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Ron DeSantis, Governor

The State of Florida

Department of Management Services

Invitation to Bid

Electronic Data Processing Equipment Insurance

ITB No: 21-84131512-ITB

Stephanie Wyland, Procurement Officer

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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 concerning this agency decision must be timely filed with the Agency Clerk. Protests may be filed by courier, hand delivery, or U.S. mail at Department of Management Services, Office of the General Counsel, Attention: Agency Clerk, 4050 Esplanade Way, Suite 160, Tallahassee, FL 32399-0950. Protests may also be filed by fax at 850-922-6312 or by email at agencyclerk@dms.myflorida.com. It is the filing party's responsibility to meet all filing deadlines.

The Procurement Officer should be copied on such filings.

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1 INTRODUCTION

1.1 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 responsibility of the Bidder to check for any changes on the Vendor Bid System (VBS) at http://www.myflorida.com/apps/vbs/vbs_main_menu

Bidders shall not rely on the MyFloridaMarketPlace (MFMP) Sourcing time clock. It is not the official submission date and time deadline. The official solicitation dates and time deadlines are reflected in the Timeline of Events listed below.

Timeline of Events		
Events	Time (Eastern Time)	Date
Solicitation posted on VBS and in MFMP Sourcing		March 2, 2021
Deadline to submit questions in MFMP Sourcing	10:00 AM EST	March 16, 2021
Department's anticipated date of posting Q&A Addendum on the VBS		March 30, 2021
Deadline to submit bid and all required documents in MFMP Sourcing	3:00 PM EST	April 13, 2021
<p>Public meeting: Bid opening (non-mandatory) Members of the public to dial in: Conference call number: 888-585-9008 Conference room number: 145-153-086</p> <p>Any person requiring a special accommodation due to a disability should contact the Department's Americans with Disabilities Act (ADA) Coordinator at (850) 922-7535 or ADA.Coordinator@dms.myflorida.com at least five (5) business days prior to the scheduled event</p>	3:01 PM EST	April 13, 2021
Anticipated date to post Notice of Intent to Award		April 27, 2021
Anticipated Contract start date		June 5, 2021

1.2 Definitions

Definitions contained in section 287.012, Florida Statutes (F.S.); Rule 60A-1.001, Florida Administrative Code (F.A.C); Attachment C, Special Contract Conditions; and the https://www.dms.myflorida.com/content/download/2934/11780/PUR_1001_General_Instructions_to_Respondents.pdf (PUR 1001, General Instructions to Respondents (10/06)) are incorporated by reference. In the event of a conflict, the definitions listed in this section supersede the incorporated definitions for the purposes of this ITB document. All definitions apply in both their singular and plural sense.

Bid – The document(s) submitted by a Bidder in response to this ITB.

Bidder – A Vendor who submits a bid to this ITB.

Broker – An insurance intermediary that holds current and valid Florida resident or nonresident insurance license(s) in the appropriate line of business described in this ITB.

Business Day – Monday through Friday, inclusive, except for those holidays specified in section 110.117, F.S., from 8:00 a.m. to 5:00 p.m. Eastern Time.

Claim – A demand for recovery for loss or damages resulting from a covered cause of loss.

Commodity Code – The State’s numeric code for classifying commodities and contractual services which meet specific requirements, specifications, terms, and conditions herein. Florida has adopted the United Nations Standard Products and Services Code (UNSPSC) for classifying commodities and services.

Confidential Information – Information that is trade secret or otherwise confidential or exempt from disclosure under Florida or federal law.

Contract – The written agreement between the Department and the awarded Bidder resulting from this ITB.

Contractor – The Broker that is awarded a Contract resulting from this ITB.

Customer – A Named Insured included in the Insurance Policy.

Department – The Department of Management Services, a State agency.

Electronic Data Processing Equipment (EDPE) – Property including but not limited to: laptops, desktops, and other such data processing systems; electronic systems consisting of separately identifiable and removable component memory or control boxes that are attached to and control production machinery, but not the production machinery itself, and; equipment, component parts and related peripheral equipment, including air conditioning and fire protective equipment, used solely for data processing operations, in the care, custody and control of the Named Insured.

“Insurance Policy” or “Policy” – The contract for insurance that the Broker must provide to the Department on behalf of the Named Insured. The parties to the Insurance Policy will be the Department, the Named Insured, the Broker, and the Insurer.

Insurer – The insurance company selected by the Broker to provide insurance coverage described in this ITB. The term ‘Underwriter’ is synonymous with ‘Insurer’ in this procurement.

Medical and Science (M&S) Equipment – Property used for scientific and medical research or equipment used for medical diagnosis, in the care, custody, and control of the Named Insured.

Named Insured – Those entities listed in Attachment E, Scope of Work, Section 4, Named Insured, and those added during the Policy Period.

Policy Inception – The effective date of the Insurance Policy.

Policy Period – The time between the exact hour and date of Policy Inception and the hour and date of expiration.

Premium – Has the same meaning as defined in section 627.403, F.S.

State – The State of Florida.

Total Insured Value (TIV) - The total insured value of all EDPE and M&S owned or leased/rented/borrowed by Named Insureds at any moment in time on or after the Policy Inception.

Vendor – An entity that is in the business of providing a commodity or service similar to those within this solicitation.

Vendor Bid System (VBS) – The State of Florida bidding notification system developed in accordance with section 287.042(3)(b)2., F.S. The Vendor Bid System is accessible at http://www.myflorida.com/apps/vbs/vbs_main_menu.

1.3 Objective

The Department invites interested Brokers to submit Bids in accordance with these solicitation documents for EDPE and M&S Equipment insurance. The purpose of the solicitation is to replace the expiring Insurance Policy for EDPE and M&S Equipment insurance with a single Contract for multiple policy periods of EDPE and M&S Equipment insurance, if possible.

The Department intends to make a single statewide award to the responsive and responsible Respondent in accordance with sections 287.057(1) and 287.022, F.S.

1.4 Background Information

The Vendor shall market and secure an Insurance Policy on behalf of the State of Florida and the current Named Insureds that shall, at a minimum, include coverage requirements as set forth in Attachment D, Expiring Policy. The Department is seeking the same or better coverage as set forth in Attachment D, Expiring Policy.

Over the past five years, the Named Insured has paid an estimated average premium of approximately \$177,830 annually. Estimated spend is for informational purposes only and must not be construed as representing actual, guaranteed, or minimum spend under any new contract.

A Bidder awarded a Contract under this ITB shall provide contractual services as described in the Attachment E, Scope of Work, and all other ITB attachments.

1.5 Scope of Work

Bidder(s) awarded a Contract under this ITB shall provide commodities and/or contractual services as described in the Scope of Work, Attachment E.

1.6 Term

The term is as specified in the Draft Contract, Attachment A.

1.7 Procurement Officer

In accordance with section 21 of the [PUR 1001](#), the Procurement Officer is the sole point of contact for this ITB. Violation of this restriction may be grounds for rejecting a Bid. The contact information for the Procurement Officer is:

Stephanie Wyland
Purchasing Analyst Supervisor, Division of State Purchasing
Florida Department of Management Services
4050 Esplanade Way, Suite 360, Tallahassee, FL 32399-0950
Phone: (850) 488-1985
Email: Stephanie.Wyland@dms.fl.gov

****ALL EMAILS TO THE PROCUREMENT OFFICER SHOULD CONTAIN THE SOLICITATION NUMBER IN THE SUBJECT LINE OF THE EMAIL ****

1.8 Order of Precedence for Solicitation

In the event of a conflict, the conflict will be resolved in the following order of priority (highest to lowest):

- a) Addenda to ITB, if issued (in reverse order of issuance)
- b) This ITB document
- c) Price Sheet, Attachment G
- d) Scope of Work, Attachment E
- e) Expiring Policy, Attachment D
- f) Additional Special Contract Conditions, Attachment B
- g) Special Contract Conditions, Attachment C
- h) Draft Contract, Attachment A
- i) Other ITB Attachments

1.9 Department's Rights to Reject Bids

The Department may reject any Bid not submitted in the manner specified by this solicitation.

Bids 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. Bidders whose Bids, references, or current status do not reflect the capability, integrity, or reliability to fully and in good faith perform the requirements of the Contract may be rejected as not responsible. The Department reserves the right to determine which Bids meet the requirements of this solicitation and which Bidders are responsive and responsible.

In this solicitation, the words "should" or "may" indicate desirable attributes or conditions but are permissive in nature. Where language indicates that the attribute or condition is mandatory, the Department reserves the right to waive any minor irregularity if the Department determines that it is in the best interest of the State to do so.

A deviation from a requirement or condition is material if, in the Department's discretion, it provides a substantial advantage to one Bidder over another or has a potentially significant effect on the quality of the Bid or on the cost to the State.

1.10 Commitment to Diversity

The State is committed to supporting its diverse business population through involving woman-, veteran-, and minority-owned business enterprises in the state's purchasing process. The Department supports diversity in its procurements, and requests that all subcontracting opportunities afforded by this solicitation be shared with certified woman-, veteran-, and minority-owned business enterprises. The award of subcontracts should reflect the vast array of citizens in the State. Bidders can search for certified businesses online at the Office of Supplier Diversity's Certified Vendor Directory or by contacting 850-487-0915 for information on certified businesses that may be considered for subcontracting opportunities. The Certified Vendor Directory is accessible at:

<https://osd.dms.myflorida.com/directories>.

The Office of Supplier Diversity's Mentor-Protégé Program connects certified businesses with private business entities for business development mentoring. The Department strongly encourages Vendors doing business with the State to consider becoming a Mentor and participating in this initiative. More information on the Mentor-Protégé Program may be obtained by contacting the Office of Supplier Diversity at 850-487-0915 or osdinfo@dms.fl.gov.

2 RESPONDING TO THE ITB

2.1 General Instructions

PUR 1001, the General Instructions to Bidders, is incorporated by reference and is accessible at https://www.dms.myflorida.com/content/download/2934/11780/PUR_1001_General_Instructions_to_Respondents.pdf.

2.2 Special Instructions

The following special instructions modify the general instructions provided in the incorporated PUR 1001.

Paragraph 13 of the PUR 1001 is inapplicable in its entirety.

2.2.1 Paragraphs 3, 4, 5, 9, 14, 15, 19, and 20 of the PUR 1001 are inapplicable and replaced as follows:

3. Electronic Submission of Bids. Bids shall be submitted in accordance with How to Submit a Bid in the MyFloridaMarketPlace section.

4. Terms and Conditions. All Bids are subject to the terms of this solicitation, which, in case of conflict, will have the order of precedence listed in the 'Order of Precedence for Solicitation' section.

The Department will not accept any unrequested terms or conditions submitted by a Bidder, including any appearing in documents attached as part of a Respondent's response. In submitting its response, a Respondent agrees that any additional terms or conditions, whether submitted intentionally or inadvertently, shall have no force or effect.

5. Questions. Questions shall be submitted in accordance with the 'Question Submission' section of this solicitation.

9. Respondent's Representation and Authorization. In submitting a Bid, 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 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 entity or person to submit a complementary or other noncompetitive Bid.
- 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 other 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 Respondent, its affiliates (as defined in section 287.133(1)(a), F.S.), and all directors, officers, and employees of the Respondent and its affiliates for violation of any state or federal law involving a public entity crime (as defined in section 287.133(1)(g), F.S.). This includes disclosure of the names of current employees who were convicted of public entity 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 in a position involving the administration of federal funds:
 - Is presently indicted or, within the preceding three years, has been convicted or found guilty of, or found civilly liable 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 default.
- The products and services offered by the Respondent conform to the specifications without exception.
- The Respondent has read and understands the terms and conditions in the Draft Contract, 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 will execute the Draft Contract.
- The Respondent has made a diligent inquiry of its employees and agents responsible for preparing, approving, or submitting the response, 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 response.
- The Respondent shall indemnify, defend, and hold harmless the Department, Customer, and their employees against any cost, damage, or expense which may be incurred or be caused by any error in the Respondent's preparation of its Bid.
- All information provided by, and representations made by, the respondent are material and important and will be relied upon by the Department in awarding the Contract. Any misstatement may be treated as fraudulent concealment from the Department and

Customers of the true facts relating to submission of the Bid. A misrepresentation may be punishable under law.

The Department reserves the right to deem the Respondent non-responsive or non-responsible based on any information provided in, or omitted from, the Respondent's Bid related to the certifications of this section.

14. Firm Response

The Department intends to make an award within sixty (60) calendar days after the date of the Bid opening, during which period Bids shall remain firm and shall not be withdrawn. If an award is not made within sixty (60) calendar days, all Bids shall remain firm until either the Department enters into a Contract or the Department receives from the Bidder written notice that the Bid is withdrawn.

15. Clarifying Information. The Department may request, and Bidder shall provide, clarifying information or documentation. Failure to supply the information or documentation as requested may result in the Bid being deemed non-responsive.

19. Public Records. Article 1, section 24, Florida Constitution, guarantees every person access to all public records, and section 119.011, F.S., provides a broad definition of "public record." As such, the entirety of the Bids are public records and are subject to disclosure unless exempt from disclosure by law. If the Bidder considers any portion of its Bid to be Confidential Information, the Bidder is to mark the document as "confidential" and simultaneously provide the Department with a separate, redacted copy of its Bid. For each portion redacted, the Bidder is to briefly describe in writing the grounds for claiming exemption, including the specific statutory citation for such exemption. On the cover of the redacted copy, the Bidder is to provide its name and the Department's solicitation name and number and clearly title it, "Redacted Copy." Only portions of material that the Bidder claims are Confidential Information are to be redacted.

In accordance with section 119.0701, F.S., Bids are exempt from production in response to public records requests until such time as the Department provides notice of an intended decision or until 30 days after opening the Bids, whichever is earlier. After that time, the Department will provide the redacted copy, if any, in response to a public records request.

In the event of a request for public records pursuant to Chapter 119, F.S., the Florida Constitution, or other authority, to which documents that are marked as "confidential" are responsive, the Department will provide the redacted copy to the requestor. If a requestor asserts a right to the redacted Confidential Information, the Department will notify the Respondent such an assertion has been made. It is the Respondent's responsibility to take the appropriate legal action to assert that the information in question is exempt from disclosure under Chapter 119, F.S., or other applicable law.

If the Department becomes subject to a demand for discovery or disclosure of documents that are marked as "confidential" in a legal proceeding, the Department will give the Bidder notice of the demand or request. It will be the Bidder's responsibility to take the appropriate legal action in response to the demand and to defend its claims of confidentiality. If the Bidder fails to take appropriate and timely action to protect the materials it has designated as Confidential Information, the Department will provide the unredacted materials to the requester.

By submitting a Bid, the Bidder agrees to protect, defend, and indemnify the Department for all claims arising from or relating to the Bidder's determination that the redacted portions of its

Bid are Confidential Information. If a Bidder fails to submit a redacted copy in accordance with this section, of information it claims is Confidential Information, the Department is authorized to produce the entire material submitted to the Department in response to a public records request for, or demand for discovery or disclosure of, these records.

20. Protests. Any protest concerning this solicitation shall be made in accordance with sections 120.57(3) and 287.042(2), F.S., and Rule Chapter 28-110, F.A.C. Any communication not in accordance with these sections or the solicitation, including questions to the Procurement Officer, will not constitute formal notice of a protest.

2.3 How to Submit a Bid in MyFloridaMarketPlace

2.3.1 MFMP Registration

In order to submit questions regarding this procurement, and to submit a Bid, a Vendor must be registered in the MFMP Vendor Information Portal (VIP). After registering, the Vendor should log in to MFMP VIP using its username and password to ensure that its contact information is correct and that it has registered with the matching commodity code(s) of the MFMP Sourcing event. To participate in the procurement, a Vendor must also indicate its intent to participate in electronic solicitations in MFMP Sourcing on the 'Solicitations' page of its MFMP VIP account.

If the Vendor is not currently registered with MFMP VIP, the Vendor must:

- a) Create an account through MFMP VIP.
- b) Within MFMP VIP, indicate on the 'Solicitations' page that the Vendor wishes to participate in electronic solicitations.
- c) Within MFMP VIP, in the Commodity Code section, ensure that the Vendor has selected the matching commodity codes used in this procurement. VBS and MFMP Sourcing may provide automated notifications to the Vendor community, as a courtesy, based on commodity codes that are tied to a Vendor's registration in MFMP VIP. Vendors with a commodity code that matches the commodity code of the MFMP Sourcing event will be able to 'Join' the MFMP Sourcing event. If a Vendor does not have a matching commodity code, VBS and MFMP Sourcing will not provide a courtesy notification and the Vendor will not be able to 'Join' the MFMP Sourcing event. Vendors will not receive notifications for procurements with commodity codes that they have not selected in their MFMP VIP account.

Vendors have the ability to access and update their registration in MFMP VIP by adding commodity codes to their profile. Changes made in MFMP VIP, including new registrations, may take 48 hours to take effect.

The MFMP VIP is accessible at <https://vendor.myfloridamarketplace.com/>.

The Department strongly recommends the Vendor set its Microsoft Internet Explorer browser to compatibility mode while using MFMP applications. For more information regarding recommended browser settings, please visit https://www.dms.myflorida.com/content/download/120292/657470/file/MFMP_U_IE_Compatibility_Job_Aid_2017.pdf.

ALL VENDORS MUST 'JOIN' THE MFMP SOURCING EVENT PRIOR TO THE DEADLINE TO SUBMIT BID DATE LISTED IN THE TIMELINE OF EVENTS IN ORDER TO PARTICIPATE IN THIS SOLICITATION.

Once registered in MFMP, in order to 'Join' the MFMP Sourcing event, Vendors must:

- a) Have a current MFMP Vendor registration within MFMP VIP; and
- b) Select 'Yes' to participate in electronic sourcing events in MFMP Sourcing on the 'Solicitations' page of their MFMP VIP account.
- c) Within MFMP VIP, in the Commodity Selections section, ensure that the Vendor has selected the matching commodity codes used in this procurement. Vendors will not be able to join or receive notifications for procurements with commodities codes that they have not selected in their MFMP VIP account.

MFMP Sourcing is accessible at <https://sourcing.myfloridamarketplace.com>.

2.3.2 MFMP Sourcing Phases

A solicitation formally begins when the Department posts the solicitation on VBS. The Department will also publish the solicitation in MFMP Sourcing. Do not rely on MFMP Sourcing for notices of solicitation or agency decisions. VBS is the centralized procurement website designated by the Department for agency decisions or intended decisions. MFMP Sourcing is the application for submitting formal questions and Bids in response to the solicitation. The answers to the formal questions will be posted on VBS.

The following are MFMP Sourcing phases:

Preview Status

When this solicitation is published as a 'Public Event' in MFMP Sourcing, it will initially exist in a 'Preview' status. During the 'Preview' status, Vendors without a matching commodity code can only preview the MFMP Sourcing event using the "Public Access" feature. Vendors with a matching commodity code can 'Join' the event, view and download solicitation documents, and accept the 'Bidder's Agreement.'

In accordance with the time stated on the Timeline of Events, Vendors may submit questions to the Procurement Officer in the 'Messages' tab of the MFMP Sourcing event, during the Preview status, after they have joined the event. The solicitation will remain in 'Preview' status until the 'Open' status begins.

Open Status

The solicitation will be in 'Open' status on the date listed on the Timeline of Events. When a solicitation is in 'Open' status, all registered Vendors with a matching commodity code who 'Join' the MFMP Sourcing event and accept the 'Bidders Agreement' may submit Bids until the Bid due date and time listed in the 'Timeline of Events' section, above. The solicitation remains in 'Open' status until the Bid due date and time.

Pending Selection Status

After the Bid due date and time, the solicitation will enter 'Pending Selection' status. During this phase, the 'Pending Selection' tab will appear in MFMP Sourcing.

Completed Status

If the tab in MFMP Sourcing indicates 'Completed,' either an agency decision or an intended decision has been posted on VBS. However, do not rely on MFMP Sourcing for this information. VBS is the centralized procurement website for the posting of agency decisions.

2.3.3 MFMP Training

MFMP University offers Vendor training materials on a variety of topics, including Vendor Registration and Selecting Commodity Codes; training materials are accessible at https://www.dms.myflorida.com/business_operations/state_purchasing/myfloridamarketplace/mfmp_vendors/training_for_vendors.

It is highly recommended that Bidders review the training for 'Responding to Electronic Solicitations' provided at https://www.dms.myflorida.com/content/download/140134/903704/Responding_to_Electronic_Solicitations.pdf.

2.3.4 MFMP Assistance

Vendors needing assistance with using MFMP may contact the MFMP Customer Service Desk Monday through Friday, 8:00 a.m. to 6:00 p.m. ET, at VendorHelp@myfloridamarketplace.com or 866-352-3776.

2.4 Modification or Withdrawal of Bid

Bidders are responsible for the content and accuracy of their Bids. A Bidder may modify or withdraw its Bid in MFMP Sourcing at any time prior to the Bid due date and time set forth in the 'Timeline of Events' section.

2.5 Clarifying Information

The Department may request, and Bidder shall provide, clarifying information or documentation. Failure to supply the information or documentation as requested may result in the Bid being deemed non-responsive.

2.6 Cost of Bid Preparation

The costs related to the development and submission of a Bid are the full responsibility of the Bidder and are not chargeable to the Department.

2.7 Independent Preparation

A Bidder shall not, directly or indirectly, collude, consult, communicate or agree with any other Bidder as to any matter related to the bid each is submitting. Additionally, a Bidder shall not induce any other Bidder to modify, withdraw, submit, or not submit a bid.

All Bidders are to refrain from blocking the insurance market. The State of Florida encourages fair and open competition and participation by all Bidders. The Bidder must not reserve more than a reasonable number of underwriters to prepare a response to this solicitation and any proposed coverage should not have been reserved in advance of this solicitation. If it is determined that there are a limited number of insurance markets available and a Bidder has blocked the markets for other eligible Bidders, the Department reserves the right to reject all responses.

2.8 False or Erroneous Information

A Respondent who submits false or erroneous information may be deemed non-responsive and not awarded a Contract. If the Respondent's bid is found to contain false or erroneous information after Contract award, the Contract may be terminated, and the Department may pursue any other legal action available.

3 THE ITB PROCESS

3.1 Question Submission

The Department invites interested and registered Vendors to submit questions regarding the solicitation.

Questions must be submitted in MFMP Sourcing by the time and date reflected in the 'Timeline of Events' section.

Bidders are strongly encouraged to ask any questions regarding this ITB, including the proposed Contract terms and conditions, prior to the deadline to submit questions.

3.2 Addenda to the ITB

The Department reserves the right to modify this solicitation by issuing addenda. Addenda may modify any aspect of this solicitation. Any addenda issued will be posted on the VBS. It is the Bidder's responsibility to check for any changes to a solicitation prior to submitting a bid.

3.3 Public Opening

Bids will be opened on the date and at the location indicated in the Timeline of Events section. Bidders are not required to attend. The Department generally does not announce prices or release other materials at this public meeting, in accordance with section 119.071(1)(b), F.S.

3.4 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) 922-7535 or ADA.Coordinator@dms.fl.gov at least five (5) business days prior to the scheduled event. If you are hearing or speech-impaired, please contact the ADA Coordinator by using the Florida Relay Service at (800) 955-8771 (TDD).

3.5 Mandatory Responsiveness Requirements

The Department will not review Bids from Bidders that do not meet the minimum mandatory requirements listed below.

Note: The Department will perform an initial responsiveness check. Bids found to be non-responsive will not be considered for award. The Department reserves the right to act upon information discovered after the initial responsiveness check impacting the responsibility or responsiveness of the Bidder.

3.5.1 Attachment F, Certification Requirements for Responsiveness

Bidder must submit a signed Attachment F, Certification Requirements for Responsiveness, form. **The Department will not review Bids from Bidders who do not certify they meet the minimum mandatory requirements listed in Attachment F, Certification Requirements for Responsiveness.**

3.5.2 Attachment G, Price Sheet

The Bidder must provide pricing on Attachment G, Price Sheet, in accordance with the Price Sheet instructions.

3.5.3 Insurer Quotation and A.M. Best Rating

The Department will not evaluate Bids that do not contain a selected insurer quotation document with the insurer's most recent A.M. Best Rating.

The Bidder must provide a copy of the Insurer quotation document which provides coverage limits and deductible information at the same or better for the state as provided for in the expiring policy, which is attached hereto as Attachment D, Expiring Policy. The Department reserves the right to reject a Bid as non-responsive if the insurance quotation does not include coverage that is the same or better coverage contemplated in Attachment D, Expiring Policy.

If the Broker provides pricing for additional Policy Periods in Attachment G, Price Sheet, the Broker should identify in the Insurer quotation document the % loss ratio threshold which, if met or exceeded by the Named Insured during any Policy Period, will prompt the Insurer to reevaluate premium and/or deductible pricing for the next Policy Period. Premium and deductible adjustments will be in accordance with Attachment E, Scope of Work, Section 7.1.

The Bidder must select an Insurer with an A.M. Best Key Financial Rating of at least A – or a Financial Performance Rating of V from the current A.M. Best's Key Rating Guide.

The Bidder must provide the selected Insurer's most recent A.M. Best Rating Information with the Insurer's quotation.

3.6 Other Documents to be submitted by vendor with Bid prior to ITB opening

3.6.1 Attachment H, Broker Information

The Bidder should complete and submit Attachment H, Broker Information.

3.6.2 Attachment I, Insurance Savings/Rate Reductions

The Bidder should complete and submit Attachment I, Insurance Savings/Rate Reductions.

3.6.3 Certificate of Insurance

The Bidder should submit the bidder Company's Certificate of Insurance.

3.6.4 Attachment L, Certification of Drug Free Workplace

The Bidder should complete and submit Attachment L, Certification of Drug free Workplace, if applicable.

3.7 Equal Bids

In the event that the Department receives equal Bids eligible for award, the Department will comply with the following as applicable: sections 287.057(11), 287.082, 287.087, 287.092, 295.187(4)(a), and 295.187(4)(b), F.S. In order to clarify the Bidders' status with regard to the applicable statutory preference requirements, the Department may request information from Bidders with equal eligible bids. A Bidder will not be permitted to amend or supplement its Bid in response to such request for clarification.

3.8 Basis of Award

The Department intends to award one statewide contract for EDPE and M&S Equipment insurance.

The Contract will be awarded to the responsible and responsive Bidder whom the Department determines has provided the lowest Calculated Premium (CP), as provided in Attachment G, Price Sheet. The Department will consider the total cost for each Policy Period of the Contract, including Policy Period 1, Policy Periods 1 through 2, Policy Periods 1 through 3, or Policy Periods 1 through 4, as submitted by the Bidder.

The Department reserves the right to award to a single Bidder or to make no statewide award, as determined to be in the best interest of the State. The Department reserves the right to accept or reject all offers, and to waive any minor irregularity, technicality, or omission if the Department determines that doing so will serve the best interest of the State. The Department reserves the right to award Contract(s) to the next lowest responsive Bid(s) from responsible and responsive Bidder(s) to this solicitation if the Department cannot execute a Contract with a Bidder previously awarded a Contract.

The input of rates, premiums, and assessments and/or fees by a Bidder for Policy Periods 1 through 4 must be as described in the 'Price Sheet' section of this ITB and in accordance with the instructions in the Price Sheet.

The Premium Sub-Total is the auto-calculated total of all annual premiums for the coverage requirements identified on the Price Sheet's 'Instructions' tab for a Policy Period.

The Total Premium (TP) is the auto-calculated total of the Premium Sub-Total for a Policy Period, plus any amounts for assessments and/or fees bid for that Policy Period.

The Discounted Premium (DP) and CP are automatically calculated on the Price Sheet based on information input by a Bidder. The DP and CP are for scoring of the Bidder's Price Sheet only and will not become part of any resulting awarded Contract.

The DP for a Policy Period is calculated using the following formulas:

$$\begin{aligned} DP \text{ for Policy Period 1 (PP1)} &= TP \text{ for PP1} \\ DP \text{ for Policy Period 2 (PP2)} &= TP \text{ for PP2} \div (1 + R) \\ DP \text{ for Policy Period 3 (PP3)} &= TP \text{ for PP3} \div (1 + R)^2 \\ DP \text{ for Policy Period 4 (PP4)} &= TP \text{ for PP4} \div (1 + R)^3 \end{aligned}$$

Where:

R = The most recent ten-year inflation rate from the Survey of Professional Forecasters as of the 4th quarter of 2020. Percentages are expressed as decimals for calculation purposes.

To calculate the CP for a Bid for Policy Period 1 only, the CP is equal to the DP.

To calculate the CP for a Bid for multiple Policy Periods, the CP is the AVERAGE of the DP's for Policy Periods 1 and 2, Policy Periods 1 through 3, or Policy Periods 1 through 4, as submitted by the Bidder.

In accordance with section 626.916(1)(b), F.S., the Premium rate at which the coverage is exported shall not be lower than that rate applicable, if any, in actual and current use by a majority of the authorized insurers for the same coverage on a similar risk. Bids submitted from an eligible surplus lines' insurer with a lower calculated Premium than a Bid submitted by an authorized insurer will not be considered.

3.9 Electronic Posting of Notice of Intent to Award

The Department will electronically post a 'Notice of Intent to Award' on VBS in accordance with the Timeline of Events. The 'Notice of Intent to Award' will remain posted for a period of 72 hours, not including Saturdays and Sundays or State holidays, as specified in section 110.117, F.S.

3.10 Contract Formation

The Department may issue a 'Notice of Intent to Award' to award Contract(s) to successful Bidder(s). However, no contract shall be formed between a Bidder and the Department until both parties sign the Contract. The Department shall not be liable for any work performed before the Contract is effective.

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

3.11 Other Requirements Following Award

3.11.1 Registration with the Florida Department of State

If awarded a Contract, the Bidder shall provide a PDF file of its current and active registration with the Florida Department of State prior to execution of a Contract or, if exempt from registration, a statement to that effect noting the basis for the exemption. Respondents should note that foreign entities are required to obtain a Florida Certificate of Authorization pursuant to applicable Florida Statutes from the Florida Department of State, Division of Corporations, to transact business in the State of Florida. For additional information, please visit <https://dos.myflorida.com/sun/biz/>.

3.11.2 Florida Substitute Form W-9

It is the responsibility of the awarded Bidder to complete a Florida Substitute Form W-9 prior to execution of a Contract. The Internal Revenue Service receives and validates the information provided on the Florida Substitute Form W-9. For instructions on how to complete the Florida Substitute Form W-9, please visit: <https://flvendor.myfloridacfo.com/>

ITB ATTACHMENTS

Attachment A	Draft Contract
Attachment B	Additional Special Contract Conditions
Attachment C	Special Contract Conditions
Attachment D	Expiring Policy
Attachment E	Scope of Work
Attachment F	Certification Requirements for Responsiveness
Attachment G	Price Sheet
Attachment H	Broker Information
Attachment I	Insurance Savings/Rate Reductions
Attachment J	Historical and Loss Information
Attachment K	DFS-D0-850 Certificate of Property Coverage
Attachment L	Certification of Drug Free Workplace