



## **Jones County School System**

**Facility: ALL FACILITIES**

**Electronic Request for Proposals (“eRFP”)**

**Event Name: e RFP GROUNDS SERVICES**

**eRFP (Event) Number: 21-43**

**NIGP Codes:**

### **1. Introduction**

#### **1.1. Purpose of Procurement**

Pursuant to the State Purchasing Act (Official Code of Georgia Annotated §§50-5-50 et seq.), this electronic Request for Proposals (“eRFP”) is being issued to establish a contract with a qualified supplier who will provide Grounds Services to Jones County School System (hereinafter, “JCSS”) as further described in this eRFP.

JCSS is seeking proposals from responsive and responsible grounds service vendors to provide care and maintenance of its grounds to all campuses owned by Jones County School System. Services will include, but are not limited to, all labor, supervision, materials, and equipment necessary to maintain grounds as per the specification established herein. All vendors submitting proposals must be fully outfitted to perform all functions normally associated with this type of work.

#### **1.2. eRFP Certification**

Pursuant to the provisions of the Official Code of Georgia Annotated §50-5-67(a), JCSS certifies the use of competitive sealed bidding will not be practicable or advantageous to Jones County School System in completing the acquisition described in this eRFP. Thus, competitive sealed proposals will be submitted in response to this eRFP. This eRFP is being sourced through an electronic sourcing tool approved by Jones County School System and all suppliers’ responses must be submitted electronically in accordance with the instructions contained in Section 2 “Instructions to Suppliers” of this eRFP. Electronic competitive sealed proposals will be administered pursuant to the Georgia Electronic Records and Signature Act. Please note electronic competitive sealed proposals meet the sealed proposal requirements of the State of Georgia, an electronic record meets any requirements for writing, and an electronic signature meets any requirements for an original signature.

#### **1.3. Overview of the eRFP Process**

The objective of the eRFP is to select a qualified supplier to provide the goods and/or services outlined in this eRFP to JCSS. This eRFP process will be conducted to gather and evaluate responses from suppliers for potential award. All qualified suppliers are invited to participate by submitting responses, as further defined below. After evaluating all suppliers’ responses received prior to the closing date of this eRFP and following negotiations (if any) and resolution of any contract exceptions, the preliminary results of the eRFP process will be publicly announced, including the names of all participating suppliers and the evaluation results. Subject to the protest process, final contract award(s) will be publicly announced thereafter.

NOTE TO SUPPLIERS: The general instructions and provisions of this document have been drafted with the expectation that JCSS will make a single award; however, please refer to Section 6.7 “Selection and Award” of this eRFP for information concerning JCSS’s actual award strategy (single, multiple, split awards, etc).

#### **1.4. Schedule of Events**

The schedule of events set out herein represents JCSS's best estimate of the schedule that will be followed. However, delays to the procurement process may occur which may necessitate adjustments to the proposed schedule. If a component of this schedule, such as the close date, is delayed, the rest of the schedule may be shifted as appropriate. Any changes to the dates up to the closing date of the eRFP will be publicly posted prior to the closing date of this eRFP. After the close of the eRFP, JCSS reserves the right to adjust the remainder of the proposed dates, including the dates for evaluation, negotiations, award and the contract term on an as needed basis with or without notice.

**INSTRUCTIONS TO ISSUING OFFICER:** The State may or may not wish to conduct an Offerors'/Pre-Bid Conference. In the event a conference will not be held, please modify the table below. Please enter the requested information below and then delete this instructional note.

Description	Date	Time
Release of eRFP	2/5/2021	N/A
Deadline for written questions sent via email to the Issuing Officer referenced in Section 1.5.	02/22/2021	5:00 p.m. ET
Bidders/Offerors' Conference Location: Dames Ferry Elementary, 545 Hwy 18 East Gray, GA 31032 Attendance is: MANDATORY	2/18/2021	8:30 a.m.
Responses to Written Questions	02/23/2021	5:00 p.m. ET
Proposals Due/Close Date and Time	02/26/2021	4:00 p.m.
Proposal Evaluation Completed (on or about)	1 to 2 Weeks after Closing	N/A
Negotiations Invitation Issued (emailed) (on or about); discretionary process	1 to 2 Weeks after Closing	TBD
Negotiations with Identified suppliers (on or about); discretionary process	1 to 2 Weeks after Closing	TBD
Final Evaluation (on or about)	1 to 2 Weeks after Closing	N/A
Finalize Contract Terms	1 to 2 Weeks after Closing	N/A
Notice of Intent to Award* [NOIA] (on or about)	3/10/2021	N/A
Notice of Award [NOA] (on or about)	10 calendar days after NOIA	N/A

\*In the event the estimated value of the contract is less than \$100,000, the State Entity reserves the right to proceed directly to contract award without posting a Notice of Intent to Award.

#### 1.5. Official Issuing Officer (Buyer)

**Carol Miller, GCPM**  
carolmiller@jones.k12.ga.us

#### 1.6. Definition of Terms

Please review the following terms:

Supplier(s) – companies desiring to do business with the Jones County School System.

JCSS – the governmental entity identified in Section 1.1 "Purpose of Procurement" of this eRFP.

RFP- request for proposal

Any special terms or words which are not identified in this JCSS eRFP Document may be identified separately in one or more attachments to the eRFP. Please download, save and carefully review all documents in accordance with the instructions provided in Section 2 "Instructions to Suppliers" of this eRFP.

## 1.7. Contract Term

The initial term of the contract(s) is for 1 calendar year from the execution date of the contract(s) beginning March 2021-February 2022. JCSS shall have 2 one (1) year option(s) to renew, which options shall be exercisable at the sole discretion of JCSS. Renewal will be accomplished through the issuance of Notice of Award Amendment. In the event that the contract(s), if any, resulting from the award of this eRFP shall terminate or be likely to terminate prior to the making of an award for a new contract for the identified products and/or services, JCSS may, with the written consent of the awarded supplier(s), extend the contract(s) for such period of time as may be necessary to permit JCSS's continued supply of the identified products and/or services. The contract(s) may be amended in writing from time to time by mutual consent of the parties. Unless this eRFP states otherwise, the resulting award of the contract(s) does not guarantee volume or a commitment of funds.

## 2. Instructions to Suppliers

By submitting a response to the eRFP, the supplier is acknowledging that the supplier:

1. Has read the information and instructions,
2. Agrees to comply with the information and instructions contained herein.

### 2.1. General Information and Instructions

#### 2.1.1. Restrictions on Communicating with Staff

From the issue date of this eRFP until the final award is announced (or the eRFP is officially cancelled), suppliers are not allowed to communicate for any reason with any JCSS staff except through the Issuing Officer named herein, or during the Bidders/Offerors' conference (if any), or as defined in this eRFP or as provided by existing work agreement(s). Prohibited communication includes all contact or interaction, including but not limited to telephonic communications, emails, faxes, letters, or personal meetings, such as lunch, entertainment, or otherwise. JCSS reserves the right to reject the response of any supplier violating this provision.

#### 2.1.3. Submitting Questions

All questions concerning this eRFP must be submitted in writing via email to the Issuing Officer identified in Section 1.5 "Issuing Officer" of this eRFP. No questions other than written will be accepted. No response other than written will be binding upon JCSS. All suppliers must submit questions by the deadline identified in the Schedule of Events for submitting questions. Suppliers are cautioned that JCSS may or may not elect to entertain late questions or questions submitted by any other method than as directed by this section. All questions about this eRFP must be submitted in the following format:

Company Name

Question #1 Question, *Citation of relevant section of the eRFP*

Question #2 Question, *Citation of relevant section of the eRFP*

Do not use the comments section of the Sourcing Event to submit questions to the issuing officer.

#### 2.1.4. Attending Bidders/Offerors' Conference

The Bidders/Offerors' Conference or any other information session (if indicated in the schedule of events) will be held at the offices referred to in Section 1.4 "Schedule of Events" of this eRFP. Unless indicated otherwise, attendance is not mandatory; although suppliers are strongly encouraged to attend. However, in the event the conference has been identified as mandatory, then a representative of the supplier must attend the conference in its entirety to be considered eligible for contract award. The supplier is strongly encouraged to allow ample travel time to ensure arrival in the conference meeting room prior to the beginning of any mandatory conference. JCSS reserves the right to consider any representative arriving late to be "not in attendance." Therefore, all suppliers are strongly encouraged to arrive early to allow for unexpected travel contingencies.

**2.1.5. JCSS's Right to Request Additional Information – Supplier's Responsibility**

Prior to contract award, JCSS must be assured that the selected supplier has all of the resources to successfully perform under the contract. This includes, but is not limited to, adequate number of personnel with required skills, availability of appropriate equipment in sufficient quantity to meet the on-going needs of JCSS, financial resources sufficient to complete performance under the contract, and experience in similar endeavors. If, during the evaluation process, JCSS is unable to assure itself of the supplier's ability to perform, if awarded, JCSS has the option of requesting from the supplier any information deemed necessary to determine the supplier's responsibility. If such information is required, the supplier will be so notified and will be permitted approximately seven business days to submit the information requested.

**2.1.6. Failing to Comply with Submission Instructions**

Responses received after the identified due date and time or submitted by any other means than those expressly permitted by the eRFP **will not** be considered. Suppliers' responses must be complete in all respects, as required in each section of this eRFP.

**2.1.7. Rejection of Proposals; JCSS's Right to Waive Immaterial Deviation**

JCSS reserves the right to reject any or all responses, to waive any irregularity or informality in a supplier's response, and to accept or reject any item or combination of items, when to do so would be to the advantage of the State of Georgia and Jones County School System. It is also within the right of JCSS to reject responses **that do not contain all elements and information requested in this eRFP**. A supplier's response will be rejected if the response contains any defect or irregularity and such defect or irregularity constitutes a material deviation from the eRFP requirements, which determination will be made by JCSS on a case-by-case basis.

**2.1.8. JCSS's Right to Amend and/or Cancel the eRFP**

JCSS reserves the right to amend this eRFP. Any revisions must be made in writing prior to the eRFP closing date and time. By submitting a response, the supplier shall be deemed to have accepted all terms and agreed to all requirements of the eRFP (including any revisions/additions made in writing prior to the close of the eRFP whether or not such revision occurred prior to the time the supplier submitted its response) unless expressly stated otherwise in the supplier's response. **THEREFORE, EACH SUPPLIER IS INDIVIDUALLY RESPONSIBLE FOR REVIEWING THE REVISED eRFP AND MAKING ANY NECESSARY OR APPROPRIATE CHANGES AND/OR ADDITIONS TO THE SUPPLIER'S RESPONSE PRIOR TO THE CLOSE OF THE eRFP.**

Suppliers are encouraged to frequently check the eRFP for additional information. Finally, JCSS reserves the right to cancel this eRFP at any time.

**2.1.9. Protest Process**

Suppliers should familiarize themselves with the procedures set forth in *Jones County School System Procurement Manual* available on the system website.

**2.1.10. Costs for Preparing Responses**

Each supplier's response should be prepared simply and economically, avoiding the use of elaborate promotional materials beyond those sufficient to provide a complete presentation. The cost for developing the response and participating in the procurement process (including the protest process) is the sole responsibility of the supplier. JCSS will not provide reimbursement for such costs.

**2.1.11. ADA Guidelines**

JCSS adheres to the guidelines set forth in the Americans with Disabilities Act. Suppliers should contact the Issuing Officer at least one day in advance if they require special arrangements when attending the Bidders/Offerors' Conference (if any). The Georgia Relay Center at 1-800-255-0056

(TDD Only) or 1-800-255-0135 (Voice) will relay messages, in strict confidence, for the speech and hearing impaired.

#### **2.1.12. Public Access to Procurement Records**

Solicitation opportunities will be publicly advertised as required by law and the provisions of the Georgia Procurement Manual. The State Purchasing Act delays the release of certain procurement records in the event the public disclosure of those records prior to JCSS's public announcements of the results of a solicitation would undermine the public purpose of obtaining the best value for the System such as cost estimates, proposals/bids, evaluation criteria, supplier evaluations, negotiation documents, offers and counter-offers, and certain records revealing preparation for the procurement. After issuance of the Notice of Intent to Award (or the Notice of Award in the event JCSS does not issue the Notice of Intent to Award), or after a solicitation has been cancelled following evaluation, without intent to rebid, requests for access to public records, shall be subject to the disclosure provisions of Georgia's Open Records Act. Pursuant to O.C.G.A. § 50-18-71(a), JCSS must make all public records, including but not limited to, cost estimates, proposals/bids, evaluation criteria, supplier proposals, evaluation documents, negotiation documents, offers and counter offers, and records revealing preparation to the procurement, open for personal inspection and copying, except those records which by order of a court of this state or by law are specifically exempted from disclosure. JCSS is allowed to assess a charge for search, retrieval, redaction, and to defray the cost of reproducing documents as permitted under O.C.G.A. § 50-18-71(c)(1).

##### **2.1.12.1. Marking Submissions as “Confidential”, “Proprietary”, or “Trade Secret**

If a Supplier considers any portion of the documents, data, or records submitted in response to this solicitation to be exempt from disclosure under Georgia law, the Supplier must clearly mark each such submission, or portions of the submission, considered to be exempt from disclosure as “Confidential,” “Proprietary”, or “Trade Secret” and specify the statutory exemption. All markings must be conspicuous; use color, bold, underlining, or some other method in order to conspicuously distinguish the mark from the other text. Wholesale designation of a response or substantial parts of a response as “Confidential” will not be accepted by JCSS. If only portions of a page are subject to some protection, Supplier should not mark the entire page. PLEASE NOTE: Even though information (financial or other information) submitted by a supplier may be marked as "confidential", "proprietary", etc., JCSS will make its own determination regarding what information may or may not be withheld from disclosure.

##### **2.1.12.2. Submission of Redacted Copies**

If Supplier considers any portion of its bid/proposal to the solicitation to be trade secret or otherwise not subject to public disclosure under the Georgia Open Records Act, Supplier must, in addition to the required original documents, provide a separate redacted electronic copy of its bid/proposal, in PDF format, and briefly describe in a separate writing, as to each item redacted, the grounds for claiming exemption from the public records law, including citation to the appropriate exemption from disclosure requirements provided under Georgia law. This redacted copy should be clearly marked “Redacted Copy-Available for Public Review.” In addition, the electronic file name should include the words “**Redacted Copy**” at the **beginning of the file name**. The redacted copy shall be submitted at the same time Supplier submits its bid/proposal and must only exclude or redact those specific portions that are claimed not subject to disclosure. The redacted copy should reflect the same pagination as the original and show the location from which information was redacted. Except for the redacted information, the redacted electronic copy must be identical to the original bid/proposal. The redacted copy will be open to public inspection under the Georgia Open Records Act without further notice to the Supplier. If Supplier fails to submit a redacted copy with its bid/proposal, JCSS is authorized to produce the Supplier's bid/proposal with the exception of audited financial statements in answer to any public records request under the

Georgia Open Records Act. Even though information submitted by a Supplier may be marked as "confidential", "proprietary", "trade secret" etc., JCSS in consultation of Georgia Department of Administrative Services will make its own determination regarding what information may or may not be withheld from disclosure. If the State of Georgia deems redacted information to be subject to disclosure under the Georgia Open Records Act, the Supplier will be contacted prior to the release of this information.

#### **2.1.12.3. Trade Secret**

In addition, if the Supplier claims that certain information in its bid/proposal may be withheld as trade secret pursuant to O.C.G.A. 50-18-72(a)(34), the Supplier shall include **with its bid/proposal submission, an affidavit indicating the specific information** that the Supplier identifies as trade secret, affirmatively declaring that such information is trade secret. A sample affidavit template is provided as an attachment to this solicitation; however, use of the sample affidavit template does not guarantee that all requirements of the Open Records Act have been met. Along with the affidavit, the Supplier shall provide a justification regarding how and why each redaction request constitutes a trade secret pursuant to Georgia law. Designation of a "trade secret" shall not be binding on JCSS, but JCSS will review and consider the designation. Wholesale designation of a response or substantial parts of a response as "trade secrets" will not be accepted by JCSS. In general, JCSS does not consider pricing information to be trade secret. See *State Rd. & Tollway Auth. V. Elec. Transaction Consultants Corp.* 306 Ga. App. 487; 702 S.E. 2d 486 (2010).

#### **2.1.13. Registered Lobbyists**

By submitting a response to this eRFP, the supplier hereby certifies that the supplier and its lobbyists are in compliance with the Lobbyist Registration Requirements in accordance with the *Georgia Procurement Manual*.

#### **2.1.14. Supplier Debriefing Process**

For all solicitations issued on or after November 1, 2020 that result in a contract award of \$250,000 or more, unsuccessful suppliers may request a supplier debriefing from JCSS in accordance with the *Georgia Procurement Manual*, Section 6.6. The purpose of a supplier debriefing is to share information about the evaluation and award process. Unsuccessful suppliers can benefit from supplier debriefings by enhancing their understanding of the procurement process and gaining insights to improve the competitiveness of their responses to future solicitations. The supplier debriefing is not an adversarial proceeding and may not be used to challenge JCSS's selection. For more information, including the process and deadline for requesting a supplier debriefing, please review the *Georgia Procurement Manual*, Section 6.6.

## **2.2. Submittal Instructions**

### **Submittal Instructions for Vendor Registry**

Listed below are key action items related to this eRFP. The Schedule of Events in Section 1.4 identifies the dates and time for these key action items. This portion of the eRFP provides high-level instructions regarding the process for reviewing the eRFP, preparing a response to the eRFP and submitting a response to the eRFP. Suppliers are required to access, print and utilize the training materials identified in Attachment "How to respond to an online bid-Vendor Registry."

#### **2.2.1. eRFP Released**

The release of the eRFP is formally communicated through the posting of this eRFP as an event in Vendor Registry and by a public announcement posted to the Georgia Procurement Registry and Vendor Registry, which is accessible online.

This eRFP is being conducted through Vendor Registry, an online, electronic tool, which allows a supplier to register, logon, select answers and type text in response to questions, and upload any necessary documents. Each supplier interested in competing to win a contract award must complete and submit a response to this eRFP using Vendor Registry. Therefore, each supplier should contact Vendor Registry with any training or concerns regarding the program at 884-802-9202.

#### **2.2.2. eRFP Review**

The eRFP (or “Sourcing Event”) consists of the following: this document, entitled “JCSS eRFP Document”, and any and all information included in the Sourcing Event, as posted online on Vendor Registry, including any and all documents provided by JCSS as attachments to the Sourcing Event or links contained within the Sourcing Event or its attached documents.

Please carefully review all information contained in the Event, including all documents available as attachments or available through links. Any difficulty accessing the Event or opening provided links or documents should be reported immediately to the Issuing Officer (See Section 1.5) A list of all documents can be found at the of the eRFP document.

#### **2.2.3. Preparing a Response**

As noted earlier, Vendor Registry allows the supplier to answer questions by entering text and numeric responses. When preparing a response, the supplier must consider the following instructions:

1. Use the provided worksheets to prepare your response. Enter your responses directly into the worksheet. Unless otherwise directed, do not insert “see attached file” (or similar statements) in the worksheet to reference separate documents.
2. Answer each question in sufficient detail for evaluation while using judgment with regards to the length of response.
3. Proofread your response and make sure it is accurate and readily understandable.
4. Label any and all uploaded files using the corresponding section numbers or document title of the eRFP or any other logical name so that JCSS can easily organize and navigate the supplier’s response.
5. Use caution in creating electronic files to be uploaded. If JCSS is unable to open an electronic file due to a virus or because the file has become corrupted, the supplier’s response may be considered incomplete and disqualified from further consideration.
6. Use commonly accepted software programs to create electronic files. JCSS has the capability of viewing documents submitted in the following format: Microsoft Word or WordPad, Microsoft Excel, portable document format file (PDF), and plain text files with the file extension noted in parentheses (.txt). Unless the eRFP specifically requests the use of another type of software or file format than those listed above, please contact the Issuing Officer prior to utilizing another type of software and/or file format. In the event JCSS is unable to open an electronic file because JCSS does not have ready access to the software utilized by the supplier, the supplier’s response may be considered incomplete and disqualified from further consideration.

#### **2.2.4. Uploading Forms**

Once the supplier is ready to upload electronic files (completed forms or worksheets, product sheets, etc.), please following the directions within the eRFP to upload these documents in the proper location.

#### **2.2.5. Reviewing the Response Prior to Submission**



Each supplier is responsible for ensuring all questions have been answered appropriately and that all necessary documents have been uploaded. Prior to final submission of your response, please review the following checklist:

1. Please review and confirm that the supplier has answered all questions appropriately. If questions require a “yes” or “no” response. Please ensure that the correct response has been selected.
2. Please review and confirm that the most competitive response has been provided.
3. Please confirm that all necessary files have been uploaded.

#### **2.2.6. Submitting the Completed Response/Bid**

**Once the completed response has been reviewed by the supplier, click the "Submit Bid" button at the top of the page under the “Event Details” section of the Event.** Any information entered by a supplier into Vendor Registry but not submitted prior to the submission deadline will not be released to JCSS and will not be considered for award. Only after the supplier selects the “Submit Bid” button, will the response to the eRFP be sent electronically, time stamping the supplier’s response and sending a confirmation email to the email address of the supplier. Please note that submission is not instantaneous; therefore, each supplier must **allow ample time for its response to be submitted prior to the deadline.**

closing date and time, the supplier must submit a request in writing to the Issuing Officer.

#### **2.2.7. Help Desk Support**

For technical questions related to the use of Vendor Registry, suppliers have access to phone support through the Customer Service Help Desk at 404-657-6000, Monday through Friday 8:00 AM to 5:00 PM excluding State Holidays or any other day state offices are closed such as furlough days or closings in response to inclement weather.

## **2. General Business Requirements**

This section contains general business requirements. By submitting a response, the supplier is certifying its agreement to comply with all of the identified requirements of this section and that all costs for complying with these general business requirements are included in the supplier’s submitted pricing.

### **3.1. Standard Insurance Requirements**

If awarded a contract, the supplier shall procure and maintain insurance which shall protect the supplier and the Jones County School System (as an additional insured) from any claims for bodily injury, property damage, or personal injury covered by the indemnification obligations set forth in the contract attached to this solicitation throughout the duration of the contract. The supplier shall procure and maintain the insurance policies described below at the supplier’s own expense and shall furnish JCSS an insurance certificate listing Jones County School System as certificate holder and as an additional insured. The insurance certificate must document that the Commercial General Liability insurance coverage purchased by the supplier includes contractual liability coverage applicable to the contract. In addition, the insurance certificate must provide the following information: the name and address of the insured; name, address, telephone number and signature of the authorized agent; name of the insurance company (authorized to operate in Georgia); a description of coverage in detailed standard terminology (including policy period, policy number, limits of liability, exclusions and endorsements); and an acknowledgment of notice of cancellation to the State Entity.

The supplier is required to maintain the following insurance coverage’s during the term of the contract:

- 1) Workers Compensation Insurance (Occurrence) in the amounts of the statutory limits established by the General Assembly of the State of Georgia (A self-insurer must submit a certificate from the Georgia Board of Workers Compensation stating that the supplier qualifies



to pay its own workers compensation claims.) In addition, the supplier shall require all subcontractors occupying the premises or performing work under the contract to obtain an insurance certificate showing proof of Workers Compensation Coverage with the following minimum coverage:

- |    |  |              |
|----|--|--------------|
|    | Bodily injury by accident - per employee                                 | \$100,000;   |
|    | Bodily injury by disease - per employee                                  | \$100,000;   |
|    | Bodily injury by disease – policy limit                                  | \$500,000.   |
| 2) | Commercial General Liability Policy with the following minimum coverage: |              |
|    | Each Occurrence Limit  | \$1,000,000  |
|    | Personal & Advertising Injury Limit                                      | \$1,000,000  |
|    | General Aggregate Limit  | \$ 2,000,000 |
|    | Products/Completed Ops. Aggregate Limit                                  | \$ 2,000,000 |
| 3) | Automobile Liability   |              |
|    | Combined Single Limit  | \$1,000,000  |

The foregoing policies shall contain a provision that coverage afforded under the policies will not be canceled, or not renewed or allowed to lapse for any reason until at least thirty (30) days prior written notice has been given to JCSS. Certificates of Insurance showing such coverage to be in force shall be filed with JCSS prior to commencement of any work under the contract. The foregoing policies shall be obtained from insurance companies licensed to do business in Georgia and shall be with companies acceptable to JCSS, which must have a minimum A.M. Best rating of A-. All such coverage shall remain in full force and effect during the term and any renewal or extension thereof.

Within ten (10) business days of award, the awarded supplier must procure the required insurance and provide JCSS with one (1) Certificates of Insurance. Certificates must reference the contract number. The supplier's submitted pricing must include the cost of the required insurance. No contract performance shall occur unless and until the required insurance certificates are provided.

### **3.2. Bonds and/or Letter of Credit**

No Bonds or Letter of Credit requested at this time.

#### **Bid Bond**

No Bid Bond requested.

#### **Performance Bond/Letter of Credit**

No Performance Bond/Letter of Credit requested at this time.

#### **Payment Bond**

No Payment Bond requested at this time.

### **1.3. Proposal Certification**

By responding to this solicitation, the supplier understands and agrees to the following:

1. That this electronically submitted proposal constitutes an offer, which when accepted in writing by JCSS, and subject to the terms and conditions of such acceptance, will constitute a valid and binding contract between the supplier and JCSS; and
2. That the supplier guarantees and certifies that all items included in the supplier's response meet or exceed any and all of the solicitation's identified specifications and requirements except as expressly stated otherwise in the supplier's response; and
3. That the response submitted by the supplier shall be valid and held open for a period of **one hundred and twenty (120) days** from the final solicitation closing date and that the supplier's offer may be held open for a lengthier period of time subject to the supplier's consent; and
4. That the supplier's response is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same materials, supplies, equipment, or services and is in all respects fair and without collusion or fraud. Supplier

- understands and agrees that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards; and
5. That the provisions of the Official Code of Georgia Annotated, Sections 45-10-20 et seq. have not been violated and will not be violated in any respect.

### 3. eRFP Proposal (Bid) Factors

This section contains the detailed technical requirements and related services for this Sourcing Event. Suppliers are required to download, complete and then upload the worksheet/checklist titled "Supplier General Information", "Mandatory Response Checklist", "Mandatory Scored Requirement Checklist" and "Additional Scored Response Checklist" found as attachments in the Sourcing Event if they are listed in the documents included section. Although many solicitations will contain all of the worksheets noted above, it is possible that a solicitation will not contain all of the worksheets. In the event all four worksheets are not available as downloadable forms to this eRFP, please confirm with the Issuing Officer that all four worksheets are not required.

Unless requested otherwise, all responses must be provided within the Excel worksheets and not as a separately attached document. Except as otherwise indicated, all requested forms and documents must be submitted electronically via the sourcing tool as an uploaded document to the supplier's response. These worksheets together with any and all other documents submitted in response to Section 4 of this eRFP will be considered the supplier's technical proposal.

JCSS has determined that it is best to define its own needs, desired operating objectives, and desired operating environment. JCSS will not tailor these needs to fit particular solutions suppliers may have available; rather, the suppliers shall propose to meet JCSS's needs as defined in this eRFP. All claims shall be subject to demonstration. Suppliers are cautioned that conditional proposals, based upon assumptions, may be deemed non-responsive.

#### 4.1. Technical Proposal Introduction

All of the items described in this section are service levels and/or terms and conditions that JCSS expects to be satisfied by the selected supplier. Each supplier must indicate its willingness and ability to satisfy these requirements in the appropriate worksheets.

#### 4.2. Supplier General Information

Each supplier must complete all of the requested information in the electronic purchasing system entitled **Supplier's General Information Worksheet** for inclusion with their bid response.

**DO NOT INCLUDE ANY COST/PRICING INFORMATION IN YOUR RESPONSE TO THIS WORKSHEET.**

#### 4.3. Mandatory Requirements

As specified with each requirement listed in the **Mandatory Response Checklist**, the supplier must provide the request documentation uploaded into solicitation. Issuing Officer will indicate whether its proposal meets the individual requirements by marking either a "YES" or "NO" in the response block provided. Typically, these are business level documents that will be needed by Vendors. A Pass/Fail evaluation will be utilized for all mandatory requirements. Ordinarily, to be considered responsive, responsible and eligible for award, all questions identified as mandatory must be marked "YES" to pass. There may be rare instances in which a response of "NO" is the correct and logical response in order to meet the mandatory requirement (e.g. responding "NO" that the supplier does not possess any conflicts of interest). Otherwise, any mandatory questions marked "NO" will fail the technical requirements and will result in disqualification of the proposal.

**DO NOT INCLUDE ANY COST/PRICING INFORMATION IN YOUR RESPONSE TO THIS WORKSHEET.**

#### 4.4. Mandatory Scored Response

As specified with each requirement listed in the **Mandatory Scored Response Checklist**, the supplier must determine whether it will meet the individual requirement (if any) and provide a supporting narrative in

a provided worksheet or as an attachment. To be considered responsive, responsible and eligible for award, any and all requirements identified in the Mandatory Scored Response Worksheet must be met. There may be rare instances in which an item within the Mandatory Scored Response Worksheet does not create an individual requirement which must be met, but, instead, merely requires a response. All requirements labeled “Mandatory Scored” must be met by the supplier. Failure to meet any mandatory scored requirements may result in disqualification of the proposals. The narrative description, along with any required supporting materials, will be evaluated and awarded points in accordance with Section 6 “Proposal Evaluation, Negotiations and Award” of this eRFP.

**DO NOT INCLUDE ANY COST INFORMATION IN YOUR RESPONSE TO THIS WORKSHEET.**

#### **4.5. Additional Scored Responses**

Additional Scored Responses are not utilized by JCSS.

#### **4.6. Additional Information**

As noted in Section 2.2.2 “eRFP Review”, please access and review all of the attachments provided by JCSS within the Event. If supplemental materials are requested by JCSS to be submitted by the supplier as part of the technical proposal, the supplier should upload these additional materials as noted in Section 2.2.4 “Uploading Forms”.

### **5. Cost Proposal**

#### **5.1. Cost Proposal**

Each supplier is required to submit a cost proposal as part of its response. The cost proposal will be evaluated and scored in accordance with Section 6 “Proposal Evaluation, Negotiations and Award” of this eRFP. By submitting a response, the supplier agrees that it has read, understood, and will abide by the following instructions/rules:

1. The submitted cost proposal must include all costs of performing pursuant to the resulting contract; and
2. Cost proposals containing a minimum order/ship quantity or dollar value, unless otherwise called for in the eRFP, will be treated as non-responsive and may not be considered for award; and
3. In the event there is discrepancy between the supplier’s unit price and extended price, the unit price shall govern;
4. In the event there is a discrepancy between (1) the supplier’s pricing as quoted on the eRFP’s provided cost worksheet and (2) the supplier’s pricing as quoted by the supplier in one or more additional documents, the former shall govern; and
5. The prices quoted and listed in the cost proposal shall be firm throughout the term of the resulting contract, unless otherwise noted in the eRFP or contract.
6. JCSS Standard Terms and Condition have been read and will be part of the contract that may result in the award of the Solicitation.

#### **5.2. Cost Structure and Additional Instructions**

JCSS’s intent is to structure the cost format in order to facilitate comparison among all suppliers and foster competition to obtain the best market pricing. Consequently, JCSS requires that each supplier’s cost be in the format outlined below. Additional alternative cost structures will not be considered. Each supplier is cautioned that failure to comply with the instructions listed below, submission of an incomplete offer, or submission of an offer in a different format than the one requested may result in the rejection of the supplier’s proposal.

Enter all information directly into the cost sheet(s). Enter numbers on each cost sheet in “number” (two-place decimal), not “currency” or other format unless otherwise stated. That is, omit dollar signs, commas,

and any other non-essential symbols. (e.g., \$7.90 should be entered as 7.90) Prices must be in US Dollars. Enter “n/a” to indicate not available or “0” if there is no charge. Cells left blank will be interpreted as “no offer”.

Download the cost worksheet, complete the worksheet and then upload the worksheet by following the instructions in the third bullet of Section 2.2.4 “Uploading Forms” of this eRFP.

## **6. Proposal Evaluation, Negotiations and Award**

All timely proposals will be evaluated in accordance with the following steps. The objective of the evaluation process is to identify the proposal which represents the best value to JCSS based on a combination of technical and cost factors. Based on the results of the initial evaluation, JCSS may or may not elect to negotiate technical and/or cost factors as further described in the eRFP. In the event negotiations of the technical and/or cost factors occur, the revised proposals will be reevaluated in accordance with the provisions of Section 6.4 “Scoring Criteria” of this eRFP. Once the evaluation process has been completed (and any negotiations JCSS desires to conduct have occurred), the apparent successful supplier(s) will be required to enter into discussions with JCSS to resolve any exceptions to JCSS’s contract. JCSS will announce the results of the eRFP as described further in Section 6.9 “Public Award Announcement” of this eRFP.

### **6.1. Administrative/Preliminary Review**

First, the proposals will be reviewed by the Issuing Officer to determine the proposal’s compliance with the following requirements:

1. Proposal was submitted by deadline in accordance with Section 2.
2. Proposal is complete and contains all required documents.
3. Technical Proposal does not include any pricing from the Cost Proposal.
4. All Mandatory documents have been uploaded as requested.

### **6.2. Evaluating Proposal Factors (Section 4)**

If the supplier’s proposal passes the Administrative/Preliminary Review, the supplier’s responses to Section 4 “eRFP Proposal Factors” will be submitted to the Evaluation Team for evaluation.

#### **6.2.1. Review of Mandatory and Mandatory Scored Questions**

The Evaluation Team will review each proposal in detail to determine its compliance with mandatory eRFP requirements. Responses to both “Mandatory” and “Mandatory Scored” Questions will be evaluated on a pass/fail basis. If a proposal fails to meet a mandatory and/or mandatory scored eRFP requirement, JCSS will determine if the deviation is material. A material deviation will be cause for rejection of the proposal. An immaterial deviation will be processed as if no deviation had occurred. All proposals which meet the requirements of the “Mandatory” and “Mandatory Scored” Questions are considered “Responsive Proposals” at this point in time and will be scored in accordance with the point allocation in Section 6.4 “Scoring Criteria” of this eRFP.

#### **6.2.2. Review of Additional Scored Information Questions**

JCSS will not be using Additional Scored Questions.

The supplier will receive a total technical score at the conclusion of the evaluation of the eRFP Proposal Factors.

### **6.3. Evaluating Cost Proposal and Total Combined Score**

The cost proposals will be reviewed and scored in accordance with Section 6.4 “Scoring Criteria.” To expedite the evaluation process, JCSS reserves the right to analyze the cost proposals independently, but at the same time the Evaluation Team is analyzing the technical proposals, provided neither the cost proposals nor the cost analysis is disclosed to the Evaluation Team until the Evaluation Team completes its initial evaluation and scoring of the eRFP Proposal Factors.

#### 6.3.1. Cost Scoring

JCSS may utilize lowest cost, lowest total cost, and total cost of ownership (TCO) or greatest savings to determine the most competitive cost proposal. The cost proposal may be scored on an overall basis or at the category/subcategory/line level (as applicable) relative to other proposals. The supplier deemed to have the most competitive cost proposal overall, as determined by JCSS, will receive the maximum weighted score for the cost criteria. In the alternative, in the event the cost proposal is scored at the category, subcategory or line level, JCSS may assign the maximum score per category/subcategory/line for the most competitive proposal at that level. Other proposals will receive a percentage of the weighted score based on the percentage differential between the most competitive cost proposal and the specific proposal in question.

#### 6.3.2. Georgia Enterprises for Products and Services (GEPS)

In the event the issuing officer has received a response from GEPS, the issuing officer must factor in a price preference of 8% for purposes of cost evaluation. The price preference of 8% has been approved by DOAS in accordance with the State Use Law set forth at O.C.G.A. 50-5-135 et seq., which is intended to create opportunities for disabled persons employed by community-based rehabilitation programs and training centers that are certified by the State Use Council. To implement the price preference, the issuing officer must lower GEPS' price by 8% when comparing GEPS' price with any other supplier's response. However, in the event GEPS wins the contract award, GEPS must be paid at its actual bid price.

#### 6.3.3. Total Score

The supplier's cost score will be combined with the supplier's technical score to determine the supplier's overall score (or "total combined score").

### 6.4. Scoring Criteria

The evaluation is comprised of the following:

Category	Criteria	Points
Cost	1. Cost of proposed products and/or services	400 points
Technical/Proposal Factors	2. "Mandatory" Requirements	Pass/Fail
Technical/Proposal Factors	3 a. Quality of Solution	300 points
Technical/Proposal Factors	3 b. Capabilities	150 points
Technical/Proposal Factors	3 c. Equitable prior experience	150 points
Total	N/A	1000 points

#### 6.5. Georgia Based Business/Reciprocal Preference Law O.C.G.A. §50-5-60(b)

For the purposes of evaluation only, suppliers resident in the State of Georgia will be granted the same preference over suppliers resident in another state in the same manner, on the same basis, and to the same extent that preference is granted in awarding bids for the same goods or services by such other state to suppliers resident therein over suppliers resident in the State of Georgia. NOTE: For the purposes of this law, the definition of a resident supplier is a supplier who is domiciled in the State of Georgia.

#### 6.6. Negotiations of Proposals and/or Cost Factors

Issuing Officer possesses discretionary authority to conduct one or more rounds of negotiations of technical proposal and/or cost factors as permitted by Georgia law and JCSS' established procurement policy. This section of the eRFP describes JCSS' process for utilizing its discretionary negotiation authority as defined by O.C.G.A. Section 50-5-67(a)(6). No system employee/end user is permitted to conduct negotiations of proposal and/or cost factors without Issuing Officer's supervision unless JCSS has expressly authorized the employee/end user to conduct negotiations on its own.

The objective of negotiations is to obtain the supplier's best terms. PLEASE NOTE: NEGOTIATIONS ARE DISCRETIONARY; THEREFORE, JCSS URGES THE SUPPLIER (1) TO SUBMIT ITS BEST RESPONSE AND (2) NOT TO ASSUME THE SUPPLIER WILL BE GRANTED AN OPPORTUNITY TO NEGOTIATE.

#### **6.6.1. Overview of Negotiations**

After the Evaluation Team has scored the suppliers' proposals, the Issuing Officer may elect to enter into one or more rounds of negotiations with all responsive and responsible suppliers or only those suppliers identified by the Evaluation Team as being in the competitive range. The competitive range will not be selected arbitrarily and those suppliers included in the competitive range must have highly scored proposals.

After each round of negotiations (if any), the supplier will submit revisions to its proposal factors and/or cost proposal, which revisions will be scored by the Evaluation Team in accordance with the same criteria used to evaluate the initial responses from the suppliers. Suppliers may be removed from further participation in the negotiation process in the event the Evaluation Team determines the supplier cannot be considered responsive and responsible or based on the competitive range as defined in Section 6.6.3 "Competitive Range."

JCSS reserves the right to proceed to award without further discussions after receipt of the initial proposals, in which case, negotiations and Proposal Revisions will not be required.

#### **6.6.2. Negotiation Instructions**

Listed below are the key action items related to negotiations. JCSS's Negotiation Committee may consist of the Evaluation Committee or may be comprised of different people. However, evaluation of proposals or revised proposals shall be completed only by JCSS's Evaluation Committee.

- 1. Negotiation Invitation:** Those suppliers identified by the Evaluation Committee to negotiate will be notified and invited to attend negotiations. Suppliers will be notified in writing: (i) the general purpose and scope of the negotiations; (ii) the anticipated schedule for the negotiations; and (iii) the procedures to be followed for negotiations.
- 2. Confirmation of Attendance:** Suppliers who have been invited to participate in negotiations must confirm attendance.
- 3. Negotiations Round(s):** One or more rounds of negotiations may be conducted with those suppliers identified by JCSS' Evaluation Team.

#### **6.6.3. Competitive Range**

If JCSS elects to negotiate pursuant to Section 6.6, JCSS may either (1) elect to negotiate with all responsive and responsible suppliers, (2) limit negotiations to those suppliers identified within the competitive range, or (3) limit negotiations to the number of suppliers with whom JCSS may reasonably negotiate as defined below. In the event JCSS elects to limit negotiations to those suppliers identified within the competitive range, JCSS will identify the competitive range by (1) ranking suppliers' proposals from highest to lowest based on each supplier's Total Combined Score and (2) then looking for breaks in the scores such that natural groupings of similar scores may be identified. In the event JCSS determines the number of responsive and responsible suppliers is so great that JCSS cannot reasonably conduct negotiations (which determination shall be solely at JCSS' discretion and shall be conclusive), JCSS may elect to limit negotiations to the top three (3) ranked suppliers as determined by the Total Combined Score.

#### **6.6.4. Negotiation Round Completion**

As part of each round of negotiation, JCSS may or may not engage in verbal discussions with the suppliers. However, whether or not JCSS engages in verbal discussions, any revisions the supplier



elects to make to its response must be submitted in writing via email by the end date and time identified by the Issuing Officer. All revisions received by the due date and time will be evaluated and re-scored by the Evaluation Team in accordance with the same criteria used to evaluate the initial responses from the suppliers. Revisions which are not received prior to the due date and time cannot be considered; however, any supplier failing to submit timely revisions will not be disqualified from consideration for award based on its final proposal as accepted by JCSS.

#### **6.7. Selection and Award**

The primary intent of this eRFP is to identify a single source (responsible and responsive supplier receiving the highest Total Combined Score) to provide all of the needed goods and/or services; however, JCSS reserves the right to make an additional contract award to the next best ranked supplier as a secondary (back-up) source of supply.

#### **6.8. Site Visits and Oral Presentations**

JCSS reserves the right to conduct site visits or to invite suppliers to present their proposal factors/technical solutions to the Evaluation Team. Cost proposals and related cost information must not be discussed during the oral presentation of the supplier's technical solution. Nothing in this section shall prohibit the Negotiation Team from discussing both proposal factors and cost information during the negotiation process defined by Section 6.6 "Negotiations of Proposals and/or Cost Factors".

#### **6.9. Public Award Announcement**

The preliminary results of the evaluation will be announced through the public posting of a Notice of Intent to Award (in the event the value of the contract(s) is estimated to be \$100,000 or more in the first year) to the Georgia Procurement Registry. The Notice of Intent to Award ("NOIA") is not notice of an actual contract award; instead, the NOIA is notice of JCSS' expected contract award(s) pending resolution of the protest process. The NOIA (if any) will identify the apparent successful supplier(s), unsuccessful supplier(s), and the reasons why any unsuccessful suppliers were not selected for contract award. NO SUPPLIER SHOULD ASSUME PERSONAL NOTICE OF THE NOTICE OF INTENT TO AWARD ("NOIA") WILL BE PROVIDED BY JCSS. INSTEAD, ALL SUPPLIERS SHOULD FREQUENTLY CHECK THE GEORGIA PROCUREMENT REGISTRY FOR NOTICE OF THE NOIA.

The Notice of Award ("NOA") is JCSS' public notice of actual contract award(s). The NOA will be publicly posted to the Georgia Procurement Registry.

### **7. Contract Terms and Conditions**

The contract that JCSS expects to award as a result of this eRFP will be based upon the eRFP, the successful supplier's final response as accepted by JCSS and the contract terms and conditions, which terms and conditions can be downloaded from the Sourcing Event. The "successful supplier's final response as accepted by JCSS" shall mean: the final cost and technical proposals submitted by the awarded supplier and any subsequent revisions to the awarded supplier's cost and technical proposals and the contract terms and conditions due to negotiations, written clarifications or changes made in accordance with the provisions of the eRFP, and any other terms deemed necessary by JCSS, except that no objection or amendment by the supplier to the eRFP requirements or the contract terms and conditions shall be incorporated by reference into the contract unless JCSS has explicitly accepted the supplier's objection or amendment in writing.

Please review JCSS contract terms and conditions prior to submitting a response to this eRFP. Suppliers should plan on the contract terms and conditions contained in this eRFP being included in any award as a result of this eRFP. Therefore, all costs associated with complying with these requirements should be included in any pricing quoted by the suppliers. The contract terms and conditions may be supplemented or revised before contract execution and are provided to enable suppliers to better evaluate the costs associated with the eRFP and the potential resulting contract.



### **Exception to Contract**

By submitting a proposal, each supplier acknowledges its acceptance of the eRFP specifications and the contract terms and conditions without change except as otherwise expressly stated in the submitted proposal. If a supplier takes exception to a contract provision, the supplier must state the reason for the exception and state the specific contract language it proposes to include in place of the provision. Any exceptions to the contract must be redlined with comments explaining the rationale for the proposed revision, uploaded and submitted as an attachment to the supplier's response. Proposed exceptions must not conflict with or attempt to preempt mandatory requirements specified in the eRFP. Proposed exceptions should be in compliance with Georgia law.

In the event the supplier is selected for potential award, the supplier will be required to enter into discussions with JCSS to resolve any contractual differences before an award is made. These discussions are to be finalized and all exceptions resolved within the period of time identified in the schedule of events. Failure to resolve any contractual issues will lead to rejection of the supplier. JCSS reserves the right to proceed to discussions with the next best ranked supplier.

JCSS reserves the right to modify the contract to be consistent with the apparent successful offer, and to negotiate other modifications with the apparent successful supplier. Exceptions that materially change the terms or the requirements of the eRFP may be deemed non-responsive by JCSS, in its sole discretion, and rejected. Contract exceptions which grant the supplier an impermissible competitive advantage, as determined by JCSS, in its sole discretion, will be rejected. If there is any question whether a particular contract exception would be permissible, the supplier is strongly encouraged to inquire via written question submitted to the Issuing Officer prior to the deadline for submitting written questions as defined by the Schedule of Events.

### **8. List of eRFP Attachments**

The following documents make up this eRFP. Please see Section 2.2.2 "eRFP Review" for instructions about how to access the following documents. Any difficulty locating or accessing the following documents should be immediately reported to the Issuing Officer.

- A. JCSS eRFP (this document)
- B. Special Term Definitions from Section 1.6 "Definition of Terms" of this eRFP
- C. Department of Audits Immigration and Security Form
- D. Mandatory Response Worksheet from Section 4.3 of this eRFP
- E. Mandatory Scored Response Worksheet from Section 4.4 of this eRFP
- F. Cost Worksheet from Section 5 "Cost Proposal" of this eRFP
- G. Scope of Work

### **9. Documents to Return Checklist**

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