



Request for Proposal (RFP) for a Cisco Unified Communications Solution

City of Durham

October 2013

Table of Contents

General Information

- 10. Date of RFP.
- 20. Project Manager and Contact with City; Questions about this RFP.

Description of Project and Nature of RFP

- 30. Project.
- 40. Scope of Work.
- 45. City IT Standards.
- 50. Compensation Amount and Schedule.
- 60. Definitions in this RFP.
- 70. Contract.
- 80. Trade Secrets and Confidentiality.
- 100. Insurance.

Schedule

- 120. Schedule.
- 130. Keeping Proposals Open.
- 140. Deadline to Submit Proposals.

Getting More Information on the Project and RFP Process

- 150. Questions.
- 170. Updates and revisions to RFP.

Evaluation Criteria

- 180. Evaluation Criteria.
- 240. Contents of Proposal.

Cover Letter with Proposal

- 250. Cover letter.
- 260. Addendums.

How to submit a proposal

- 270. How to submit a proposal.
- 280. Format.
- 290. Alternative Proposals.
- 300. Candidate to Bear Expense; No Claims against City.
- 310. Privilege License.
- 320. Notice Under the Americans with Disabilities Act (ADA).
- 330. E-Verify Compliance.

Attachments

Exhibit A – Equal Opportunity City of Durham Small Disadvantaged Business Forms
Exhibit B – Non-Collusive Affidavit

10. Date of RFP: October 2013

20. Project Manager and Contact with City; Questions about this RFP. Direct questions and concerns to:

Anthony Pergolotti
Technology Solutions Department
101 City Hall – 4th Floor
Durham, NC 27701

Phone: 919-560-4122 ext. 33236
Email: anthony.pergolotti@durhamnc.gov

If you have concerns about this RFP that you believe are not being addressed by the project manager, please contact

Kerry Goode, TS Director/CIO
Technology Solutions Department
Phone: 919- 560-4122 ext. 33248
Email: kerry.goode@durhamnc.gov

DESCRIPTION OF PROJECT AND NATURE OF RFP

30. Project. The City of Durham desires to migrate from our current FeatureTel Voice over IP (VOIP) solution to an on-premise Cisco Unified Communications solution utilizing current handsets and supported through a vendor provided managed services contract.

The City's functional objectives include but not limited to:

- Best-practice design and development of an on-premise City of Durham Cisco Unified Communication system to replace all features of the current FeatureTel solution.
- Quality and timely project management, engineering, documentation and training services.
- Implementation services for installation, launch and post-implementation support of migration.
- Managed services to support implemented system with defined SLAs and proactive monitoring capabilities.
- Quality call center migrations retaining all current functionality, ensuring a seamless and successful migration with limited interruption to City services and resident experience.
- Implementation of all current reporting requirements for successful migration.

40. Scope of Work. The following section details the scope of work and feature requirements of the City of Durham. **Please respond to all applicable requirements in an attached excel document format (example 280-1).** Any additional materials and/or documentation can be referenced and attached with your submission.

Implementation Services

1.1.1	Speed of implementation	Selected vendor should facilitate a proven implementation process that can be completed within a short time frame based on similar prior implementation experience
1.1.2	Quality of implementation	Selected vendor should facilitate a proven implementation process that can be completed with a simple implementation methodology based on similar prior implementation experience
1.1.3	Project Manager	Dedicated Project Manager throughout the entire solution delivery process
1.1.4	Project Manager	Project manager must adhere to best practice project management methodology approved by City of Durham
1.1.5	Design	Pre-build Design that will provide vendor engineers and City of Durham engineers with a detailed design of the solution prior to implementation
1.1.6	Design	Migration Strategy for moving from current hosted solution to on premise solution
1.1.7	Implementation Support	Onsite support during and after migration events until the City of Durham signs off on migration

1.1.8	Implementation Support	Detailed City of Durham installation specific support documentation on all systems implemented
1.1.9	Partner requirements	Cisco Unified Communications Partner - Master Certified
1.1.10	Partner requirements	Cisco Managed Services Certification -Master Certified
1.1.11	Partner requirements	24x7 Network Operations Center located in North Carolina
1.1.12	Partner requirements	North Carolina Triangle based CCIE UC and UC Delivery Engineers
1.1.13	Partner requirements	Documented successful experience migrating from FeatureTel to on-premise solution by engineers in vendors organization
1.1.14	Training & Documentation	2 Training sessions for administrative functions, including City of Durham specific documentation
1.1.15	Training & Documentation	3 Call Center agent and supervisor training sessions, including call center specific documentation

Managed Services

It is the desire of the City of Durham to contract a Managed Service solution on all implemented systems, to include:

1.2.1	Remote support for troubleshooting and resolving issues based on SLA tiers
1.2.2	On-site support for escalated issues
1.2.3	Seamless helpdesk ticket handoff process with City of Durham helpdesk
1.2.4	Proactive monitoring, system availability and performance monitoring

1.2.5	Active fault response management and resolution
1.2.6	SLA based support agreement
1.2.7	US Based Network Operations Center
1.2.8	Application upgrade and enhancement installations identified & planned by vendor, signed off on by City of Durham
1.2.9	Online real-time reporting of services availability, trends, and performance
1.2.10	Monthly service meetings on issues, stability and performance. Monthly service reports.

Cisco Unified Communications System Implementation

Implementation and configuration of a Cisco Unified Communications solution that provides all current voice functionality as well as additional features and functionality currently not available with the Featuretel hosted solution. The Proposed Unified Communications solution will include the following components appropriately sized for the current environment with additional capacity for future growth:

1.3.1	Server Infrastructure	Installation and configuration of two (2) Cisco C240 M3 rack mount servers with VMware ESXi 5.X to be used for all UC applications Virtual Machines (VM)
1.3.2	Cisco Unified Communications Manager(CUCM) cluster	Configure up to one thousand six hundred thirty (1630) IP Phones
1.3.3	Cisco Unified Communications Manager(CUCM) cluster	Configure up to two hundred fourteen (214) analog devices
1.3.4	Cisco Unified Communications Manager(CUCM) cluster	Configure soft phone for up to one thousand three hundred (1300) for Jabber Phone Control
1.3.5	Cisco Unity Connection voicemail (CUCxn) in high availability	Configure Unified Messaging with Exchange server

1.3.6	Cisco Unity Connection voicemail (CUCxn) in high availability	Configure up to one thousand five hundred sixty (1560) voicemail subscribers
1.3.7	Cisco Unified Presence Server (CUPS) in high availability	Configure IM and Presence for up to one thousand three hundred (1300) end users
1.3.8	Singlewire Informacast IP Paging and notification solution	Configure IP Phone paging for up to one thousand three hundred (1300) end points
1.3.9	Singlewire Informacast IP Paging and notification solution	Configure IP Mobility paging for up to two thousand (2000) mobile devices
1.3.10	Cisco Gateways	Install and Configure up to thirty five (35) Cisco ISR voice gateways
1.3.11	Cisco Gateways	Installation and configuration of up to thirty six (36) Cisco VG2XX analog voice gateways

City of Durham Call Center Migrations

The City of Durham currently has 6 call centers that will need to be migrated: IT Helpdesk, Durham One Call (311), Solid Waste, Water Customer Billing, Stormwater, and Parks & Rec. The following features are currently in use. Other included features may be implemented as well according to project timeline and complexity.

1.4.1	Cisco Unified Contact Center eXpress (CUCCX) in high availability	Configure up to thirty (30) enhanced contact center agents
1.4.2	Cisco Unified Contact Center eXpress (CUCCX) in high availability	Configure up to six (6) contact center applications and scripts to handle ACD call flow

1.4.3 Call Routing

Conditional Routing:
Time of Day/Day of Week
Holiday
Emergency
Skills Based
Resource Group
Caller Prioritization
Inter-Call Center routing
Agent to agent transfers
Agent to resource group transfers
Re-route on Ring no Answer

1.4.4 Call Queuing

Place-in-Queue statistic
Wait Time Statistics
Prioritized Queuing
In Queue Options

1.4.5 Interactive Voice Response (IVR)

Self-service menus
Basic Prompt and Collect
Prompts

1.4.6 Cisco Agent Desktop (CSD)

Cisco Presence Integration
State Change Reason Codes
Call Control from Desktop
Real time Agent Statistics
On-Demand Call Recording
Complete Call Recording

1.4.7	Cisco Supervisor Desktop (CSD)	Agent State Controls Real Time Agent and Skill Statistics Marquee Messaging to Agents Silent Monitoring of Agent calls Barge In/Intercept On-Demand Call Recording Call Recording Playback and Manual Exporting Agent Skill Assignment
1.4.8	Historical Reporting	Canned ReportsView, Print and Save ReportsReport SchedulingReport Exporting to PDF, XML, XLS, CSV
1.4.9	Call Recording	Automated recording of inbound and outbound calls (start/stop automatically)
1.4.10	Call Recording	Automated storage for 30 days
1.4.11	Call Recording	Ability to manually export call
1.4.12	Languages	English, Spanish
1.4.13	Call Categorization	Ability for agent to categorize current call based on the question topic/City Department service. This is currently done by the agent keying a code into the phone while on with caller.
1.4.14	Call Categorization	Ability for agent to check what categorization code was entered to ensure accuracy & change if needed.
1.4.15	Wall Board	Wall board to display "Live Stats Report" below. This RFP does not include the monitor or computer to drive wall board.

1.4.16 Web based Reporting

Live Stats Report (used on PC and Wallboard):

Queue stats, by queue:

- Calls waiting
- Active Calls
- Longest waiting call
- Available agents

Agent stats, by agent, by queue:

- Status
- Calls answered
- Average Call time
- Minutes logged into queue
- Starting time

ACD Service level graph: Ans/ Total Calls

Queue totals:

- Total Calls
- Abandons
- Answered
- Agent Kicks
- Transferred

Half-hourly Queue Stats, by half hour:

- Total Calls
- Abandons
- Answered
- Agent Kicks
- Transferred
- Longest Wait

1.4.17	Web based reporting	See attached example of Queue Report (Attachment #2). Report is selected by queue and/or length of time. The ability to set agents normal work hours for the Agent Stats, % Time in Queue stat is needed.
1.4.18	Web based reporting	See below example of Category Report (Attachment #3). Report is selected by queue and/or length of time. Categories without a description were entered incorrectly.
1.4.19	Web based reporting	See below example of Transfer Report (Attachment #4). Report is selected by queue and/or length of time.
1.4.20	Web based reporting	Ability to download all reports & sections to MS Excel readable format

Advanced Call Center options

OPTIONAL: Please detail out a solution (out of the box or 3rd party) including individual cost for each advanced call center requirement below. If any requirement below can be met with your proposal to satisfy the required features above, please note this.

1.5.1	Advanced Recording Options	Recording of all calls up to 6 months
1.5.2	Advanced Recording Options	Recording which follows the call leg
1.5.3	Advanced In-Queue options	Ability for caller to schedule a callback
1.5.4	Advanced In-Queue options	Ability for caller to schedule email response
1.5.5	Advanced Calling features	Ability for call-by-call blending of inbound and outbound calls
1.5.6	Advanced Calling features	Ability for agent to transfer to external number
1.5.7	Text To Speech	Ability to support TTS
1.5.8	Text To Speech	Multi-lingual TTS

1.5.9 IVR Call categorization

Ability for caller to input their category (eg. Water Billing, Solid Waste, etc) and category would be applied to call automatically.

1.5.10 Conversion of voicemail to email

Including auto-routing to representative

45. City IT Standards. The City has Information Technology Standards for governance and regulatory compliance for applications within its portfolio. The datacenter requirements are outlined below:

- I. **Datacenter** - For applications/software that is provided to reside within the City's Datacenter, the City's Standards are:

Hardware	VM Ware Virtualized Servers
OS	Windows Server 2008 (64)
Database	SQL Server 2008 R2 (64)

Please provide the following information on Server Configuration:

Number of Servers (Application/Database)	
Security for Public Access	
Mobile Computing Requirements	
Antivirus Limitations	
Other or Specific Software Limitations	

For each Server in the Configuration, please provide the following information:

Server Description	
Software Requirements	
Recommended Number of Processors	
Recommended RAM	
Disk Storage Requirements	

50. Compensation Amount and Schedule.

The timing of the payment or payments will be determined by a contract based on the project scope of work and budget. Provide separate pricing for the following, regardless of whether the items will be bundled:

- Initial design.
- Initial engineering, configuration and set-up.
- Implementation and post-implementation support costs.
- Training costs.
- Software license costs.
- Hardware costs.
- Ongoing technical support/ maintenance costs for equipment, per year.
- Ongoing managed services cost, per year, by defined SLA and feature set.
- Additional requirements or services.

Contractor will indicate which items are optional.

60. Definitions in this RFP: City, RFP, Proposal, Candidate, Contractor, Should. Unless the context indicates otherwise – (a) the expressions “RFP,” “this RFP,” and “the RFP” refer to this document as it

may be amended or updated. (b) “City” and “city” mean the City of Durham. (c) The “proposal” is the response of a person, firm, or corporation proposing to provide the services sought by this RFP. (d) The word “Candidate” or “candidate” is the person, firm, or corporation that submits a proposal or that is considering submitting a proposal. (e) The word “Contractor” or “contractor” is the person, firm, or corporation with which the City enters into a contract to provide the services sought by this RFP. That is, “contractor” generally refers to a successful candidate that has obtained a fully executed contract with the City, while “candidate” is generally reserved to the stage before a contract has been signed. (f) The word “should” is used to tell candidates what the City thinks it wants and/or what the project manager thinks is best. Candidates that want to increase the likelihood of being selected will, in general, do what the RFP says candidates “should” do, but failure to comply with all “shoulds” will not necessarily and automatically result in rejection.

70. Contract. The City anticipates that the conclusion of the RFP process will be a contract between the City and the successful candidate under which the successful candidate will provide the goods and services generally described in this RFP. The contract requires compliance by the contractor and its subcontractors with respect to the N. C. E-Verify law. Please see section 330, which is titled “E-Verify Compliance.”

80. Trade Secrets and Confidentiality. As a general rule, all submissions to the City are available to any member of the public. However, if materials qualify as provided in this section, the City will take reasonable steps to keep trade secrets confidential.

Definitions.

In this section (Trade Secrets and Confidentiality) –

The term “candidate” includes the candidate as contractor (that is, after it is a party to a contract with the City).

The term “trade secret” means business or technical information, including but not limited to a formula, pattern, program, device, compilation of information, method, technique, or process that:

- a. Derives independent actual or potential commercial value from not being generally known or readily ascertainable through independent development or reverse engineering by persons who can obtain economic value from its disclosure or use; and
- b. Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

The existence of a trade secret shall not be negated merely because the information comprising the trade secret has also been developed, used, or owned independently by more than one person, or licensed to other persons.

The term “record” means all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, received by the City of Durham in connection with the candidate’s proposal.

(a) Designation of Confidential Records. To the extent that the candidate wishes to maintain the confidentiality of trade secrets contained in materials provided to the City, the candidate shall prominently designate the material with the words “trade secrets” at the time of its initial disclosure to the City. The candidate shall not designate any material provided to the City as trade secrets unless the candidate has a reasonable and good-faith belief that the material

contains a trade secret. When requested by the City, the candidate shall promptly disclose to the City the candidate's reasoning for designating material as trade secrets; the candidate may need to label parts of that reasoning as trade secrets. In providing materials to the City, the candidate shall make reasonable efforts to separate those designated as trade secrets from those not so designated, both to facilitate the City's use of the materials and to minimize the opportunity for accidental disclosure. For instance, if only a sentence or paragraph on a page is a trade secret, the page must be marked clearly to communicate that distinction. To avoid mistake or confusion, it is generally best to have only trade secret information on a page and nothing else on that page.

To the extent authorized by applicable state and federal law, the City shall maintain the confidentiality of records designated "trade secrets" in accordance with this section. Whenever the candidate ceases to have a good-faith belief that a particular record contains a trade secret, it shall promptly notify the City.

(b) Request by Public for Access to Record. When any person requests the City to provide access to a record designated as a trade secret in accordance with subsection (a) above, the City may

- (1) decline the request for access,
- (2) notify the candidate of the request and that the City has provided, or intends to provide, the person access to the record because applicable law requires that the access be granted, or
- (3) notify the candidate of the request and that the City intends to decline the request.

Before declining the request, the City may require the candidate to give further assurances so that the City can be certain that the candidate will comply with subsection (c) below.

(c) Defense of City. If the City declines the request for access to a record designated as trade secrets in accordance with subsection (a), then, in consideration of the promises in (b) above and for considering the candidate's proposal, the candidate agrees that it shall defend, indemnify, and save harmless Indemnities from and against all Charges that arise in any manner from, in connection with, or out of the City's non-disclosure of the records. In providing that defense, the candidate shall at its sole expense defend Indemnities with legal counsel. The legal counsel shall be limited to attorneys reasonably acceptable to the City Attorney.

Definitions. As used in this subsection (c), "Charges" means claims, judgments, costs, damages, losses, demands, liabilities, fines, penalties, settlements, expenses, attorneys' fees, and interest. Indemnities" means the City, and officers, officials, independent contractors, agents, and employees, of the City. "Indemnities" does not include the candidate. The City may require the candidate to provide proof of the candidate's ability to pay the amounts that may reasonably be expected to become monetary obligations of the candidate pursuant to this section. If the candidate fails to provide that proof in a timely manner, the City shall not be required to keep confidential the records whose non-disclosure gives rise to the potential monetary obligation. Nothing in this agreement shall require the City to require any person (including the City itself) to be placed in substantial risk of imprisonment, of being found by a court to be in contempt, or of being in violation of a court order. This subsection (c) is separate from and is to be construed separately from any other indemnification and warranty provisions in the contract between the City and the candidate.

Bonds. *No fidelity bond, performance bond, or payment bond is required for this contract.*

100. Insurance. Depending on the nature of the approved project, the City of Durham Office of Risk Management may require the candidate to carry insurance for the project, with the City named as an “additional insured.” The project contract will include any necessary insurance requirements which shall be the responsibility of the candidate. It is recommended that candidates indicate in their proposal what insurance they have.

Discretion of the City.

- A. The City of Durham reserves the right to reject any or all proposals.
- B. NOTWITHSTANDING anything to the contrary in this document or in any addendums to this document, unless the contrary provision refers specifically to this provision, the City reserves the right (i) to negotiate changes of any nature with any candidate with respect to any term, condition, or provision in this document and/or in any proposals, whether or not something is stated to be mandatory and whether or not it is said that a proposal will be rejected if certain information or documentation is not submitted with it, and (ii) to enter into an agreement for some or all of the work with one or more persons, firms, or corporations that do not submit proposals. For example, all deadlines are for the administrative convenience or needs of the City and may be waived by the City in its discretion. This subparagraph B applies to the entire RFP, including the SDBE portions.
- C. Where the City asks or tells candidates to do stated things, such as that a proposal should follow a stated format or that the candidate should do stated things in seeking the contract, the City may reject a proposal because it does not comply with those requests, so the candidate is adding to its risk of rejection by non-compliance. Still, the City may, in its discretion, waive non-compliance. This subsection (C) does not limit subsections (A) and (B).
- D. Of course, once a contract is signed, the parties to the contract may enforce the contract according to its terms as allowed by applicable law.

SCHEDULE

120. Schedule.

Task	Date
Solicitation of proposals from Candidates by the City of Durham	October 2013
RFP application deadline	October 31 st , 2013
Selection process	November, 2013
Negotiation of contract terms between City of Durham and Contractor	December, 2013
City contract approval	January, 2013
Contractor begins Implementation	January, 2013

This schedule is the City's best estimate of the schedule that will be followed. If a component of this schedule is delayed, the rest of the schedule will be shifted by the same number of days.

130. Keeping Proposals Open. All proposals will remain open and valid for the City to accept for a period of 14 days after the deadline for submission of proposals. The Project Manager may release candidates from this obligation by a written letter that specifically refers to this paragraph if he or she determines that the candidate and/or the proposal will not meet the City's needs.

140. Deadline to Submit Proposals. Candidates should see that their proposals are received digitally at the following email address by October 31st, 2013 at 5:00 pm ET:

Attn: Anthony Pergolotti
Technology Solutions Department
anthony.pergolotti@durhamnc.gov

GETTING MORE INFORMATION ON THE PROJECT AND RFP PROCESS

150. Questions. Questions about the RFP and the RFP process should be submitted to the project manager identified at the beginning of this RFP.

170. Updates and revisions to RFP. If you have supplied the Project Manager with your preferred method of contact (email, fax, etc.), updates to this RFP (“addendums” or “addenda”) will be sent to you in that manner. This RFP and addendums are normally posted on the City’s website, on the Purchasing Division’s webpage, at <http://durhamnc.gov/ich/as/fin/Pages/bids.aspx>. Check that webpage to see that you have received all addenda.

EVALUATION CRITERIA

180. Evaluation Criteria. If an award is made, it is expected that the City’s award will be to the candidate that brings the most value to the City. The following criteria will be used to evaluate each proposal, including but not limited to:

- demonstrated understanding of the critical project objectives, deliverables, and timelines;
- fulfilling technical requirements, functions and features;
- total cost of project and individual costs of services and systems;
- qualifications, certifications, and references;
- specific in-house experience and expertise with project and service requirements; and
- demonstrated ability to meet RFP guidelines related to services, maintenance, and support.

CONTENTS OF PROPOSAL

240. Contents of Proposal.

The proposal should include sections, numbered as follows:

1. **Contact information.** Include the candidate’s name and address, and the contact information (name, mailing address, email address, fax number, and telephone number) of the person whom the City should contact regarding the proposal.

2. Legal Status of the Candidate and Signers. State the full, exact name of the candidate. State whether the candidate is an individual, corporation, limited partnership, general partnership, limited liability company, professional corporation, professional association, etc. If it is anything other than an individual or a general partnership, specify the State under which the entity is organized. If the State under which the entity is organized is not North Carolina, specify whether the candidate has received a certificate of authority from the N. C. Secretary of State to transact business in North Carolina. State whether the entity is in existence at the time the proposal is submitted, and if not, whether and when the candidate intends to officially form the entity. State the names and titles of the individuals who will sign the contract with the City.

3. Qualifications, References, and Licenses. This part should include the candidate's experience on similar projects and include references and how to contact them.

List the candidate's current licenses that are pertinent to this project.

4. Project Team, Location of Work, and Subcontracting. State the names and qualifications of the individuals who will have responsibility for this project.

5. Methods and Procedures. Include the work break down structure for this project. Attach response to feature requirements in a MS Excel document.

6. Compensation. Explain the entire compensation arrangement that you propose detailed as in Section 50 above.

7. Assumptions regarding City of Durham Actions and Participation. If your proposal assumes that the City will take certain actions, provide facilities, or do anything else, you should state these assumptions explicitly.

8. SDBE Participation. See the statement with this RFP at the end of this RFP (Exhibit A) for SDBE participation information and instructions on which SDBE forms to fill in and return. For help, call the City's Department of Equal Opportunity/Equity Assurance (EO/EA) at (919) 560-4180.

You can print out the SDBE forms that are in the RFP and fill them in. Here's another option: after you have read the SDBE material in this RFP to learn which SDBE forms to fill in, you may, if you like, go to the web to find versions that you can fill in online, print out, and submit. They're at <http://www.durhamnc.gov/forms/>. Once there, scroll down until you see:

Equal Opportunity Equity Assurance (EOEA)

Small Disadvantage Business Enterprise (SDBE) Forms Under that title you will see:

* * *

Procurement: [.pdf](#)

Professional Services: [.pdf](#)

9. Financial Condition, Insurance, and Bonds. The City may reject proposals from candidates that are overdue on City property taxes.

10. **Conflict of Interest.** If the candidate has any grounds to believe there could be a conflict of interest, such as that a City employee who is involved in awarding the contract has a connection with the candidate, please explain.

11. **Non-collusion.** This RFP constitutes an invitation to bid or propose. Sign the attached Non-Collusion Affidavit (Exhibit B) and include it with your response.

COVER LETTER WITH PROPOSAL

250. Cover letter. The proposal should contain a cover letter, signed by a principal of the candidate. The cover letter should contain the following statement:

The undersigned, whose title and position with the candidate are stated next to or beneath his or her signature, has the authority to submit this proposal (including this cover letter) on behalf of the candidate in response to the City of Durham's Request for Proposals.

Unless otherwise clearly stated in this response to the RFP, our proposal accepts the terms and conditions stated in the RFP, including the description of services to be performed and the provisions of the contract to be signed.

The cover letter should contain one of the following two paragraphs A or B. If (i) the cover letter lacks both paragraph A and paragraph B, or (ii) the cover letter contains paragraph A but fails to comply with the instructions in the section of the RFP titled "Trade Secrets and Confidentiality," the City may treat everything it receives from the candidate as NOT trade secret or confidential, and the City may disclose to the public everything it receives from the candidate.

A. With respect to all trade secrets that the candidate may submit to the City in connection with this proposal or the contract, if the contract is awarded to the candidate, the candidate shall comply with the section of the RFP titled "Trade Secrets and Confidentiality," including all of its subsections, including the subsection titled "Defense of City." The candidate acknowledges that the City will rely on the preceding sentence.

-or-

B. The candidate is not submitting any trade secrets to the City in connection with this proposal or the contract; if the contract is awarded to the candidate, the candidate will not submit any trade secrets to the City in connection with this proposal or the contract. The candidate acknowledges that the City will rely on the preceding sentence.

A. This proposal is an offer that cannot be revoked before 60 days. The City may allow the candidate to withdraw the offer by sending written withdrawal permission that refers specifically to this provision.

-or-

B. This proposal is not an offer, and the candidate retains the right to decline to enter into a contract with the City for this project.

260. Addendums. *The cover letter should list the last addendum that the City issues for this RFP, with a statement such as the undersigned candidate has read all the addendums issued by the City for this RFP,*

through and including Addendum No. _____. In that blank the candidate should list the number of the last addendum.

HOW TO SUBMIT A PROPOSAL

270. How to submit a proposal.

Candidates should submit their proposals via email to the Project Manager. The Project Manager will respond via email that your submission was received.

Proposals are to be received no later than October 31st, 2013 at 5:00 pm ET.

280. Format. Please provide overview information in PDF format. Please provide detailed response answers in an attached Microsoft Excel document similar to example 280-1 below. Any additional reference material can be attached and referenced in the proposal response or the Microsoft Excel document.

Example 280-1:

Item	Requirement	Description	Does solution meet requirement?	Description details of how solution functionality meets or does not meet requirement.
1.10	Speed of implementation	Selected vendor should facilitate a proven implementation process that can be completed within a short time frame.		

290. Alternative Proposals. If you wish to submit a proposal that does not comply with the City's standards and expectations, consider submitting two proposals: a proposal that complies, plus a proposal that does not comply, so that your "non-compliant" version can be considered as an alternative if the City is interested. This will allow your compliant version to be considered if the City remains steadfast on applying the standards and expectations.

300. Candidate to Bear Expense; No Claims against City. No candidate will have any claims or rights against the City arising out of the participation by a candidate in the proposal process. No candidate will have any claims or rights against the City for the City's failure to award a contract to it or for awarding a contract to another person, firm, or corporation, regardless of whether the other person, firm, or corporation participated in the RFP process or did not submit a proposal that complied with the RFP. A notice of award will not constitute acceptance by the City; the City's only method of acceptance is the City's execution of a formal contract in accordance with law.

310. Privilege License. The City's practice is that if a City privilege license is required to perform the work under the contract, the candidate needs to obtain the license before the City will sign the contract. For information on this license, call (919) 560-4700 or see http://www.durhamnc.gov/departments/finance/business_license.cfm.

320. Notice Under the Americans with Disabilities Act (ADA). The City of Durham will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communications, or

a modification of policies or procedures to participate in the City program, service, or activity, should contact Ms. Stacey Poston, ADA Coordinator, voice 919-560-4197, fax 560-4196, TTY 919-560-1200, or Stacey.Poston@durhamnc.gov, as soon as possible but no later than 48 hours before the scheduled event.

330. E-Verify Compliance. The contractor represents and covenants that the contractor and its subcontractors comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (NCGS). The City is relying on this E-Verify Compliance section in entering into this contract. The parties agree to this section only to the extent authorized by law. If this section is held to be unenforceable or invalid in whole or in part, it shall be deemed amended to the extent necessary to make this contract comply with NCGS 160A-20.1(b).

---- End of RFP ---

Exhibit A



CITY OF DURHAM SMALL DISADVANTAGED BUSINESS ENTERPRISE PROGRAM

PROCUREMENT FORMS

Revised 06/08



Mailing Address:

**101 City Hall Plaza
Durham, North Carolina 27701
Phone: 919-560-4180
Facsimile: 919-560-4513**

Street Address:

**302 East Pettigrew Street, C-180
Durham, North Carolina 27701**

Small Disadvantaged Business Enterprise Ordinance SDBE Procurement Documentation

If applicable information is not submitted with your bid, your bid will be deemed non-responsive.

Declaration of Performance must be completed and submitted with your bid.

Managerial Profile must be used to list the managerial persons in your work force who will be participating in this project.

Equal Employment Opportunity Statement for your company must be completed and submitted with your bid.

Employee Breakdown must be completed and submitted for the location providing the service/commodity. If the parent company will be involved in providing the service/commodity on the City contract, a consolidated employment breakdown must be submitted.

COMPLETE THIS FORM

DECLARATION OF PERFORMANCE BY VENDOR/CONTRACTOR

Briefly address each of the following items:

1. A brief synopsis of the company and the products/services it provides:
2. Describe the normal procedure used on a bid of this type, giving the flow of purchase from the company to the ultimate purchaser:
3. List anyone outside of your company with whom you will contract on this bid:

The undersigned vendor/contractor certifies that:

- (a) It is normal business practice of the vendor/contractor to perform all elements of the contract with its own work force without the use of subcontractors/vendors; and
- (b) That the above documentation demonstrates this firm's capabilities to perform all elements of the contract with its own work force or without the use of subcontractors/vendors.

Date

Authorized Signature

COMPLETE THIS FORM
Managerial Profile

Name of Firm: _____

Contact person: _____

Title: _____

Address: _____

Telephone No.: _____

Date: _____

List the managerial persons in your work force who will be participating in this project, including name, position, and whether the individuals are minority or woman within the definition* of the City of Durham's Minority and Women Business Enterprises Ordinance.

Managerial Employees

<u>NAME</u>	<u>POSITION</u>	<u>(YES/NO)</u> <u>MINORITY/WOMAN</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

*"Minority" means an individual who is a citizen or lawful permanent resident of the United States and who is a "Black American", a person having origins in any of the Black racial groups of Africa. On building contracts, construction over \$100,000.00 or federally funded projects, the federal and/or state definitions apply.

COMPLETE THIS FORM

EQUAL OPPORTUNITY STATEMENT

COMPLETE THIS FORM OR ATTACH COMPUTERIZE FORM

EMPLOYEE BREAKDOWN

Part A – Employee Statistics for the Primary Location

M-----a-----l-----e-----s

F-----e-----

m-----a-----l-----e-----s

Employment Category	Total Employees	Total Males	Total Females	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manger													
Professional													
Labor													
Clerical													
Totals													

Part B – Employee Statistics for the Consolidated Company (See instructions for this form on whether this part is required.)

M-----a-----l-----e-----s

F-----e-----

m-----a-----l-----e-----s

Employment Category	Total Employees	Total Males	Total Females	White	Black	Hispanic	Asian or Alaskan Islander	Indian or Alaskan Native	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manger													
Professional													
Labor													
Clerical													
Totals													

Exhibit B
Non-Collusive Affidavit

The City of Durham prohibits collusion, which is defined as a secret agreement for a deceitful or fraudulent purpose.

I, _____ affirm that I have not engaged in collusion with any City employee(s), other person, corporations or firms relating to this bid, proposals or quotations. I understand collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.

Signature

Title

Name of Organization