



Department of Job and Family Services

Ohio Department of Job and Family Services Request for Letterhead Bids (RLB) RLB#: JFS-IS-10-01

I. Purpose

The Ohio Department of Job and Family Services (ODJFS) is soliciting bids to install telephone and data cables and perform industry standard testing at various ODJFS locations throughout the State of Ohio. This Request for Letterhead Bids (RLB) document is released by, and the subsequent contract will be with the ODJFS, Office of Management Information Systems.. This request will be used to establish an open State of Ohio Purchase Order for the purpose of supporting the relocation of staff in the various networked locations. This proposed work is for installation of cabling and telecommunications equipment for individual small relocations of employees and/or offices at various ODJFS sites. The number of installations of data and telephone will vary from one (1) to fifteen (15) or more, depending upon individual office requirements. It is expected that ODJFS may have up to two hundred (200) general installations through June 30, 2010. There is no guarantee as to the amount of work to be performed or even that work will be performed under this RLB.

II. Time and Date of Submission

Organizations, companies, firms, or individuals who are interested in submitting letterhead bids must make their submission not later than **3:00 p.m. Eastern Standard Time on June 9, 2009**. Faxes will not be accepted. Proposals must be addressed to:

**Office of Information Services
Ohio Department of Job and Family Services
Attn: OIS Business Management Resources
4200 E. Fifth Ave.
Columbus, Ohio 43219**

For hand delivery on the due date all proposals will be accepted at the Guard Desk at 4200 E. Fifth Ave., Columbus, Ohio 43219. **DAS/OIT WILL NOT ACCEPT PROPOSALS FOR THIS RLB.** ODJFS is not responsible for any proposals delivered to any address other than the address provided above.

All submissions must be received, complete, by mail or hand delivery by the above date and time. Materials received after the submission deadline date, or partial submissions received regardless of the date, will not be added to previous submissions, nor be considered. No confirmations of mailed proposals received can be provided.

Submission of a proposal indicates acceptance by the vendor of the conditions contained in this RLB, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between ODJFS and the vendor selected.

III. Anticipated Procurement and Project Timetable

May 28, 2009	ODJFS Releases RLB to Potential Vendors. Q & A Period Opens - Vendors may submit inquiries for RLB clarification
June 4, 2009	Vendor Q & A Period closes NOTE: No further inquiries for RLB clarification will be accepted after 8 a.m. Eastern Standard Time June 4, 2009
June 9, 2009	Deadline for Vendors to Submit Proposals (10:00 a.m., Eastern Standard Time, on Friday, June 9, 2009)
June 19, 2009	Proposal evaluation and vendor award (estimated)
July 1, 2009	Purchase Order approval – work may not begin until a state Purchase Order has been fully approved by OBM. (ESTIMATED DATE ONLY)
July 14, 2009	Work begins with Vendor team onsite at 4200 E. Fifth Ave. (ESTIMATED DATE BASED ON Purchase Order approval date)
June 30, 2010	All project work must be completed.

ODJFS reserves the right to revise this schedule if in the best interest of the State of Ohio and/or to comply with the State of Ohio procurement procedures and regulations.

- ❖ According to requirements of ORC 126.07, ODJFS contracts are not valid and enforceable until the Office of Budget and Management (OBM) certifies the availability of appropriate funding, which is indicated by the approval of the Purchase Order (P.O.) The selected vendor may neither perform work nor submit an invoice for payment for work performed for this project for any time period prior to the ODJFS Contract Manager's providing notice that the requirements of section 126.07 of the Ohio Revised Code have been met.

IV. Question & Answer Period; RLB Clarification Opportunity

Potential vendors may ask clarifying questions regarding this RLB via the **email address:** MIS_RLB_QA@jfs.ohio.gov during the Question and Answer Period as outlined in Section III. The email subject should be RLB# JFS-IS-10-01.

Questions about this RLB must reference the relevant part of this RLB, the heading for the provision under question, and the page number (if applicable) and/or section of the RLB where the provision can be found. The potential vendor must also include the name of a representative of the potential vendor, the company name and business phone number. ODJFS may, at its option, disregard any questions which do not appropriately reference an RLB provision or location, or which do not include an identification for the originator of the question. ODJFS will not respond to any questions submitted after 08:00 a.m. EDT on the date that the Question and Answer period closes.

V. Qualifications

Vendors' proposals must address all the following minimum qualifications as well as organizational and staff experience and capabilities:

In order to be considered for the purchase order expected to result from this RLB, ODJFS requires that interested vendors **must** be a current Office of Information Technology (OIT) State Term Schedule (STS) authorized vendor. Vendors are required to submit a copy of their STS cover page as part of their proposals. Proposals submitted from any other entity or individuals will be rejected.

For evaluation purposes, bids offered will be considered firm. Costs incurred in the preparation of bids/proposals are to be borne by the vendor, and ODJFS will not contribute in any way to the costs of the preparation.

This project is considered to be a time and materials project for planned and unplanned cabling projects at ODJFS state and county sites throughout the state. Pricing for all materials and labor must be at or below STS pricing at the time of installation. Material or labor pricing may change after award of the RLB if the vendor's STS pricing changes, but the percentage discount off of STS may not change. If vendors STS pricing does change upward for any item, those items must be discounted at the same percentage rate as bid in this RLB. If it is determined that STS price increases are excessive, ODJFS may decide to rebid this project at any time. ODJFS may also, at its sole discretion negotiate with a selected vendor for additional price decreases at any time.

Invoicing: As this is a time and materials solicitation, the vendor will invoice upon completion of a single cabling project.

Vendors who plan to submit a bid proposal for this project must also certify that they are in compliance with the following:

- A. Vendor certifies that neither vendor, nor any principal of vendor is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in transactions by the United States Department of Labor, the United States Department of Health and Human Services, or any other federal department or agency as set forth in 29 CFR Part 98, 45 CFR Part 76, or other applicable statutes or regulations.
- B. Vendor certifies that vendor is not on the list established by the Ohio Secretary of State pursuant to Section 121.23 of the Ohio Revised Code that identifies Vendor as having more than one unfair labor practice contempt of court finding.
- C. Vendor certifies that vendor is not subject to a finding for recovery under Ohio Revised Code Section 9.24 or it has taken the appropriate remedial steps required under ORC 9.24 or otherwise qualifies under that section to contract with the State of Ohio.
- D. Vendor certifies that all approvals, licenses or other qualifications necessary to conduct business in Ohio have been obtained and are operative. If any time during the contractual period vendor becomes disqualified from conducting business in Ohio, for whatever reason, vendor must immediately notify ODJFS of the disqualification, and vendor will immediately cease performance of its obligation hereunder.

- E. Vendor, its officers, employees, members, and subcontractors hereby certifies current and ongoing compliance with the statutes and regulations pertaining to The Americans with Disability Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

VI. Scope of Work

The purpose of this RLB is to solicit and secure labor and material rates for planned and unplanned cabling projects at ODJFS state and county offices statewide. This request will be used to establish an open Purchase Order for the purpose of supporting the relocation of staff in the various networked locations.

For the purposes of evaluating this RLB, vendors are required to provide line item quantities and prices for both labor and materials based on two (2) hypothetical scenarios and a materials list provided under VII. Format of Submission, TAB C - Pricing Spreadsheet.

The selected vendor will be awarded a contract and must be prepared to begin work upon receiving a State of Ohio Purchase Order from ODJFS, which is anticipated to be on or about July 14, 2009. Contracts are not valid and enforceable until all funding approvals as required by the Ohio Revised Code Section 126.07 have been obtained by the State, and the actual start-work date can be no earlier than the date of those funding approvals. The designated ODJFS Contract Manager will notify the selected vendor of the actual start-work date. Any work done by the vendor prior to that notification will not be reimbursed by ODJFS.

- A. Contractor must furnish all staff, tools, materials, and equipment necessary to install and test data and telephone cabling outlined in this RLB.
- B. All work must be done in accordance with all national, state, and local codes.
- C. Contractor shall be wholly responsible for any and all damages caused or affiliated with this service.
- D. Job site must be clean and maintained in a safe manner.
- E. Vendor is responsible for any and all permits necessary to perform this service.
- F. Contractor is responsible for bringing all materials and equipment to jobsite.
- G. Each telecommunication outlet and all backbone cabling run will be tested and documented according to the guidelines that are defined in Attachment B - Field Test Requirements.

VII. Format of Submission

Vendors interested in submitting letterhead bids must submit two (2) copies of their response in hard copy and two (2) copies of their response on compact disc (CD) in Microsoft Word, Microsoft Excel, or Adobe Portable Document Format (PDF).

The Technical Proposal must contain all the information as specified and requested for each of the components listed below (Tabs A through F). A proposal which is incomplete, vague, unjustifiably wordy, unclear, or poorly organized may not be successful. The following outline for the preparation of the Proposal in response to this RLB is intended to assist in the development of effectiveness and clarity.

The vendor's technical proposal must contain the following components (organized in seven primary tabs) as described below. Any other information thought to be relevant, but not applicable to a specific RLB section number/letter such as charts, tables, timelines, excerpts of past related projects, etc., must be provided as an appendix to the proposal and so marked as an additional tab. However, the proposal will be scored based on the relevancy to the stated responsibilities as well as the conciseness, clarity, flow, and professionalism of the information presented. Vendors may add information not called for in the RLB, but ODJFS reserves the right to review or not review any non-required materials. All pages shall be sequentially numbered.

Tab A – Cover Letter

Tab B – Vendor Profile

Tab C – Pricing Spreadsheet

Tab D – Request for Taxpayer ID Form W-9

Tab E – Declaration Regarding Material Assistance / Non-assistance to a Terrorist Organization (DMA) form

Tab F – Workers Compensation & Insurance Verification

Tab A – Cover Letter: The cover letter must provide the following and be signed by an individual authorized to legally bind the vendor.

- A. A statement regarding the vendor's legal structure, federal tax identification number, and principle place of business;
- B. The name, address, phone number, and fax number of a contact person who has authority to answer questions regarding the proposal; and
- C. Vendors are required to submit a copy of their STS cover page as part of their proposals which includes their valid State Term Schedule (STS) number and expiration date.

Tab B – Vendor Profile: The vendor profile must include the type of organization (corporation, partnership, etc.), the type of ownership (corporate officers, partners), number of employees, number of employees engaged in tasks directly related to the work in this request, and any other information that will help the evaluators gauge the ability of the vendor to fulfill the obligations of a subsequent contract.

Vendors should describe how they are qualified to conduct the work described above. Vendors must submit at least two (2) references for work done which is substantially similar to the scope of work described above. Other documents supporting vendor qualifications may also be submitted.

Tab C – Attachment A: Pricing Spreadsheet (ODJFSWiring.xls): Bidding vendors are required to submit pricing using the attached MS Excel spreadsheet (ODJFSWiring.xls). Bidders who do not use the MS Excel spreadsheet format specified in this RLB will have their bids rejected. Any miscellaneous items required to complete this project, but not appearing on a State Term Schedule, can not and will not be billed to the state. Any items or materials that a vendor/contractor believe are necessary for the completion of the project that do not appear on the vendor/contractor's State Term Schedule must be added to the vendor/contractor's State Term Schedule prior to submission of a proposal or else such items may not be charged to the State. No extension time will be granted to allow additional time for the vendor/contractor to update their STS beyond the due date of bids to ODJFS.

The vendor must provide pricing for the following hypothetical scenarios and materials list:

Scenario A

A single one hundred foot CAT 5E cable run from the point of termination(existing patch panel) over a drop ceiling to an existing faceplate in a hard wall office. Pricing is requested for labor/travel to a site within 50 miles of downtown Columbus.

Please note: No additional re-imbusement for travel, all travel costs included in labor rate.

Scenario B

A single one hundred foot CAT 5E cable run from the point of termination(existing patch panel) over a drop ceiling to an existing faceplate in a hard wall office. Pricing is requested for labor/travel to a site outside of 50 miles from downtown Columbus.

Please note: No additional re-imbusement for travel, all travel costs included in labor rate.

Materials List

Item	Quantity	MFG	MFG Part Number
10' CAT 5E Patch Cable (non-booted)	1		
15' CAT 5E Patch Cable (non-booted)	1		
2U Cable Management - Horizontal	1	Panduit	WMPF1E
1U Cable Management - Horizontal	1	Panduit	WMPSE
Cable Management - Vertical D ring	1	Panduit	CMVDR1
Cable Management - Vertical D ring	1	Panduit	CMVDR2
1M Fiber LC-LC 62.5u Multimode - Duplex	1		
3M Fiber LC-LC 62.5u Multimode - Duplex	1		
5M Fiber LC-LC 62.5u Multimode - Duplex	1		
10M Fiber LC-LC 62.5u Multimode - Duplex	1		
1M Fiber LC-LC 50u Multimode - Duplex	1		
3M Fiber LC-LC 50u Multimode - Duplex	1		
5M Fiber LC-LC 50u Multimode - Duplex	1		
10M Fiber LC-LC 50u Multimode - Duplex	1		
2 Port Ivory Face Plate	1		
4 Port Ivory Face Plate	1		
CAT 5e 568A/B Jack	1		
CAT 5E 568A/B 48 Port Patch Panel	1		
4 Post Rack 19in Adjustable 7'	1		
Wall Box	1		
350 MHZ Plenum Cable	100'		
Labor within 50 miles of Downtown Columbus	Per Hour		
Labor outside 50 miles of Downtown Columbus	Per Hour		

Tab D – Cost Summary: Indicate your company’s cost to provide this service accordingly:

- 1.) On-Site and/or Off-Site Technical Services from July 1, 2009, thru June 30, 2010.

Tab E - Request for Taxpayer ID Form W-9: Vendors must complete, sign in Blue ink, and return with their proposal as part of Tab F of vendor proposal.

Tab F – Declaration Regarding Material Assistance / Non-assistance to a Terrorist Organization (DMA) Form:

All bidders are required to complete and attach the signed Ohio Homeland Security form, "Government Business and Funding Contracts". A copy is attached for your convenience or a copy can be obtained at the website below.

http://www.homelandsecurity.ohio.gov/dma/dma_forms.asp

Click on: [DMA for funding and business contracts](#)

Bidders should check the current list of US State Department Terrorist Exclusion list at the Ohio Homeland Security website:

<http://www.homelandsecurity.ohio.gov/dma/dma.asp>

Failure to complete, sign, and return the Government Business and Funding Contracts form and return it with your bid, may result in your bid being rejected as being non-responsive.

Tab G – Workers Compensation & Insurance Verification: Bidding Vendor must provide proof (copy of current certificate) that the Vendor is covered by Worker's Compensation Insurance. The Bidding Vendor must also provide proof of Employers Liability or Contractor's Insurance. **All** Bidding Vendors are subject to this requirement.

VIII. **Selection Process**

Award of the project will be based upon the vendor with the lowest and most responsive bid.

ODJFS may, at its sole discretion, choose to issue purchase orders to the next lowest and most responsive bidder to serve as a backup for the winning vendor.

This bid solicitation is based upon a vendor/contractor's State of Ohio State Term Schedule. The Ohio Department of Job and Family Services has determined that all of the Labor and Materials required to perform this project should be on vendor/contractors' State Term Schedules. Any proposal submitted must be limited to the labor and materials appearing on the vendor/contractor's current State Term Schedule.

Vendors submitting a response will be evaluated based on the capacity and experience demonstrated in their Technical Proposal. All proposals will be reviewed and scored by a Proposal Review Team (PRT), comprised of staff from ODJFS. Vendors should not assume that the review members are familiar with their current work activities with ODJFS. Proposals containing assumptions, lack of sufficient detail, poor organization, lack of proofreading and unnecessary use of self-promotional claims will be evaluated accordingly. Final selection of the vendor will be based upon the criteria specified in Sections V., and VI., of this RLB. The PRT reserves the right to reject any and all proposals, in whole or in part, received in response to this request. The review committee may waive minor defects that are not material when no prejudice will result to the rights of any vendor or to the public. ODJFS reserves the right to require clarification of any information provided in vendors' proposals. In scoring the proposals, ODJFS will score in three phases:

A. **Phase I. Review—Initial Qualifying Criteria:**

In order to be fully reviewed and scored, proposals submitted must pass the following Phase I. Review. **Any "no" for the listed Phase I. criteria will eliminate a proposal from further consideration.**

1. Was the proposal received by the deadline as specified in Section II., of this RLB?
2. Did the vendor submit their proposals in the format described in Section VII of this RLB.
3. Does ODJFS' review of the Auditor of State website verify that the vendor is not excluded from contracting with ODJFS by ORC Section 9.24 for an unresolved finding for recovery (*i.e.*, the proposal of any vendor whose name appears on the Auditor's website as having an unresolved finding for recovery will be eliminated from further consideration.)?
4. Does the vendor have a current STS which is appropriate for the work described in this RLB?

B. Phase II. Review—Criteria for Awarding RLB:

Contract will be awarded to the bidding vendor the most complete and accurate materials list meeting STS qualifications, labor qualified for the job, and lowest with combined total prices of Scenario A + Scenario B + Extended RLB Price as listed in Attachment A. Refer to Section VII, Tab C.

C. Final Selection

The PRT will recommend for selection the technically qualified vendor with the total bid cost. At its sole discretion, ODJFS may choose to conduct interviews prior to final vendor selection.

IX. Health Insurance Portability & Accessibility Act (HIPAA) Requirements

As a condition of receiving a contract from ODJFS, the contractor, and any subcontractor(s), will be required to comply with 42 U.S.C. Sections 1320d through 1320d-8, and to implement regulations at 45 C.F.R. Section 164.502 (e) and Sections 164.504 (e) regarding disclosure of protected health information under the Health Insurance Portability and Accountability Act (HIPAA) of 1996. Protected Health Information (PHI) is information received by the contractor from or on behalf of ODJFS that meets the definition of PHI as defined by HIPAA and the regulations promulgated by the United States Department of Health & Human Services, specifically 45 CFR164.501 and any amendments thereto.

HIPAA compliance requires, at minimum, that the contractor:

- A. Shall not use or disclose PHI except as specifically required under the terms of the contract with ODJFS, or as otherwise required under the HIPAA regulations or other applicable law.
- B. Shall use appropriate safeguards to protect against use or disclosure not provided for by this Agreement.
- C. Shall promptly report to ODJFS any knowledge of uses or disclosures of PHI that are not in accordance with the contract or applicable law. In addition, the CONTRACTOR shall mitigate any adverse effects of such a breach to the extent possible.
- D. Shall ensure that all its agents and subcontractors that receive PHI from or on behalf of the contractor and/or ODJFS agree to the same restrictions and conditions that apply to contractor with respect to the use or disclosure of PHI.

- E. Shall make available to ODJFS such information as ODJFS may require to fulfill its obligations to provide access to, provide a copy of, and account for disclosures with respect to PHI pursuant to HIPAA and related regulations.
- F. Shall make PHI available to ODJFS in order for ODJFS to fulfill its obligations pursuant to HIPAA to amend the information and shall, as directed by ODJFS, incorporate any amendments into the information held by the contractor and ensure incorporation of any such amendments into information held by its agents or subcontractors.
- G. Shall make available its internal practices, books and records relating to the use and disclosure of PHI received from ODJFS, or created and received by the contractor on behalf of ODJFS, to ODJFS and to the Secretary of the U.S. Department of Health and Human Services for the purpose of determining ODJFS compliance with HIPAA and the regulations promulgated by the United States Department of Health & Human Services and any amendment thereto.
- H. Shall, upon termination of this Agreement, at the option of ODJFS, return to ODJFS, or destroy, all PHI in its possession, and keep no copies of the information except as requested by ODJFS or required by law. If the contractor or its agent or subcontractor destroy any PHI, then the contractor will provide ODJFS with documentation evidencing such destruction. Any PHI maintained by the contractor shall continue to be extended the same as required by HIPAA and ODJFS for as long as it is maintained.

In the event of a material breach of contractor obligations under this section, ODJFS may at its option terminate the contract according to provisions within the contract for termination.

X. State Contracts

Proposals must list any current contracts the vendor has with State of Ohio agencies. The list must indicate the purpose of the contract, the amount of the contract, the time period covered by the contract, and the percent of the project completed.

XI. Trade Secrets Prohibition; Public Information Disclaimer

Vendors are prohibited from including any trade secret information as defined in ORC 1333.61 in their proposals in response to any ODJFS Requests for Proposals (RFP), Requests for Letterhead Bids (RLB) or other procurement efforts. ODJFS shall consider all proposals voluntarily submitted in response to any ODJFS RFP to be free of trade secrets and such proposals shall, in their entirety, be made a part of the public record.

All proposals and any other documents submitted to ODJFS in response to any RFP, RLB, etc., shall become the property of ODJFS. After the selection of the vendor, any proposals submitted in response to an RFP are deemed to be public records pursuant to R.C. 149.43. The term "proposal" shall mean both the technical and the cost proposals, if opened, submitted by the vendor, any attachments, addenda, appendices, or sample products.

Any proposals submitted in response to any ODJFS RFP, RLB, etc. which make claims of trade secret information shall be disqualified from consideration immediately upon the discovery of such unallowable claim.

XII. Contractual Requirements

Any purchase order resulting from the issuance of this solicitation is subject to the terms and conditions as provided in the OIT State Term Schedule, which is available upon request.

Potential vendors are strongly encouraged to download and read a copy of the Schedule to be fully aware of OIT Schedule requirements.

Any Contractor proposing to use a subcontractor for any part of the work described in this RLB must clearly identify the subcontractor(s) in their letter bid. The proposal must include a letter from the proposed subcontractor(s) signed by a person authorized to legally bind the subcontractor, indicating the following:

- A. The subcontractor's legal status, federal tax ID number, and principle business address;
- B. The name, telephone number, and fax number of a person who is authorized to legally bind the subcontractor to contractual obligations;
- C. A complete description of the work the subcontractor will do;
- D. A commitment to do the work, if the primary contractor is selected;
- E. A statement that the subcontractor has read the RLB and understands the RLB, the nature of the work, and the requirements of the RLB.

XIII. Prevailing Wage

For the purpose of this RLB, it is not expected that any one work at a given site will exceed prevailing wage thresholds. However, where applicable, the vendor shall pay the prevailing wage rates of the project locality, as determined by the Ohio Department of Commerce, Wage and Hour Division, to laborers and mechanics performing work on this project. The vendor shall comply with the provisions, duties, obligations, and is subject to the remedies and penalties of Chapter 4115, ORC, "Wages and Hours on Public Works." If and when this project should be awarded to a vendor/contractor that vendor/contractor must forward Certified Payroll Reports to ODJFS demonstrating that Prevailing Wages were paid to the vendor/contractor's workforce during the course of this project to completion. ODJFS will review such reports and will then review the invoices for the project work for approval if the vendor/contractor has met the standards set for Prevailing Wage for a public project.

All vendor Prevailing Wage Reports during the term of the project are to be sent to:

**Prevailing Wage Coordinator
Office of Employee Business Services
Ohio Department of Job and Family Services
30 East Broad Street, 32nd Floor.
Columbus, Ohio 43215**

XIV. Ethical and Conflict of Interest Requirements

- 1. No contractor or individual, company or organization seeking a contract shall promise or give to any ODJFS employee of value that is of such character as to manifest a substantial and improper influence upon the employee with respect to his or her duties.
- 2. No contractor or individual, company or organization seeking a contract shall solicit any ODJFS employee to violate any of the conduct requirements for employees.
- 3. Any contractor acting on behalf of ODJFS shall refrain from activities which could result in violations of ethics and/or conflicts of interest. Any contractor or potential contractor who violates the requirements and prohibitions defined here or of Section 102.04 of the

Ohio Revised Code is subject to termination of the contract or refusal by ODJFS to enter into a contract.

4. ODJFS employees and contractors who violate Sections 102.03, 102.04 2921.42 or 2921.43 of the Ohio Revised Code may be prosecuted for criminal violations.
5. In submitting a bid in response to this solicitation the vendor certifies that it has reviewed, knows, and understands the State of Ohio's ethics and conflict of interest laws and the Governor's Executive Order 2007-01S pertaining to ethics. The vendor further agrees that it will not engage in any action(s) inconsistent with Ohio ethics laws or the aforementioned executive order.

XV. Other Requirements

ODJFS is under no obligation to purchase any services as a result of this solicitation if, in the opinion of ODJFS and the proposal review team, none of the proposals are responsive to the objectives and needs of the Department. ODJFS reserves the right to not select any vendor should ODJFS decide not to proceed with the project.

Costs incurred in the preparation of this proposal are to be borne by the bidder, and ODJFS will not contribute in any way to the costs of the preparation.

All agreements will require that the contractor maintain the confidentiality of information and records which state and federal laws, rules, and regulations require to be kept confidential.

Public release of any evaluation or monitoring reports funded under this agreement will be made only by ODJFS. Prior to public release of such reports, ODJFS must have at least a 30-day period for review and comment.

XVI. Communications Prohibited

From the issuance date of this RLB until the contract award has been formally announced by the ODJFS Director, there may be no communications concerning the RLB between any vendor which expects to submit a proposal and any employee of ODJFS in the issuing office, or any other ODJFS employee, or any other individual regardless of their employment status, who is in any way involved in the development of the RLB or the selection of the contractor(s).

The only exceptions to this prohibition are as follows:

1. Communications conducted pursuant to Section IV, Internet Question and Answer Period;
2. As necessary in any pre-existing or on-going business relationship between ODJFS and any vendor which could submit a proposal in response to this RLB;
3. As part of an interview or proposal clarification process initiated by ODJFS as necessary to make a final vendor selection;
4. If it becomes necessary to revise any part of this RLB, ODJFS will post those revisions, amendments, etc., to the website dedicated to this RLB;* and
5. Any Public Records Request (PRR) made through the ODJFS Office of Legal Services.

*** Important Note:** Amendments to the RLB or to any documents related to it will be accessible to interested vendors through the original web page established for the RLB. All interested vendors must refer to that web page regularly for amendments or other announcements. ODJFS will not specifically notify any vendor of changes or announcements related to this RLB except through the website posting. It is the affirmative responsibility of interested vendors to be aware of and to fully respond to all updated information posted on this web page.

ODJFS is not responsible for the accuracy of any information regarding this RLB that was obtained or gathered through a source other than the Question and Answer process described in this RLB. Any attempts at prohibited communications by vendors may result in the disqualification of those vendors' proposals.

XVII. Indemnity

Vendors submitting proposals in response to this request who receive an award of this project to a vendor/contractor said contractor will indemnify the State against all liability or expense resulting from bodily injury to any person (including injury resulting in death) or damage to property arising out of the performance of any such award, providing that such bodily injury or property damage is due to the negligence of the Contractor, its employees, agents, or subcontractors.

Damages to Facility

Vendor will be held responsible for any damages to the facility caused by vendor staff.

XVIII. Equal Employment Opportunity

The bidder by submitting a bid for this project thereby certifies that the bidder is in compliance with all Ohio laws regarding equal employment opportunity, including Ohio Revised Code Section 125.111, and all related Executive Orders of the Governor of Ohio.

XIX. Drug Free Workplace

Vendors submitting proposals in response to this request who receive an award for this project will make a good faith effort to ensure that none of its employees are under the influence of or possess illegal drugs or alcohol or abuse prescription drugs while they are on State property.

XX. Safety

Vendor will comply with any OSHA or site specific safety regulations.

XXI. Protests

Any potential, or actual, vendor objecting to the award of a contract resulting from the issuance of this solicitation may file a protest of the award of the contract, or any other matter relating to the process of soliciting the proposals. Such a protest must comply with the following guidelines:

1. A protest may be filed by a prospective or actual bidder objecting to the award of a purchase order resulting from this solicitation. The protest shall be in writing and shall contain the following information:
 - a. The name, address, and telephone number of the protestor;
 - b. The name and number of the solicitation being protested;

- c. A detailed statement of the legal and factual grounds for the protest, including copies of any relevant documents;
 - d. A request for a ruling by ODJFS;
 - e. A statement as to the form of relief requested from ODJFS; and
 - f. Any other information the protestor believes to be essential to the determination of the factual and legal questions at issue in the written protest.
2. A timely protest shall be considered by ODJFS, if it is received by ODJFS' Office of Legal Services, within the following periods:
 - a. A protest based on alleged improprieties in the issuance of the RLB or any other event preceding the closing date for receipt of proposals which are apparent or should be apparent prior to the closing date for receipt of proposals shall be filed no later than 3:00 p.m. of the closing date for receipt of proposals as specified in Section II., Time and Date of Submission.
 - b. If the protest relates to the announced intent to award a contract, the protest shall be filed no later than 3:00 p.m. of the eighth (8th) calendar day after the issuance of the Letter of Intent to Award the contract.
 3. An untimely protest may be considered by ODJFS if ODJFS determines that the protest raises issues significant to the department's procurement system. An untimely protest is one received by ODJFS' Office of Legal Services after the time periods set forth in Item #2 of this section.
 4. All protests must be filed at the following location:

Chief Legal Counsel, Office of Legal Services
Ohio Department of Job and Family Services
30 East Broad Street, 31st Floor
Columbus, Ohio 43215-3414
 5. When a timely protest is filed, a contract award shall not proceed until a decision on the protest is issued or the matter is otherwise resolved, unless the Director of ODJFS determines that a delay will severely disadvantage the Department. The vendor(s) who would have been awarded the contract shall be notified of the receipt of the protest.
 6. ODJFS' Office of Legal Services shall issue written decisions on all timely protests and shall notify any vendor who filed an untimely protest as to whether or not the protest will be considered.

XXII. ATTACHMENTS

- A. Pricing Spreadsheet (ODJFSWiring.xls)**
- B. Field Test Requirements Category 5e**
- C. Request for Taxpayer Identification Form W-9 (*Vendors are to complete, sign in BLUE ink, & return with their proposal as part of TAB E of Vendor Proposal*)**
- D. Declaration Regarding Material Assistance/Nonassistance To A Terrorist Organization (DMA) Form (*Vendors are to complete, sign, & return with their proposal as part of TAB F of Vendor Proposal*)**

Thank you for your interest in this project.