurement Officer.	2:00 PM	5/21/2019
Public Opening. Conference Room 101, 4050 Esplanade Way Tallahassee, FL 32399	2:30 pm	5/21/2019
Formal Evaluations Conducted.		5/22/2019 – 6/7/2019
Evaluator's Public Meeting Conference Room 101, 4050 Esplanade Way Tallahassee, FL 32399 Conference call #: 1-888-585-9008 Conference room # (participant code): 399-012-328	10:00 AM	6/14/2019
Anticipated date to post Notice of Intent to Award.		6/18/2019
Anticipated contract start date.		7/22/2019

# 2.4 Addendum to the Solicitation

The Department reserves the right to modify this solicitation by issuing an addendum posted on the VBS. It is the responsibility of the Respondent to check the VBS for any information and updates.

# 2.5 Modification or Withdrawal of Proposals

Respondents may modify the Proposal at any time prior to the deadline to submit the Proposal and all required documents to the Procurement Officer by sending the modified Proposal to the Procurement Officer. A Proposal may be withdrawn by notifying the Procurement Officer, in writing, before the RFP public opening.

# 2.6 Clarification to Proposals

No changes, modifications, or additions to the Proposals will be allowed after the Proposals have been opened. However, the Department reserves the right to seek clarifications from any Respondent at any time.

# 2.7 Contract Formation

The Department may issue a Notice of Intent to Award to successful Respondent(s). However, no Contract shall be formed between a Respondent and the Department until the Department signs the Contract. The Department shall not be liable for any work performed before the Contract is effective.

The Department intends to enter into a Contract(s) with Respondent(s) pursuant to the Basis of Award section of this solicitation. No additional documents submitted by a Respondent will be incorporated in the Contract unless it is specifically identified, incorporated by reference, and approved by the Department. If any additional documents are submitted by the Respondent, the additional documents will not be considered for the Basis of Award.

See section 3 of Attachment B – Contract regarding Contract documents and priority.

#### 2.8 Diversity

The Department is dedicated to fostering the continued development and economic growth of minority, veteran and women owned businesses. Participation of a diverse group of Respondents doing business with the State of Florida is central to the Department's effort. To this end, minority, veteran and women owned businesses are encouraged to participate in the state's competitive, procurement process as both Contractors and Subcontractors.

#### SECTION 3. GENERAL AND SPECIAL INSTRUCTIONS

#### 3.1 Introduction

In accordance with Rule 60A-1.002(5), F.A.C., Form PUR 1000, the General Contract Conditions, is incorporated by reference into the Contract. Form PUR 1001, the General Instructions to Respondents, is also incorporated by reference into this solicitation, but is superseded to the extent set forth herein. Both forms can be accessed at:

http://www.dms.myflorida.com/business operations/state purchasing/documents forms references/purchasing forms.

# Sections 3, 5, 9, and 14 of the PUR 1001 (General Instructions to Respondents) are inapplicable and are replaced with the following Special Instructions:

#### Section 3. Electronic Submission of Offers

Offers shall be submitted in accordance with Section 3.4, How to Submit a Proposal, of this solicitation.

#### Section 5. Questions

Questions shall be submitted in accordance with the Section 2.2, Questions and Answers, of this solicitation.

#### Section 9. Respondent's Representation and Authorization.

In submitting a proposal, each Respondent understands, represents, and acknowledges the following:

- The Respondent is not currently under suspension or debarment by the State or any other governmental authority.
- The Respondent, its affiliates, subsidiaries, directors, officers, and employees are not currently under investigation by any governmental authority and have not in the last ten (10) years been

convicted or found liable for any act prohibited by law in any jurisdiction, involving conspiracy or collusion with respect to bidding on any public contract.

- Respondent currently has no delinquent obligations to the State, including a claim by the State for liquidated damages under any other contract.
- The submission is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive Proposal.
- The prices and amounts have been arrived at independently and without consultation, communication, or agreement with any other Respondent or potential Respondent; neither the prices nor amounts, actual or approximate, have been disclosed to any Respondent or potential Respondent, and they will not be disclosed before the solicitation opening.
- The Respondent has fully informed the Department in writing of all convictions of the firm, its affiliates (as defined in section 287.133(1)(a), Florida Statutes), and all directors, officers, and employees of the firm and its affiliates for violation of state or federal antitrust laws with respect to a public contract for violation of any state or federal law involving fraud, bribery, collusion, conspiracy or material misrepresentation with respect to a public contract. This includes disclosure of the names of current employees who were convicted of contract crimes while in the employ of another company.
- Neither the Respondent nor any person associated with it in the capacity of owner, partner, director, officer, principal, investigator, project director, manager, auditor, or position involving the administration of federal funds:
  - Has within the preceding three years been convicted of or had a civil judgment rendered against them or is presently indicted for or otherwise criminally or civilly charged for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local government transaction or public contract; violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
  - Has within a three-year period preceding this certification had one or more federal, state, or local government contracts terminated for cause or reason of default that would impair the Respondent's ability to deliver the commodities or contractual services of the resultant contract.
- The commodities or contractual services offered by the Respondent will conform to the specifications without exception.
- The Respondent has read and understands the Contract terms and conditions, and the submission is made in conformance with those terms and conditions.
- If an award is made to the Respondent, the Respondent agrees that it intends to be legally bound to the Contract that is formed with the State.
- The Respondent has made a diligent inquiry of its employees and agents responsible for preparing, approving, or submitting the reply, and has been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in the Proposal.
- The Respondent shall indemnify, defend, and hold harmless the Department and its employees against any cost, damage, or expense which may be incurred or be caused by any error in the Respondent's preparation of its Proposal.
- All information provided by, and representations made by, the Respondent are material and important and will be relied upon by the Department in awarding a Contract. Any misrepresentation shall be treated as fraudulent concealment from the Department of the true facts relating to submission of the bid. A misrepresentation shall be punishable under law, including, but not limited to, Chapter 817, Florida Statutes.

• If at any point during the course of the procurement, circumstances change so that any of the above acknowledgements are no longer true, Respondent will notify the procurement officer as soon as practicable.

#### Section 14. Firm Response

The Department may make an award within one hundred eighty (180) Calendar Days after the date the Proposals are due. By submitting a Proposal, Respondents acknowledge and agree that their Proposals shall remain firm (and shall not be withdrawn) for at least one hundred eighty (180) Calendar Days after the Proposals have been submitted. If an award is not made within the one hundred eighty (180) day period, the Proposal shall remain firm until either the Department awards the Contract or the Department receives from Respondent written notice that the Proposal is withdrawn.

#### 3.2 MyFloridaMarketPlace (MFMP) Registration

The awarded Respondent(s), if any, must have completed this process prior to Contract execution. For additional information, please visit: <u>https://vendor.myfloridamarketplace.com/</u>.

The awarded Respondent(s) will be required to pay the required MFMP transaction fee as specified in Section 14 of the PUR 1000, unless an exemption has been requested and approved prior to the award of the contract pursuant to Rule 60A-1.031, Florida Administrative Code.

#### 3.3 Florida Substitute Form W-9 Process

A State of Florida Contractor *must* have registered and completed an electronic Florida Substitute Form W-9. The Internal Revenue Service (IRS) receives and validates the information vendors provide on the Form W-9. For instructions on how to complete the Florida Substitute Form W-9, please visit: <u>http://www.myfloridacfo.com/Division/AA/StateAgencies/W-9Instructions022212.pdf</u>

The awarded Respondent(s), if any, must have completed this process prior to Contract execution.

#### 3.4 How to Submit a Proposal

Submit the Proposal in a properly marked, sealed box or boxes containing the following:

- One (1) original, un-redacted bound version of the Proposal, excluding Attachment C Pricing Workbook, with four (4) unredacted, bound paper copies;
- One (1) original of Attachment C Pricing Workbook in a separate sealed envelope;
- One (1) scanned copy of the Proposal, excluding Attachment C Pricing Workbook, in Adobe (.pdf) and one (1) filled in Attachment C – Pricing Workbook in Excel (.xls) on a CD or USB flash drive. Large files should be scanned as separate files; and
- One (1) electronic redacted copy of the entire Proposal on a CD or USB flash drive (if applicable, as described in subsection 3.7 of this RFP).

All electronic documents are to be searchable to the fullest extent practicable. Paper and electronic copies of Proposals are to consist of identical information. In the event of a conflict between the copies, the original paper Proposal controls.

Sealed Proposals are to be clearly marked on the outside of the package with the solicitation number, company name, and Procurement Officer Name.

Proposals are to be submitted to the Procurement Officer at the address listed in subsection 1.5 of this solicitation.

Proposals should be prepared simply and economically, providing a straightforward, concise delineation of the Respondent's capabilities to satisfy the requirements of this solicitation. The emphasis of each Proposal should be on completeness and clarity of content.

Respondents are responsible for submitting their Proposals by the date and time specified in subsection 2.3, Timeline of Events, of this solicitation (or as revised by addenda). <u>Proposals that are not timely submitted with all required information may be deemed nonresponsive.</u>

#### 3.5 Mandatory Responsiveness Requirements

<u>The Department will not evaluate Proposals from Respondents that do not meet the</u> mandatory responsiveness requirements listed below.

The certifications required in subsections 3.5.1 through 3.5.9 are to be accomplished through the execution of Form 8 – Mandatory Responsiveness Requirements. <u>A Proposal will be deemed nonresponsive if it fails to contain a signed Form 8 and the documentation required in subsections 3.5.10 through 3.5.12</u>.

#### All Respondents must certify the following:

- **3.5.1.** The Respondent must certify that the person submitting the Proposal and its pricing is authorized to respond to this solicitation on the Respondent's behalf.
- **3.5.2.** The Respondent must certify that the Respondent will accept the Contract terms and conditions as stated herein, without qualification or exception.
- **3.5.3.** The Respondent must certify that the Respondent is in compliance with Section 9 of the Special Instructions in subsection 3.1.
- **3.5.4.** The Respondent must certify that neither it, nor its affiliates, is a Discriminatory Vendor or Convicted Vendor as described in section 287.133 and section 287.134, Florida Statutes, respectively.
- **3.5.5.** The Respondent must certify that the Respondent is not listed on the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List, and is not participating in a boycott of Israel.
- **3.5.6.** The Respondent must certify that the Respondent is currently authorized to do business with the State, or will attain authorization through the Department of State, Division of Corporations, within seven (7) business days of notice of award, should the Respondent be awarded a Contract. Website: <u>www.sunbiz.org</u>
- **3.5.7.** The Respondent must certify that the Respondent will, if awarded a Contract, submit to the Department, at least annually, a completed signed Form 10 Affidavit of Preferred Pricing.

**3.5.8.** The Respondent must certify that it will provide a solution capable of interfacing with SUNCOM's ordering and billing system, the Communication Service Authorization and Billing System (CSAB).

#### Respondents providing a response for Division Two must certify the following:

**3.5.9.** If the Respondent is providing a response to Division Two, the Respondent must certify it currently holds, or will obtain within sixty (60) days of Contract award, a Service Provider Identification Number (SPIN) from the Universal Service Administrative Company (USAC).

NOTE: The certifications required in subsections 3.5.1 through 3.5.9 are to be accomplished through the execution of Form 8 – Mandatory Responsiveness Requirements. For subsections 3.5.10 through 3.5.12, the Respondent must provide the required documents. <u>A Proposal will be deemed nonresponsive if it fails to contain a signed Form 8 and provide the Department with the required documents listed in subsections 3.5.10 through 3.5.12.</u>

#### All Respondents must provide the following Required Documents:

- **3.5.10** The Respondent must provide the Department with an Attachment C Pricing Workbook.
- **3.5.11** The Respondent must provide documentation of a valid and current State of Florida license for at least one (1) of the following professions, held by either Respondent or Respondent's Subcontractor listed in Form 7 Subcontracting: Registered Electrical Specialty Contractor, Low Voltage System Specialist, or a Registered Electrical Contractor.
- **3.5.12** The Respondent must provide documentation of a valid and current Building Industry Consulting Service International (BICSI) Registered Communications Distribution Designer (RCDD) certification held by an individual currently employed by the Respondent.

The Department may, in its sole discretion, independently verify any information provided by the Respondent, including information related to the responsiveness requirements and certifications thereto.

#### 3.6 Contents of Proposal

Proposals should be organized in sections as directed below. Complete each section entirely.

**Tab 1** A cover letter on the Respondent's letterhead with the following information:

- Company name and physical address;
- Contact information for primary point of contact, including phone number and email address; and
- Federal Employer Identification (FEID) Number.

Tab 2 Completed FORMS:

- FORM 1 CONTACT INFORMATION
- FORM 2 NOTICE OF CONFLICT OF INTEREST
- FORM 3 NON-COLLUSION STATEMENT
- FORM 4 STATEMENT OF NO INVOLVEMENT

- FORM 6 ADDENDUM ACKNOWLEDGEMENT FORM
- FORM 7 SUBCONTRACTING
- FORM 9 CERTIFICATION OF DRUG-FREE WORKPLACE PROGRAM, if applicable

## Tab 3 Mandatory Responsiveness Requirement - Proposed Pricing

The Respondent must submit an Attachment C – Pricing Workbook. The Respondent must submit pricing for each division and for each region for which it wants to be considered for an award.

The Respondent must submit an Attachment C – Pricing Workbook as a hard copy in a separate sealed envelope and an electronic version on a USB drive or CD. (See subsection 3.4 of this procurement.) Do not add additional tabs to the workbook or alter the content or format of the Attachment C – Pricing Workbook, other than the provision of information in the yellow and green highlighted cells.

The Department reserves the right to disregard any additional tabs or additional information added to the workbook, or to find the Respondent nonresponsive.

Respondent's proposed pricing shall apply to the initial term and any renewal terms.

Tab 4 Other Mandatory Responsiveness Requirements:

- A signed FORM 8 MANDATORY RESPONSIVENESS REQUIREMENTS
- Documentation of valid, current, licenses, and certifications as required in RFP subsections 3.5.11 and 3.5.12.

#### Tab 5 Technical Proposal

Please provide the following information in the Proposal which will be evaluated against the criteria listed in Section 4, Selection Methodology. By submitting a Proposal, Respondent acknowledges it has read, understands, and will comply with the statements contained in Attachment A - Statement of Work.

Introduction

- 1) Summarize your understanding of the work to be done and make a commitment to perform the necessary work, as stated in Attachment A Statement of Work. This section should summarize the key points of your submittal.
- 2) State within this introduction section the proposed State of Florida regions, as defined in Attachment E – Region Map, where you propose to perform services and whether you propose to provide Division One services, Division Two services, or services for both Divisions for the proposed State of Florida region.
- 3) State within this introduction section if you are, or intend to be, an E-Rate eligible provider, which entails obtaining a Service Provider Identification Number (SPIN) from the Universal Service Administrative Company (USAC).

#### Experience and Ability

Provide a brief history and description of your firm's business organization and its expertise and experience with providing infrastructure cabling and communication systems installation services relating to the requirements in Attachment A – Statement of Work. Include the location of your office(s) that will serve this Contract and the number and types of planners, engineers, project managers, computer-aided design

operators, cable installers, splicers, cable techs, electricians, other relevant professional staff, and equipment and other resources in each office.

Furnish completed Form 5 – BUSINESS EXPERIENCE showing experience supplying the same or similar services.

#### Proposed Staffing

Provide in narrative form the names, proposed roles, background and experience, current professional licenses, office location and availability of the personnel that would perform the services stated in Attachment A – Statement of Work.

Provide information on how the Respondent will ensure all staff receives required background checks.

#### Service Delivery Management

Describe Respondent's proposed process to manage service delivery as stated in Attachment A – Statement of Work. This should include a description of how the Respondent manages schedules, Subcontractors, changes, service delivery, and quality assurance.

#### Responding to Quotes

Describe your experience, process, and plan for responding to quotes.

#### **Customer Service**

Describe how the Respondent will ensure the highest standards of customer service, including providing Customer updates on the installation status, notifying the Customer of any risks or issues, and ensuring the Customer is made aware in advance of Contractor's staff on site.

#### 3.7 Redacted Submissions

The following subsection supplements section 19 of the PUR 1001. If a Respondent considers any portion of the documents, data, or records submitted in its Proposal to this solicitation to be confidential, proprietary, trade secret, or otherwise not subject to disclosure pursuant to Chapter 119, Florida Statutes, the Florida Constitution, or other legal authority, in order to preserve the confidentiality of the material, the Respondent must clearly designate that portion of the materials as "confidential" when submitted to the Department. The Respondent must submit all such information as a separately bound, unredacted document clearly labeled "Confidential, Unredacted Proposal" no later than the Proposal submittal deadline.

Respondent is to also simultaneously provide the Department with a separate, electronic redacted copy of its Proposal and briefly describe in writing the grounds for claiming exemption from the public records law, including the specific statutory citation for such exemption. This redacted copy shall contain the Department's solicitation name, number, and the Respondent's name on the cover and shall be clearly titled "Redacted Copy." The Redacted Copy should only redact those portions of material that the Respondent claims are confidential, proprietary, trade secret, or otherwise not subject to disclosure pursuant to Chapter 119, Florida Statutes, the Florida Constitution, or other legal authority.

In the event that a requestor for public records asserts a right to the Confidential Information, the Department will notify the Respondent that such an assertion has been made. It is the Respondent's responsibility to assert that the information in question is exempt from disclosure

under Chapter 119, Florida Statutes or other applicable law. If the Department becomes subject to a demand for discovery or disclosure of the Respondent's Confidential Information in a legal proceeding, the Respondent shall be responsible for defending its determination that the redacted portions of its Proposal are confidential, proprietary, trade secret, or otherwise not subject to disclosure.

The Department is not obligated to agree with a Respondent's claim of exemption and, by submitting a Reply, the Respondent agrees to defend its claim that each and every portion of the redactions is exempt from inspection and copying under Florida's Public Records Law. Further, by submitting a Proposal, the Respondent agrees to protect, defend, and indemnify and hold harmless the Department for any and all claims and litigation (including litigation initiated by the Department), including attorney's fees and costs, arising from or in any way relating to the Respondent's determination that the redacted portions of its Proposal are confidential, proprietary, trade secret, or exempt from public disclosure under Chapter 119, Florida Statutes. The Department may use counsel of its choosing to defend any such claims, and the Respondent shall promptly pay the Department's invoices for legal services on a monthly basis for all costs and expenses, including legal fees, incurred in defending such claims.

If the Respondent fails to submit a redacted copy of information it claims is confidential, the Respondent waives the exemption and the Department is authorized to produce the entire documents, data, or records submitted to the Department in answer to a public records request for these records.

The Respondent exclusively bears the burden of complying with subsection 3.7 to ensure its exempt information is appropriately marked and protected.

#### 3.8 Additional Information

By submitting a Proposal, the Respondent certifies that it agrees to, and satisfies, all criteria specified in this solicitation. The Department reserves the right to seek written clarification from a Respondent, and to request supporting information or documentation. Failure to supply clarifying or supporting information or documentation as requested may result in the Proposal being deemed non-responsive.

#### 3.9 Subcontracting

The Contractor shall be fully responsible for all work performed under the Contract. The Contractor is solely responsible for ensuring that its Subcontractor performs. A Contractor shall use only those Subcontractors properly and specifically identified in the subcontracting Form 7 of the Proposal, and approved by the Department, except as permitted below. The Department has final approval of authority of proposed Subcontractors.

# 3.9.1 Subcontracting after Contract Execution

To subcontract any services to a Subcontractor not originally identified in the Proposal, a Contractor shall submit a written request to the Department's Contract Manager identified in the Contract. The written request shall include, but is not limited to, the following:

- **3.9.1.1** The name, address and other information identifying the Subcontractor;
- **3.9.1.2** Type of services to be performed by the Subcontractor;
- **3.9.1.3** Time of performance for the identified service;

- **3.9.1.4** How the Contractor plans to monitor the Subcontractor's performance of the identified services;
- **3.9.1.5** How the Contractor will ensure that required Background Screening is completed by the identified Subcontractor's employees;
- 3.9.1.6 Certification that the Subcontractor has all licenses and authority, as applicable, and/or has satisfied all legal requirements to provide the services to the Department. Also, the Contractor shall certify that the Subcontractor is approved by the Florida Department of State to transact business in the State of Florida. If the Subcontractor is an out-of-state company, it must have a Florida Certificate of Authority from the Department of State, Division of Corporations, to transact business in the State of Florida. For additional information, please visit the following website: www.sunbiz.org
- **3.9.1.7** A copy of the written subcontract agreement; and
- **3.9.1.8** Acknowledgement from the Subcontractor of the Contractor's contractual obligation to the Department and that the Subcontractor agrees to comply with all terms and conditions of the resulting Contract.

The Contractor acknowledges that it shall not be released from its contractual obligation to the Department because of any subcontract. The Contractor is solely responsible for ensuring the Subcontractor maintains insurance as required in section 7 of Attachment B – Contract. The Department shall treat the Contractor's use of a Subcontractor not contained in its Proposal and/or approved by the Department after execution of a Contract as a breach of Contract.

# 3.10 Cooperation with the Inspector General

Pursuant to section 20.055(5), Florida Statutes, the Contractor and any Subcontractors understand and will comply with their duty to cooperate with the inspector general in any investigation, audit, inspection, review or hearing.

# **SECTION 4. SELECTION METHODOLOGY**

#### 4.1 Evaluation of the Proposal

The Department will appoint evaluators who will independently review, evaluate, and score the responsive Technical Proposals using the evaluation criteria and method set forth in Attachment K - Evaluator Scoring Workbook and the scoring guidelines set forth below in subsection 4.2.2. The Procurement Officer will review and score the Attachment C – Pricing Workbook (Financial Proposal).

#### 4.2 Scoring of the Proposal

#### **Division One Services**

The Financial Proposal for a proposed service for a region will count as fifty five percent (55%) of the overall total score for a region, and the Technical Proposal will count as forty five percent (45%) of the overall total score for a region.

#### **Division Two Services**

The Financial Proposal for a proposed service for a region will count as fifty five percent (55%) of the overall total score for a region, and the Technical Proposal will count as forty five percent (45%) of the overall total score for a region.

# 4.2.1 Scoring of Financial Proposal

The scoring of the Financial Proposal will be done by the Procurement Officer.

#### **Division One Services**

Attachment C – Pricing Workbook (Financial Proposal) will be assessed a separate score for each region where a price has been proposed for that region. Within each sub-division, the prices are averaged for each Respondent. The averages for all sub-divisions are then averaged for each Respondent. The maximum score for a region is fifty-five (55) points. The Respondent with the lowest total average price in a region will receive fifty-five (55) points. Each Respondent's total average price for a Division that is higher than the lowest total price in that region will receive proportional points.

The formula for this is (lowest total average price per region / Respondent's total average price per region) \* total possible points (55) = Respondent's score. This formula is used for each region.

#### Division Two Services

Attachment C – Pricing Workbook (Financial Proposal) shall be scored in two (2) separate components, which are equipment discounts and labor prices. For equipment discounts, each of the Respondent's proposed discounts listed in an equipment category will be averaged based on the total number of discounts proposed in an equipment category. A listed discount of zero percent will be included in the calculation of the average discount for an equipment category. All equipment category discount averages will be averaged together for an overall average. The overall average will be compared with other Respondents overall equipment discount average. Respondents that offer high discounts off of all equipment categories have the potential to receive more points than Respondents that only offer low discounts or only discounts off of some equipment categories. The Respondent with the highest overall average percentage of equipment discounts offered will receive twenty (20) points. Each Respondent's overall average percentage of equipment discount that is lower than the highest overall average percentage of equipment discounts will receive proportional points as set forth below. For labor prices, the proposed labor prices will be assessed a separate score for each region where prices have been proposed for that region in both the regular work hourly rate and the overtime rate. The Department will not consider or evaluate a Division Two proposal for any region that fails to contain both a labor rate for regular work hours and emergency/after hours. Each of the Respondent's proposed regular and overtime hourly rates in a region will be totaled. The Respondent with the lowest total labor price for a region shall receive thirty-five (35) points for that region. Each Respondent's total price for a Division that is higher than the lowest total price in that region will receive proportional points as set forth below. The maximum total score for Division Two Financial Proposals is fifty-five (55) points.

The formula used for calculating proportional scores are as follows:

#### Labor prices

(lowest total hourly rate for region one / Respondent's total hourly rate for region one) \* total possible points (35) = Respondent's labor rate score

#### Equipment percentage discount

(Respondent's overall averaged percentage discount / highest overall averaged percentage discount) \* total possible points (20) = Respondent's equipment percentage discount score.

#### **Total Financial Score**

Labor rate score (per region) + equipment percentage discount score = total financial score This formula is used for each region.

The calculation of average equipment discounts, as described herein, is for scoring purposes of the Respondent's Financial Proposal and these averages will not become part of any resulting awarded Contract.

## 4.2.2 Scoring of the Technical Proposal

The evaluators will independently review and evaluate the responsive Proposals using the assessment scale below to assign a scores of 0 to 4 for each scorable category based on the quality of each response contained in Tab 5 of Respondent's Proposal.

In determining the quality of the Respondent's Proposal, the evaluators will be evaluating the Respondent's Proposal in accordance with this section 4.2.2.

Assessment	Evaluator Score
Unacceptable	0
Poor	1
Adequate	2
Good	3
Exceptional	4

For each Scorable Category of a Respondent's Technical Proposal, each evaluator will assign scores from 0 to 4, where 0 is the lowest score and 4 is the highest score achievable. Evaluators' scores for each Scorable Category will be totaled for each Respondent. The Respondent earning the highest total score for a given Scorable Category will be awarded the maximum amount of points for that Scorable Category. Each Respondent's score below the highest scoring Respondent's score for that Scorable Category will receive proportional points. The maximum total score for a Technical Proposals is 45 points.

The formula used for calculating proportional scores is:

(Respondent's technical score for an individual question / highest technical score for an individual question \* total possible points for that question) = Respondent's score for an individual question

Total of all Respondent's scores for all individual questions = Respondent's total technical score.

Technical scoring will be weighted according to the points below.

#### Introduction (5 points)

Evaluators will consider how well the Proposal demonstrates the following:

Summarizes the Respondent's understanding of the work to be done and the commitment to perform the necessary work, as stated in Attachment A – Statement of Work. The introduction section should summarize the Respondent's submittal.

#### **Experience and Ability (15 points)**

Evaluators will consider how well the Proposal demonstrates the following:

Provides a brief history and description of the Respondent's business organization and its expertise and experience with providing infrastructure cabling and communication systems installation services relating to the requirements in Attachment A – Statement of Work. This should include the location of the Respondent's office(s) that will serve this Contract and the number and types of planners, engineers, project managers, computer-aided design operators, cable installers, splicers, cable techs, electricians, other relevant professional staff, and equipment and other resources in each office. Furnished a completed Form 5 – BUSINESS EXPERIENCE showing experience supplying the same or similar services.

#### Proposed Staffing (10 points)

Evaluators will consider how well the Proposal demonstrates the following:

Provides in narrative form the names, proposed roles, background and experience, current professional licenses, office location and availability of the personnel that would perform the services stated in Attachment A – Statement of Work. Provides information on how the Respondent will ensure all staff receives required background checks.

#### Service Delivery Management (5 points)

Evaluators will consider how well the Proposal demonstrates the following:

Describes the Respondent's proposed process to manage service delivery as stated in Attachment A – Statement of Work. This should include a description of how the Respondent manages schedules, Subcontractors, changes, service delivery, and quality assurance.

#### Responding to Quotes (5 points)

Evaluators will consider how well the Proposal demonstrates the following:

Describes the Respondent's experience, process, and plan for responding to quotes.

#### **Customer Service (5 points)**

Evaluators will consider how well the Proposal demonstrates the following:

Describes how the Respondent will ensure the highest standards of customer service, including providing Customer updates on the installation status, notifying the Customer of any risks or issues, and ensuring the Customer is made aware in advance of Contractor's staff on site.

#### 4.3 Basis of Award

Awards will be to the responsible and responsive vendor(s) whose proposals are determined in writing to be the most advantageous to the state, based on the scoring of the proposed prices set forth in Attachment C – Pricing Workbook (Financial Proposal) and the scoring of the Technical Proposal, as determined by the criteria set forth in this RFP.

Awards will be made by region and Division. The Department reserves the right to award to multiple Respondents for a region or to make no award for a Region. The Department reserves the right to accept or reject any and all Proposals or separable portions and to waive any minor irregularity, technicality or omission if the Department determines that doing so will serve the best interest of the state.

Awards will be made as follows:

# (1) Division One – Cabling Distribution System.

The Contract(s) shall be awarded to the responsive, responsible Vendor(s) that receive the total highest evaluated score for a region. The total score for a region is a combination of the scoring of the Financial Proposal for Division One plus the scoring of the Technical Proposal. Multiple awards may be made in a region to up to ten (10) Respondents if the total score of the Respondent is within 50% of the highest score for the region. For those regions where, in determining the 10th awarded vendor, there are multiple responsible and responsive Respondents with the same numeric score, the Department reserves the right to award to more than ten (10) Respondents per region to those responsive and responsible Respondents who are tied for the 10th Contract award.

# (2) Division Two – E-Rate Category Two.

The Contract(s) will be awarded to the responsive, responsible Vendor(s) that receive the highest evaluated score for a region. The total score for a region is a combination of the scoring of the Financial Proposal for Division Two plus the scoring of the Technical Proposal. Multiple awards may be made in a region to up to ten (10) Respondents if the total score of the Respondent is within 50% of the highest score for the region. For those regions where, in determining the 10th awarded vendor, there are multiple responsible and responsive Respondents with the same numeric score, the Department reserves the right to award to more than ten (10) Respondents per region to those responsive and responsible Respondents who are tied for the 10th Contract award. The Department is seeking to contract with Contractor(s) who can provide as many equipment categories at the best value to Customers as possible.

# 4.4 **Proposal Disqualification**

Proposals that do not meet all requirements, specifications, terms, and conditions of the solicitation, or fail to provide all required information, documents, or materials, may be rejected as non-responsive. Proposals that contain provisions that are contrary to the requirements of the solicitation are not permitted. Proposals with alternate provisions and conditions that are not consistent with this solicitation may be deemed non-responsive. In order for a Respondent to be found responsible, it must demonstrate the capability in all respects to fully perform the contract requirements and the integrity and reliability that assures good faith performance. The Department will determine which Proposals meet the requirements of this solicitation and which Respondents are responsive and responsible.

# SECTION 5. AWARD

# 5.1 Rights for Award

The Department reserves the right to:

- For Division One services, award only to the responsive and responsible Vendor(s) that receives the highest evaluated score for each region;
- For Division Two services, award only to the responsive and responsible Vendor(s) that receives the highest evaluated score for each region;
- Award to multiple Respondents for Division One services for each region in accordance with section 4.3 of this RFP;
- Award to multiple Respondents for Division Two services for each region in accordance with section 4.3 of this RFP;
- Award to a Respondent for Division One services or Division Two services for a region, or both Division One and Division Two services for a region.
- Not make an award in all regions;
- Reject all Proposals, and determine whether to reissue a competitive solicitation; or
- Withdraw or cancel the procurement and make no award.

Any reservation or listing of reservations of the Department's rights provided in this RFP is not intended to be exhaustive and shall not be construed to limit the rights of the Department in conducting this procurement.

# 5.2 Agency Decision

The Department will post a Notice of Intent to Award to enter into one or more contracts with the Respondent(s) identified therein, on the VBS website in accordance with the Timeline of Events (or as revised by addenda): <u>http://vbs.dms.state.fl.us/vbs/main\_menu</u>.

If the Department decides to reject all Proposals, it will post its notice on the VBS website: <u>http://vbs.dms.state.fl.us/vbs/main\_menu</u>.

# THIS SPACE INTENTIONALLY LEFT BLANK

# FORM 1 – CONTACT INFORMATION

For solicitation purposes, the Respondent's contact person shall be:	For contractual purposes, should the Respondent be awarded a Contract, the contact person shall be (if this column is blank, the contact person for solicitation purposes shall be the contract person for contractual purposes):
Name	
Title	
Company Name	
Address	
Telephone	
Fax	
E-mail	
FEID Number	
Name of Respondent's Organization	Signature of Authorized Representative and Date
	Print Name

# FORM 2 - NOTICE OF CONFLICT OF INTEREST

# Company Name \_\_\_\_\_

For the purpose of participating in the solicitation process and complying with the provisions of Chapter 112, Florida Statutes, the company states the following conflict(s) of interest exists as noted below (if none, write N/A in the applicable section(s) below):

The persons listed below are corporate officers, directors, or agents and are currently employees of the State of Florida or one of its agencies:

The persons listed below are current State of Florida employees who own an interest of five percent (5%) or more in the company named above:

Name of Offeror's Organization

Signature of Authorized Representative and Date

# FORM 3 - NON-COLLUSION STATEMENT

STATE	E OF			
COUN	TY OF	_		
l state	that I	of	_,	
	(Name and Title)		(Name of Firm)	
			ts owner, directors and officers. I am the person losal, and the preparation of the Proposal. I state	
1.	, . , . ,	•	arrived at independently and without consultation, ential Provider, Proposal, or potential Proposal.	
2.	amount(s) of this Proposal, ha	ve been disclosed to any	d neither the approximate price(s) nor approximate other firm or person who is a Provider, potential t be disclosed before Proposal opening.	
3.	No attempt has been made or will be made to induce any firm or persons to refrain from submitting a Proposal for this contract, or to submit a price(s) higher that the prices in this Proposal, or to submit any intentionally high or noncompetitive price(s) or other form of complementary Proposal.			
4.			pursuant to any agreement or discussion with, or nentary or other noncompetitive Proposal.	
5.		iliates, subsidiaries, office	s, director, and employees	
	(Name of Firm)			
		act prohibited by state or	I agency and have not in the last three years been federal law in any jurisdiction, involving conspiracy act, except as follows:	
importa unders	ant, and will be relied on by the S	tate of Florida for which th iis affidavit is, and shall be	that the above representations are material and s Proposal is submitted. I understand and my firm treated as, fraudulent concealment from the State for this contract.	
Date	ed this	day of	2019.	
	e of Organization:			
	ed by:			

# FORM 4 - STATEMENT OF NO INVOLVEMENT

I, as an authorized representative of the Offeror, certify that nothing in section 287.057(17)(c), Florida Statutes (below), prohibits the Offeror's entry into any Contract resulting from this solicitation.

(c) A person who receives a contract that has not been procured pursuant to subsections (1)-(3) [of s. 287.057, F.S.] to perform a feasibility study of the potential implementation of a subsequent contract, who participates in the drafting of a solicitation or who develops a program for future implementation, is not eligible to contract with the agency for any other contracts dealing with that specific subject matter, and any firm in which such person has any interest is not eligible to receive such contract. However, this prohibition does not prevent a vendor who responds to a request for information from being eligible to contract with an agency.

Name of Respondent's Organization

Signature of Authorized Representative and Date

## FORM 5 – BUSINESS EXPERIENCE

Provide the information requested below. The experience cannot be from:

a. Current employees of DMS.

b. Former employees of DMS within the past three (3) years.

c. Persons currently or formerly employed by the Respondent's organization.

d. Board members of the Respondent's organization.

e. Relatives.

f. Corporations based solely in a foreign country.

g. A member of the Respondent's organization who has written, completed and submitted the form on behalf of the reference.

h. Any person involved in the drafting of this RFP or the procurement process.

The same entity may not be listed more than once.

In the event the Respondent has had a name change since the time work was performed for a listed reference, the name under which the Respondent operated at that time should be provided in the space provided for "Brief Summary of Services." The Department reserves the right to contact entities stated below, and also other than those identified by the Respondent, to obtain additional information regarding past performance. Any information obtained as a result of such contact may be used to determine whether or not the Respondent is a "responsible vendor", as defined in Section 287.012(25), Florida Statutes.

Information	Experience #1
Company Name	
Contact Person	
Title	
Address	
City	
State	
Telephone Number	
Email Address	
Contract Period (contract state date to contract end date)	
Brief Summary of Services	

Information	Experience #2
Company Name	
Contact Person	
Title	
Address	
City	
State	
Telephone Number	
Email Address	
Contract Period (contract state date to contract end date)	
Brief Summary of Services	

Information	Experience #3
Company Name	
Contact Person	
Title	
Address	
City	
State	
Telephone Number	
Email Address	
Contract Period (contract state date to contract end date)	
Brief Summary of Services	

# FORM 6 – ADDENDUM ACKNOWLEDGEMENT FORM

This acknowledgment form serves to confirm that the Respondent has reviewed and accepted all Addendum(s) to the solicitation posted on the Vendor Bid System (VBS).

Please list all Addendum(s) below.

Name of Respondent's Organization

Signature of Authorized Representative and Date

#### FORM 7 – SUBCONTRACTING

The Respondent is to complete the information below on all Subcontractors that would provide services to the Respondent to meet the requirements of the resultant contract, should the Respondent be awarded. Submission of this form does not indicate the Department's approval but provides the Department with information on proposed Subcontractors for review.

Please complete a <u>separate sheet</u> for each Subcontractor.

There will be Subcontractors for this solicitation YES \_\_\_\_\_ NO \_\_\_\_ (place a checkbox where applicable). If not, vendors are not required to complete the remainder of this form.

Service:		
Company Name:		
Contact:		
Address:		
Telephone:		
Fax:		
Current Registered as Certified Minority Business Enterprise (CMBE), Women-Owned Business Enterprise (WBE), or Veteran-Owned Business Enterprise (VBE)?	Yes	No
Occupational License No:		
Acknowledgement from Respondent that this Subcontractor has successfully complied with the "Subcontractor Acceptance Process":	Yes	No
W-9 verification:	Yes	No

In a job description format, describe below the responsibilities and duties of the Subcontractor based on the technical specifications or Statement of Work outlined in this solicitation.

SOLICITIATION SECTION REFERENCE	RESPONSIVENESS REQUIREMENTS
3.5.1	The person submitting the Proposal and pricing certifies that the person is authorized to respond to this solicitation on the Respondent's behalf.
3.5.2	The Respondent certifies that it will accept the Contract terms and conditions as stated herein, without qualification or exception.
3.5.3	The Respondent certifies that it is in compliance with Section 9 of the Special Instructions in subsection 3.1
3.5.4	The Respondent certifies that neither it, nor its affiliates, is a Discriminatory Vendor or Convicted Vendor as described in section 287.133 and section 287.134, Florida Statutes, respectively.
3.5.5	The Respondent certifies it is not listed on the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List, and is not participating in a boycott of Israel.
3.5.6	The Respondent certifies that it is currently authorized to do business with the State, or will attain authorization through the Department of State, Division of Corporations, within seven (7) business days of notice of award, should the Respondent be awarded a Contract. Website: www.sunbiz.org
3.5.7	The Respondent certifies that it will, if awarded a Contract, submit to the Department, at least annually, a completed signed preferred pricing affidavit.
3.5.8	The Respondent certifies that it will provide a solution capable of interfacing with SUNCOM's ordering and billing system, CSAB.
3.5.9	If providing a response to Division Two (2), the Respondent certifies it currently holds, or will obtain within sixty (60) days of Contract award, a Service Provider Identification Number (SPIN) from the Universal Service Administrative Company (USAC).

# FORM 8 – MANDATORY RESPONSIVENESS REQUIREMENTS

Signature below certifies that the signatory has the authority to respond to this solicitation on the Respondent's behalf, and certifies conformance with all of the Responsiveness Requirements listed above.

Name of Respondent's Organization

Printed Name of Organization's Authorized Representative

Signature of Organization's Authorized Representative

## FORM 9 - CERTIFICATION OF DRUG-FREE WORKPLACE PROGRAM

Section 287.087 of the Florida Statutes provides that, where identical tie solicitations are received, preference shall be given to the response received from a Respondent that certifies it has implemented a drug-free workforce program. If applicable, please sign below and return this form to certify that your business has a drug-free workplace program, under which you must do each of the following.

- 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 the solicitation a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employees, as a condition of working on the commodities or contractual services that are under the solicitation, 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 five (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.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements. False statements are punishable at law.

Respondent's Name: \_\_\_\_\_

By:

Authorized Signature

Print Name and Title

#### FORM 10 -AFFIDAVIT OF PREFERRED PRICING

#### Affidavit of Preferred Pricing Regarding the Contract between [TBD] (the "Contractor") And State of Florida, Department of Management Services Contract No.: DMS-18/19-045 Effective [TBD]

# To Be Executed at the Time of Contract Execution

Pursuant to subsection 21 of the Contract, the undersigned Contractor hereby attests that the Contractor is in compliance with the Preferred Pricing clause in the Contract.

Contractor Name: [TBD]

Contractor's Federal Employer Identification Number (FEIN #):

Authorized Signature:	

Print Name:

Date:	

Sworn to (or affirmed) and subscribed before me on this \_\_\_\_\_ day of \_\_\_\_ by

(Signature of Notary)

Check One: Personally Known Produced the following ID