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**REQUEST FOR PROPOSALS (RFP) No. 655-3
FOR
FIRE-RESCUE APPARATUS POOL**

ISSUED BY MIAMI-DADE COUNTY:

Internal Services Department, Procurement Management Division
For
Miami-Dade County Fire Rescue Department

COUNTY CONTACT FOR THIS SOLICITATION:

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IT IS THE POLICY OF MIAMI-DADE COUNTY THAT ALL ELECTED AND APPOINTED COUNTY OFFICIALS AND COUNTY EMPLOYEES SHALL ADHERE TO THE PUBLIC SERVICE HONOR CODE (HONOR CODE). THE HONOR CODE CONSISTS OF MINIMUM STANDARDS REGARDING THE RESPONSIBILITIES OF ALL PUBLIC SERVANTS IN THE COUNTY. VIOLATION OF ANY OF THE MANDATORY STANDARDS MAY RESULT IN ENFORCEMENT ACTION. (SEE IMPLEMENTING ORDER 7-7)

Electronic proposal responses to this RFP are to be submitted through a secure mailbox at BidSync until the date and time as indicated in this document. It is the sole responsibility of the Proposer to ensure its proposal reaches BidSync before the Solicitation closing date and time. There is no cost to the Proposer to submit a proposal in response to a Miami-Dade County solicitation via BidSync. Electronic proposal submissions may require the uploading of electronic attachments. The submission of attachments containing embedded documents or proprietary file extensions is prohibited. All documents should be attached as separate files. All proposals received and time stamped through the County's third party partner, BidSync, prior to the proposal submittal deadline shall be accepted as timely submitted. The circumstances surrounding all proposals received and time stamped after the proposal submittal deadline will be evaluated by the procuring department in consultation with the County Attorney's Office to determine whether the proposal will be accepted as timely. Proposals will be opened promptly at the time and date specified. The responsibility for submitting a proposal on or before the stated time and date is solely and strictly the responsibility of the Proposer. The County will in no way be responsible for delays caused by technical difficulty or caused by any other occurrence. All expenses involved with the preparation and submission of proposals to the County, or any work performed in connection therewith, shall be borne by the Proposer(s).

A Proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal up until the proposal due date. The County will only consider the latest version of the proposal. For competitive bidding opportunities available, please visit the County's Internal Services Department website at: <http://www.miamidade.gov/procurement/>.

Requests for additional information or inquiries must be made in writing and submitted using the question/answer feature provided by BidSync at www.bidsync.com. The County will issue responses to inquiries and any changes to this Solicitation it deems necessary in written addenda issued prior to the proposal due date (**see addendum section of BidSync Site**). Proposers who obtain copies of this Solicitation from sources other than through BidSync risk the possibility of not receiving addenda and are solely responsible for those risks.

1.0 PROJECT OVERVIEW AND GENERAL TERMS AND CONDITIONS

1.1 Introduction

Miami-Dade County, hereinafter referred to as the "County," as represented by the Miami-Dade Fire Rescue Department, is seeking proposals from interested parties to submit their qualifications for consideration of acceptance into a pool contractors, who will be solicited to submit proposals for the provision of fire rescue apparatus to the County. Work Order Proposal Requests will be issued for apparatus on an as-needed basis. Selected Respondents to this RFQ will participate in the Fire Rescue Apparatus Pool, hereinafter referred to as "the Pool", for non-recurring projects. The purpose of creating the Pool is to expedite the selection process of a contractor, to provide various types of new fire rescue apparatus, and to refurbish existing apparatus.

It is the County's intention to solicit qualification statements from as many Proposers as are interested, to verify all information supplied, to evaluate submissions, and to create a Pool of at least two (2) Contractors in each Category. However, the County reserves the right to seek future proposals to fill pool vacancies or to add new members to the pool, at its sole discretion. Selected Pool members are in no way restricted from responding to other County solicitations outside of the Pool.

The County anticipates establishing a Pool, effective on the date indicated on the first page of the Agreement and shall expire June 30, 2019.

1.2 Definitions

The following words and expressions used in this Solicitation shall be construed as follows, except when it is clear from the context that another meaning is intended:

1. The word "Contractor" to mean the Proposer that receives any award of a contract from the County as a result of this Solicitation, also to be known as "the prime Contractor".
2. The word "County" to mean Miami-Dade County, a political subdivision of the State of Florida.
3. The word "Proposal" to mean the properly signed and completed written submission in response to this solicitation by a Proposer for the Services, and as amended or modified through negotiations.
4. The word "Proposer" to mean the person, firm, entity or organization, as stated on the Solicitation Submittal Form, submitting a response to this Solicitation.
5. The words "Scope of Services" to mean Section 2.0 of this Solicitation, which details the work to be performed by the Contractor.
6. The word "Solicitation" to mean this Request for Proposals (RFP) or Request for Qualifications (RFQ) document, and all associated addenda and attachments.
7. The word "Subcontractor" to mean any person, firm, entity or organization, other than the employees of the Contractor, who contracts with the Contractor to furnish labor, or labor and materials, in connection with the Services to the County, whether directly or indirectly, on behalf of the Contractor.
8. The words "Work", "Services", "Program", or "Project" to mean all matters and things that will be required to be done by the Contractor in accordance with the Scope of Services and the terms and conditions of this Solicitation.

1.3 General Proposal Information

The County may, at its sole and absolute discretion, reject any and all or parts of any or all responses; accept parts of any and all responses; further negotiate project scope and fees; postpone or cancel at any time this Solicitation process; or waive any irregularities in this Solicitation or in the responses received as a result of this process. In the event that a Proposer wishes to take an exception to any of the terms of this Solicitation, the Proposer shall clearly indicate the exception in its proposal. No exception shall be taken where the Solicitation specifically states that exceptions may not be taken. Further, no exception shall be allowed that, in the County's sole discretion, constitutes a material deviation from the requirements of the Solicitation. Proposals taking such exceptions may, in the County's sole discretion, be deemed nonresponsive. The County reserves the right to request and evaluate additional information from any respondent regarding respondent's responsibility after the submission deadline as the County deems necessary.

The submittal of a proposal by a Proposer will be considered a good faith commitment by the Proposer to negotiate a contract with the County in substantially similar terms to the proposal offered and, if successful in the process set forth in this Solicitation and subject to its conditions, to enter into a contract substantially in the terms herein. Proposals shall be irrevocable until contract award unless the proposal is withdrawn. A proposal may be withdrawn in writing only, addressed to the County contact person for this Solicitation, prior to the proposal due date or upon the expiration of 180 calendar days after the opening of proposals.

Proposers are hereby notified that all information submitted as part of, or in support of proposals will be available for public inspection after opening of proposals, in compliance with Chapter 119, Florida Statutes, popularly known as the "Public Record Law." The Proposer shall not submit any information in response to this Solicitation which the Proposer considers to be a trade secret, proprietary or confidential. The submission of any information to the County in connection with this Solicitation shall be deemed conclusively to be a waiver of any trade secret or other protection, which would otherwise be available to Proposer. In the event that the Proposer submits information to the County in violation of this restriction, either inadvertently or intentionally, and clearly identifies that information in the proposal as protected or confidential, the County may, in its sole discretion, either (a) communicate with the Proposer in writing in an effort to obtain the Proposer's written withdrawal of the confidentiality restriction or (b) endeavor to redact and return that information to the Proposer as quickly as possible, and if appropriate, evaluate the balance of the proposal. Under no circumstances shall the County request the withdrawal of the confidentiality restriction if such communication would in the County's sole discretion give to such Proposer a competitive advantage over other proposers. The redaction or return of information pursuant to this clause may render a proposal non-responsive.

Any Proposer who, at the time of proposal submission, is involved in an ongoing bankruptcy as a debtor, or in a reorganization, liquidation, or dissolution proceeding, or if a trustee or receiver has been appointed over all or a substantial portion of the property of the Proposer under federal bankruptcy law or any state insolvency law, may be found non-responsible. To request a copy of any ordinance, resolution and/or administrative order cited in this Solicitation, the Proposer must contact the Clerk of the Board at (305) 375-5126.

1.4 Aspirational Policy Regarding Diversity

Pursuant to Resolution No. R-1106-15 Miami-Dade County vendors are encouraged to utilize a diverse workforce that is reflective of the racial, gender and ethnic diversity of Miami-Dade County and employ locally-based small firms and employees from the communities where work is being performed in their performance of work for the County. This policy shall not be a condition of contracting with the County, nor will it be a factor in the evaluation of solicitations unless permitted by law.

1.5 Cone of Silence

Pursuant to Section 2-11.1(t) of the Miami-Dade County Code, as amended, a "Cone of Silence" is imposed upon each RFP or RFQ after advertisement and terminates at the time a written recommendation is issued. The Cone of Silence prohibits any communication regarding RFPs or RFQs between, among others:

- potential Proposers, service providers, lobbyists or consultants **and** the County's professional staff including, but not limited to, the County Mayor and the County Mayor's staff, County Commissioners or their respective staffs;
- the County Commissioners or their respective staffs **and** the County's professional staff including, but not limited to, the County Mayor and the County Mayor's staff; or
- potential Proposers, service providers, lobbyists or consultants, any member of the County's professional staff, the Mayor, County Commissioners or their respective staffs **and** any member of the respective Competitive Selection Committee.

The provisions do not apply to, among other communications:

- oral communications with the staff of the Vendor Services Section, the responsible Procurement Contracting Officer, provided the communication is limited strictly to matters of process or procedure already contained in the solicitation document;
- oral communications at pre-proposal conferences and oral presentations before Competitive Selection Committees during any duly noticed public meeting, public presentations made to the Board of County Commissioners during any duly noticed public meeting;
- recorded contract negotiations and contract negotiation strategy sessions; or
- communications in writing at any time with any county employees, official or member of the Board of County Commissioners unless specifically prohibited by the applicable RFP or RFQ documents.

When the Cone of Silence is in effect, all potential vendors, service providers, bidders, lobbyists and consultants shall file a copy of any written correspondence concerning the particular RFP or RFQ with the Clerk of the Board, which shall be made available to any person upon request. The County shall respond in writing (if County deems a response necessary) and file a copy with the Clerk of the Board, which shall be made available to any person upon request. Written communications may be in the form of e-mail, with a copy to the Clerk of the Board at clerkbcc@miamidade.gov.

All requirements of the Cone of Silence policies are applicable to this Solicitation and must be adhered to. Any and all written

communications regarding the Solicitation are to be submitted only to the Procurement Contracting Officer with a copy to the Clerk of the Board. The Proposer shall file a copy of any written communication with the Clerk of the Board. The Clerk of the Board shall make copies available to any person upon request.

1.6 Communication with Competitive Selection Committee Members

Proposers are hereby notified that direct communication, written or otherwise, to Competitive Selection Committee members or the Competitive Selection Committee as a whole are expressly prohibited. Any oral communications with Competitive Selection Committee members other than as provided in Section 2-11.1 of the Miami-Dade County Code are prohibited.

1.7 Public Entity Crimes

Pursuant to Paragraph 2(a) of Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal for a contract to provide any goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and, may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

1.8 Lobbyist Contingency Fees

- a) In accordance with Section 2-11.1(s) of the Code of Miami-Dade County, after May, 16, 2003, no person may, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person may, in whole or in part, receive or agree to receive a contingency fee.
- b) A contingency fee is a fee, bonus, commission or non-monetary benefit as compensation which is dependent on or in any way contingent upon the passage, defeat, or modification of: 1) any ordinance, resolution, action or decision of the County Commission; 2) any action, decision or recommendation of the County Mayor or any County board or committee; or 3) any action, decision or recommendation of any County personnel during the time period of the entire decision-making process regarding such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission or a County board or committee.

1.9 Collusion

In accordance with Section 2-8.1.1 of the Code of Miami-Dade County, where two (2) or more related parties, as defined herein, each submit a proposal for any contract, such proposals shall be presumed to be collusive. The foregoing presumption may be rebutted by the presentation of evidence as to the extent of ownership, control and management of such related parties in preparation and submittal of such proposals. Related parties shall mean Proposer or the principals thereof which have a direct or indirect ownership interest in another Proposer for the same contract or in which a parent company or the principals thereof of one Proposer have a direct or indirect ownership interest in another Proposer for the same contract. Proposals found to be collusive shall be rejected. Proposers who have been found to have engaged in collusion may be considered non-responsible, and may be suspended or debarred, and any contract resulting from collusive bidding may be terminated for default.

1.10 Contract Measures

This Solicitation includes a Selection Factor contract measure for Miami-Dade County Certified Small Business Enterprises (SBE's), please see Section 4.4 herein.

2.0 SCOPE OF SERVICES

2.1 Background

Miami-Dade County hereinafter referred to as the "County," as represented by the Miami-Dade Fire Rescue Department ("MDFR"), is seeking proposals from interested parties to submit their qualifications for consideration into a prequalified pool of vendors for subsequent work order competition. The work orders may include purchase and/or refurbishment/remounting of various types of fire rescue apparatus and to provide financing options for payment of same. It is the County's intent to solicit qualification statements from as many proposers as are interested, to verify all information supplied, and to evaluate submissions. The County reserves the right to seek future proposals to fill pool vacancies or to add new members to the pool, at its sole discretion.

2.3 Structure and Term of Pool

It is the County's intention to solicit qualification statements from qualified vendors, to evaluate submissions received from Respondents in accordance with the provisions of this RFQ, and to select at least two Contractors for each Category (see Paragraph 2.5, below). Membership in the Pool is a prerequisite for obtaining opportunities to present proposals/bids for projects selected for the Pool. However, there is no guarantee that any Pool Member will obtain Work as a selected member of the Pool. Selection into a Pool does not guarantee work, and does not provide for exclusive rights by any firm to provide services to the County.

Following the selection of Contractors into the Pool, from this RFQ process, the Contractors will execute and Agreement provided by the Internal Services Department, Procurement Management Division. The Agreement will include general legal and administrative provisions (see Form of Agreement in Section 6 of this RFQ).

At the County's discretion, Pool members may be dropped from the Pool for lack of participation, which shall include failure over a reasonable time to propose on projects offered through the Pool, poor performance on any Work Order issued, being in arrears in obligations to the County, and any other reason specified by County policies and procedures. Selected Proposers must maintain the qualifications of the firm and proposed personnel at a standard consistent and equivalent to the qualification submissions submitted hereto. The County reserves the right to seek future proposals to fill pool vacancies or to add new members to the pool, at its sole discretion.

2.4 Work Order Process

After selection into the Pool, MDRF will issue a Work Order Proposal Request ("WOPR") to solicit proposals from the Pool. A WOPR will include a scope of work, information regarding the selection process and response requirements, potentially to include written proposals and/or oral presentations.

WOPRs may be in the form of a bid, whereby award will be executed with the Pool member who submitted the lowest bid and who is also deemed to be responsive and responsible at the time the WOPR is issued. WOPRs may be in the form of a Request for Proposal, whereby award to a Pool member will be based on an evaluation of the overall quality and completeness of the Contractor's Technical Proposal and price, and other requirements as defined in the WOPR. If the County and the recommended Pool Member cannot negotiate a successful Work Order, the County may terminate negotiations and begin negotiations with another recommended Pool Member. This process may continue until a Work Order has been executed or all Pool Members who responded to the WOPR or Bid have been rejected. No Pool Member shall have any rights against the County arising from such negotiations.

Alternatively, the County reserves the right to award Work Orders on a rotational basis or as a result of direct award. Local Preference consideration will not apply to individual WOPRs. Additionally, the County reserves the right to develop an alternate, streamlined process for awarding Work Orders.

2.5 Equipment and Services Requested

The members of the Pool, if selected for a Work Order, shall provide the following fire rescue apparatus, equipment, services (Category 1 and Category 2) and financing as may be required. Proposers to this RFQ may qualify for one or for both Categories:

Category 1 - Fire Rescue Apparatus Construction

The selected Proposers shall construct, in part, the following types of apparatus: Pumper, Aerial, Ladder, Platform, Tanker (Large Capacity Pumper), Transport Rescue, Haz-Mat trucks, Air Support Truck, Tanker (Large Water and/or Fuel Hauler), Brush Truck, Command Bus, Heavy Rescue Truck, Heavy Rescue Crane Type Truck, Battalion or Small Command Response Vehicles. The apparatus shall be new and the most recent model. All components and included craftsmanship shall be in accordance with current SAE standards and recommended practices. The engineering, materials, and workmanship shall be of a high level of quality and appearance consistent with or exceeding the best industry standards. The selected Proposers shall indicate the manufacturer of each tool and/or piece of equipment.

Category 2 - Refurbishment or Remounting on a New Chassis of Existing Apparatus

The selected Proposers shall refurbish existing apparatus or remount new chassis to include, but not be limited, to the following types of apparatus; Pumper, Aerial, Ladder, Platform, Tanker (Large Capacity Pumper), Transport Rescue, Haz-Mat trucks, Air Support Truck, Tanker (Large Water and/or Fuel Hauler), Brush Truck, Command Bus, Heavy Rescue Truck, Heavy Rescue Crane Type Truck, Battalion or Small Command Response Vehicles. The chassis on remounts shall be new and the most recent model. The engineering, materials, and workmanship shall be of a high level of quality and appearance consistent with or exceeding the best industry standards. The selected Proposers shall indicate the manufacturer of each tool and/or piece of equipment.

The selected Proposers shall conform to the National Fire Protection Association (NFPA 1901) Standard for Automotive Fire Apparatus, in its most recent edition.

2.6 Apparatus Trade-In

Pool members shall accept a trade-in(s) for apparatus on purchases of new or additional apparatus purchased under the Work Order process, or as a credit that would be applied to a future purchase or which could be applied toward a vehicle under a lease plan. Trade-in value will be requested at the time of the WOPR. Types of apparatus eligible for trade-in shall include but not be limited to; Pumper, Aerial, Ladder, Platform, Tanker (Large Capacity Pumper), Transport Rescue, Haz-Mat Trucks, Air Support Truck, Tanker (Large Water and/or Fuel Hauler), Brush Truck, Command Bus, Heavy Rescue Truck, Heavy Rescue Crane Type Truck and Battalion or Small Command Response Vehicles.

2.7 Financing and/or Lease Programs

Upon the County's issuance of a WOPR, the Pool Members shall provide, along with their proposal for Apparatus/Equipment, financing options as described below:

- a. Financing and/or Lease Programs Offered by the Pool Member - Programs offered shall include but not be limited to, Direct Purchases, Lease Turn-In Plans, Lease Buy-Back Plans.
- b. Financing Programs Available through Financial Institutions with a working partnership/agreement with the Pool Member - Programs offered shall include but not be limited to; Direct Purchase, Lease Turn-In Plan, Lease Buy-Back Plan.

2.8 Warranty

The selected Proposers shall fully warrant all apparatus and equipment furnished hereunder against defect in materials and/or workmanship, components, improper design or engineering for a minimum term from the County's acceptance of the apparatus to twelve (12) months or 2,100 operating hours or 15,000 miles, whichever comes first. When equipment or component manufacturers provide a warranty with coverage in excess of that stipulated herein, that additional coverage shall not be diminished by the requirements of this paragraph. Should any defect in material or workmanship, except ordinary wear and tear, appear during the above stated warranty period, the selected Proposer shall be responsible for any and all costs for labor and parts or materials that are required to correct any and all deficiencies.

3.0 RESPONSE REQUIREMENTS

3.1 Submittal Requirements

In response to this Solicitation, Proposer should **complete and return the entire Proposal Submission Package**. Proposers should carefully follow the format and instructions outlined therein. All documents and information must be fully completed and signed as required and submitted in the manner described.

The proposal shall be written in sufficient detail to permit the County to conduct a meaningful evaluation of the proposed services. However, overly elaborate responses are not requested or desired.

4.0 EVALUATION PROCESS

4.1 Review of Proposals for Responsiveness

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in this Solicitation. A responsive proposal is one which follows the requirements of this Solicitation, includes all documentation, is submitted in the format outlined in this Solicitation, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in the proposal being deemed non-responsive.

4.2 Evaluation Criteria

Proposals will be evaluated by an Evaluation/Selection Committee which will evaluate and rank proposals on criteria listed below. The Evaluation/Selection Committee will be comprised of appropriate County personnel and members of the community, as deemed necessary, with the appropriate experience and/or knowledge, striving to ensure that the Evaluation/Selection Committee is balanced with regard to both ethnicity and gender.

The criteria are itemized with their respective weights for a maximum total of one hundred (100) points per Evaluation/Selection Committee member:

<u>Criteria</u>	<u>Points</u>
1. Respondent's Experience and Qualifications in providing Services	50
2. Proposed Key Personnel and Subcontractor Experience and Qualifications devastated	15
3. Respondent's Approach to Providing Apparatus, Refurbishing/ Remounting Services, Financing Capabilities and related services	35

4.3 Oral Presentations

Upon completion of the technical criteria evaluation indicated above, rating and ranking, the Evaluation/Selection Committee may choose to conduct an oral presentations with the Respondents which the Evaluation/Selection Committee deems to warrant further consideration based on the highest rated proposals providing the highest quality of service to the County; scores in clusters; significant breaks in scoring; and/or maintaining competition. (See **Form A-2** regarding registering speakers in the proposal for oral presentations.) Upon completion of the oral presentation(s), the Evaluation/Selection Committee will re-evaluate, re-rate and re-rank the proposals remaining in consideration based upon the written documents combined with the oral presentation.

4.4 Selection Factor

This Solicitation includes a selection factor for a Miami-Dade County Certified Small Business Enterprise ("SBE") as follows. A SBE/Micro Business Enterprise is entitled to receive an additional ten percent (10%) of the total technical evaluation points on the technical portion of such Proposer's proposal. An SBE/Micro Business Enterprise must be certified by the Department of Small Business Development for the type of goods and/or services the Proposer provides in accordance with the applicable Commodity Code(s) for this Solicitation. For certification information contact the Department of Small Business Development at (305) 375-2378 or access <http://www.miamidade.gov/business/business-development.asp>. The SBE/Micro Business Enterprise must be certified by proposal submission deadline, at contract award, and for the duration of the contract to remain eligible for the preference. Firms that graduate from the SBE program during the contract may remain on the contract.

4.5 Local Preference

Local Preference may be taken into consideration in accordance with Section 2-8.5 of the Miami-Dade County Code. If, following the completion of final rankings by the Evaluation/Selection Committee, a local Proposer is considered responsive and responsible and is within 5% of the determined minimum score, then the Evaluation/Selection Committee will recommend to the County Manager or designee that the local Proposer be recommended for negotiations.

4.6 Selection of Pool Members

Respondents must receive a minimum score, the value of which shall be determined by the Evaluation/Selection Committee, to be considered for selection as a Pool Member. In determining the minimum score, the Evaluation/Selection Committee shall consider the establishment of bands based on, among other factors, scores in clusters; significant breaks in scoring; and/or for purposes of maintaining competition. Following the evaluation of the qualifications submissions, the Evaluation/Selection Committee will recommend for Pool membership those Proposers receiving at least the minimum score.

4.7 Negotiations

The recommended Pool Members will be required to sign agreements with the County to participate in the Pool. Any Contractor recommended for award in the Pool may be required to provide to the County:

- a) Its most recent certified business financial statements as of a date not earlier than the end of the Proposer's preceding official tax accounting period, together with a statement in writing, signed by a duly authorized representative, stating that the present financial condition is materially the same as that shown on the balance sheet and income statement submitted, or with an explanation for a material change in the financial condition. A copy of the most recent business income tax return will be accepted if certified financial statements are unavailable.

- b) Information concerning any prior or pending litigation, either civil or criminal, involving a governmental agency or which may affect the performance of the services to be rendered herein, in which the Proposer, any of its employees or subcontractors is or has been involved within the last three years.

4.8 Contract Award

Any contracts, resulting from this Solicitation, will be submitted to the Miami-Dade County Board of County Commissioners for approval. All Proposers will be notified in writing when the County Mayor or designee makes an award recommendation. The Contract award, if any, shall be made to the Proposers whose proposal were deemed by the County to be in the best interest of the County. Notwithstanding the rights of protest listed below, the County's decision of whether to make the award and to which Proposers shall be final.

4.9 Rights of Protest

A recommendation for contract award or rejection of all proposals may be protested by a Proposer in accordance with the procedures contained in Sections 2-8.3 and 2-8.4 of the County Code, as amended, and as established in Implementing Order No. 3-21.

5.0 TERMS AND CONDITIONS

The anticipated form of agreement is attached. The terms and conditions summarized below are of special note and can be found in their entirety in the agreement:

5.1 Vendor Registration

Prior to being recommended for award, the Proposer shall complete a Miami-Dade County Vendor Registration Package. For online vendor registration, visit the Vendor Portal: <http://www.miamidade.gov/procurement/vendor-registration.asp>. Then, the recommended Proposer shall affirm that all information submitted with its Vendor Registration Package is current, complete and accurate at the time it submitted a response to the Solicitation by completing an Affirmation of Vendor Affidavit form as requested by the County.

5.2 Insurance Requirements

The Contractor shall furnish to the County, Internal Services Department, Procurement Management Services Division, prior to the commencement of any work under any agreement, Certificates of Insurance which indicate insurance coverage has been obtained that meets the stated requirements.

5.3 Inspector General Reviews

According to Section 2-1076 of the Code of Miami-Dade County, as amended by Ordinance No. 99-63, Miami-Dade County has established the Office of the Inspector General which may, on a random basis, perform audits on all County contracts, throughout the duration of said contracts, except as otherwise indicated. The cost of the audit, if applicable, shall be one quarter (1/4) of one (1) percent of the total contract amount and the cost shall be included in any proposed price. The audit cost will be deducted by the County from progress payments to the Contractor, if applicable.

5.4 User Access Program

Pursuant to Section 2-8.10 of the Miami-Dade County Code, any agreement issued as a result of this Solicitation is subject to a user access fee under the County User Access Program ("UAP") in the amount of two percent (2%). All sales resulting from this Solicitation and the utilization of the County contract price and the terms and conditions identified therein, are subject to the two percent (2%) UAP.

6.0 ATTACHMENTS

- Draft Form of Agreement
- Web Forms – Proposal Submission Package Including: Proposal Submittal Form, Fair Subcontract Practices Affidavit, Subcontractor Listing, Lobbyist Registration Form, and Contractor Due Diligence Affidavit.
- Proposer Information Section