



FLORIDA DEPARTMENT OF LAW ENFORCEMENT INVITATION TO BID

Acknowledgment Form

Page 1 of 32 pages	SUBMIT REPLY TO: Florida Department of Law Enforcement Office of General Services Telephone Number: (850) 410-7300	
Agency Release Date: 03/11/2024		
Solicitation Number: FDLE ITB 2430	Solicitation Title: Data Center Batteries	
Bids are Due: 04/16/2024	Bid responses shall be binding until execution of a Purchase Order with the successful Bidder.	
**<u>Bidder Name:</u>		
**If a fictitious name is used, include the registered name (i.e. XYZ, Inc. DBA ABC)		
<u>Bidder Mailing Address:</u>	*Authorized Signature (Manual)	
City, State, Zip:		
Phone Number:	*Authorized Signature (Type), Title	
Toll-Free Number:	*This individual must have the authority to legally bind the Bidder to a contractual obligation. By submission of a signature on the response, the Bidder certifies that they comply with all terms and conditions contained herein.	
Fax Number:		
Email Address:		
FEID Number:		
Type of Business Entity (Corporation, LLC, partnership, etc.):		
BIDDER CONTACTS: Provide the name, title, address, telephone number, and email address of the official contact and an alternate, if available. These individuals shall be available to be contacted by telephone or attend meetings as may be appropriate regarding the solicitation schedule.		
PRIMARY CONTACT:		SECONDARY CONTACT:
Contact Name, Title:		Contact Name, Title:
Address:		Address:
Phone Number:		Phone Number:
Fax Number:		Fax Number:
Email Address:		Email Address:

Section 1 – Introductory Section	4
1.1. Agency Intent	4
1.2. Heading and Section References	4
1.3. General Instructions to Respondents (PUR 1001)	4
1.4. Mandatory Requirements	4
1.5. Procurement Officer	4
1.6. Restrictions on Communications	5
1.7. Schedule of Events / Timeline	5
1.8. Accessibility for Disabled Persons	6
1.9. Mandatory Site Visit/Equipment Inspection	6
1.10. Bidder Questions	6
Section 2 –Technical Specifications	7
2.1. Overview	7
2.2. Minimum Specifications	7
2.3. Mandatory Specifications	7
2.4. Awarded Vendor’s Responsibilities	8
2.5. Department Responsibilities	9
2.6. Inspection and Acceptance	9
2.7. Warranty	10
2.8. Data Center Floor Plan and Battery Bank Images	11
Section 3 – Invitation to Bid Process	13
3.1. Special Conditions and Instructions	13
3.2. Bidder Inquiries	13
3.3. Addenda	13
3.4. Discussions	14
3.5. MyFloridaMarketPlace (MFMP) Registration	14
3.6. Florida Department of Financial Services Substitute W-9 Initiative	14
3.7. Bid Price Sheet	15
3.8. Bid Packaging and Submission Requirements	15
3.9. Bidder Acknowledgement	16
3.10. Vendor Generated Terms and Conditions	16
3.11. Redacted Bid Submission	16
3.12. Administrative Review	17
3.13. Price Evaluation	18
3.14. References	19
3.15. Cost of Preparing a Vendor Bid	20
3.16. Firm Response	20
3.17. Withdrawal of Bid	20
3.18. Legal Requirements	20
3.19. Antitrust Violations	20
3.20. Scrutinized Companies List	21
3.21. Less Than Two Responsive Bids	21
3.22. Basis of Award	21
3.23. Posting of Tabulations	21
3.24. Reserved Rights	21
Section 4 – Special Conditions Section	22
4.1. General Contract Conditions (PUR 1000)	22
4.2. MyFloridaMarketPlace (MFMP) Purchase Order Terms and Conditions	22
4.3. Cooperation With The Inspector General	22
4.4. Federal Excluded Parties List	22

4.5.	Public Records	22
4.6.	Unauthorized Aliens	23
4.7.	Security and Confidentiality	23
Section 5 – Invoicing and Payment		24
Section 6 – Attachments		25
ATTACHMENT A—CERTIFICATION OF SITE VISIT		26
ATTACHMENT B—QUESTION SUBMITTAL FORM		27
ATTACHMENT C—PRICE SHEET		28
ATTACHMENT D—IN-STATE PREFERENCE FORM		29
ATTACHMENT E—DRUG-FREE WORKPLACE CERTIFICATION		30
ATTACHMENT F—RESPONDENT REFERENCE FORM		31
ATTACHMENT G—SCRUTINIZED COMPANIES CERTIFICATION		32

(This Section intentionally left blank.)

SECTION 1 – INTRODUCTORY SECTION

The State of Florida, Department of Law Enforcement, hereinafter called the FDLE, Department, Agency, State, Customer, or Purchaser, issues this invitation to receive competitive sealed bids for the purchase of 240 High Rate series Data Center batteries. This Invitation to Bid (ITB) and all activities leading toward the anticipated issuance of a Purchase Order pursuant to this ITB are conducted pursuant to Chapters 943 and 287 Florida Statutes, and Rule 60A-1 Florida Administrative Code.

1.1. AGENCY INTENT

It is the intent of the Department to acquire for purchase 240 High Rate series Data Center batteries. Department intends to make a single award from this ITB and issue a Purchase Order. The Awarded Vendor, hereinafter called the Bidder or Contractor, price is to remain firm for one (1) year from the issuance of the initial Purchase Order as additional orders may be requested.

1.2. HEADING AND SECTION REFERENCES

Section headings in this ITB are inserted for convenience only and are not to be construed as a limitation of the scope of the particular section to which the heading refers.

1.3. GENERAL INSTRUCTIONS TO RESPONDENTS (PUR 1001)

Pursuant to Rule 60A-1.002 F.A.C, the State of Florida General Instructions to Respondents (PUR 1001) are hereby referenced and incorporated in their entirety to this ITB. Bidders are instructed to read this document in its entirety. There is no need to return this document to the Department. The Department instructions to respondents contained within this ITB supersede any conflicting instructions contained in the PUR1001.

[State Purchasing \(PUR\) Forms / State Agency Resources / State Purchasing / Business Operations - Florida Department of Management Services \(myflorida.com\)](#)

1.4. MANDATORY REQUIREMENTS

The Department has established certain requirements with respect to bids to be submitted by respondents. The use of “shall”, “must” or “will” (except to indicate simple futurity) in this ITB indicates a requirement or conditions from which a material deviation may not be waived by the Department. A deviation is material if, in the Department’s sole discretion, the deficient response is not substantially in accordance with the ITB requirements, provides an advantage to one respondent over other respondents, has potentially significant effect on the quantity or quality of items bid, or on the cost of the Department. Material deviations cannot be waived. The words “should” or “may” in this ITB indicate desirable attributes or conditions, but are permissive in nature. Deviation from, or omission of, such a desirable feature, will not in itself cause rejection of a Bid.

1.5. PROCUREMENT OFFICER

The Procurement Officer, acting on behalf of the Department, is the sole point of contact outside of official public meetings, with regard to all procurement matters relating to this solicitation, from the date of the release of the solicitation until the Department Notice of Intent to Award is posted on the Vendor Information Portal (VIP).

All questions or requests for clarification are to be directed to:

Angela Githens
Florida Department of Law Enforcement
Office of General Services
Telephone: (850) 410-7300
Email: FDLEOGSContracts@fdle.state.fl.us

NOTE: ALL EMAILS TO THE PROCUREMENT OFFICER MUST CONTAIN THE SOLICITATION NUMBER IN THE SUBJECT LINE OF THE EMAIL

1.6. RESTRICTIONS ON COMMUNICATIONS

Florida Statute (F.S.) Section 287.057(23) imposes specific communication restrictions related to this solicitation. Respondents to this solicitation, or persons acting on their behalf, are prohibited from contacting any employee or officer of the executive or legislative branch concerning any aspect of this solicitation. This prohibition applies from the release of the solicitation until the end of the 72-hour period following the agency posting the notice of intended award. This period excludes Saturdays, Sundays, and state holidays. Any communication must be in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

1.7. SCHEDULE OF EVENTS / TIMELINE

The following time schedule will be strictly adhered to in all actions relative to this ITB unless modified by the Department by written addenda. Department will publish all written addenda on the MyFloridaMarketPlace Vendor Information Portal (VIP). No liability to the Department will result from such deviations. All required Bidder actions must be completed by the date and time indicated on the schedule. All listed times are Eastern Time (ET) in Tallahassee, Florida.

DATE	TIME	ACTIVITY	LOCATION
03/11/2024	3:00 PM	FDLE Posts Invitation to Bid Advertisement	Vendor Information Portal https://vendor.myfloridamarketplace.com/
03/22/2024	5:00 PM	Submission Deadline for Bidders to respond to Mandatory Site Visit	FDLE Office of General Services FDLEOGSContracts@fdle.state.fl.us
03/26/2024	10:00 AM	Mandatory Site Visit/Equipment Inspection	FDLE Headquarters 2331 Phillips Road Tallahassee, Florida 32308
04/01/2024	5:00 PM	Submission Deadline for Bidder Written Questions to Procurement Officer	FDLE Office of General Services FDLEOGSContracts@fdle.state.fl.us
04/08/2024	4:00 PM	FDLE Posts Electronic Written Answers to Bidder Questions (Anticipated)	Vendor Information Portal https://vendor.myfloridamarketplace.com/
4/16/2024	2:30 PM	Bid Responses Due to FDLE	FDLE Office of General Services
4/16/2024	3:00 PM	Public Meeting / Opening of Bids	FDLE Headquarters 2331 Phillips Road Tallahassee, Florida 32308

The Department shall utilize the State of Florida MyFloridaMarketPlace Vendor Information Portal and the Florida Administrator Register for all Invitation to Bid Public Notice information, in accordance with Florida Statute Chapter 120.525 and Florida Administrative Code 28-102.001, respectively.

1.8. ACCESSIBILITY FOR DISABLED PERSONS

Any person with a qualified disability shall not be denied equal access and effective communication regarding any ITB documents or attendance at any related meeting or ITB opening. If accommodations are needed because of a disability, please contact the Procurement Officer or FDLE Office of General Services at (850) 410-7300.

1.9. MANDATORY SITE VISIT/EQUIPMENT INSPECTION

A Mandatory Site Visit/Equipment Inspection will be held at the time and location below and as indicated in the Schedule of Events. Participation is mandatory and will be a prerequisite for the Agency's acceptance of a Bid response. Prospective Bidders are required to contact the Procurement Officer identified in Section 1.5 and provide the company representative(s) who will be attending the Mandatory Site Visit/Equipment Inspection. Company representatives will be required to complete the Certification of Site Visit / Equipment Inspection form (Attachment A), obtain FDLE signature of attendance, and include in their Bid submission. Bidders who do not contact the Procurement Officer prior to the date and time indicated in the Schedule of Events will not be allowed to attend the Site Visit nor will another Site Visit be arranged.

Please note that FDLE is a secure facility. Visitors will have to register at the FDLE main rotunda and provide a current driver's license or State/Federally issued identification card. Please arrive at least 15 minutes prior to the scheduled Site Visit/Equipment Inspection.

Location: Florida Department of Law Enforcement
2331 Phillips Road
Tallahassee, FL 32308

Date: 03/26/2024

Time: 10:00 a.m.

1.10. BIDDER QUESTIONS

Questions relevant to this ITB are invited and should be submitted in written form (e-mailed) utilizing the Question Submittal Form (Attachment B) to the Procurement Officer. Questions must be received by the FDLE Procurement Officer on or before the date and time identified in the Schedule of Events (Section 1.7). The Department recommends that Bidders confirm receipt of questions submitted.

Responses to all questions will be posted on the VIP in accordance with the Schedule of Events. The written response posted on the VIP is the ONLY official response. Oral responses that differ from the written responses must be considered invalid. It is the responsibility of the Bidder to monitor the VIP as no additional notification will be provided when responses to questions are posted.

SECTION 2 –TECHNICAL SPECIFICATIONS

2.1. OVERVIEW

The FDLE Data Center has two (2) independent banks of 120 CSB HRL 12390W series batteries. Each bank consists of four (4), 30 battery strings. Each UPS battery bank of 120 batteries will be removed and new batteries installed within two (2) consecutive business days (work may not begin on a Friday or any state recognized holidays). The first bank battery removal and replacement will be completed on day one and the second bank will be completed on day two. Generators will run continuously during the installation of both banks. The battery removal and installation will be completed during normal business hours Monday through Friday, 8:00 AM to 5:00 PM ET. It may be necessary to work after 5:00 PM in order to complete the work planned for that day. FDLE and the Bidder will mutually agree upon any changes to the work being completed outside of normal business hours.

Existing cabling will be used for new battery installation. The two (2) existing UPS systems are Mitsubishi 9700 Series 225 kVA with a 208-volt input and output. Any substitute battery must have specifications that will not require changes to any UPS settings presently established for the existing batteries.

2.2. MINIMUM SPECIFICATIONS

The High Rate series battery shall meet, at minimum, the following specifications:

- UL924 Standard for emergency power equipment
- V-O Flammability standard, 28% retardant
- Absorbed Glass Mat (AGM) technology
- Design life of at least ten (10) years at 77 degrees Fahrenheit.

2.3. MANDATORY SPECIFICATIONS

The High Rate series battery shall meet the following specifications:

- Tin plated with copper thread insert posts (Model HR4000)
- Physical dimensions: total height between and including 7.5 inches to 9.5 inches, total width 6.875 inches maximum and total length at the bottom between and including 12.625 inches to 13.625 inches.
- The case and cover must be flame retardant.
- The bolt must be of a size that will accommodate existing cables attached to existing batteries.
- Float voltage must be 2.25 volts per cell plus or minus .01 volts per cell at 77 degrees Fahrenheit.
- IEEE-485 capacity requirements at shipment.
- Discharge rating of watts per cell at 77 degrees Fahrenheit for all of the specified time intervals at 1.67 volts per cell:

Minutes	1	5	10	15	20	30	40	50	60
Watts	1227	780	541	420	344	254	202	167	143

2.4. AWARDED VENDOR'S RESPONSIBILITIES

- A. The awarded vendor must be an authorized supplier and installer of UPS batteries.
- B. The awarded vendor shall provide trained and experienced technicians to remove old batteries and install new batteries.
- C. The awarded vendor is responsible for the removal of current batteries and delivery and installation of new batteries.
- D. The awarded vendor is responsible for preparation, removal, and proper disposal of the old batteries in a manner that meets applicable laws and professional standards.
- E. The awarded vendor must provide any required shipping material, labor, and transportation to remove current batteries from the FDLE Headquarters Complex. Old batteries must be removed from the premises within twenty-four (24) hours from installation of new batteries. The old batteries are CSB HRL 12390W series batteries. There are 240 batteries to be removed.
- F. The awarded vendor's delivery and installation schedule must be coordinated with both the FDLE Headquarters and the Florida Department of Management Services (DMS) Facility Managers. DMS will be responsible for disconnecting city electrical power and connecting FDLE's emergency generator.
- G. The awarded vendor is responsible for inside delivery of all batteries to FDLE within thirty (30) calendar days of the Bidder's receipt of FDLE's purchase order. The batteries shall be delivered and installed at the location listed below:

Florida Department of Law Enforcement
Office of Information Technology Services / Data Center
2331 Phillips Road
Building C, Room C2048
Tallahassee, FL 32308

A freight elevator is available in Building C near the FDLE loading dock that can be used to move batteries to and from the FDLE Data Center. Dock hours are Monday through Friday (except holidays) from 8:00 AM to 4:00 PM EST.

If the awarded vendor chooses to have all batteries delivered directly to the FDLE building the awarded vendor must ensure representatives are present when the new batteries arrive at the FDLE site. The awarded vendor must provide adequate manpower to unload the new batteries. If the Bidder wishes to temporarily stage the batteries at the FDLE loading dock area the Bidder must ensure the new batteries are protected from the outside elements.

- H. The awarded vendor must provide enough extra batteries on-site during the installation to replace any 'dead on arrival' batteries. The new batteries must be 'fresh' batteries and of the same lot or

production sequence. All batteries manufactured dates cannot exceed sixty (60) days prior to the installation date.

- I. The awarded vendor is solely responsible for all parts, labor, travel expenses, etc. for damaged hardware (blown fuses, battery monitoring system, wiring, connectors, battery cables, clamps, current sensors, u.p.s., etc.) and any issues with the agency's current BTech software that result from improper removal and/or installation of the batteries.
- J. The awarded vendor's installation schedule must be coordinated with the vendor that maintains FDLE's UPS and battery monitoring systems:

Wilson Engineered Systems, Inc.,
13720 Old Saint Augustine Road, #8-197
Jacksonville, FL 32258
Phone: (904) 880-0118

- K. The awarded vendor will be responsible for all costs associated with removal and disposal of the old batteries and complete installation of the new batteries.

2.5. DEPARTMENT RESPONSIBILITIES

- A. A technician from FDLE's maintenance provider must be on-site to switch the UPS to the 'maintenance bypass' mode once the emergency generators are online.
- B. A technician from FDLE's maintenance provider must enable the UPS to take over the management of the electrical load and modify the BTech software to accurately monitor the new batteries.
- C. After the new batteries are installed a technician from FDLE's maintenance provider must inspect the work performed and provide written acknowledgment that all work is acceptable for continuing the existing maintenance contract with FDLE.
- D. Department will separately contract with the maintenance provider for the services, but the Bidder is responsible for coordination and any damage to the UPS or BTECH and any repair service costs of the maintenance provider.

2.6. INSPECTION AND ACCEPTANCE

Upon written notification from the awarded vendor to FDLE's Project Manager that the new batteries are installed and ready for use, FDLE shall commence an acceptance period. The acceptance period shall commence on the first State workday following notification and shall run for fourteen (14) consecutive calendar days. FDLE's battery monitoring systems, the BTech S5 Battery Monitoring and Validation System, will evaluate all batteries at least twice during this two (2) week period. If all test data is acceptable to the FDLE Project Manager, the project shall be deemed to have met FDLE's standards of performance and the FDLE Project Manager will notify the awarded vendor in writing that FDLE is prepared to accept the batteries. If any tests are unacceptable during this period, FDLE's Project Manager shall notify the awarded vendor so that corrective action can be taken. After corrective

action has been taken, FDLE will restart the acceptance period for another fourteen (14) consecutive calendar days. The awarded vendor will not be required to have a person on-site for the test period.

2.7. WARRANTY

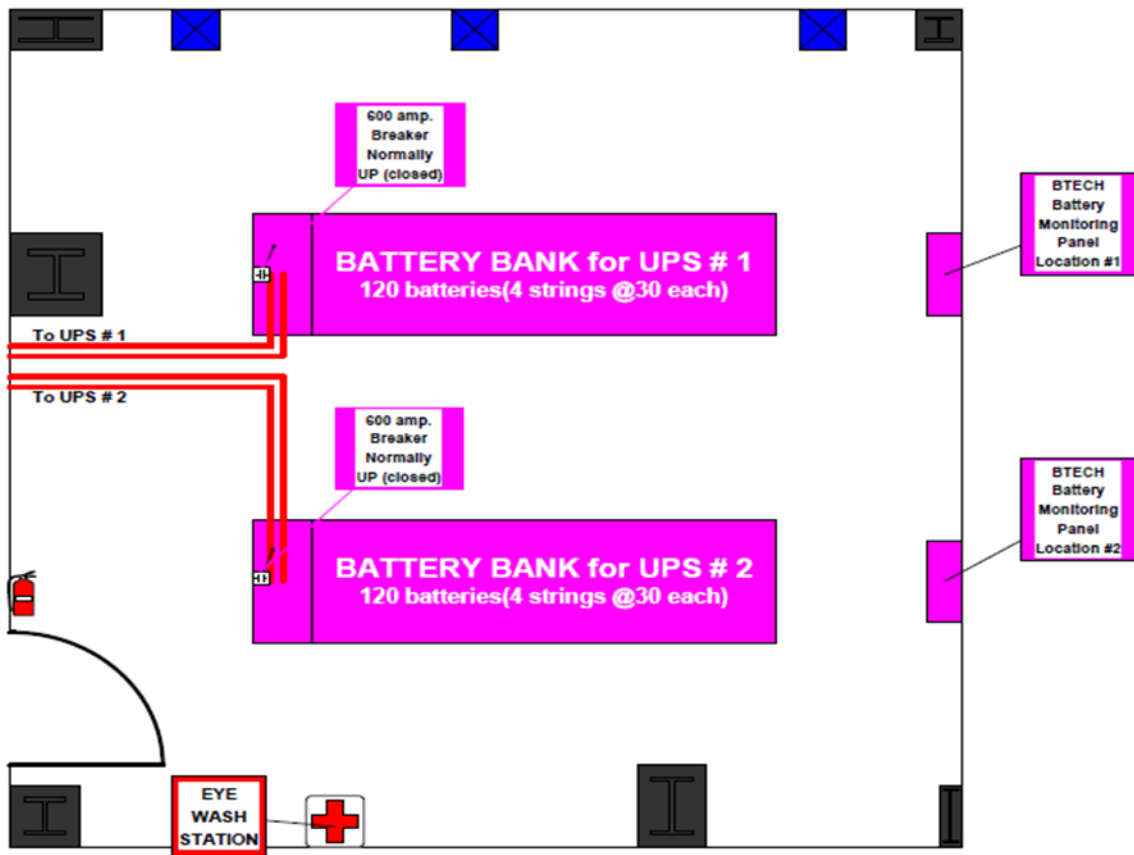
The awarded vendor shall provide, at no cost to the Department, an additional twenty-four (24) month warranty/maintenance on all batteries beyond the thirty-six (36) month Manufacturer full replacement warranty. The warranty/maintenance shall begin on the date of acceptance and continue uninterrupted for sixty (60) months.

During the sixty (60) month warranty period, the awarded vendor's responsibility is to:

- Remove and dispose of any defective batteries
- Provide new replacement batteries, the replacement battery manufactured date cannot exceed sixty (60) days prior to the date the replacement battery is installed.
- Coordinate installation of replacement batteries with Department and the vendor that maintains FDLE's UPS and battery monitoring systems
- If all test data is acceptable to the FDLE Project Manager, the project shall be deemed to have met FDLE's standards of performance and the FDLE Project Manager will notify the awarded vendor in writing that FDLE is prepared to accept the batteries.
- All costs associated with removal and disposal of the defective batteries and complete installation of the replacement batteries.

(This Section intentionally left blank.)

2.8. DATA CENTER FLOOR PLAN AND BATTERY BANK IMAGES





SECTION 3 – INVITATION TO BID PROCESS

This ITB is hereby advertised on the State of Florida VIP. To find the ITB or other related information, enter Agency “Department of Law Enforcement” and click on “Initiate Search” at the bottom of the web page. If unable to download the document(s), contact the FDLE Procurement Officer.

Section 120.57(3)(b), F.S., requires that notice of protest of the solicitation documents shall be made within seventy-two (72) hours after the posting of the solicitation. Failure to file a protest within the time prescribed in section 120.57(3), F.S., shall constitute a waiver of proceedings under Chapter 120, F.S.

3.1 SPECIAL CONDITIONS AND INSTRUCTIONS

The FDLE Bid requirements and special conditions modify and shall take precedence over the State of Florida form PUR1001, General Instructions to Bidders.

The Department currently does not utilize the State of Florida’s, MyFloridaMarketPlace e-Procurement system for competitive solicitations such as this ITB. Bidders are to manually submit a hard copy of their responses to this ITB as identified in this section. Specific references to MFMP usage for this ITB stated in paragraphs 3 and 5 of the PUR1001, General Instructions to Bidders are not applicable.

3.2 BIDDER INQUIRIES

The Bidder will examine the ITB to determine if the Department requirements are clearly stated. If there are requirements that may restrict competition, Bidders may request specification changes. Requests must identify and describe the difficulty meeting specifications, provide detailed justification, and provide the recommended changes. Change requests or protests of the specifications must be received by the State no later than seventy-two (72) hours after the posting of the solicitation. The Department will determine what, if any, changes to the ITB will be accepted. If required, the Department will issue addenda reflecting the changes.

Written interpretations of the appropriate representative of the Department will prevail. While oral responses may be given in good faith and are intended to be accurate, the Department is not bound by any non-written interpretation or guidance offered to Bidders.

3.3 ADDENDA

The Department reserves the right to modify this ITB. All addenda to this ITB will be in writing with content and number of pages described to all Bidders. Any addenda or answers to written questions supplied by the Department to participating Bidders may include an Addenda Acknowledgement Form. This form shall be signed by an authorized representative of the Bidder’s organization and submitted to the Department.

All addenda will be provided via the VIP at the following website: <https://vendor.myfloridamarketplace.com/>

It is the sole responsibility of the Bidder to monitor the VIP for any addenda issued in reference to this ITB.

3.4 DISCUSSIONS

No negotiations, decisions or actions shall be initiated or executed by the Bidder as a result of any discussions with any State employee prior to the opening of the sealed Bid(s). Prior to the opening of the sealed Bid(s), Bidders are NOT to divulge bid prices to any state employee or representative of the State. Further, Bids submitted to the Department will remain unopened until the time for opening Bids as indicated on the Schedule of Events / Timeline. During this period, any discussion by the Bidder with any state employee or representative of the State involving price information will result in rejection of said Bidder's response. Only those communications which are in writing or electronically submitted from the Department, Office of General Services may be considered as a duly authorized expression on behalf of the Department. Also, only communications from Bidders, which are in writing and signed or electronically submitted, will be recognized by the Department as duly authorized expressions on behalf of the Bidder.

3.5 MYFLORIDAMARKETPLACE (MFMP) REGISTRATION

The State of Florida, through the Department of Management Services, has instituted MyFloridaMarketPlace, a statewide eProcurement system pursuant to section 287.057(24), Florida Statutes (F.S.). All payments issued by Agencies to registered vendors for purchases of Commodities or Contractual Services under Chapter 287, F.S., shall be assessed the Transaction Fee of one percent (1.0%) of the total amount of the payments received from the State or Eligible Users, as prescribed by Rule 60A-1.031, Florida Administrative Code (F.A.C.), or as may otherwise be established by law. Vendors shall pay the Transaction Fee and are subject to automatic deduction of the Transaction Fee, when automatic deduction becomes available. Vendors shall submit any monthly reports required pursuant to Rule 60A-1.031, F.A.C. All such reports and payments are subject to audit. The Department will have grounds for declaring the vendor in default if the vendor fails to comply with the payment of the Transaction Fee or reporting of payments, which may subject the vendor to being suspended from business with the State of Florida.

Information about the registration process is available and registration may be completed at the MFMP website: [Vendor Information Portal](#). Interested persons lacking internet access may request assistance from the MFMP Customer Service at (866) 352-3776.

Responding Bidders should be registered in the MFMP system at the time of Bid submission.

Bidders should register for the following United Nations Standard Products and Services (UNSPSC) Class/Group Commodity Code(s) pertaining to this Procurement:

- 26111700 Batteries and Cells and Accessories

3.6 FLORIDA DEPARTMENT OF FINANCIAL SERVICES SUBSTITUTE W-9 INITIATIVE

The Florida Department of Financial Services (DFS) must have the correct Taxpayer Identification Number (TIN) and other related information (i.e. Social Security number) to report accurate tax information to the Internal Revenue service and determine if a vendor should receive a Form 1099. A completed Substitute form W-9 is

required for any entity to receive payment from the State of Florida. Bidders must submit their W-9 forms electronically at the DFS website: <https://flvendor.myfloridacfo.com/>

The awarded Bidder must have a valid W-9 on file with the DFS prior to issuance of a Purchase Order. This may be completed by the Bidder post-award, and is not something which Department will consider in determining the responsiveness of a bid.

3.7 BID PRICE SHEET

The Bidder must submit pricing on Attachment C – Price Sheet. Bidder generated price sheets will not be accepted. The Grand Total shall include **ALL** charges for removal and disposal of the old batteries, packaging, handling, freight, distribution, inside delivery and installation of the new batteries. Prices shall include all incidentals and associated costs required to comply with and satisfy all requirements referred to or included in this solicitation.

No remuneration is available to the Bidder beyond the Bid price for all specifications and considerations in response to this ITB, as outlined herein. Bidders will be strictly held to the prices of their Bid. The contents of this ITB and vendor Bid submission will become contractual obligations, if Purchase Order is issued.

Quantities referred to are estimated quantities. The Department reserves the right to increase or decrease the quantities and amounts. The Department shall not be responsible for Bidder inventory or order commitment.

3.8 BID PACKAGING AND SUBMISSION REQUIREMENTS

Bids must be submitted in a sealed envelope/container. Bids must be submitted by U.S. Mail, United Parcel Service (UPS), Federal Express (FedEx), private courier, or hand delivery. Electronic submission or facsimile transmission of a Bid is **NOT** authorized and will **NOT** be accepted. Bidders are cautioned that shipped Bids will be routed to the Department's Mail Processing Center in an off-site facility which may cause delays in delivery and receipt by the Office of General Services. Bidders choosing to mail Bids must take this into consideration and allow sufficient time to ensure timely delivery and receipt.

BIDDERS SHOULD INCLUDE THE FOLLOWING LABEL ON THE OUTSIDE OF ALL SEALED PACKAGES:

RESPONDING BIDDER NAME

SOLICITATION NUMBER: FDLE ITB 2430

TITLE: DATA CENTER BATTERIES

BID OPENING: 04/15/2024 @ 3:00 PM EST

The Department mailing address is:

**ATTENTION: OFF-SITE MAIL FACILITY, C/O FLORIDA DEPARTMENT OF LAW ENFORCEMENT
OFFICE OF GENERAL SERVICES
813B LAKE BRADFORD ROAD
TALLAHASSEE, FLORIDA 32304**

A Bidder choosing to hand deliver a sealed Bid must take into consideration that the FDLE Headquarters Building is a secure facility. "Hand deliver" means delivery at the correct location on or before the required date and time. The FDLE Headquarters location is:

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT
OFFICE OF GENERAL SERVICES
2331 PHILLIPS ROAD
TALLAHASSEE, FLORIDA 32308**

BIDS RECEIVED AFTER THE EXACT TIME/DATE SPECIFIED IN SECTION 1.6 WILL NOT BE CONSIDERED.

FAILURE TO INCLUDE ANY INFORMATION OR DOCUMENTATION REQUESTED WITHIN THIS ITB AT THE TIME OF SUBMISSION, OR AT THE TIME PRESCRIBED BY THE DEPARTMENT, WILL LEAD TO REJECTION OF THE BID FOR NON-RESPONSIVENESS. IF BIDDERS ARE UNSURE OF THE REQUIRED INFORMATION OR DOCUMENTATION, CONTACT THE PROCUREMENT OFFICER. DO NOT MAKE ASSUMPTIONS.

3.9 BIDDER ACKNOWLEDGEMENT

By submission of a signature on the FDLE Acknowledgment Form, the Bidder certifies that they comply with all terms and conditions contained herein. The Bid must contain the original signature of an authorized representative who can legally bind the Bidder. The product offered by the Bidder will conform to the specifications of this ITB without exception.

Bidders must include the signed FDLE Acknowledgement Form with their Bid response.

3.10 VENDOR GENERATED TERMS AND CONDITIONS

Department objects to and shall not consider any additional terms and conditions submitted by a Bidder, including any appearing in documents attached as part of a Bidder's response. In submitting a response, a Bidder agrees that any additional terms or conditions, whether submitted intentionally or inadvertently, shall have no force and effect. Failure to comply with terms and conditions, including those specifying information that must be submitted with a Bid, shall be grounds for rejecting a Bid.

The Purchase Order issued by the Department as a result of this ITB shall incorporate all terms and conditions identified herein. No oral agreements or representations shall be valid or binding upon Department or the Bidder unless expressly contained herein or by a written addendum to this ITB.

3.11 REDACTED BID SUBMISSION

Pursuant to section 19 Public Records of the PUR 1001 General Instructions to Respondents, if a Bidder considers any portion of the bid documents, data or record submitted in response to this solicitation to be exempted by law from disclosures as a public record, the Bidder must provide the Department with both an un-redacted and redacted copy of the Bid submission. As noted in this section, redacted Bids must clearly segregate and mark information which is claimed to be exempt from public records and provide the specific statutory citation for such exemption.

This redacted copy should contain FDLE's solicitation name, number, and the name of the responding Bidder on the cover, and should be clearly titled "Redacted Copy". The Redacted Copy must be provided to the Department at the same time the Bidder submits its Bid and must only exclude or obliterate those exact portions which are exempted by law from public disclosure. The entire Bid or Bid pages must not be marked proprietary, trade secret, or confidential.

IF A BIDDER FAILS TO SUBMIT A REDACTED COPY WITH ITS BID AS DESCRIBED HEREIN, DEPARTMENT IS AUTHORIZED TO PRODUCE THE ENTIRE DOCUMENT(S), DATA OR RECORDS SUBMITTED BY THE BIDDER. THE ITB AND THE SUCCESSFUL VENDOR'S BID WILL BE INCORPORATED INTO THE PURCHASE ORDER.

3.12 ADMINISTRATIVE REVIEW

Each Bidder shall submit a Bid that meets all material requirements of this ITB. Material requirements are those without which adequate analysis and comparison of Bids is impossible, or those that affect the competitiveness of the Bid. Department seeks to maximize competition and reserves the right to seek clarification or conduct a cure process from responding Bidders to obtain non-material information to complete a responsiveness review. Bids which do not meet all material requirements of this solicitation will not will not be considered unless, at Department's discretion, the discrepancy does not prevent review of the Bid by Department and can be easily and quickly remedied. Failure of a Bidder to provide an original/completed form or certification in the Bid submission or timeframe as provided by the Department will cause a Bidder to be deemed Non-Responsive and therefore disqualified from further consideration.

A. Required Documents

The following requirements must be met by the responding Bidder in order for the Bid to be considered responsive to this solicitation; however, this is not an exhaustive list of **mandatory** requirements.

- FDLE ITB 2430 Acknowledgement Form
- Attachment A – Certification of Site Visit
- Attachment B – Question Submittal Form
- Attachment C – Price Sheet
- Attachment D – In State Preference Form
- Attachment E – Certification of Drug-Free Workplace
- Attachment F – References
- Attachment G – Scrutinized Companies List Certification
- Any applicable Bid Addenda
- One (1) electronic copy of Bidder's submission via CD-ROM or Flash Drive (USB)

B. Bids which do not meet all mandatory requirements of this solicitation, including the submission of all required information, will be rejected as non-responsive. A non-responsive Bid may include, but is not limited to, those which:

- Fail to utilize, complete, and/or submit the mandatory prescribed forms
- Fail to meet all mandatory requirements
- Include terms and conditions contrary to the requirements of this Bid
- Do not contain original authorized signatures

- Are not in conformance with the requirements and instructions contained herein

IF DEPARTMENT DETERMINES IN ITS SOLE DISCRETION THAT THE CONDITIONS OF THE BID DOCUMENTS ARE NOT COMPLIED WITH, OR THAT THE PRODUCT PROPOSED TO BE FURNISHED DOES NOT MEET THE SPECIFIED REQUIREMENTS, THE BID MAY BE REJECTED AS NON-RESPONSIVE.

3.13 PRICE EVALUATION

The Department will take the following steps upon opening Bids:

- A. Confirm the Bid includes Fixed Price per Battery/Grand Total
 - B. Confirm the Bid is submitted using the FDLE ITB 2430 Price Sheet (Attachment C)
 - C. Confirm the prices are clear and unambiguous
 - D. Check the arithmetic of the Bid price and conduct a Clarification Request for any computational or transfer errors noted
 - E. When evaluating Bid responses to solicitations where there is identical pricing or a pricing preference, the Department shall determine the order of award in accordance with Sections 287.057(11), 287.082, 287.084, 287.087, and 287.92, F.S.
- Certified Minority Business Enterprises

Pursuant to Section 287.057(11) F.S., if two (2) equal Bids are received and one Bid is from a Certified Minority Business Enterprise as defined in 288.703 F.S., the Department must contract with the Certified Minority Business Enterprise. Bidders must provide a copy of this certification in their Bid Response. Bidders may contact the Department of Management Services' Office of Supplier Diversity to obtain information or visit the Florida Certified Business Enterprises webpage:

https://www.dms.myflorida.com/agency_administration/office_of_supplier_diversity_osd

- In-State Preference (Attachment D)

Pursuant to Section 287.082 F.S., whenever two (2) or more competitive sealed bids are received, one or more of which relates to commodities manufactured, grown, or produced within this state, and whenever all things are stated in such received bids are equal with respect to price, quality, service, and the commodities are manufactured, grown, or produced within this state shall be given preference.

Pursuant to Section 287.084 F.S., Bidders whose principal place of business is located outside of the State of Florida must provide a written opinion of an attorney licensed to practice law in that state, as to the preferences, if any or none, granted by the law of that state to its own business entities whose principal places of business are in that state in the letting of any or all public contracts.

Section 287.084 further provides that when an agency, university, college, school district, or other political subdivision of the state is required to make purchases of personal property through competitive solicitation and the lowest responsible and responsive bid, proposal, or reply is by a vendor whose principal place of business is in a state or political subdivision thereof which grants a preference for the purchase of such personal property to

a person whose principal place of business is in such state, then the agency, university, college, school district, or other political subdivision of this state shall award a preference to the lowest responsible and responsive vendor having a place of business within this state, which preference is equal to the preference granted by the state or political subdivision thereof in which the lowest responsible and responsive vendor has its principal place of business. In a competitive solicitation in which the lowest bid is submitted by a vendor whose principal place of business is located outside the state and that state does not grant a preference in a competitive solicitation to vendors having a principal place of business in that state, the preference to the lowest responsible and responsive vendor having a principal place of business in this state shall be five (5) percent.

Section 287.092 F.S. provides that any foreign manufacturing company with a factory in the state and employing over 200 employees working in the state shall have preference over any other foreign company when price, quality, and service are the same, regardless of where the product is manufactured.

Each and every Bidder must complete and sign the attached “In State Preference Form” (Attachment B).

Each bidder whose principal place of business is outside of the state of Florida must additionally provide a written opinion of an attorney at law licensed to practice law in that state, as to the preferences, if any or none, granted by the law of the state to its own business entities whose principal places of business are in that state in the letting of any or all public contracts. Failure to submit a completed Attachment B and failure to provide a written attorney’s opinion, if required, with the bid submission may result in the bidder’s submission being deemed non-responsive.

- Certification of Drug Free-Workplace (Attachment E)

To be considered for the drug-free workplace program preference, Bidders must provide certification that it has implemented a drug-free workplace program in accordance with 287.087 F.S. Submission of Attachment C is not required as a matter of bid responsiveness, but is a precondition of eligibility for this preference.

3.14 REFERENCES

Bidders must provide three (3) customer references for which they have provided services as requested in this ITB within the past three (3) years. References must be listed on Attachment F, Bidder Reference Form. All references submitted by a Bidder must be current or former clients and must be verifiable. Department may not be used as a reference, nor will any personnel of the bidding company be accepted as a reference. Department will attempt to verify references of the successful Bidder once by telephone and/or email. If the reference does not reply within forty-eight (48) hours (exclusive of weekends and state holidays) from the time of the initial phone call or email request, then the reference will be deemed unverified. Bidders with two (2) or more unverified references may be rejected. Bidder references with one (1) or more unsatisfactory performance review in the Agency’s judgement may be considered non-responsive.

If the Bidder is unable to provide all three (3) references, Department may find the Bidder non-responsive.

3.15 COST OF PREPARING A VENDOR BID

Department is not liable for any costs incurred by a Vendor in responding to the ITB, including but not limited to: site visits, presentations, conferences, copying, printing, travel, packaging, freight, etc. All costs associated with a Bid response for this ITB will be the responsibility of the responding Vendor.

3.16 FIRM RESPONSE

A Bidder's response to this ITB shall be considered as the Bidder's formal offer. The issuance of a Purchase Order for the procurement of the commodity as specified in Section 2– Technical Specifications shall constitute the Department's written acceptance of the successful Bid and the Purchase Order will be forwarded to the successful Bidder.

Department may make an award within sixty (60) days after the date of the Bid opening, during which period Bidder responses shall remain firm and shall not be withdrawn. If an award is not made within sixty (60) days, the Bid shall remain firm until either the Department issues a Purchase Order or the Department receives from the Bidder written notice that the Bid is withdrawn. Any response that expresses a shorter duration may, in Department's sole discretion, be accepted or rejected.

3.17 WITHDRAWAL OF BID

Bids submitted on or before the Bid due date may be withdrawn, amended or replaced with another Bid up until the Bid due date and time. Bids withdrawn prior to the Bid due date and time will be returned, unopened to the Bidder at the Bidder's expense.

3.18 LEGAL REQUIREMENTS

Applicable provisions of all Federal, State, County and local laws and administrative procedures, regulations, or rules shall govern the development, submittal, and evaluation of all Bids received in response hereto and shall govern any and all claims and disputes which may arise between Bidder's submitting a bid hereto and the Department. Lack of knowledge of the law or applicable administrative procedures, regulations or rules by any Bidder shall not constitute a cognizable defense against their effect.

3.19 ANTITRUST VIOLATIONS

Pursuant to Section 287.137, F.S., a person or an affiliate who has been placed on the antitrust violator vendor list following a conviction or being held civilly liable for an antitrust violation may not submit a bid, proposal, or reply for any new contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply for a new contract with a public entity for the construction or repair of a public building or public work; may not submit a bid, proposal, or reply on new leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a new contract with a public entity; and may not transact new business with a public entity.

3.20 SCRUTINIZED COMPANIES LIST

Pursuant to Section 287.135 F.S., at the time a Bidder submits a Response or before entering into a contract where the value exceeds \$1 million, the Bidder or Contractor must certify that the company is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, and that it does not have business operations in Cuba or Syria.

Before entering into a contract of any value, the Bidder or Contractor must certify that the company is not participating in a boycott of Israel and is not on the Scrutinized Companies that Boycott Israel List.

Bidders must include the completed Attachment G to evidence this certification with their Bid response.

3.21 LESS THAN TWO RESPONSIVE BIDS

In the event that Department receives less than two (2) Responsive Bids, Department may negotiate the best terms and conditions.

3.22 BASIS OF AWARD

Award will be made to the responsive and responsible Bidder who after completion of the Bid evaluation submits the lowest responsive Grand Total price for all specifications and considerations in response to this ITB. An award from this Bid does not constitute an official Purchase Order, agreement or commitment on behalf of the State.

3.23 POSTING OF TABULATIONS

The Department Intent to Award / Bid tabulation will be posted electronically as an Agency Decision on the VIP. The Agency Decision may be viewed and will remain in active posting status for a period of seventy-two (72) hours. At the end of this active period, this tabulation will continue to be available for public view as an archive file.

Failure to file a protest within the time prescribed in Section 120.57(3) F.S., or failure to post the bond or other security required by law within the time allowed for filing a bond, shall constitute a waiver of proceedings under Chapter 120, F.S.

3.24 RESERVED RIGHTS

Department reserves the right to:

- Amend this ITB
- Waive minor irregularities submitted in Bids
- Conduct a clarification or cure process of submissions not directly related to the Technical Specifications of the ITB
- Accept or Reject any or all Bids received in whole or in part
- Re-solicit for new Bids
- Abandon the need for such commodities and/or services
- Request additional information to assess a Bidder's capabilities

- Award to the next eligible Bidder if at any time the Awarded Bidder is unable to meet all mandatory specifications or requirements as specified herein

SECTION 4 – SPECIAL CONDITIONS SECTION

4.1. GENERAL CONTRACT CONDITIONS (PUR 1000)

Pursuant to Rule 60A-1.002 Florida Administrative Code (F.A.C.), the State of Florida General Contract Conditions (PUR1000) are hereby referenced and incorporated in their entirety into this ITB. Bidders are instructed to read this document in its entirety. There is no need to return this document to the Department. The FDLE ITB Special Conditions Section supersedes any conflicting terms or instructions contained in the PUR1000.

[State Purchasing \(PUR\) Forms / State Agency Resources / State Purchasing / Business Operations - Florida Department of Management Services \(myflorida.com\)](#)

4.2. MYFLORIDAMARKETPLACE (MFMP) PURCHASE ORDER TERMS AND CONDITIONS

The intent of the Department is to issue an electronic purchase order to the awarded Bidder for all commodities and/or services as specified herein. The MFMP e-Procurement system contains predetermined Terms and Conditions. The FDLE ITB and Standard Terms and Conditions supersede any conflicting terms and conditions contained in the MFMP system.

[PO Terms & Conditions / MFMP Agency Customers / MyFloridaMarketPlace / State Purchasing / Business Operations - Florida Department of Management Services](#)

4.3. COOPERATION WITH THE INSPECTOR GENERAL

Pursuant to Section 20.055(5) F.S., the Contractor (Bidder) and any subcontractors understand and will comply with their duty to cooperate with the Inspector General in any investigation, audit, inspection, review, or hearing.

4.4. FEDERAL EXCLUDED PARTIES LIST

A respondent or subcontractor, that at the time of Bidding or submitting a proposal for a new contract or renewal of an existing contract is on the Federal Excluded Parties List, is ineligible for, and may not submit a Proposal for, or enter into or renew a contract with an agency for goods or services, if any federal funds are being utilized.

4.5. PUBLIC RECORDS

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 850-410-7676, PUBLICRECORDS@FDLE.STATE.FL.US, OR VIA MAIL AT P.O. BOX 1489, ATTN: PUBLIC RECORDS DIVISION, TALLAHASSEE, FL 32302.

4.6. UNAUTHORIZED ALIENS

The employment of unauthorized aliens by any Bidder is considered a violation of Section 274A (e) of the Immigration and Nationality Act. If the Bidder knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of the Bid award and/ or subsequent Purchase Order or Contract.

4.7. SECURITY AND CONFIDENTIALITY

All agents and subcontractors with access to the Department's facilities to be engaged by the Contracting Party in the performance of this purchase order must be approved by Department and must abide by all applicable terms and conditions of the purchase order as well as Department security of information resources policies and procedures, State of Florida information security laws and rules.

Whenever necessitated by a legitimate concern for reasonable security precautions as determined by the Department and without regard to the identity of any individual, the Department will require the Contracting Party(ies) and/or employees of the Contracting Party(ies) to submit to, and **successfully pass**, an appropriate security background investigation prior to being allowed access to any of the Department's facilities to perform those services as set forth in this purchase order. Department reserves the right to have Contracting Party's staff removed from the account when it is determined to be in the best interest of the State.

4.8. NO PREFERENCE

Pursuant to Section 287.05701 F.S., the Department does not give preference to any vendor based on that vendor's social, political or ideological interests.

(This Section intentionally left blank.)

SECTION 5 – INVOICING AND PAYMENT

Upon written acceptance by FDLE's Project Manager, the Bidder may submit an itemized invoice for payment. Invoices must, at a minimum, include the following information:

- A. Vendor Name and remit to address
- B. Vendor billing contact phone number and/or email address
- C. Vendor Tax Identification number
- D. Purchase Order number
- E. Billing Date
- F. Deliverable with description
- G. Payment amount due

The State of Florida cannot make deposits or pay for goods and/or services in advance unless approved under rules issued by the Comptroller of Florida. Therefore, payments by the Department covering goods and/or services will be due and payable within forty (40) days after the receipt of a proper invoice and actual receipt of goods and/or services per Section 215.422(b) F.S. The Department is not authorized to pay the Vendor any deposit for services to be rendered or equipment to be purchased in the future.

Vendor invoices shall be submitted to:

The Florida Department of Law Enforcement
Office of Financial Management
P.O. Box 1489
Tallahassee, Florida 32302
Email: fdleaccountspayable@fdle.state.fl.us

The Department is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased. The awarded Vendor will be provided a copy of the Department Consumer's Certificate of Exemption prior to or upon issuance of the Purchase Order.

(This Section intentionally left blank.)

SECTION 6 – ATTACHMENTS

Attachment A – Certification of Site Visit

Attachment B – Question Submittal Form

Attachment C – Price Sheet

Attachment D – In-State Preference Form

Attachment E – Certification of Drug-Free Workplace

Attachment F – References

Attachment G – Scrutinized Companies List Certification

(This Section intentionally left blank.)

ATTACHMENT A—CERTIFICATION OF SITE VISIT

MANDATORY SITE VISIT

Any Bidder wishing to submit a response to this ITB must participate in a Site Visit for the purpose of a pre-bid conference. The Site Visit is scheduled for Tuesday, March 26, 2024 from 10:00 a.m. until 12:00 p.m. Bidders must provide by Friday, March 22, 2024 the name, title and company of the person(s) attending the Site Visit to the Procurement Officer via email at fdleogscontracts@fdle.state.fl.us.

No questions will be answered during the Site Visit, all questions must be submitted to the Department in writing and answers will be posted in accordance with the Schedule of Events / Timeline.

COMPANY NAME: _____

REPRESENTED BY: _____

DATE OF VISIT: _____

On the above date, site was inspected and I am fully aware of entire scope of services.

Printed Name of Bidder Representative:

Bidder Signature:

Site Visit Verified by: (FDLE Representative) Printed Name:

FDLE Signature:

**ATTACHMENT B—QUESTION SUBMITTAL FORM
FLORIDA DEPARTMENT OF LAW ENFORCEMENT**

**WRITTEN ANSWERS TO QUESTIONS
ITB 2430
DATA CENTER BATTERIES**

All written questions are reproduced in the same format as submitted by the Bidder.

Question #1	
Answer #1	
Question #2	
Answer #2	
Question #3	
Answer #3	
Question #4	
Answer #4	
Question #5	
Answer #5	
Question #6	
Answer #6	
Question #7	
Answer #7	
Question #8	
Answer #8	
Question #9	
Answer #9	
Question #10	
Answer #10	

ATTACHMENT C—PRICE SHEET

FDLE ITB 2430 Data Center Batteries

The Price per Battery/Grand Total shall include ALL charges for packaging, handling, freight, distribution, delivery. Prices shall include all incidentals and associated costs required to comply with and satisfy all requirements referred to or included in this solicitation.

Description	Price per Unit		Grand Total
High Rate series Data Center Batteries	\$	x 240 =	\$

BY AFFIXING MY SIGNATURE ON THIS BID RESPONSE, I HEREBY STATE THAT I HAVE READ ALL THE BID TERMS, CONDITIONS, AND SPECIFICATIONS AND AGREE TO ALL TERMS AND CONDITIONS, PROVISIONS, AND SPECIFICATIONS; AND I CERTIFY THAT I WILL PROVIDE THE COMMODITIES AND SERVICES AS SPECIFIED IN THE BID.

Signature	
Name and Title (Print Please)	
Respondent Company Name	
Federal Employee Identification Number	
Respondent Physical Address	
City, State, Zip	
Primary Contact Name / Title	
Phone Number	
Email Address	

ATTACHMENT D—IN-STATE PREFERENCE FORM

Pursuant to Section 287.084, Florida Statutes, relating to the Florida-based business preference, effective July 1, 2012: In a competitive solicitation in which the lowest quote is submitted by a Bidder whose principal place of business is located outside the state of Florida (foreign state) and that state where the Bidder's principal place of business is located does not grant a preference in competitive solicitation to Bidders having a principal place of business in that state, the preference to the lowest responsible and responsive Bidder having a principal place of business in this state shall be five (5) percent.

Note: The Bidder is required to complete and submit this form signed with its BID to be considered for this preference.

Vendor Name: _____

Federal Employer ID Number: _____

This Bidder (does ☐) / (does not ☐) have a principal place of business located in the state of Florida.

Please provide the Florida address if applicable:

Note: A Bidder whose principal place of business is **outside** the state of Florida must accompany any written Bid documents with a *written opinion of an attorney licensed to practice law* in that foreign state, as to the preferences, if any or none, granted by the law of that state to its own business entities whose principal place of business is in that foreign state in the letting of any or all public purchases.

Please attach such opinion as applicable to this form.

Authorized Signature: _____

Name and Title: _____

Date: _____

ATTACHMENT E—DRUG-FREE WORKPLACE CERTIFICATION

Preference shall be given to businesses with drug-free workplace programs. Whenever two or more responses which are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a response received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie responses will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees from drug abuse violations.
- 3) Give each employee engaged in providing the commodities or contractual services that are under this solicitation a copy of the statement specified in subsection (1) above.
- 4) In the statement specified in subsection (1), notify the employees that, as a condition of performance on the commodities or contractual services that are under this solicitation, the employee will abide by the terms of the statement and will notify the business of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893, Florida Statutes, or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five days after such conviction.
- 5) For any employee who is so convicted, impose a sanction on the employee or require the satisfactory participation in a drug abuse assistance or rehabilitation program, if such program is available in the employee's community.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

***Authorized Representative's Signature**

***Typed Name and Title of Authorized Representative**

***This individual must have the authority to bind the Respondent.**

ATTACHMENT F—RESPONDENT REFERENCE FORM

Respondent Company Name: _____

Respondents are required to submit with their Reply, three (3) references that have been provided for services of similar scope and parameters of those requested in this solicitation. Respondents will use this form to provide the required reference information. The Department reserves the right to contact any and all references in the course of this solicitation to make a fitness determination, not subject to review or challenge.

1. Name of Customer/Agency: _____
Contract Person: _____
Phone Number: _____
Address: _____
Email Address: _____

2. Name of Customer/Agency: _____
Contract Person: _____
Phone Number: _____
Address: _____
Email Address: _____

3. Name of Customer/Agency: _____
Contract Person: _____
Phone Number: _____
Address: _____
Email Address: _____

ATTACHMENT G—SCRUTINIZED COMPANIES CERTIFICATION

Bidder Vendor Name: _____

Vendor FEIN: _____

Vendor's Authorized Representative Name and Title: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

Email Address: _____

Pursuant to subsection 287.135 Florida Statutes, at the time a Bidder submits a Bid or before entering into a contract of any dollar amount, the Bidder must certify that the company is not participating in a boycott of Israel, and that the company is not on the Scrutinized Companies that Boycott Israel List. For a contract where the value exceeds \$1 million, the Bidder must certify that it is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or that it does not have business operations in Cuba or Syria.

As the person authorized to sign on behalf of Bidder, I hereby certify that the company identified above in the section entitled "Bidder Vendor Name" is not participating in a boycott of Israel, and is not on the Scrutinized Companies that Boycott Israel List. If the contract value will exceed \$1 million, I hereby further certify that the company identified above in the section entitled "Bidder Vendor Name" is not listed on the Scrutinized Companies with Activities in Sudan List, or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, and that it does not have business operations in Cuba or Syria. I understand that pursuant to section 287.135, the submission of a false certification may subject company to termination of the contract, civil penalties, attorney's fees, and/or costs.

Certified By: _____
(Authorized Signature)

Print Name and Title: _____

Date: _____