

THE STATE OF FLORIDA

DEPARTMENT OF MANAGEMENT SERVICES

REQUEST FOR PROPOSALS

FOR

AUCTIONEER SERVICES

RFP NO: DMS-20/21-097

Refer ALL inquiries to:
Procurement Officer: Teresa Daughtry
Departmental Purchasing
Florida Department of Management Services
4050 Esplanade Way, Suite 335.1X
Tallahassee, FL 32399-0950
Email: DMS.Purchasing@dms.fl.gov

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 an agency decision or intended decision must be timely filed with the Department of Management Services' Agency Clerk. Protests may be filed by courier, hand delivery, or regular mail at: Department of Management Services, Office of the General Counsel, Attention: Agency Clerk, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 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.

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 seventy-two (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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Section 1 INTRODUCTION

1.1 Solicitation Objective

The State of Florida, Department of Management Services (Department), Division of Specialized Services, Bureau of Fleet Management and Federal Property Assistance, is issuing this Request for Proposals, RFP No.: DMS-20/21-097 (RFP), to establish a Contract for auctioneer services. The auctioneer services are to be delivered within one (1) of the following central Florida counties: Brevard, Citrus, DeSoto, Hardee, Hernando, Highlands, Hillsborough, Indian River, Lake, Levy, Manatee, Marion, Martin, Okeechobee, Orange, Osceola, Pasco, Pinellas, Polk, Sarasota, Seminole, St. Lucie, Sumter, or Volusia. This solicitation will be administered through the Vendor Bid System (VBS).

The services to be provided under the Contract resulting from this solicitation currently have an average annual spend of **\$200,000**. The historical spend is for informational purposes only and should not be construed as representing actual, guaranteed, or minimum spend under a new contract. The Department intends to make a single award. However, the Department reserves the right to award to one (1) or multiple Respondents or to make no award, as determined to be in the best interest of the State.

1.2 Background Information

For over forty (40) years, the Department has contracted with auction service providers to dispose of state motorized vehicles and miscellaneous equipment. Live auctions are conducted once monthly at the current Contractor's auction site in Thonotosassa, Florida. Online auctions are conducted as needed and sometimes simultaneously during the monthly live auction.

Since July 2011, the Department has also contracted with a separate online auction service provider. The Department has seen a cost savings using the online auction method, resulting primarily from transportation cost avoidance. As such, the Department intends to continue the practice of selecting the most appropriate, cost-effective option for selling state vehicles and equipment.

1.3 Term

The initial term of the Contract will be three (3) years, and the Contract may be renewed for up to three (3) additional years thereafter, upon agreement of the parties. Renewals are contingent upon satisfactory performance evaluations by the Department and subject to the availability of funds. The State is not obligated for any payments to the Contractor beyond current annual appropriations.

1.4 Definitions

Definitions contained in section 287.012, Florida Statutes (F.S.); Rule 60A-1.001, Florida Administrative Code (F.A.C.); and the 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 purposes of this document. All definitions apply in both their singular and plural sense. The following capitalized terms used in this RFP (including the Attachments) have the meanings ascribed below:

Business Day – Monday through Friday, inclusive, excluding holidays as specified section 110.117(1), F.S., from 8:00 a.m. to 5:00 p.m., local time.

Buyer Premium – Charge in addition to the hammer price of an auction item, or lot. The winning bidder is required to pay both the hammer price and the percentage of that price called for by the buyer's premium.

Confidential Information – Information that is trade secret or otherwise not subject to public disclosure pursuant to section 24, Article I of the Florida Constitution, Chapter 119, Florida Statutes, or any other Florida law or federal law that serves to exempt information from public disclosure.

Contract – The binding agreement between the Department and awarded Respondent that results from this competitive procurement, if any.

Contractor(s) – The responsive and responsible Respondent awarded a Contract pursuant to this RFP.

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

Hammer Price – The price the auctioneer announces at the time the hammer falls.

MyFloridaMarketPlace (MFMP) – The State’s eProcurement system. MyFloridaMarketPlace is accessible at:

https://www.dms.myflorida.com/business_operations/state_purchasing/myfloridamarketplace

Proposal – A Respondent’s formal submission in response to this RFP.

Respondent – A Vendor that submits a Proposal to this RFP.

State – The State of Florida.

Vendor Bid System (VBS) – The State’s bidding system developed in accordance with section 287.042(3)(b)2., F.S. The Vendor Bid System is accessible at http://vbs.dms.state.fl.us/vbs/main_menu.

1.5 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 sole responsibility to check the Vendor Bid System (VBS) for any changes. 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		
Event	Event Time (Eastern Time)	Date
RFP posted on the VBS and MFMP Sourcing		May 6, 2021
Respondents’ deadline to submit questions to the Procurement Officer	4:00 P.M.	May 12, 2021
Department’s anticipated posting of answers to Respondents’ questions on the VBS and MFMP Sourcing		May 21, 2021
Deadline to submit Proposal and all required documents	3:00 P.M.	June 1, 2021

Timeline of Events		
Event	Event Time (Eastern Time)	Date
Public Opening via Go-to-Meeting: <ul style="list-style-type: none"> Join from computer, tablet or smartphone: https://global.gotomeeting.com/join/187561285 Join by dialing in using a phone: United States (Toll Free): 1 866 899 4679 United States: +1 (571) 317-3116 Access Code: 187-561-285 Join from video-conferencing room or system: Dial in or type: 67.217.95.2 or inroomlink.goto.com Meeting ID: 187 561 285 Or dial directly: 187561285@67.217.95.2 or 67.217.95.2##187561285 	3:30 P.M.	June 1, 2021
Evaluation Phase		June 2, 2021 – June 14, 2021
Anticipated date to post Notice of Intent to Award on the VBS		June 15, 2021
Anticipated Contract start date		July 1, 2021

1.6 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.myflorida.com at least five (5) Business Days prior to the scheduled event. A person who is hearing or speech impaired can contact the ADA Coordinator by using the Florida Relay Service at (800) 955-8771 (TDD).

1.7 Procurement Officer

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

Procurement Officer for this solicitation is:

Teresa Daughtry, Procurement Officer
 Purchasing Analyst, Departmental Purchasing
 Florida Department of Management Services
 4050 Esplanade Way, Suite 335.1X
 Tallahassee, FL 32399-0950
 Email: DMS.Purchasing@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 between the documents comprising this RFP, the conflict will be resolved in the following order of priority (highest to lowest):

- Addenda to RFP, if any (in reverse order of issuance);

- b) Price Sheet, Attachment C;
- c) This RFP document;
- d) Draft Contract, Attachment B (which includes all documents referenced in section 4.1 of the Draft Contract); and
- e) Other RFP attachments.

Section 2 RFP PROCESS

2.1 General Overview

The RFP is a method of competitively soliciting a commodity or contractual service under Chapter 287, F.S. Proposals must be submitted by the date listed in section 1.5, Timeline of Events.

The Department will hold a public opening of the Proposals at the date, time, and location set forth in section 1.5, Timeline of Events. After the Department has reviewed and evaluated Proposals, the Department will post its intended decision on the VBS.

2.2 Questions and Answers

Respondents will submit all questions regarding this RFP in writing to the Procurement Officer by email during the Question and Answer period. The deadline for receipt of questions is reflected in section 1.5, Timeline of Events.

The Department requests that all questions have the RFP number in the subject line of the email. Questions should be submitted in the following format:

Question #	Respondent Name	RFP Section	RFP Page #	Question

Questions will not constitute formal protest of the specifications of this RFP. Respondents are strongly encouraged to ask any questions regarding this RFP, including the proposed Contract terms and conditions, prior to the deadline to submit questions. The Department will post written response to these questions on the VBS.

2.3 Pre-Proposal Conference

The pre-proposal conference will be held via GoToMeeting as referenced in section 1.5, Timeline of Events. Attendance is **not mandatory**, although Respondents are strongly encouraged to attend. Respondents may participate in the conference by utilizing the call-in information as noted in the timeline.

The pre-proposal conference provides Respondents with an opportunity to ask questions and seek clarifications about the RFP. The Department will accept verbal questions during the conference and will make a reasonable effort to provide answers at that time. However, verbal answers and discussions will not be binding upon the Department. Respondents should also understand that the Department will post a written response **ONLY** to those questions subsequently submitted in writing in accordance with section 2.2.

2.4 Addenda to the RFP

The Department reserves the right to modify this solicitation by addenda. Addenda may modify any aspect of this solicitation. Any addenda issued will be posted on the VBS. It is the Respondent’s responsibility to check the VBS for any changes throughout the procurement process and prior to submitting a Proposal.

Respondents should not make any changes to the RFP forms or attachments that it submits in its Proposal. Making such modifications may be grounds for deeming the Respondent non-responsive. The only recognized changes to the RFP, and its forms and attachments, will be those made in a written addendum issued by the Department.

2.5 Public Opening

Proposals will be opened on the date and at the location indicated in section 1.5, Timeline of Events. Respondents are not required to attend. The Department does not announce prices or release Proposal materials at this public meeting, in accordance with section 119.071(1)(b), F.S.

2.6 Contract Formation

The Contract will consist of Attachment A – Scope of Work, Attachment B – Draft Contract, and the pricing submitted by the awarded Respondent on Attachment C – Price Sheet. In the event any of these documents conflict, the conflict will be resolved in the order of priority listed in section 4 of Attachment B – Draft Contract.

The General Contract Conditions (PUR 1000, 2006 version) will be incorporated by reference in the Contract and can be accessed at:

http://www.dms.myflorida.com/business_operations/state_purchasing/documents_forms_references_resources/purchasing_forms.

By submitting a Proposal, the Respondent acknowledges its understanding and acceptance of all terms and conditions of the documents identified above that will form the Contract. If a Respondent has questions regarding any of the terms of the Contract, it is encouraged to submit those during the Question & Answer period. Any attempts to red-line or modify the terms of the Department's Draft Contract will be disregarded and ignored by the Department. Therefore, Respondents should not make alterations or edits to the Department's Draft Contract.

The Draft Contract contains several attachments. The Draft Contract and the attachments, including the affidavits, **do not** need to be returned with the Proposal.

2.7 Modification or Withdrawal of Proposal

Respondents are responsible for the content and accuracy of their Proposals. A Respondent may modify their Proposal at any time prior to the Proposal due date by sending the modified Proposal to the Procurement Officer. Modified Proposals should be clearly marked on the outside of the package with the solicitation number, Respondent name, and Procurement Officer name. A Respondent may withdraw its Proposal by notifying the Procurement Officer in writing before the public opening.

2.8 Commitment to Diversity

The State is committed to supporting its diverse business population through involving woman-, veteran-, and minority-owned small businesses in the State's purchasing process. The Department supports diversity in its procurements Respondents 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. 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 of Florida 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.

Section 3 GENERAL AND SPECIAL INSTRUCTIONS

3.1 General Instructions

The PUR 1001, General Instructions to Respondents (2006 version), is incorporated by reference and can be accessed at:

http://www.dms.myflorida.com/business_operations/state_purchasing/documents_forms_references_resources/purchasing_forms

3.2 Special Instructions

The PUR 1001, General Instructions to Respondents, is superseded to the extent set forth in the following Special Instructions.

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

Paragraphs three (3), four (4), five (5), nine (9), fourteen (14), fifteen (15), and twenty (20) of the PUR 1001 (General Instructions) are inapplicable and are replaced as follows:

Section 3. Electronic Submission of Responses.

Proposals shall be submitted in accordance with section 3.4, How to Submit a Proposal, of this RFP.

Section 4. Terms and Conditions.

All responses are subject to the terms of this solicitation, which, in case of conflict, shall have the order of precedence listed in section 1.8, Order of Precedence for Solicitation, of this RFP.

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

Section 5. Questions.

Questions shall be submitted in accordance with section 2.2, Questions and Answers, of this RFP.

Section 9. Respondent's Representation and Authorization.

In submitting a Proposal, the Respondent certifies that it understands, represents, and acknowledges the following:

- a. The Respondent is not currently under suspension or debarment by the State or any other governmental authority.
- b. The Respondent currently has no delinquent obligations to the State, including a claim by the State for liquidated damages under any other contract.
- c. 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.
- d. 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's public opening.

- e. No attempt has been made or will be made to induce any firm or person to refrain from submitting a Proposal, or to submit a price(s) higher than the prices in this Proposal, or to submit any intentionally high or noncompetitive price(s) or other form of complementary Proposal.
- f. 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), F.S.), and all directors, officers, and employees of the Respondent and its affiliates for violation of any 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 public entity crimes while in the employ of another company.
- g. 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:
 - 1) Is presently indicted or, within the preceding three (3) 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
 - 2) Has within a three (3) year period preceding this certification had one (1) or more federal, state, or local government contracts terminated for cause or default.
- h. The products and/or services offered by the Respondent will conform to the specifications contained herein without exception.
- i. The Respondent has read and understands the terms and conditions listed in the Draft Contract (Attachment B), and its attachments, and the Proposal submission is made in conformance with those terms and conditions.
- j. 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.
- k. The Respondent has made a diligent inquiry of its employees and agents responsible for preparing, approving, or submitting the Proposal, 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.
- l. 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.
- m. 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 of the true facts relating to submission of the Proposal. A misrepresentation may be punishable under law, including, but not limited to, Chapter 817, F.S.
- n. By submitting its Proposal, the Respondent agrees to and waives any objections to requirements contained in the solicitation, including any addenda thereto.

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 Proposal related to the certifications of this section.

Section 14. Firm Response.

The Department may make an award within sixty (60) days after the date of the opening, during which period Proposals shall remain firm and shall not be withdrawn. If award is not made within sixty (60) days, the Proposal shall remain firm until the Department enters into a Contract or the Department receives from the Respondent written notice that the Proposal is withdrawn.

Section 15. Clarifying Information.

Clarifying information shall be submitted in accordance with section 3.8, Additional Information, of this RFP.

Section 20. Protests.

Any protest concerning this solicitation shall be made in accordance with sections 120.57(3) and 287.042(2) of the Florida Statutes and chapter 28-110 of the Florida Administrative Code. Any communication made not in accordance with these sections or the solicitation, including questions to the Procurement Officer, shall not constitute formal notice of a protest.

3.3 Florida Substitute Form W-9 Process

It is the responsibility of the awarded Respondent(s), if any, 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/>

3.4 How to Submit a Proposal

3.4.1 MFMP Registration

In order to submit questions regarding this procurement, and to submit a Proposal, 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 'Solicitation Selections' 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 'Solicitation Selections' page that the Vendor wishes to participate in electronic solicitations.
- c) Within MFMP VIP, in the 'Commodity Codes' 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 Vendor account. Changes made in MFMP VIP, including new registrations, may take up to 24 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 internet browser settings, please visit https://www.dms.myflorida.com/business_operations/state_purchasing/myflorida_marketplace/mfmp_agency_customers/mfmp_university/job_aids

ALL VENDORS MUST 'JOIN' THE MFMP SOURCING EVENT PRIOR TO THE DEADLINE TO SUBMIT PROPOSAL 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 code(s) 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> .

3.4.2 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 Proposals in response to the Department's 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 ‘Proposer’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

When a solicitation is in ‘Open’ status, all registered Vendors with a matching commodity code who ‘Join’ the MFMP Sourcing event and accept the ‘Proposers Agreement’ may submit Proposals until the Proposal due date and time listed in section 1.4, Timeline of Events, of this RPF.

Pending Selection Status

After the Proposal due date and time, the solicitation will enter ‘Pending Selection’ status. During this phase of the solicitation, 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.

3.4.3 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/myflorida_marketplace/mfmp_vendors/training_for_vendors .

It is highly recommended that Vendors review the training for ‘Responding to Electronic Solicitations’ provided at https://www.dms.myflorida.com/business_operations/state_purchasing/myflorida_marketplace/mfmp_agency_customers/mfmp_university/course_catalog.

3.4.4 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 866-352-3776 or email at VendorHelp@myfloridamarketplace.com .

3.4.5 Submit Proposals to the Procurement Officer: 1) by the due date and time listed in section 1.5, Timeline of Events, of this RFP (or as revised by addenda); and 2) at the address listed in section 1.7, Procurement Officer.

3.5 Respondent Mandatory Responsiveness Requirements

The Department will not evaluate Proposals that do not meet the mandatory requirements listed below.

The Respondent's Technical Proposal (section 3.6, Tab 4) will be addressed at the evaluation phase and, other than the required Business/Corporate References, will not be evaluated for the responsiveness determination.

Respondents shall provide the required certifications and documentation described in this section and submit a signed Form 1, Mandatory Responsiveness Requirements. **A Proposal will be deemed non-responsive if it fails to contain any required document listed below:**

3.5.1 Form 1 – Mandatory Responsiveness Requirements. The Respondent must submit a completed Form 1, through execution of which the Respondent certifies to the statements therein. **(submitted with Proposal)**

3.5.2 Proof of Office and Auction Locations. Respondent must submit a copy of the required proof of office and auction locations in accordance with section 3.6, Contents of Proposal, of this RFP. **(submitted with Proposal)**

3.5.3 Licenses and Certificates. Respondent must submit copies of the required licenses and certificates in accordance with section 3.6, Contents of Proposal, of this RFP. **(submitted with Proposal)**

3.5.4 Business References. The Respondent must submit a minimum of **three** completed (3) business/corporate references utilizing the form provided as **FORM 6** in accordance with section 3.6, Contents of Proposal, of this RFP. **(submitted with Proposal)**

3.5.5 Attachment C – Price Sheet. Respondent must submit Attachment C in accordance with the instructions contained therein and in sections 3.6 and 3.9 of this RFP. **(submitted with Proposal)**

The Price Sheet must include amounts (as percentages) for the initial year and the renewal years. Both sheets of the Price Sheet must be completed and submitted. **Failure to submit a completed Attachment C will result in the Respondent being deemed non-responsive and disqualify such Proposal from further consideration.**

3.6 Contents of Proposal

Respondents are to complete each item below in its entirety or the Respondent may be deemed non-responsive. The following sections of the Proposal are to be submitted in accordance with section 3.4, How to Submit a Proposal, of this RFP:

Tab 1: Cover Letter and Executive Summary

- A. The Respondent is to provide a cover letter on the Respondent's letterhead with the following information:
- 1) Company name and physical address;
 - 2) Contact information for primary point of contact; and
 - 3) Federal Employer Identification (FEID) Number.

- B. The Respondent should condense and highlight the contents of the Proposal in a separate section titled “Executive Summary” including a general description of how Respondent intends to offer the services sought by this RFP.

Tab 2: Purchasing Forms

The following forms attached to this RFP should be completed and attached in their entirety with the signature of the Respondent’s authorized agent.

- FORM 2 – CONTACT INFORMATION
- FORM 3 – CERTIFICATION OF DRUG-FREE WORKPLACE
- FORM 4 – NOTICE OF CONFLICT OF INTEREST
- FORM 5 – STATEMENT OF NO INVOLVEMENT

Note: Form 1, Mandatory Responsiveness Requirements will be attached under Tab 3; Form 6, Business/Corporate Reference, will be attached under Tab 4; and Form 7, Recent Sales Results, will be attached under Tab 5.

Tab 3: Form 1 and Required Licenses and Certifications - Mandatory

The following form and documents must be completed and provided in their entirety.

- A signed Form 1 – Mandatory Responsiveness Requirements
- Respondent must conduct monthly public auctions at the same location within Florida, located in one (1) of the counties listed on **Form 1**, from which it proposes conducting the services described in this RFP. Respondent shall certify this requirement by submitting a copy of one (1) of the following documents:
 - 1) Respondent’s current and active auctioneer / dealers license (must: 1. include mailing address and/or LLC or INC corporate report, and 2. use local addresses only (a P.O. Box will not be accepted));
 - 2) Respondent’s current electric bill (must include date); or
 - 3) Respondent’s current mortgage statement (must include date).
- Respondent must possess the following valid and active licenses and certificates. Respondent shall provide copies of the following required licenses and certificates:
 - 1) State of Florida Independent Dealer in Motor Vehicles;
 - 2) Florida Annual Resale Certificate for Sales Tax;
 - 3) State of Florida, Florida Board of Auctioneers, Auction Business License;
 - 4) State of Florida, Florida Board of Auctioneers, Auctioneer License (for each auctioneer); and
 - 5) Business Tax Receipt (current).

Tab 4: Technical Proposal

The Respondent is to fully describe its plan for carrying out the services as described in Attachment A – Scope of Work, in its Proposal. At a minimum, this should include the following information, which will be evaluated against the criteria listed in section 4, Selection Methodology.

A. Narrative on Experience and Ability

The Respondent is to furnish a narrative on its relevant experience and ability to provide the services outlined in this RFP. The narrative is to include:

- 1) Detailed company history and experience conducting monthly live and online public auctions to include, but not limited to, number of years providing monthly auctions and the specific location of the live auction site.

- 2) A list of any current contracts similar in size and scope identifying the contact information for the company receiving services and a detail description of the services provided.
- 3) Description of target market, reputation, or clientele and explain what type of auction services the Respondent has a reputation for (e.g., newer vehicles, farm and construction equipment, boats and marine equipment, estate sales, etc.).
- 4) Compensation business model. Describe if your auction business revenue is generated by sales commissions charged to sellers, buyer premiums charged to buyers, combination of sales commissions and buyer premiums, etc. Also, describe if any additional required or optional service fees charged to sellers or buyers (e.g., registration fee, entrance fee, fee for internet sales, dealer fees, payment fees, decal removal fees, locksmith services fees, loading fees, etc.).
- 5) **Business/Corporate References - Mandatory**

The Respondent shall furnish a minimum of **three** completed (3) business/corporate references with its Proposal, utilizing the form provided as **FORM 6** of this solicitation to support the Business/Corporate experience requirements. In order to qualify current experience, services described by Business/Corporate References shall be ongoing or shall have been completed within the six (6) years preceding the issue date of this solicitation.

References should be directly relevant to the services in the solicitation.

Failure to submit a minimum of three (3) completed business/corporate references, utilizing the form provided as FORM 6, may result in the Respondent's Proposal being deemed non-responsive and disqualified from further consideration.

B. Auction Staffing

The Respondent is to fully describe its current staffing patterns during pre-auction workdays, auction day, and post-auction workdays. Respondent should indicate if the staff members are full-time or part-time employees, if they are contract employees, and if they perform multiple roles. At a minimum, the following staff should be included:

- 1) Management Team;
- 2) Licensed auctioneers;
- 3) Auction ring personnel (to assist the auctioneers with taking bids during the calling);
- 4) Auction clerks (to assist the auctioneers with record keeping during the auction);
- 5) Online auction personnel (to assist with onsite asset processing and internet/online bids);
- 6) Administrative clerks (to register bidders, collect proceeds, complete bills of sale, transfer forms during the auction, prepare recorded audio of the auction, etc.);
- 7) Notary publics (to notarize forms that are required for title transfers and other documents);
- 8) Title clerks (to perform tasks such as Vehicle Identification Number (VIN) verification, duplicate title application, title correction, title reassignment, retail title transfer, etc.);
- 9) Uniformed security personnel (to assist with parking, crowd control, prevent vandalism, prevent unauthorized removal of items, provide general security during the auction, etc.);
- 10) Accounting clerks (to prepare invoices, process payments from buyers, prepare detailed sales reports, transfer gross proceeds of the auction by Automated Clearing House (ACH) to seller's account, etc.); and
- 11) Any other personnel not mentioned above that may have a significant role in the success of the auction.

Provide a description of any other applicable licenses or certificates, including certificates demonstrating staff training, business improvement, appreciation, community support, etc., that are in addition to the requirements of section 3.5.1.

C. Media and Advertising

The Respondent is to describe its marketing and advertising strategy. At a minimum, this should include the following:

- 1) Online website. Confirmation that the Respondent maintains an active website and a description of how visitors to the website can view a list of items that will be sold at the next auction, how frequently the list is updated, and the type of information provided for items listed (e.g., description, photos, etc.).
- 2) Marketing strategy. Description of your marketing strategy, the target audience, success with strategy, etc.
- 3) Advertising strategy. Description of the different forms of advertising used, how the impact of the advertising is measured, etc.

D. Auction Site Location

The Respondent is to provide a detailed description of the property and facilities used for conducting the monthly live public auctions at the primary auction site. At a minimum, this should include the following:

- 1) Description of the auction site location, size of parking area, size of office spaces, size of area from which items are sold, size of holding or storage space, etc.
- 2) Description of visitor services such as concession services, restrooms, covered waiting areas, Americans with Disabilities Act (ADA) accommodations, etc.
- 3) Description of site security, including but not limited to, uniformed security officer, licensed law enforcement officer, electronic monitoring, etc.

E. Pre- and Post-Auction Activities

The Respondent is to fully describe the activities and services that are typically provided for both sellers and buyers in the days and weeks leading up to, and following, the day of the monthly auction. At a minimum, this should include the following:

- 1) Earliest date and last date prior to the auction that items can be delivered.
- 2) Hours of operation for sellers to deliver items to be sold.
- 3) Hours of operation for administrative services for buyers (e.g., payment, title and tag processing, etc.).
- 4) Hours of operation prior to auction day when items are available for preview or inspection by the public.
- 5) Hours of operation and timeframe after the auction that buyers can access the auction site for removal of their items.

F. Auction Day Activities

The Respondent is to provide a description of the activities and experience that visitors can expect on auction day. At a minimum, this should include the following:

- 1) Arriving at the Auction Site. Describe how easy the location is to find, signage, if parking attendants and traffic control are used, if uniformed security is present, if ample parking at auction site is available, if overflow parking is available, if parking for vehicles with trailers is provided, etc.
- 2) Check-in Procedures. Describe the check-in procedures, such as controlled access or open access, bidder registration process, ability to pre-register, time frame when bidders can preview or inspect items prior to start of auction, precautions taken to prevent theft or tampering, description of public areas (e.g., check-in, waiting, check-out, restrooms, etc.).

- 3) Conduct of the Auction. Describe how Respondent's auctions (live and online) are organized and conducted, and provide photos of key auction activities, etc.
- 4) Special procedures. Describe the process for the seller to set a minimum price on items, procedure for bidders to bid on items in absentia (i.e., proxy bidding, internet bidding, etc.), and any other special circumstance procedures.
- 5) Auction Schedule. Describe how far in advance Respondent's auction schedule is set (monthly, quarterly, annually).

G. Reporting Requirements

The Respondent is to provide a description of procedures and practice of recording auction results. At a minimum, this should include the following:

- 1) Describe how gross proceeds, invoices for auction services and miscellaneous charges, spreadsheets of results, and digital audio/video recordings are prepared and delivered to the seller.
- 2) Describe the auction results reports that are prepared for the seller, how soon after the auction closes that the reports are made available, audit procedures to ensure reports are complete and accurate, etc.

Tab 5: Respondent's Additional Proposal Documents

Recent Sale Results (July 2018 to June 2020) (FORM 7)

The Department desires live and online auctioneer services that will result in the highest possible gross sale prices and the lowest possible costs associated with the auction process (e.g., auctioneer commission fees, membership fees, inspection fees, loading or unloading fees, etc.). Therefore, the Respondent is to provide results from its monthly live and online public auctions. Results from the live public auction should be results from auctions that were conducted at the primary auction site described above. Utilizing **FORM 7**, include sales results for the two (2) year period July 2018 to June 2020 for the following vehicle types:

- 1) Automobiles (sedans, coupes, station wagons)
- 2) Light Trucks, up to 1-ton (include pickup trucks, vans, SUVs)
- 3) Medium and Heavy Duty Trucks (over 1-ton)
- 4) Other Mobile Equipment (tractors, boats, forklifts, etc)

Completing one row for each item sold, in columns organized as follows:

- 1) Year
- 2) Make
- 3) Model
- 4) Odometer/Mileage
- 5) Date of auction
- 6) Location of auction – Live auction (City and County) or online
- 7) Type of seller (e.g., County/City Government, Federal Government, Dealer/Distributor, Commercial, Private, Other, Unknown)
- 8) Gross sales price
- 9) Buyer Premium %
- 10) Seller Commission %

NOTE: The recent sales results should include sales from all types of sellers, **except the State of Florida (this includes DMS and other state agencies)**. If submitted, State of Florida sales data/information will be excluded from the scoring process. Respondents can

include sales of vehicles from government sellers (such as federal, counties, and cities) and any non-government sellers (such as corporate, individuals, etc.).

Tab 6: Price Proposal (Attachment C – Price Sheet) – Mandatory

The Price Sheet is located under the Microsoft Excel document labeled **Attachment C – Price Sheet**.

Respondents must complete both sheets of the Price Sheet (**Attachment C**), in accordance with the instructions described therein and in sections 3.7, 3.8, and 3.9 of this RFP. The Respondent may not add additional sheets to the workbook. Modification of the Price Sheet by a Respondent may result in the Respondent being deemed non-responsive. By submitting a Proposal, the Respondent warrants its agreement to the amounts submitted.

3.7 Redacted Submissions

The following section supplements Section 19 of the PUR 1001.

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, all Proposals are public records unless exempt by law. If the Respondent considers any portion of the material submitted in response to this solicitation to be trade secret or otherwise confidential under Florida or federal law, the Respondent is to mark the document as “Confidential” and simultaneously provide the Department with a separate, redacted copy of its Proposal. For each portion of material redacted, the Respondent 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 Respondent is to provide its name and the Department’s solicitation name and number. Only portions of material that the Respondent claims are confidential are to be redacted.

In accordance with section 119.0701, F.S., sealed Proposals received by an agency pursuant to a competitive solicitation are exempt from public records requests until such time as the Department provides notice of an intended decision or until thirty (30) days after opening the Proposals, 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 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, F.S., or other applicable law.

If the Department becomes subject to a demand for discovery or disclosure of the Confidential Information of the Respondent in a legal proceeding, the Department will notify the Respondent of the demand. The Respondent shall be responsible for defending its determination that the redacted portions of its Proposal are trade secret or otherwise exempt or confidential and exempt and not subject to disclosure. If the Respondent fails to take appropriate and timely action to protect the materials it has designated as trade secret or otherwise not subject to disclosure, the Department will provide the materials to the requestor.

By submitting a Proposal, the Respondent agrees to protect, defend and indemnify the Department for any and all claims arising from or relating to the Respondent’s determination that the redacted portions of its Proposal are trade secret or otherwise not subject to disclosure. **If the Respondent**

fails to submit a redacted copy of information it claims is trade secret or otherwise not subject to disclosure, the Department is authorized to produce the entirety of the documents submitted to the Department in response to a public records request for these records.

3.8 Additional Information

By submitting a Proposal, the Respondent certifies that it agrees to and satisfies all criteria specified in this RFP. The Department may request, and Respondent shall provide, clarifying information or documentation. Failure to supply supporting information or documentation as required and requested may result in the Proposal being deemed non-responsive.

No conditions may be applied to any aspect of the RFP by the Respondent. Any conditions placed on any aspect of the Proposal documents by the Respondent may result in the Proposal being rejected as a non-responsive conditional Proposal. **DO NOT WRITE IN CHANGES ON ANY RFP SHEET.** The only recognized changes to the RFP prior to Proposal opening will be a written addenda issued by the Department.

3.9 Price Sheet Instructions

3.9.1 The Respondent must submit a completed Price Sheet (Attachment C), with both Sheet 1, Price Sheet, and Sheet 2, Price Sheet Scenarios, completed.

3.9.2 For Sheet 1, Price Sheet, the Respondent shall:

3.9.2.1 Provide commission amounts (as percentages) for the initial and renewal years in each yellow-highlighted cell. The blue-highlighted and orange-highlighted cells are protected formula cells which will automatically calculate the average of the commission amounts for the initial and renewal term for use on Sheet 2, Price Sheet Scenarios.

3.9.2.2 Complete **either** the Straight-Line Sales Commission/Buyers Premium Schedule **or** the Tiered/Sliding Sales Commission/Buyers Premium Schedule on the Price Sheet.

3.9.2.3 List any additional charges that may be assessed to the seller for optional or required services below the Sales Commission/Buyers Premium Schedules. If no fees are provided, the Department will assume that the service(s) will be at no cost to the Department.

3.9.3 For Sheet 2, Price Sheet Scenarios:

3.9.3.1 The blue-highlighted and orange-highlighted cells are protected formula cells which will automatically calculate the average of the **commission** amounts for the initial and renewal term (from Sheet 1) and the corresponding commission that would be charged for the listed sale price.

3.9.3.2 The Respondent must provide **fee** pricing for each of the scenarios in the yellow-highlighted cells. Fees which may be applied more than once should be calculated properly into the scenarios and fees listed in the scenario must correspond with the amounts indicated for such fees on Sheet 1, Price Sheet, submitted by the Respondent. If the Respondent does not charge

a fee for any of the specific fees listed for each scenario, the Respondent should put "0" in that space.

3.9.3.3 The price sheet will auto calculate the total price for the initial term scenarios and the renewal term scenarios, which will be used to calculate the score for the Price Proposal, as specified below.

3.9.4 The Respondent shall sign the completed Price Sheet and submit it with its response, in accordance with RFP sections 3.6, 3.7, 3.8, 3.9, and Attachment C – Price Sheet.

Failure to submit a completed Attachment C may result in the Respondent's Proposal being deemed non-responsive and disqualified from further consideration.

Notice Regarding Use of Microsoft Excel: Cells which have been highlighted yellow require a response from the Respondent. Respondent shall complete one (1) of the Sales Commission and Buyer Premium Schedules as provided in Attachment C.

Note: In the event the Department receives a price sheet containing illegible pricing or a mathematical error(s), the Department reserves the right to seek clarification of the prices received and to receive corrected price sheet(s). No material alterations of the original price sheet shall be accepted.

3.10 Cooperation with the Inspector General

Pursuant to section 20.055(5), Florida Statutes, Respondent 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 Criteria

The Technical Proposal is worth eighty-six percent (86%) of the overall score and is comprised of the following:

- A.** Narrative on Experience and Ability (11% overall score) (section 4.2, A.);
- B.** Proposed Technical Solution (46% overall score) (section 4.2, B.); and
- C.** Recent Sales Results (29% overall score) (section 4.2, C.).

The Price Proposal (**Attachment C – Price Sheet**) is worth fourteen percent (14%) of the overall score and will be calculated as specified in section 4.3.

4.2 Scoring of Tab 4 Technical Proposal (200 Total Points)

Evaluators will be provided with each responsive Respondent's entire Technical Proposal (Tab 4), excluding Form 7, to enable them to complete their evaluations. The evaluators will independently review and evaluate the Technical Proposals using the evaluation criteria and scoring guidelines listed in sections 4.1 and 4.2. Only whole numbers will be used. The Technical Proposal is comprised of the following:

A. Scoring of Narrative on Experience and Ability (40 points)

Sub Category A. Narrative on Experience and Ability (section 3.8, Tab 4)	Possible Points
1) Company History and Experience	15
2) Current Contracts	5
3) Target Market, Reputation or Clientele	5
4) Compensation Business Model	10
5) Business/Corporate References (Form 6s)	5
Total Possible Points	40

Evaluators will consider the following guiding questions:

- 1) Has the Respondent demonstrated via the proposal that it has experience in performing contracts of similar size and scope for the services sought?
- 2) Does the Respondent have a minimum of at least five (5) years of experience within the last six (6) years providing the services described in this RFP?
- 3) How well did the Respondent convey the ability to provide both live and online auction services?
- 4) Does the Respondent possess the proper license and certificates to deliver the services? Are the license and certificates valid and active?
- 5) Does the Respondent have the appropriate team (staffing) to deliver the services? Are the team members' license/certificates valid and active?
- 6) Are there any issues or concerns identified regarding the Respondent's experience and ability to provide the services specified in Attachment A, Scope of Work?
- 7) How well do the references demonstrate the Respondent's experience in performing contracts of similar size and scope for the services sought?
- 8) How well do the references demonstrate the Respondent's ability to provide the requested services?
- 9) Are there any issues or concerns identified by the references?

B. Scoring of Proposed Technical Solution (160 points)

Sub Categories B. through G. (section 3.6, Tab 4)	Possible Points
B. Auction Staffing	40
C. Media and Advertising	10
D. Auction Site Location Activities	30
E. Pre and Post Auction Activities	30
F. Auction Day Activities	40
G. Reporting Requirements	10
Total Possible Points	160

Evaluators will consider the following guiding questions:

- 1) How well does the Respondent's proposal meet the needs of the State? How well does the Respondent explain why its proposal and services are best for the State? How well does Respondent's explanation address the needs of the State?
- 2) How qualified are Respondent's personnel that will be providing the required services?
- 3) How well does the Respondent's proposed primary auction site meet the needs of the State? How well does the property, security, location, and, facilities of the primary auction site meet the State's requirements?
- 4) How well does the Respondent's proposed media and advertising strategy reflect an understanding of the State's needs?

- 5) How well does the Respondent's description and its understanding of live auction and online auction operations align with the requirements of this solicitation?
- 6) How well does the Respondent's hours of operations meet the needs of the State?
- 7) How well does Respondent's description of the activities and buyer's experience on auction day meet the needs of the State?
- 8) How well does the Respondent's description and understanding of documentation and reporting requirements meet the needs of the State?

4.3 Scoring of Form 7 – Recent Sales Results (100 points)

The Procurement Officer will review and score Form 7 – Evaluation of Recent Sales Results. The points for recent sales results will be assessed as two (2) categories: fifty (50) possible points for the volume of lots sold and fifty (50) possible points for the highest gross sales, with a maximum of score of one hundred (100) points. The awarded points will be assessed based on the Respondent's response provided as outlined in section 3.6, Tab 5., Recent Sales Results (**FORM 7**). Each Respondent will be awarded a percentage of the possible points relative to the highest volume of lots sold and highest gross sales according to the following formulas:

$$\text{(Highest volume of lots sold by a Respondent / Respondent's volume of lots sold)} \times 50 = \text{Respondent's points for volume of lots sold}$$

$$\text{(Highest gross sales submitted by a Respondent / Respondent's gross sales)} \times 50 = \text{Respondent's points for gross sales}$$

4.4 Scoring of Tab 6 - Price Proposal (50 points)

The Procurement Officer will review and score the Price Proposals (Tab 6). The Price Proposal will be calculated based on Sheet 2, Price Sheet Scenarios, of **Attachment C - Price Sheet**, with a maximum score of fifty (50) points – twenty-five (25) points for the scenarios described for the initial term and twenty-five (25) points for the scenarios described for the renewal term. Points will be awarded as follows:

The Respondent with the lowest total price for the totality of the initial term scenarios, as indicated in the Respondent's Attachment C – Price Sheet, receiving twenty-five (25) points. Each additional Respondent will be awarded a percentage of the twenty-five (25) points relative to the Respondent with the lowest total price as follows:

$$\text{(Lowest total price submitted by a Respondent for renewal term scenarios / Respondent's total price for initial term scenarios)} \times 25 = \text{Respondent's points for the initial term scenarios}$$

The Respondent with the lowest total price for the totality of the renewal term scenarios, as indicated in the Respondent's Attachment C – Price Sheet, receiving twenty-five (25) points. Each additional Respondent will be awarded a percentage of the twenty-five (25) points relative to the Respondent with the lowest total price as follows:

$$\text{(Lowest total price submitted by a Respondent for renewal term scenarios / Respondent's total price for renewal term scenarios)} \times 25 = \text{Respondent's points for the renewal term scenarios}$$

4.5 Department's Rights to Reject Proposals

The Department may reject any Proposal not submitted in the manner specified by this solicitation at any time.

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. Respondents whose Proposals, 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 non-responsible. The Department reserves the right to determine which Proposals meet the requirements of this solicitation and which Respondents 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 still 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 Respondent over another or has a potentially significant effect on the quality of the Proposal or on the cost to the State.

4.6 Basis of Award

If an award is made, the Department will award to the Respondent(s) with the highest scored Proposal, including pricing and technical scoring. The Department reserves the right to award regional contracts, for all or for part of the work contemplated by this solicitation.

The Department reserves the right to award one (1) or more Contract(s) to the responsible and responsive Respondent(s) whose Proposal(s) is determined to be most advantageous to the State and to accept or reject any and all Proposals or separable portions and to waive any minor irregularity if the Department determines that doing so will serve the best interest of the State. An irregularity is not material and therefore, minor, when it does not give the Respondent a substantial advantage over other Respondents and thereby restrict or stifle competition.

Section 5 AWARD

5.1 Rights for Award

The Department reserves the right to:

- Select one (1) or multiple Respondent(s) for the services encompassed by this solicitation;
- Award to, and contract with, the Respondent with the next highest score in the event that the Department is unable to contract with the initially or subsequently awarded Respondent;
- Award Contract(s) for less than the entire service area, less than all services encompassed by this solicitation, or both;
- Reject all Proposals, and determine whether to reissue a competitive solicitation; and
- Withdraw or cancel the procurement and make no award at any time prior to execution of a Contract, including after posting a Notice of Intent to Award.

5.2 Agency Decision

If the Department decides to award a Contract(s), it will post a Notice of Intent to Award, stating its intent to enter into one (1) or more Contract(s) with the Respondent(s) identified therein, on the VBS website: http://vbs.dms.state.fl.us/vbs/main_menu.

If the Department decides to reject all Proposals, it will post its notice on the VBS website: http://vbs.dms.state.fl.us/vbs/main_menu.

THIS SPACE INTENTIONALLY LEFT BLANK

FORM 1 – MANDATORY RESPONSIVENESS REQUIREMENTS

Respondent certifies the person submitting the Proposal is authorized to respond to this RFP on Respondent's behalf.
The Respondent certifies that it will accept the Contract terms and conditions as stated in the RFP (including any addenda thereto), without qualification or exception.
Respondent certifies that the Respondent will, at all times, comply with section 7, Liability and Workers' Compensation Insurance of Attachment B – Draft Contract if awarded a contract.
The Respondent certifies neither it, nor its affiliates, is a Convicted Vendor or on the Discriminatory Vendor List as defined in Sections 7 and 8 of the PUR 1001 form .
The Respondent certifies it is in compliance with section 9 of the PUR 1001 form, as modified by section 3.2 of the RFP, and that the Respondent accepts the terms and conditions of this RFP, including all addendums and attachments, without qualification or exception.
The Respondent certifies that the Respondent is not participating in a boycott of Israel.
Respondent certifies that, if awarded a Contract, prior to Contract execution, it will provide the Department with a PDF file of its current and active registration with (or, if a foreign entity, its Certificate of Authority from) the Florida Department of State, Division of Corporation (www.sunbiz.org); or, if exempt from registration, a statement to that effect noting the basis from the exemption.
Respondent certifies that within the last year (i.e., within the last 365 days), it has not had a contract terminated under section 448.095(2)(c), F.S., by a public employer, as defined by section 448.095(1)(i), F.S.
Respondent certifies it has a minimum of at least five (5) years' of experience within the last six (6) years, providing the services described in this solicitation.
Respondent certifies that its brick and mortar business office and monthly live public auctions are located within one (1) of the following central Florida Counties: Brevard, Citrus, DeSoto, Hardee, Hernando, Highlands, Hillsborough, Indian River, Lake, Levy, Manatee, Marion, Martin, Okeechobee, Orange, Osceola, Pasco, Pinellas, Polk, Sarasota, Seminole, St. Lucie, Sumter, or Volusia.

Signature below certifies that the signatory has the authority to respond to this solicitation on the Respondent's behalf and to provide certifications required in this Form 1.

Respondent's Name

Printed Name of Respondent's Authorized Representative

Signature of Respondent's Authorized Representative

Date

FORM 2 – CONTACT INFORMATION

For solicitation purposes, the Respondent's contact person shall be:

For contractual purposes, should the Respondent be awarded, the contact person shall be (if this column is blank, then the contact person for solicitation purposes shall be the contact person for contractual purposes):

Name	_____	_____
Title	_____	_____
Company Name	_____	_____
Address	_____	_____
Telephone	_____	_____
Fax	_____	_____
E-mail	_____	_____
FEIN #	_____	_____

FORM 3 – CERTIFICATION OF DRUG-FREE WORKPLACE PROGRAM

Section 287.087, Florida Statutes, provides that, where identical tie proposals are received, preference shall be given to the proposal received from a Respondent that certifies it has implemented a drug-free workforce program. If applicable, sign below and return this form to certify that the Respondent has a drug-free workplace program, under which the Respondent does each of the following:

- 1) Publishes a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifies the actions that will be taken against employees for violations of such prohibition.
- 2) Informs 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) Gives 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), notifies 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) Imposes a sanction on, or requires 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) Makes 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 Respondent complies fully with the above requirements. False statements may be punishable at law.

Respondent's Name: _____

By: _____
Authorized Signature Print Name and Title

FORM 4 – NOTICE OF CONFLICT OF INTEREST

Respondent's 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 Respondent's Organization

Signature of Authorized Representative and Date

Print Name

FORM 5 – STATEMENT OF NO INVOLVEMENT

I, _____, as an authorized representative of the Respondent, affirm that nothing in section 287.057(17)(c), Florida Statutes (below), prohibits the Respondent from entering into a Contract resulting from this solicitation.

287.057 Procurement of commodities or contractual services.—

(17)(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 Respondent who responds to a request for information from being eligible to contract with an agency.

Respondent's Name

Signature of Authorized Representative and Date

Print Name

FORM 6 – BUSINESS/CORPORATE REFERENCE

Provide the information requested below. Duplicate and complete this form as many times as needed to demonstrate experience in providing services similar to those sought in this procurement. At a minimum, three (3) references must be submitted. The Department may contact the persons listed below. The contact person cannot be a:

- a. Current employee of DMS.
- b. Former employee of DMS within the past three (3) years.
- c. Person currently or formerly employed by the Respondent’s organization.
- d. Board member of the Respondent’s organization.
- e. Relative.
- f. Corporation based solely in a foreign country.
- g. 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 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), F.S.

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

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

Respondent's Name

Signature of Authorized Representative and Date

Print Name