

INVITATION TO NEGOTIATE

Title: Contact Center Services

Issuer: Florida Prepaid College Board

ITN Number: ITN 21-03

Issue Date	July 15, 2021
Written Request for Clarification Deadline	July 29, 2021 - 12:00PM (ET)
Written Request for Clarification Response	August 6, 2021
Response Deadline	August 25, 2021 - 12:00PM (ET)
Anticipated Contract Effective Date	October/November 2021

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1. INTRODUCTION

The Florida Prepaid College Board (Board) is soliciting responses from qualified Respondent(s) to gain access to a U.S. based contact center for services including, but not limited to, processing, handling, and answering incoming and outgoing calls, live chat sessions, and other general communication channels for the Prepaid, Savings, and Foundation programs

1.01 ABOUT THE FLORIDA PREPAID COLLEGE BOARD

Background

Established in 1987, the Board is a separate state agency administratively housed within the State Board of Administration (SBA). There are seven Board members:

- Three members appointed by the Governor (three-year terms)
- The Attorney General, or its designee
- The Chief Financial Officer, or its designee
- The Chancellor of the State University System
- The Chancellor of the Division of Florida Colleges

The Board administers two Qualified Tuition Programs for the State of Florida pursuant to Section 529 of the Internal Revenue Code: the Stanley G. Tate Florida Prepaid College (Prepaid) Program and the Florida 529 Savings (Savings) Program. The Prepaid Program allows Florida families to prepay the cost of in-state tuition, required fees, and dormitory housing at a price lower than the projected future cost of college in Florida. The Savings Program allows Florida families to invest for higher education expenses.

The Board also oversees two direct-support organizations – The Florida Prepaid College Foundation (Foundation) and Florida ABLE Inc., d/b/a ABLE United (ABLE).

Stanley G. Tate Florida Prepaid College Program	Florida 529 Savings Program	Stanley G. Tate Florida Prepaid College Foundation	Florida ABLE, Inc. d/b/a ABLE United
<p>Prepay the future cost of college at a price lower than projected enrollment costs.</p> <p><u>Key Statistics:</u></p> <ul style="list-style-type: none"> • 1.18M families have saved • \$12,400,000,000+ assets under management • 487,000+ active beneficiaries 	<p>Investment plan to pay for college. Save what you can, when you can.</p> <p><u>Key Statistics:</u></p> <ul style="list-style-type: none"> • 98,000+ active accounts • \$865,000,000+ assets under management • 2020 Morningstar medal winning plan 	<p>Innovative scholarship programs designed to help students earn a college education.</p> <p><u>Key Statistics:</u></p> <ul style="list-style-type: none"> • 51,000+ scholarships awarded • 30,000+ have attended college • \$39,000,000+ assets under management 	<p>Investment plan to pay for disability related expenses.</p> <p><u>Key Statistics:</u></p> <ul style="list-style-type: none"> • Launched July 2016, one of the first plans • 4,800+ active accounts • \$30,000,000+ assets under management

Our Products

The Board currently offers several Prepaid College Plans as well as a 529 Savings Plan that has 22 investment options.

Florida Prepaid College Plans



4-Year Florida University

120 university credit hours (T,L,TD)



1-Year Florida University

30 university credit hours (T,L,TD)



2 + 2 Florida

60 university credit hours (T,L,TD)
60 lower division credit hours (T,L)



4-Year Florida College

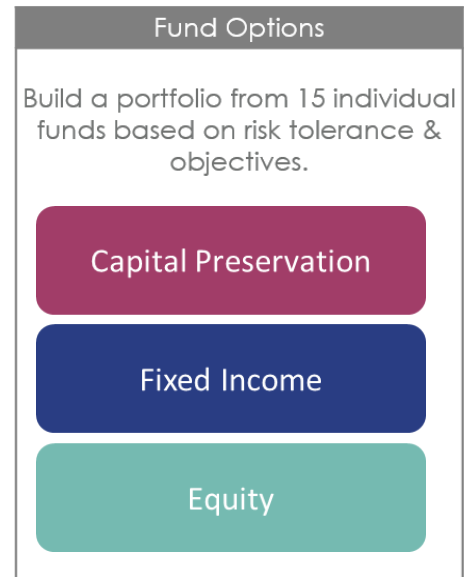
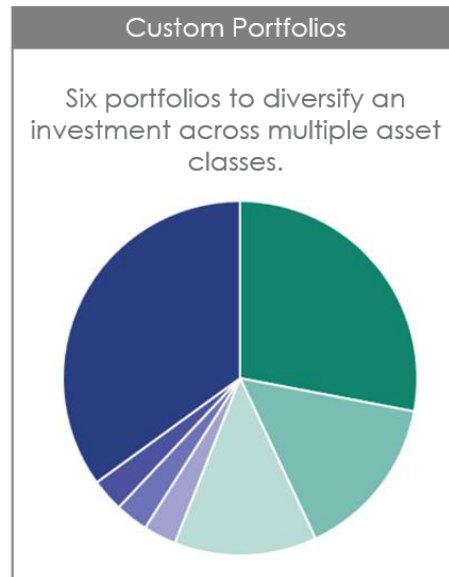
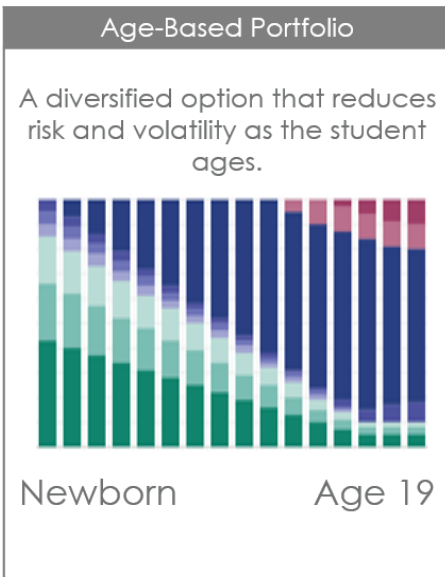
60 upper division credit hours (T,L)
60 lower division credit hours (T,L)



2-Year Florida College

60 college credit hours (T,L)

Florida 529 Savings Plan Investment Options



For more information about the Board, Prepaid, and Savings, please visit [MyFloridaPrepaid.com](https://www.MyFloridaPrepaid.com).

For more information about the Foundation, please visit [FloridaPrepaidCollegeFoundation.com](https://www.FloridaPrepaidCollegeFoundation.com).

For more information about ABLE, please visit [ABLEUnited.com](https://www.ABLEUnited.com).

Business Process Outsourcing

Based on Florida Statutes and operational strategy, the Board has elected to outsource most business processes through competitive procurement. The Board contracts with more than 20 service providers, including records administration, investment consulting, custodian/trustee services, and investment management for Prepaid, Savings, and ABLE. Day-to-day oversight of the Board and its Programs are performed by a full-time staff of 20 positions.

BNY Mellon currently serves as the records administrator and customer service provider for the ABLE program. ABLE is excluded from the scope of this procurement.

Current State

The Board's records administrator and customer service provider for the Prepaid, Savings, and Foundation programs, Intuition College Savings Solutions, LLC (ICSS, intuitioncss.com) has served the Board since 1989. ICSS maintains a dedicated call center with an Interactive Voice Response (IVR) system and call monitoring/recording software. The current IVR has four (4) prompts which include:

- prospective customers (prompt 1),
- existing Prepaid customers (prompt 2),
- existing Savings customers (prompt 3), and
- Spanish speakers (prompt 4).

All incoming and outgoing communications are recorded and indexed for quality assurance and training purposes. This is the main communication method used by participants. The Board does not currently offer chat functionality.

The call center is staffed with both full-time and temporary representatives. Prospective customer calls (IVR prompt 1) are handled predominately by temporary representatives, especially during Open Enrollment, which is a peak period for new prospective customer calls. The Board does not currently have call scripts that are used by representatives.

The Board accepts new Prepaid account applications year-round but has a specific Open Enrollment period annually from February to April where Prepaid Plan prices are locked in, during this time period prospective customer communication volumes are concentrated. Savings account applications are accepted year-round.

The current hours of operation for the contact center are Monday – Friday 8 a.m. – 6 p.m. ET with extended hours during the Open Enrollment period (Monday – Friday 8 a.m. – 8 p.m. ET and for the final weekends, Saturday hours). Prospective customer incoming calls average 300/day during Open Enrollment and 100/day the remainder of the year. These calls largely revolve around products offered, pricing, and application assistance and last for an average of 7 minutes.

In January 2021, the Board began implementing a suite of Salesforce products to create a Customer Relationship Management (CRM) solution. Since implementation, the Board has used the CRM solution to log incoming calls, create external facing portals, and maintain business rules associated with each program.

The general transactional volume for the Prepaid, Savings, and Foundation programs is listed in the tables below.

Phone Call Activity – The below numbers are associated with calls received in the Board's IVR prompt 1.

Open Enrollment Period			
Program	Prepaid	Savings	Foundation
Phone Calls	22,000	Incl. w/ Prepaid	< 200
Average calls/day	300	Incl. w/ Prepaid	Incl. w/ Prepaid
Rest of the Year			
Phone Calls	15,000	Incl. w/ Prepaid	< 200
Average calls/day	100	Incl. w/ Prepaid	Incl. w/ Prepaid

The below data is intended to provide the Respondent additional context regarding the Board's programs and related customer interactions. This is for informational purposes only.

Annual Enrollment Activity– The Board accepts new account applications year-round.

Program	Prepaid	Savings	Foundation
Applications	80,000	20,000	2,000
New Accounts	40,000	14,000	2,000

Annual Account Maintenance – Generally, participants are able to perform transactions online. The below transaction volumes are related to routine account maintenance in a given year.

Program	Prepaid	Savings	Foundation
Active Accounts	700,000	100,000	50,000
Phone Calls	220,000	20000	< 200
Incoming Emails	25,000	5,000	< 1,000
Chat	Not Offered Yet	Not Offered Yet	Not Offered Yet
Change/Update Participant	35,000	5,000	2,500
Change/Update Plan or Options	2,000	1,000	100

Future State

Historically, Call Centers have been limited to inbound and outbound call handling. Contact Centers on the other hand handle several different communication channels (Omni-channel), including, inbound and

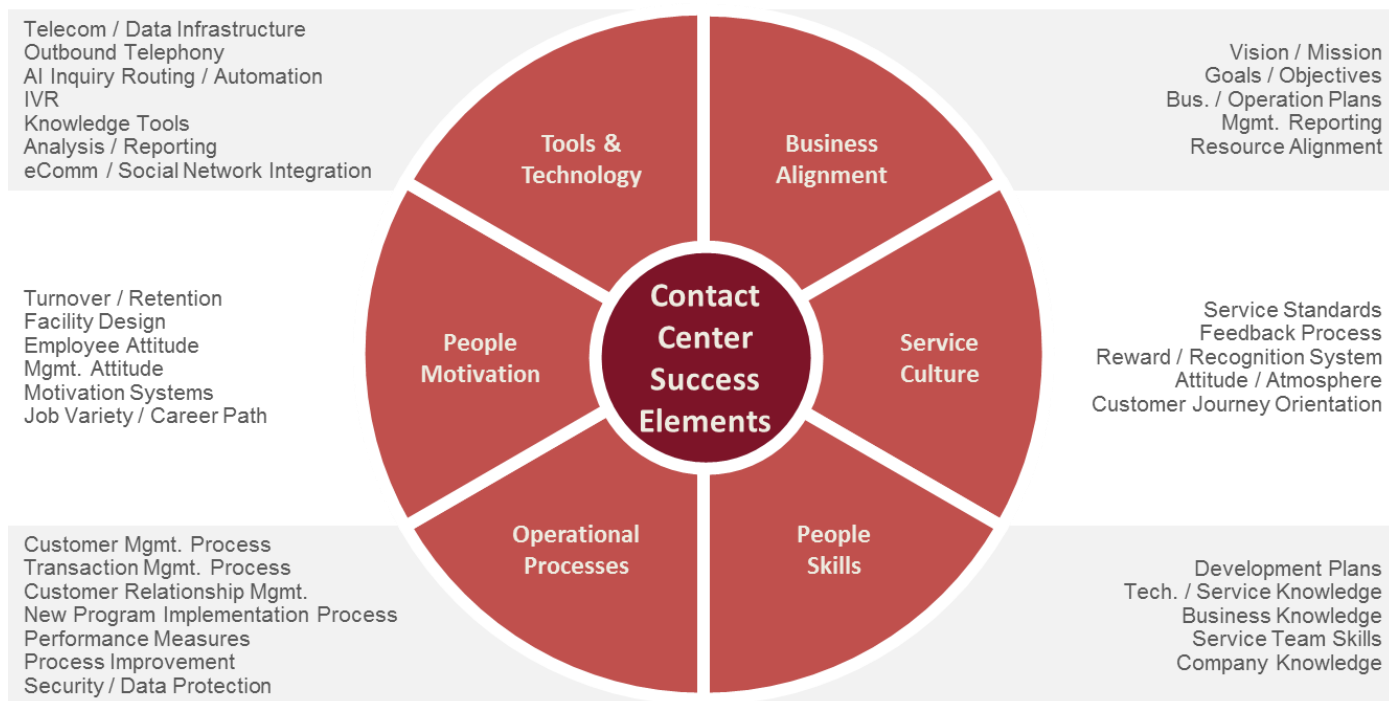
outbound calls, live chat, email, social media and SMS/text messages. The Board currently has a limited Call Center (inbound calls only).

To best meet the Board's mission, the Board seeks to optimize outcomes and return on investment of engaging with potential customers, rather than the traditional call center focus of minimizing cost per inbound call.

The Board's goal is to increase new and continued participation in Florida Prepaid College Board programs by improving customer experience and interactions. Customers of the Board want interactions that are relevant, timely, meaningful, and efficient.

Today, customers expect to communicate with an organization across multiple channels. The expectation is for quicker response times, multi-channel engagement and smoother transitions between communications across different platforms. A positive customer experience is focused on convenience, personalization, and timeliness.

The Board seeks a Respondent that is capable of delivering the required services through the lens of the below success areas that are considered important by the Board.



Business Alignment

The Board seeks a Respondent that can provide services that align and support the Board's mission, strategic initiatives, business processing strategy, and resource strategy.

Service Culture

The Board seeks a Respondent that recognizes value and instills a culture of providing customers with effective and efficient support. Respondents should provide service at or above contact center industry standard SLAs.

People Skills

The Board seeks a Respondent that provides people with relevant skills including communication skills, team skills, problem solving skills, industry / product knowledge and technical background, The Respondent will provide its people with effective tools, processes and leadership to gain the relevant knowledge and skills to support the Board's customers.

Operational Processes

The Board seeks a Respondent that provides KPIs, metrics for measurement, SLAs, call logging and tracking escalation procedures, performance standards, Total Quality Management (TQM) processes, compensation structures, knowledge capture and management, financial controls, and other effective processes to deliver high quality services and interactions with customers.

People Motivation

The Board seeks a Respondent that creates a culture that delivers sustained retention and motivation of the people delivering services on behalf of the Board.

Tools & Technology

The Board seeks a Respondent that provides the telecom / data infrastructure, tools, and technology that leverage and complement the Board-provided CRM platform and applications to achieve effective communication and engagement with customers.

1.02 PROCUREMENT OBJECTIVE

This Invitation to Negotiate (ITN) has been issued by the Board, pursuant to Section 287.057, Florida Statutes, to obtain written offers for services (Responses) from qualified firms (Respondents) to provide multilingual CRM contact center operational services.

The Board seeks a Respondent to be a partner in the operational delivery of CRM related services which include directly communicating with customers through a variety of interaction channels including voice calls, email, live chat, SMS text, social media, virtual collaboration tools, mobile applications and other omni-channels as appropriate to improve customer awareness, understanding, sales and use of Board products.

The successful Respondent must have exceptional credentials and long-term experience related to the required services. To be considered, each Respondent must meet the standards and requirements set forth in Section 1.03, Minimum Qualifications for Respondents. Failure to comply with these requirements may be sufficient cause to reject the response without further consideration.

See Section 3.01 for a detailed description of Services required.

The Board intends to enter a contract with one Respondent. The contract will be finalized during the Negotiation Period. The contract between the Board and selected Respondent will incorporate the ITN and its specifications, written questions from Respondents with answers by the Board, and the response to this ITN provided by the selected Respondent.

The primary scope (statement of work) under this contract will focus on performing outgoing customer interactions, incoming customer interactions related to marketing and enrollment in Prepaid, Savings, and Foundation programs, and additional interactions through channels not currently available to customers. Voice calls will still be the primary interaction method, but over time, the Board hopes to increase other channels such as Text, Chat, email, social media.

1.03 MINIMUM QUALIFICATIONS FOR RESPONDENTS

Respondents must affirmatively state, in writing, that:

1. The Respondent has a minimum of five years' experience providing contact center services, including incoming and outgoing call and live chat handling to either federal, state or local governments or financial services related customers.

2. The Respondent has their principal place of business and corporate charter located and registered in the United States.
3. The Respondent agrees to provide the services and agrees to all other requirements as stated in the ITN.
4. The Respondent will only propose contact center locations and resources that are U.S. based.

Any Respondent that does not satisfy the minimum criteria herein shall be rejected.

1.04 PREFERRED QUALIFICATIONS FOR RESPONDENTS

Respondents must affirmatively state, in writing, whether:

1. The Respondent has a minimum of five years' experience providing sales, banking and/or financial product orientated contact center services.
2. The Respondent offers contact center services during the weekend.
3. The Respondent offers (or agrees to utilize Board's) scheduling solutions where customers can set a time (or time window) to receive a call.

2. SCHEDULE AND COMMUNICATIONS

2.01 SCHEDULE

The following schedule is set forth for informational and planning purposes. The Board reserves the right to modify this schedule as necessary to effectively administer this procurement.

Action	Date & Time	Location
Issue Date	July 15, 2021	
Written Request for Clarification Deadline	July 29, 2021 12:00PM (ET)	ITNinfo.Prepaid@MyFloridaPrepaid.com
Written Request for Clarification Response	August 6, 2021	
Response Deadline	August 25, 2021 12:00PM (ET)	1801 Hermitage Blvd., Suite 210 Tallahassee, FL 32308
Response Opening*	August 25, 2021 2:00PM (ET)	1801 Hermitage Blvd., Suite 210 Tallahassee, FL 32308
Evaluator Scoring Validation*	September, 2021	1801 Hermitage Blvd., Suite 210 Tallahassee, FL 32308
Negotiation Period	September/October 2021	
Negotiation Vote*	September/October 2021	1801 Hermitage Blvd., Suite 210 Tallahassee, FL 32308
Notice of Intended Award	September/October 2021	
Anticipated Contract Effective Date	October/November 2021	

* Indicates public meeting. Notice of public meetings will be posted in the Florida Administrative Register (FAR).

2.02 OFFICIAL NOTICES

All notices, addenda, revisions, decisions, intended decisions, and other information relating to this procurement will be electronically posted on the State of Florida Vendor Bid System (VBS) website. The Respondent is responsible for monitoring VBS. The Board does not guarantee information obtained from other sources.

Please visit: myflorida.com/apps/vbs/vbs www.main_menu.

Agency: **State Board of Administration**

Title: **ITN 21-03**

2.03 COMMUNICATIONS AND RESTRICTIONS THEREOF

In accordance with Section 287.057, Florida Statutes, Respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the Notice of Intended Award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a Response. Communications and questions should be directed to the procurement officer as directed below:

ITN Administrator

Email: ITNinfo.Prepaid@MyFloridaPrepaid.com

The Board is the only entity authorized to issue news releases relating to this procurement and any resulting contract.

3. DESCRIPTION OF SERVICES

3.01 SERVICES

The Respondent(s) selected will provide required contact center services for the Board and provide value-added services that may be used by the Board in the future for the Prepaid, Savings, and Foundation programs.

Inbound Prospective Customer Calls

The cost of a 4-Year University Plan for a newborn is \$28,558 - with deferred benefit of at least 18 years. To encourage and assist customers with their purchasing decisions, the Board seeks a Respondent able to provide a team of dedicated full-time representatives that are cross-trained in financial product sales and marketing. Additional cross-training and a scalable solution will reduce the contact center's turnover rate. Representatives should be trained using Board provided training materials and tools that are aimed at closing sales, not just resolving issues. The representatives do not need to have any specific government certifications to provide the financial product sales and marketing information, but must have general knowledge and experience. The Respondent must be able to provide representatives that are multilingual in at least Spanish.

Prospective customers should experience a unique and tailored interaction with the Board that encourages them to become a user of Florida Prepaid products and services. Representatives should be capable of providing a best-in-class consultation with customers that may include plan comparison, financial planning at a basic level, and budget decision assistance (In other words, the Representative should be comfortable communicating and discussing the information provided on the Board's website).

The Respondent shall work with the Board to develop call scripts and/or talking points to be used for all customer calls.

Please note that no security issued by the Program has been registered with or approved by the United States Securities and Exchange Commission or any state securities commission. Further, the Accounts are not subject to oversight by the Financial Industry Regulatory Authority or the Municipal Securities Rulemaking Board.

Live and Automated Assistant Chat

The Board does not currently offer live chat functionality, but customers want a choice for how and when they communicate with customer support. The Board seeks a Respondent with the ability to have flexible and scalable hours of operation, and the ability to communicate with potential customers through live chat.

Representatives need to have the ability and skills to handle all incoming live chat requests from customers using Board provided functionality (Salesforce). Live chat should be available during extended hours of operation, including the weekend, especially during Open Enrollment period.

Outbound Calls to Engage Select Groups with Targeted Messaging

The Board would like to identify and proactively communicate with potential and existing customers regarding their unique situations. These customer interactions include, but not limited to:

- **Prospective Customers:** Follow up on incomplete applications (30,000/year), recent communications, and social media engagement, etc.
- **Customers with Available Refunds:** 30,000 customers have not yet requested an available overpayment refund. The Board intends to place a significant number of outbound calls to customers with an available refund to survey and/or assist in the refund claim process.
- **Delinquent Customers:** Proactively reaching out to delinquent customers to provide options and incentives for taking early action (automatic withdrawal, downgrades, etc.).

Other General Communication Channels (email, text/SMS, social media)

The Board has created standardized responses and talking points to customer questions (Knowledge Articles in Salesforce) that can be used to respond to additional communications from other channels to present a clear and consistent message.

The Board would like to leverage the general talking points used for prospective customers and chat to engage with customer through email, text/SMS and/or social media channels.

Salesforce Integration

The Respondent should, at a minimum, be able to connect to the Board's Salesforce organization through telephony integration (ANI/CTI) using a Board provided 1-800 circuit. The Board is open to discussion regarding additional integration solutions; including using Salesforce Service Cloud Voice and Amazon Connect functionality or other solutions suggested by the Respondent.

Value-Added Services

The Respondent may offer services other than those specifically outlined in the solicitation that it believes offer additional operational benefits, efficiencies, or risk reduction (Value-Added Services). Although the Board has listed current business needs, they are not intended to limit the Respondent's innovations or creativity in preparing a response to help the Board provide the best service to its customers. Innovative ideas, new concepts, and partnership arrangements other than those presented in this ITN will be considered. For example, those might include unique business features, special services, offer costs or other shared savings, discounts, or terms and conditions specific to each Respondent. If the Respondent is awarded the Contract and Value-Added Services are included in the Contract, then for any Value-Added Service for which no start date is established, the Board will provide the Respondent with the agreed-upon notice if such service listed in the Contract is selected for implementation.

3.02 CONTRACT

The Board intends to enter into a written contract with the Respondent that offers the best value to the Board for the services included in this solicitation, as determined by the Board. The contract will incorporate this solicitation and amendments thereof, the written requests for clarifications and the answers thereof, and the Response provided by the contracting Respondent, including any and all supplemental Responses as requested by the Board.

If the language between this solicitation and the contract conflict with the terms of State of Florida General Contract Conditions ([PUR 1000](#)) or State of Florida General Instructions to Respondents ([PUR 1001](#)), incorporated herein by reference, this solicitation and the contract shall control.

Failure to meet any contractual obligations may result in cancellation of any award.

4. RESPONSE

4.01 MANDATORY REQUIREMENTS

The Board has established certain mandatory requirements that must be included in a Response. The use of "shall", "must", or "will" (except to indicate simple futurity) indicates a mandatory requirement or condition. The words "should" or "may" indicate desirable attributes or conditions, but are permissive in nature. Deviation from, or omission of, such a desirable attribute will not by itself cause rejection of a Response.

Respondents who meet the minimum qualifications and that have satisfied the mandatory requirements will be considered; any Respondent who does not will be rejected.

4.02 RESPONSE FORMAT AND CONTENT

Respondents must provide the following information in the form/format specified. Failure to comply with the instructions herein is sufficient cause to reject a Response.

The Written Response Packet includes the following forms:

Tab 1 – Invitation to Negotiate Acknowledgement

The Invitation to Negotiate Acknowledgment must be completed and signed by an officer or agent of the Respondent who is empowered to bind the Respondent in a contract. An executed acknowledgement, with the requested materials that follow, constitute an offer from the Respondent to provide the services detailed in this solicitation under the contractual terms provided herein.

Tab 2 – Minimum and Preferred Qualifications

The Minimum and Preferred Qualifications form represents a written attestation that the Respondent meets the minimum qualifications and indicates whether the Respondent meets the preferred qualifications set forth in this solicitation.

Tab 3 – Organizational Experience

The Organizational Experience form collects information about the Respondent and the relevant experience thereof.

Tab 4 – Contact Center Services

The Contact Center Services section collects information about the Respondent's capabilities in the following areas: Inbound Prospective Customer Calls, Live and Automated Assistant Chat, Outbound Calls to Engage Select Groups with Targeted Messaging, and Other General Communication Channels

TAB 5 – Value-Added Services

The Value-Added Services section collects information about the Respondent's recommended capabilities, not included in Tab 4.

TAB 6 – Pricing Schedule

The Pricing Schedule represents the price offered for the services set forth in this solicitation. The Respondent, if awarded the contract, will receive compensation under the contract resulting from this procurement based upon the agreed upon price contained in the Pricing Schedule.

The forms provided herein are made available in Microsoft Word on the Board's website for ease of completion. Responders must use the provided forms. Additional information may be added as appendixes to support the forms. However, primary consideration will be given to the information provided in the forms.

Please visit: myfloridaprepaid.com/who-we-are/about-the-board/board-reports-and-plans/.

4.03 DELIVERY

Responses must be complete on the date delivered. Additional information submitted after the Response, or separate from the Response, will not be considered unless specifically requested by the Board and only to the extent requested.

The Respondent is responsible for the timely and proper delivery. Responses that, for any reason, are not delivered timely will be retained by the Board but will not be considered.

Delivery to the Board

Each response shall be prepared simply and economically providing a straightforward and concise delineation of the Respondent's capabilities to satisfy the requirements of this procurement.

Each Respondent **shall** deliver the following:

1. One complete electronic copies of the Response.

4.04 CONFLICTS OF INTEREST

Any award hereunder will be subject to the provisions of Chapter 112, Florida Statutes. Respondents must disclose with their Response the name of any officer, director, or agent who is also an employee of the State of Florida, the Board, or any agency of the State of Florida. Respondents must disclose the name of any state employee who owns, directly or indirectly, interest of five percent or more in the Respondent. Respondents must disclose all investment products, annuities, mutual funds or other similar type savings plans that are marketed or sold by the Respondent, its proposed subcontractors or any Related Entity of the Respondent or any subcontractor, for other states as a part of a prepaid college fund or a college savings fund or for any Qualified Tuition Program.

4.05 RESPONSE TENURE

All Responses are valid for one hundred eighty (180) days from the due date. The period of time during which responses are valid will be tolled during the pendency of any proceeding related to any contract awarded pursuant to this procurement.

5. ITN PROCESS

5.01 OVERVIEW

This is a multi-phase competitive procurement process, pursuant to Section 287.057, Florida Statutes, whereby all Respondents shall receive fair and equal treatment. Respondents will not be eliminated from consideration until the posting of the Notice of Intended Award.

5.02 REQUESTS FOR CLARIFICATION

Prior to the Response deadline, the Board will accept requests for clarification from prospective Respondents. Questions concerning the conditions and/or specifications of this procurement must be addressed in writing, using the Request for Clarification Form provided in Appendix B. Written requests for clarification delivered to the ITN Administrator in a proper and timely manner will receive a written answer communicated publicly via VBS.

Requests for clarification and answers thereto shall be considered an addendum to, and an integral part of, this solicitation document.

5.03 MANDATORY REQUIREMENTS ASSESSMENT

Upon timely and proper receipt, each Response will be reviewed to determine whether the Respondent meets the minimum qualifications and satisfies mandatory requirements set forth in this solicitation. The Board reserves the right to determine which Responses meet the minimum criteria and the right to accept Responses that deviate in a minor or technical fashion.

This assessment is binary (pass/fail); there are no points awarded for meeting the minimum qualifications or satisfying the mandatory requirements. Respondents that do not meet the minimum qualifications or satisfy the mandatory requirements will be removed from consideration.

5.04 EVALUATION PHASE

Each Response for which the Respondent meets the minimum qualifications and satisfies the mandatory requirements will be evaluated, independently, by members of an Evaluation Team appointed by the Board.

Response Evaluation

The Evaluation Team will award points for each Response in the following areas:

Component	Maximum Points Awarded
Organizational Experience (Tab 3)	15
Contact center services (Tab 4)	50
Value-Added Services (Tab 5)	10
Pricing Schedule (Tab 6)	25
Total	100

Ranking of Respondents and Selection of the Shortlist for Negotiation

After the Evaluation Team has evaluated each Response independently, the individual scores will be aggregated to determine the total score for each Response. The Respondents will be ranked based on the total score for their Response and the Board will select the highest-ranked Respondents, within a competitive range, for negotiation (Shortlist).

The Board intends to select up to five (5) Respondents to the Shortlist. However, the Board reserves the right, after posting notice thereof, to expand the shortlist to include additional responsive Respondents for negotiation. The Board will provide individual notice to each Shortlist Respondent.

5.05 NEGOTIATION PHASE

The Board will appoint a Negotiation Team to conduct negotiations with the Shortlist Respondents. The Board intends to negotiate concurrently with the Shortlist Respondents; however, the Board may change the method of negotiation (e.g., concurrent versus by order of ranking) and evaluation criteria if it determines that to do such would be in the best interest of the Board.

When negotiations have been completed, the Board will award a contract to the responsive and responsible Respondent that the Board determines will provide the best value to the Board. The Board will provide public notice of selection via Notice of Intended Award posted on VBS.

6. GENERAL INFORMATION

6.01 LEGAL REQUIREMENTS

Applicable provisions of all federal, state, county, and local laws, will govern development, submittal and evaluation of all Responses received hereto and will govern any and all claims and disputes that may arise between persons submitting a Response and the Board. Lack of knowledge by any Respondent will not constitute a cognizable defense against the legal effect thereof.

6.02 BOARD RIGHTS

The Board, in its sole discretion, may take any of the following actions and may determine the scope and manner of such actions, the Respondent(s) affected, and whether to provide concurrent public notice of such decision:

1. Modify this solicitation, after posting notice thereof.
2. Review and rely on relevant information contained in a Response.
3. Change the members of the Evaluation Team and/or Negotiation Team.
4. Request supplemental Responses and/or clarifications from a Respondent.
5. Contact previous clients of a Respondent, as identified by the Respondent, to inquire about the Respondent's ability to deliver on the services offered.
6. Expand the Shortlist, after posting notice thereof, to include additional responsive Respondents.
7. Require any or all Respondent(s) to address services, prices, or conditions offered by any other Respondent.
8. Schedule additional negotiating sessions with any or all Respondent(s).
9. Decline to conduct further negotiations with any Respondent.
10. Reopen negotiations with any Respondent.
11. Require any or all Respondent(s) to provide a best and final offer.
12. Take any administrative steps deemed necessary to determine final award, including additional fact-finding, evaluation, or negotiation where necessary and consistent with the terms of this procurement.
13. Arrive at an agreement with any Respondent, finalize principal contract terms and terminate negotiations with any or all other Respondents, regardless of the status of, or scheduled negotiations with, such other Respondents.
14. The Board reserves the right to accept or reject any and all Responses and to award the contract in the best interests of the State of Florida.

6.03 PUBLIC ACCESS TO RECORDS

Responses to this solicitation shall result in the Respondent waiving any and all rights relating to confidentiality, or claims thereof, upon delivery to the Board. All electronic and written communications pertaining to this procurement, whether sent from or received by the Board, and all Responses including, without limitation, administrative information, proposed services/commodities, and price will be subject to disclosure after contract award as required under Chapter 119, Florida Statutes.

Negotiations between the Board and Respondent are exempted from being held as public meetings by Section 286.0113(2)(a), Florida Statutes. In addition, strategy meetings held by Negotiation Team are also exempted by Section 286.0113(2)(a), Florida Statutes.

If a Respondent considers any portion of the documents, data or records submitted in response to this ITN to be confidential, trade secret or otherwise not subject to disclosure pursuant to chapter 119, F.S., the Florida Constitution or other authority, the Respondent must clearly mark and identify in its quote those portions which are confidential, trade secret or otherwise exempt as marked by "TRADE SECRET". Respondents must also simultaneously provide the Board with a separate redacted copy of its quote. This redacted copy shall contain the Board's ITN name, number, and shall be clearly titled "Redacted Copy." The Redacted Copy shall be provided to the Board at the same time the Respondent submits its quote and must only redact those exact portions which are claimed confidential, proprietary, or trade secret. The Respondent shall be responsible for defending its determination that the redacted portions of its quote are confidential, trade secret or otherwise not subject to disclosure. Further, the Respondent shall protect, defend, and indemnify the Board for any and all claims arising from or relating to the Respondent's determination that the redacted portions of its quote are confidential, proprietary, trade secret or otherwise not subject to disclosure. If Respondent fails to submit a Redacted Copy with its Reply, the Board is authorized to produce the entire documents, data or records submitted by Respondent in answer to a public records request for these records.

6.04 PROPERTY OF BOARD

All Responses become the property of the Board upon receipt and will not be returned to the Respondent. The Board has the right to use any and all ideas or adaptations of ideas contained in any Response received in for this solicitation. Selection or rejection of the Response will not affect this right. All Responses become public documents upon submission. All materials and data produced for the Board under the contract resulting from this solicitation will be owned by the Board unless otherwise agreed to in writing by the Board.

6.05 COST OF DEVELOPING AND SUBMITTING RESPONSES

Neither the Board nor the State of Florida is liable for any of the costs incurred by the Respondent in preparing and/or submitting a Response.