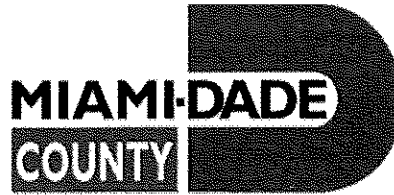


This document is a draft of a planned solicitation and is subject to change without notice.



**REQUEST FOR PROPOSALS (RFP) No. 00572
FOR
POLYGRAPH EXAMINATION SERVICES**

PRE-PROPOSAL CONFERENCE TO BE HELD:

_____, 2016 at __:00 AM (local time)
111 NW 1st Street, 13th Floor, Conf. Rm. __, Miami, Florida

ISSUED BY MIAMI-DADE COUNTY:
Internal Services Department, Procurement Management Services Division
for
_____ Department

COUNTY CONTACT FOR THIS SOLICITATION:

_____, Procurement Contracting Officer
111 NW 1st Street, Suite 1300, Miami, Florida 33128
Telephone: (305) 375-_____
E-mail: @miamidade.gov

PROPOSAL RESPONSES DUE:
INSERT DATE AND TIME

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, is soliciting proposals for the provision of professional polygraph examinations and related services for the Miami-Dade Corrections and Rehabilitation, Police, Transportation and Public Works Departments. These services will primarily be utilized by Miami-Dade Corrections and Rehabilitation (MDCR) for pre-employment selection processes and expert testimony in support of examinations.

The County anticipates awarding up to two (2) contracts for polygraph examination services for a five (5) year period. As the County determines the necessity for polygraph examination services, the County's Project Manager will issue a Work Order starting with the highest ranked selected Proposer. Thereafter, the selection of a selected Proposer for a Work Order will be made on a rotational basis, at the County's sole discretion. Additionally, the County makes no guarantees as to the volume of work or value of any contract the selected Proposer will receive as a result of this RFP.

The anticipated schedule for this Solicitation is as follows:

Solicitation Issued:

Pre-Proposal Conference:

See front cover for date, time, and place. Attendance is recommended but not mandatory. If you need a sign language interpreter or materials in accessible format for this event, please call the ADA Coordinator at (305) 375-2013 or email hiwrig@miamidade.gov at least five days in advance.

Deadline for Receipt of Questions:

Proposal Due Date:

See front cover for date and time.

Evaluation Process:

Projected Award Date:

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.

As further detailed in the Proposal Submittal Form, 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."

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 contract measures for Miami-Dade County Certified Small Business Enterprises (SBE's) pursuant to Sections 2-8.1.1.1.1 and 2.1.1.1.2 of the Code of Miami-Dade County as follows:

Set-aside:

This Solicitation is set-aside for SBE's.

Subcontractor Goal:

_____ % SBE subcontractor goal is applicable. The purpose of a subcontractor goal is to have portions of the work under the prime contract performed by available subcontractors that are certified SBEs for contract values totaling not less than the percentage of the prime contract value set out in this Solicitation. Subcontractor goals may be applied to a contract when estimates made prior to solicitation advertisement identify the quality; quantity and type of opportunities in the contract and SBEs are available to afford effective competition in providing a percentage of these identified services. Proposers shall submit a completed Schedule of Intent Affidavit (Form SBD 504) at the time of proposal identifying all SBEs to be utilized to meet the subcontractor goal. The Schedule of Intent Affidavit shall specify the scope of work and commodity code the SBE will perform.

The Schedule of Intent Affidavit constitutes a written representation by the Proposer that to the best of the Proposer's knowledge the SBEs listed are available and have agreed to perform as specified, or that the Proposer will demonstrate unavailability. The Schedule of Intent form can be found at <http://www.miamidade.gov/business/library/forms/sbe-soi.pdf>.

The participating SBE firms (or joint ventures) must have a valid Miami-Dade County SBE certification by the proposal submittal deadline of this Solicitation, as well as, meet all other requirements. Additional information regarding Miami-Dade County's Small Business Enterprise Program, including new amendments to the program, is available on the Small Business Development's website <http://www.miamidade.gov/business/business-certification-programs-SBE.asp>.

(If Selection Factor use Section 4.4 and delete above section.)

2.0 SCOPE OF SERVICES

2.1 Background

MDCR utilizes the polygraph examination services as an integral component of the background and investigative procedure of the pre-employment selection process. Employees of MDCR hold positions of trust in the law enforcement community and have access to sensitive and protected information. It is imperative that applicants considered for employment with MDCR are above reproach. The County is responsible for conducting background investigations on potential employees to ensure that only the most qualified applicants are hired into positions of trust. The purpose of these Services is to evaluate whether said applicants are acceptable candidates.

2.2 Requested Qualifications

The requested qualifications for this Solicitation are:

1. Polygraph Examiners that will provide Services requested herein should be either a) certified graduates of an American Polygraph Association (APA) accredited school, or b) Certified Polygraphist by the Florida Polygraph Association, or both.
2. Proposer should hold active memberships with the American Polygraph Association, Florida Polygraph Association, and/or American Association of Police Polygraphists, and should remain active for the term of any contract issued as a result of this Solicitation including extensions and renewals thereof.
3. Proposer should possess experience in providing deception detection examination services with specific knowledge of, interrogation techniques for pre-employment screenings and law enforcement investigations.
4. Proposer facility(ies) where polygraph examinations will be performed should be located within Miami-Dade County.

2.3 Services to be Provided

The selected Proposer shall conduct, as further defined herein, pre-employment polygraph examinations, specific area of inquiry polygraph examinations, and re-examination of applicants with inconclusive results, in accordance with MDCR's established policies and procedures for the pre-employment selection process. The examinations will include pre-test interview questions, which will include, but not be limited to, the following areas, or a subset thereof, as established by the selected Proposer and agreed to by the County's Project Manager:

- Application Background Information
- Falsification of Application
- Education/Employment History
- Residency History
- Fired/Forced to Resign
- Arrests/Convictions
- Driving Record
- Undetected/Involvement in Crime
- Use of Drugs
- Sale/Purchase of Narcotics

- Use of Marijuana
- Theft from Employers
- Gambling
- Excessive Debt
- Ulterior Motives
- Application to Other Governmental Agencies
- Prior Polygraph Exam(s) Taken
- Additional Information
- Gang Affiliation
- Social Media Affiliation
- Military Service/Military Discipline(s)/Reason for leaving Military
- Inmate Association

2.3.1 Design the pre-employment polygraph examination format to be utilized. The County reserves the right to review and approve examination format prior to its implementation. The County further reserves the right to modify examination format at any time during the term of any agreement issued as a result of this solicitation.

2.3.2 Conduct all polygraph examination services between the hours of 8:00 a.m. - 5:00 p.m., Monday through Friday. The County may request that Services be conducted outside of these hours (i.e., evening and weekend hours), when deemed necessary by the County. Polygraph examinations shall only be administered to applicants exclusively authorized by the County's Project Manager. Selected Proposer shall require a County issued examination notification letter and a valid drivers' license, United States Passport, or other valid government issued identifications with picture from each applicant, prior to examination. A digital copy of the applicant's identification shall be maintained by the Proposer.

2.3.3 Administer a second and third chart run, as deemed necessary by selected Proposer, in support of examiner's findings. Admissions by applicant relating to a deception area shall be provided in writing, to the selected Proposer. The selected Proposer shall attach the applicant's written admission statement to the comprehensive written report for submission to the County. Applicant's refusal to provide a written admission to a deception area identified by the selected Proposer shall also be noted in the written report, as applicable.

2.3.4 Provide technical assistance in support of the Services listed herein, to include consultation with the County's Project Manager, as deemed necessary by the County. The selected Proposer shall be available for telephone consultations, meetings, etc. between the hours of 8:00 a.m. – 5:00 p.m., Monday through Friday. The County reserves the right to contact selected Proposer during evening hours (after 5:00 p.m.) and/or weekends.

2.3.5 Conduct repeat pre-employment polygraph examination as directed and scheduled by the County. Prior to administering the repeat examination, the selected Proposer shall check to determine if scheduled applicant was previously administered a polygraph examination within the past 60 days and notify the County of any found. The County will determine if re-testing is required. If the County determines that the applicant is not to be retested, then a copy of the previous test results shall be submitted to the County at no additional cost.

2.3.6 Administer specific area of inquiry polygraph examination to applicants identified by the County. The County will provide the selected Proposer with a list of applicants who have been notified of, and scheduled for, a specific area of inquiry polygraph examination. The applicant listing will also contain the specific area(s) of concern that the selected Proposer shall explore in detail with each applicant. The County reserves the right to approve the examination questions to be utilized in the specific area of inquiry polygraph prior to each examination. Selected Proposer shall ensure that the examiner who performed the pre-employment polygraph examination shall not perform the specific area of inquiry polygraph examination, unless specifically requested by the County.

2.3.7 Provide expert testimony in support of examinations at depositions, pre-trial meetings and civil administrative hearings which may be required as a result of Services provided.

2.3.8 Provide a quality control mechanism for determining if any County scheduled applicant or non-scheduled examinee requesting testing for the purpose of an employment appeal or dispute, has been previously administered a polygraph examination by the selected Proposer. The selected Proposer shall refrain from administering any examination, prior to consultation with, and guidance from, the County.

- 2.3.9 Maintain confidentiality on all aspects of the Services rendered.
- 2.3.10 Perform quality assurance level reviews in accordance with industry recommendations and acceptable standards of practice.
- 2.3.11 Provide related services as requested by the County.

2.4 Polygraph Examiner Background Screening

The selected Proposer shall comply with the following tasks in providing the Services:

Conduct an annual criminal background check on each employee providing Services listed herein. Prior to commencing work, selected Proposer shall furnish to County's Project Manager proof of background screening completed on selected Proposers' employees performing Services. Thereafter, information on background screenings conducted shall be provided to the County's Project Manager annually, and upon request. The County reserves the right to reject any proposed employee based on background check information and/or in accordance with Article 12 of the Agreement.

2.5 Administrative and Related Services

The following administrative services shall be performed by the selected Proposer:

- 2.5.1 Designate a Project Manager who shall serve as liaison between the County and the selected Proposer on all matters relating to the Services listed herein.
- 2.5.2 Ensure the maintenance and calibration of the equipment utilized to render the Services listed herein, as required by manufacturing specifications and industry recommendations. Service records depicting equipment calibration and service maintenance performed shall be preserved for the duration of any contract issued as result of this solicitation and shall be provided to the County within 48 hours of request.

The selected Proposer shall have back-up testing equipment available in order to perform the Services listed herein without interruptions resulting from equipment failure or malfunction.

2.5.3 Utilize the most technologically advanced polygraph examination equipment, but no less than analog equipment to include the following measurement components:

- i. Thoracic respiration
- ii. Abdominal respiration
- iii. Electro dermal
- iv. Cardio

The County prefers that the selected Proposer utilize an activity monitor (motion sensor) when conducting polygraph examination services.

- 2.5.4 Ensure each applicant is addressed in a professional manner at all times during required testing.
- 2.5.5 Provide to, and secure from, each applicant a signed "Waiver Form" prior to conducting any polygraph examination. The selected Proposer shall not administer the polygraph examination to any applicant that refuses to sign Waiver Form. The selected Proposer shall advise the County's respective Project Manager of applicant's refusal.
- 2.5.6 Maintain all applicants' records, to include name, date of examination, examiner's notes and specific examination(s) administered. Such information shall be available at the facility where examination was conducted for review by the County at any time. In addition, the selected Proposer shall maintain a complete file in an industry-standard PDF format of each applicant for at least 5 years from the date of the completed polygraph examination. The selected proposer shall make such records available to the County via electronic mail within two (2) work days of the request from the County.

2.5.7 Facility(ies) utilized in performing the Services listed herein shall be of sufficient size to accommodate the number of applicants scheduled at any one time, and include adequate waiting and parking areas. The facility's examination rooms shall be

isolated from high passage areas, promoting a quiet environment with minimal distractions during testing.

The County reserves the right to conduct unannounced visits of the selected Proposer's facility(ies) performing the Services in order to monitor for strict compliance with, and enforcement of, requirements herein.

2.6 Written Reports and Reporting Requirements

A. Examination Results

The selected Proposer shall submit to the County's Project Manager a fact based written comprehensive report in an industry standard PDF format by electronic mail within five (5) working days after the completion of each polygraph examination. The selected Proposer may submit the report at any time before the five (5) work days to the County.

The report shall include, but not be limited to, the following information for each applicant:

- i. Full name, address and telephone number;
- ii. Last four digits of Social Security number, date and place of birth;
- iii. Examination date; and beginning and ending time of polygraph examination;
- iv. Examiner's name and signature;
- v. Copy of applicant's signed Waiver Form; and
- vi. Polygraph test results to include administration of second and third chart runs, as applicable.

B. Statistical Reports

The selected Proposer shall also provide monthly and annual statistical reports at the request of the County. Reports shall be in the format, and contain the data fields, requested by the County. Reports shall include, but not be limited to: a) the number of applicants tested for pre-employment, repeat examination, specific area of inquiry, and no show, b) the number of applicants tested by gender, race and ethnicity, and c) the results for all applicants tested.

2.7 Work Order Assignments

When the need arises, the County will prepare a Work Order assignment and provide the selected Proposer with information regarding the anticipated applicants to be examined. All work to be performed under any contract, as a result of this Solicitation, requires that the County issue a Work Order. The selected Proposer shall contact the County within twenty-four (24) hours of receipt of Work Order assignment to acknowledge and discuss specifics of examination requests. The County, at its sole discretion, may modify, suspend, or cancel the Work Order at any time and shall only pay for work actually performed by the selected Proposer.

The Selected Proposer shall administer pre-employment polygraph examinations to all applicants, as assigned through County issued Work Orders, within ten (10) working days from receipt of Work Order, unless otherwise approved by the County.

Upon establishment of a Work Order, a "No Show" is defined as: 1) applicant who fails to attend scheduled examination within 30 minutes of appointment time, **and** the County fails to cancel the appointment by noon on the previous business day **or**, 2) the County fails to provide a replacement applicant for examination within 30 minutes of the scheduled examination time. The County reserves the right to fill any scheduled examination time, by providing a replacement applicant at any time up to 30 minutes after the scheduled appointment time.

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 a Competitive Selection Committee which will evaluate and rank proposals on criteria listed below. The Competitive 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 Competitive 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 Competitive Selection Committee member.

<u>Technical Criteria</u>	<u>Points</u>
1. Proposer's relevant experience, qualifications, and past performance	30
2. Relevant experience and qualifications of key personnel, including key personnel of subcontractors, that will be assigned to this project, and experience and qualifications of subcontractors	30
3. Proposer's approach to providing the services requested in this Solicitation	15
4. Quality Assurance/management of services	10
<u>Price Criteria</u>	<u>Points</u>
5. Proposer's proposed price	15

4.3 Oral Presentations

Upon evaluation of the criteria indicated above, rating and ranking, the Competitive Selection Committee may choose to conduct an oral presentation with the Proposer(s) which the Competitive Selection Committee deems to warrant further consideration based on, among other considerations, scores in clusters and/or maintaining competition. (See Affidavit – "Lobbyist Registration for Oral Presentation" regarding registering speakers in the proposal for oral presentations.) Upon completion of the oral presentation(s), the Competitive 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 Miami-Dade County Certified Small Business Enterprises (SBE's) 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 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 Small Business Development at (305) 375-2378 or access <http://www.miamidade.gov/business/business-certification-programs-SBE.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.

OR

A Selection Factor is not applicable to this Solicitation.

OR

(If no points are assigned to evaluation criteria, include the following in addition to above paragraph):

Whenever there are two best ranked proposals that are substantially equal and only one of the two so ranked proposals is submitted by a Proposer entitled to a selection factor, the selection factor shall be the deciding factor for award.

4.5 Local Certified Veteran Business Enterprise Preference

This Solicitation includes a preference for Miami-Dade County Local Certified Veteran Business Enterprises in accordance with Section 2-8.5.1 of the Code of Miami-Dade County. "Local Certified Veteran Business Enterprise" or "VBE" is a firm that is (a) a local business pursuant to Section 2-8.5 of the Code of Miami-Dade County and (b) prior to proposal or bid submittal is certified by the State of Florida Department of Management Services as a veteran business enterprise pursuant to Section 295.187 of the Florida Statutes. A VBE that submits a proposal in response to this solicitation is entitled to receive an additional five percent of the evaluation points scored on the technical portion of such vendor's proposal. If a Miami-Dade County Certified Small Business Enterprise (SBE) measure is being applied to this Solicitation, a VBE which also qualifies for the SBE measure shall not receive the veteran's preference provided in this section and shall be limited to the applicable SBE preference. At the time of proposal submission, the firm must affirm in writing its compliance with the certification requirements of Section 295.187 of the Florida Statutes and submit this affirmation and a copy of the actual certification along with the proposal submittal form.

4.6 Price Evaluation

The price proposal will be evaluated subjectively in combination with the technical proposal, including an evaluation of how well it matches Proposer's understanding of the County's needs described in this Solicitation, the Proposer's assumptions, and the value of the proposed services. The pricing evaluation is used as part of the evaluation process to determine the highest ranked Proposer. The County reserves the right to negotiate the final terms, conditions and pricing of the contract as may be in the best interest of the County.

4.7 Local Preference

The evaluation of competitive solicitations is subject to Section 2-8.5 of the Miami-Dade County Code, which, except where contrary to federal or state law, or any other funding source requirements, provides that preference be given to local businesses. If, following the completion of final rankings by the Competitive Selection Committee a non-local Proposer is the highest ranked responsive and responsible Proposer, and the ranking of a responsive and responsible local Proposer is within 5% of the ranking obtained by said non-local Proposer, then the Competitive Selection Committee will recommend that a contract be negotiated with said local Proposer.

4.8 Negotiations

The Competitive Selection Committee will evaluate, score and rank proposals, and submit the results of the evaluation to the County Mayor or designee with its recommendation. The County Mayor or designee will determine with which Proposer(s) the County shall negotiate, if any, taking into consideration the Local Preference Section above. The County Mayor or designee, at their sole discretion, may direct negotiations with the highest ranked Proposer, negotiations with multiple Proposers, and/or may request best and final offers. In any event the County engages in negotiations with a single or multiple Proposers and/or requests best and final offers, the discussions may include price and conditions attendant to price.

Notwithstanding the foregoing, if the County and said Proposer(s) cannot reach agreement on a contract, the County reserves the right to terminate negotiations and may, at the County Mayor's or designee's discretion, begin negotiations with the next highest ranked Proposer(s). This process may continue until a contract acceptable to the County has been executed or all proposals are rejected. No Proposer shall have any rights against the County arising from such negotiations or termination thereof.

Any Proposer recommended for negotiations shall complete a Collusion Affidavit, in accordance with Sections 2-8.1.1 of the Miami-Dade County Code. (If a Proposer fails to submit the required Collusion Affidavit, said Proposer shall be ineligible for award.)

Any Proposer recommended for negotiations 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.

4.9 Contract Award

Any proposed contract, resulting from this Solicitation, will be submitted to the County Mayor or designee. All Proposers will be notified in writing of the decision of the County Mayor or designee with respect to contract award. The Contract award, if any, shall be made to the Proposer whose proposal shall be 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 Proposer shall be final.

4.10 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:

a) 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.

b) 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.

c) 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.

d) 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*

Form 1 – Price Proposal Schedule*

*Note – The Proposer Information Section and Form 1 have been posted to BidSync in the form of fillable Microsoft Word documents.