

REQUEST FOR PROPOSAL #11-3475-DW

SUPERVISED RELEASE AND PRE-TRIAL ELECTRONIC MONITORING SERVICES

Manatee County, a political subdivision of the State of Florida, (hereinafter "Manatee County" or the "County") will receive proposals from individuals, corporations, partnerships, and other business entities authorized to do business in the State of Florida, for the purpose of providing **Supervised Release and Pre-Trial Electronic Monitoring Services**.

DEADLINE FOR CLARIFICATION REQUESTS: October 11, 2011 at 5:00 PM shall be the deadline to submit all inquiries, suggestions, or requests concerning interpretation, clarification or additional information pertaining to this Request for Proposal to the Manatee County Purchasing Division. This deadline has been established to maintain fair treatment for all potential bidders or proposers, while ensuring an expeditious transition to a final agreement.

TIME AND DATE DUE: Proposals will be received until 2:30 PM on October 18, 2011, at which time they will be **publicly opened**. All interested Parties are invited to attend this opening.

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Important Note: A prohibition of Lobbying is in place. Please review paragraph A.17 carefully to avoid violation and possible sanctions.

FOR INFORMATION CONTACT:

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Manatee County

Financial Management Department

Purchasing Division

AUTHORIZED FOR RELEASE: DWW/jm MA

REQUEST FOR PROPOSAL #11- 3475-DW
SUPERVISED RELEASE AND PRE-TRIAL ELECTRONIC
MONITORING SERVICES

SECTION A: INFORMATION TO PROPOSERS

PROPOSERS MUST COMPLY WITH THE FOLLOWING INSTRUCTIONS TO BE CONSIDERED FOR SELECTION:

A.01 OPENING LOCATION

Proposals will be publicly opened at Manatee County Purchasing, 1112 Manatee Avenue West, 8th Floor, Suite 803, Bradenton, Florida 34205 in the presence of County officials at the time and date stated on the cover sheet. All Proposers or their representatives are invited to attend.

A.02 PROPOSAL INFORMATION AND PROPOSAL DOCUMENTS

Bids and Proposals on <http://www.mymanatee.org>

Bid or Proposal documents and the Notices of Source Selection related to those Bids or Proposals are available for download in a portable document format (.PDF) file on the Manatee County web page on the Purchasing tab under “Bids and Proposals”. You may view and print these files using Adobe Acrobat software. You may download a free copy of this software (Adobe) from the County's web page if you do not have it.

Manatee County collaborates with the Manatee Chamber of Commerce on distributing solicitations using the “RFP Tool” web page on the Chambers website: <http://www.ManateeChamber.com> to post Bid and Proposal documents in a portable document format (.PDF) file. This step is in addition to the posting on Manatee County Government web pages.

Note: The County posts the **Notice of Source Selection** seven (7) calendar days prior to COMMENCING NEGOTIATIONS with the selected firms.

IT IS THE RESPONSIBILITY OF EACH PROPOSER, PRIOR TO SUBMITTING THEIR PROPOSAL, TO CONTACT THE MANATEE COUNTY PURCHASING OFFICE (see contact information on page one of this document) TO DETERMINE IF ADDENDA WERE ISSUED AND TO MAKE SUCH ADDENDA A PART OF THEIR PROPOSAL.

A.03 REQUIREMENTS FOR FORMAT AND DELIVERY OF PROPOSALS

Any proposals received after the stated time and date will not be considered. It shall be the sole responsibility of the Proposer to have their proposal delivered to the Manatee County Purchasing Division for receipt on or before the stated time and date. If a proposal is sent by U.S. Mail, the Proposer shall be responsible for its timely delivery to the Purchasing Division. Proposals delayed by mail shall not be considered, shall not be opened at the public opening, and arrangements shall be made for their return at the Proposer's request and expense.

Proposals must be submitted in the format specified in Section B hereof. The contents of each proposal shall be **separated and arranged with tabs in the same order as listed in the Subsections within Section B** identifying the response to each specific item thereby facilitating expedient review of all responses.

A.04 CLARIFICATION & ADDENDA

Each Proposer shall examine all Request for Proposal documents and shall judge all matters relating to the adequacy and accuracy of such documents. Any inquiries, suggestions or requests concerning interpretation, clarification or additional information pertaining to the Request for Proposal shall be made in writing through the Manatee County Purchasing Division. The County shall not be responsible for oral interpretations given by any County employee, representative, or agent. The issuance of a written addendum by the Purchasing Official's Division is the only official method whereby interpretation, clarification or additional information can be given.

Addenda shall be posted on <http://www.mymanatee.org>

It shall be the responsibility of each Proposer, prior to submitting their proposal, to contact the Manatee County Purchasing Division at (941)748-4501, ext. 3039 to determine if addenda were issued and to make such addenda a part of the proposal.

Deadline for Clarification Requests: **October 11, 2011 at 5:00 PM** shall be the deadline to submit all inquiries, suggestions, or requests concerning interpretation, clarification or additional information pertaining to this Request for Proposal to the Manatee County Purchasing Division.

This deadline has been established to maintain fair treatment for all potential Bidders or Proposers, while ensuring an expeditious transition to a final agreement.

A.05 SEALED & MARKED

One signed Original (please mark the Original) and Five (5) copies of your proposal shall be submitted in one sealed package, clearly marked on the outside "**Sealed Proposal #11- 3475-DW**" and addressed to:

Manatee County Purchasing
1112 Manatee Avenue West, Suite 803
Bradenton, FL 34205

A.06 LEGAL NAME

Proposals shall clearly indicate the legal name, address, email and telephone number of the Proposer (company, firm, partnership, individual). Proposals shall be signed above the typed or printed name and title of the signer. The signer must have the authority to bind the Proposer to the submitted proposal.

A.07 PROPOSAL EXPENSES

All expenses for making proposals to the County are to be borne by the Proposer.

A.08 EXAMINATION OF PROPOSAL

The examination of the proposal and the Proposer generally requires a period of not less than ninety (90) calendar days from the date of the opening of the proposals.

A.09 DISCLOSURE

Proposals become subject to Public Records inspection thirty (30) days after the proposal opening or if an award decision is made earlier than this time as provided by Florida Statute 119.071 (1) (b). **No review of the proposal documents will be conducted at the public opening of the proposals.**

Manatee County will make public at the opening, the names of the business entities that submitted an offer and any amount presented as offers without any verification of the mathematics or the completeness of the offer.

A.10 ERRORS OR OMISSIONS

Once a proposal is submitted, the County shall not accept any request by any Proposer to correct errors or omissions in the proposal.

A.11 RESERVED RIGHTS

The County reserves the right to accept or reject any and/or all proposals, to waive irregularities and technicalities, and to request resubmission. Any sole response received by the first submission date may or may not be rejected by the County, depending on available competition and timely needs of the County. The County reserves the right to award the contract to a responsible Proposer submitting a responsive proposal, with a resulting negotiated agreement which is most advantageous and in the best interests of the County. The County shall be the sole judge of the proposal, and the resulting negotiated agreement that is in its best interest and its decision shall be final. Also, the County reserves the right to make such investigation as it deems necessary to determine the ability of any Proposer to perform the work or service requested. Information the County deems necessary to make this determination shall be provided by the Proposer. Such information may include, but shall not be limited to: current financial statements prepared by an independent CPA; verification of availability of equipment and personnel; and past performance records.

A.12 APPLICABLE LAWS

Proposer must be authorized to transact business in the State of Florida. All applicable laws and regulations of the State of Florida and ordinances and regulations of Manatee County will apply to any resulting agreement. Any involvement with any Manatee County procurement shall be in accordance with Manatee County Code of Laws Chapter 2-26, as amended. Procedures and deadlines concerning protests related to this Request for Proposal shall be those which are set forth in §2-26-61 of the County Code.

A.13 CODE OF ETHICS

With respect to this proposal, if any Proposer violates or is a party to a violation of the Code of Ethics of Manatee County per Manatee County Code of Laws, Article III, Ethics in Public Contracting, and/or Florida criminal or civil laws related to public procurement including but not limited to Florida Statutes Chapter 112, Part III, Code of Ethics for Public Officers and Employees, such Proposer may be disqualified from performing the work described in this proposal or from furnishing the goods or services for which the proposal is submitted and shall be further disqualified from submitting any future proposals for work or for goods or services for Manatee County.

The County presumes that all statements made and materials submitted in a proposal will be truthful. If a Proposer is determined to be untruthful in its proposal or any related presentation, such Proposer may be disqualified from further consideration regarding this Request for Proposal.

A.14 COLLUSION

By offering a submission to this Request for Proposal the Proposer certifies the Proposer has not divulged to, discussed or compared his proposal with other Proposers and has not colluded with any other Proposer or parties to this proposal whatsoever. Also, the Proposer certifies, and in the case of a joint proposal, each party thereto certifies, as to their own organization that in connection with this proposal:

- a. any prices and/or data submitted have been arrived at independently, without consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices and/or cost data, with any other Proposer or with any competitor;
- b. any prices and/or cost data quoted for this proposal have not been knowingly disclosed by the Proposer prior to the scheduled opening directly or indirectly to any competitor;
- c. no attempt has been made or will be made by the Proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition;
- d. the only person or persons interested in this proposal as principal or principals is/are named therein and that no person other than therein mentioned has any interest in this proposal or in the contract to be entered into; and
- e. no person or agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees.

A.15 PUBLIC ENTITY CRIMES

In accordance with Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

A.15 PUBLIC ENTITY CRIMES -continued:

In addition, Manatee Code of Laws Chapter 2-26 Article V prohibits the award of County contracts to any person or entity who/which has, within the past 5 years, been convicted of, or admitted to in court or sworn to under oath, a public entity crime or of any environmental law that, in the reasonable opinion of the Purchasing Official, establishes reasonable grounds to believe the person or business entity will not conduct business in a reasonable manner.

To ensure compliance with the foregoing, the Code requires all persons or entities desiring to contract with the County to execute and file with the Purchasing Official an affidavit, executed under the pain and penalties of perjury, confirming that person, entity, and any person(s) affiliated with the entity, does not have such a record and is therefore eligible to seek and be awarded business with the County. **Proposer is to complete Attachment “A” and submit with your proposal.**

A.16 DRUG FREE WORKPLACE

Drug Free Workplace Program: Manatee County has adopted a policy requiring Contractors to maintain a Drug Free Workplace. Proposers are asked to describe your firm's policy or program as it relates to maintaining a drug free workplace. This response will be considered with the other criteria described herein. **Proposer is to complete Attachment “B” and submit with your proposal.**

A.17 LOBBYING

After the issuance of any Request for Proposal, prospective Proposers or any agent, representative or person acting at the request of such proposer shall not contact, communicate with or discuss any matter relating in any way to the Request for Proposal with any officer, agent or employee of Manatee County other than the Purchasing Official or as directed in the Request for Proposal. This prohibition begins with the issuance of any Request for Proposal and ends upon an award of the final contract, when all solicitations have been rejected, or when the request has been canceled. Violators of this prohibition shall be subject to sanctions as provided in the Manatee County Code of Law Chapter 2-26.

A.18 EQUAL EMPLOYMENT OPPORTUNITY

Manatee County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 and the Regulations of the Department of Commerce (15 CFR, Part 8) issued pursuant to such Act, hereby notifies all prospective Proposers that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, women or minority business enterprises will be afforded full opportunity to participate in response to this advertisement and will not be discriminated against on the grounds of race, color, creed, sex, age or national origin in consideration for an award.

A.19 AMERICANS WITH DISABILITIES ACT

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the County's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for the public meetings specified herein (i.e. Information Conference or Proposal Opening), should contact the person named on the first page of this document at least twenty four (24) hours in advance of the activity to request accommodations.

END SECTION A

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SECTION B: FORM OF PROPOSAL

This section identifies specific evaluation factors which are to be given written responses. The contents of each proposal shall be **separated** and **arranged with tabs** in the same order as listed in Sections B.01 through B.05 identifying the response to each specific item.

The information that Proposers provide shall be used to determine whether the Proposer has the ability to perform the Scope of Services as stated in this Request for Proposal in a way which best meet the needs of Manatee County. A review with those Proposers reasonably susceptible of being selected for award may be conducted for the purposes of clarification of both ability and benefit to Manatee County. See Section C, "Selection."

B.01 MINIMUM QUALIFICATIONS

Proposals may be submitted by one (1) or more sole proprietorship, corporation, or partnership authorized to conduct business in the State of Florida.

Prior to any consideration of the responses to the criteria in this Request for Proposal, Proposers are to document in their proposals that they have provided **Supervised Release and Pre-Trial Electronic Monitoring Services** similar in complexity and nature to the one being proposed in response to this Request for Proposal for at least three (3) continuous years of proven experience.

Where Proposal is made by more than one (1) business entity, each entity must sign the Proposal.

To validate experience, expertise and capabilities, Proposers shall provide:

- A. A copy of Proposer's license, where applicable;
- B. The state, county or city where the services were rendered;
- C. Name of the entity who issued the contracts;
- D. Contract Administrator for the named contracts; include telephone and email address information.

After Manatee County staff validates the Minimum Qualifications have been met, those Proposals found to be in compliance will be considered.

B.02 ADMINISTRATIVE SUBMITTAL

- a. Proposal Signature Form.
- b. Public Contracting and Environmental Crimes Certification (Attachment A).
- c. Drug Free Work Place Certification (Attachment B).

B.03 INFORMATION TO BE SUBMITTED REGARDING YOUR BUSINESS ENTITY

Tabs are required to identify each item defined in this Section.

B.03.1. Background and Size: Provide a description of the Proposer's background and size. Provide a general statement of qualifications that includes your firm's professional credentials, the legal status of your organization, and experience in providing the services enumerated in this Request for Proposal.

B.03.2. Business Entity: Provide an explanation of the business entity which you represent. Specify the business entity which would be bound by a contract, should your firm be selected: company or corporation; subcontractor roles; and if a joint venture, include the specific experience that the joint venture partners have working together on similar projects.

If the Proposer is a joint venture, or partnership, the details of the responsibilities for provision of the required services must be clearly disclosed. Provide a narrative on how you anticipate the partnerships to manage the work and any prior experience that the individual entities may have had in working together on other projects. Disclose the lead firm of a joint venture.

B.03.3. Legal Authority: Provide a detailed explanation that your firm has the legal authority to perform the services described in this Request for Proposal and is authorized to conduct business in Florida.

B.03.4. Ownership Interest: Disclosure of any ownership interest in or operation of other entities involved in Supervised Release and Pre-Trial Electronic Monitoring Services which may be a potential participant in this Request for Proposal. This ownership disclosure shall be included, whether such ownership occurs by the proposer through a parent, subsidiary or holding company or any other form of business entity. Submit entity names and the percent of ownership for each.

B.03.5. Organizational Chart: Submit an organizational chart of your firm or organization, stating the names of the firm or organization's management and supervisory personnel to be assigned to this contract undertaking.

- B.03.6. Key Personnel:** Identify each principal of the firm and other key personnel who will be professionally associated with the County in the performance of the services described herein. Do not include personnel that will not have a key role in providing services. Describe their respective areas of expertise.

For each identified person list:

- Full Name and Title
- Area of expertise, individual's roles and duties in providing services
- Office address
- Email address
- Telephone number
- Personalized resumes which identify the qualifications, training and experience of each key personnel in providing GPS tracking and monitoring services.

- B.03.7. Corporate References:** Provide three (3) external client references from clients who received similar services to those described herein. The minimum information that must be provided about each reference shall include:

- a. Name of individual or company for whom services were provided
- b. Address of individual or company
- c. Name and telephone(s) of contact person; e-mail address if available
- d. Type of services provided and dates services were provided.

B.04 INFORMATION TO BE SUBMITTED REGARDING PROPOSED SUPERVISED RELEASE AND PRE-TRIAL ELECTRONIC MONITORING SERVICES

Tabs are required to identify each item defined in this Section.

- B.04.1. Staffing Plan:** Submit a staffing level statement for your organization, detailing how many total employees work for your firm or organization at any one time, including temporary, seasonal and part-time employees. List the ratios of full-time employees to part-time, temporary and seasonal employees. Specify the number of staff that will be dedicated to the operations at the County.

Include a detailed explanation of all pre-employment screening and background checks performed by the Proposer.

- B.04.2. Subcontractors:** Identify any operational areas where you intend to use subcontractors. Identify the services and roles that each subcontractor would assume in providing services.
- B.04.3. Economic Benefit:** Submit a narrative explaining the direct economic benefit to Manatee County to be realized by selecting your firm. During the term of this engagement detail the revenue maximizing activities, employment, subcontracting, and support services contracting as economic stimulus that your entity may generate that would directly benefit Manatee County.
- B.04.4. Experience and Qualifications:** Demonstrate the firm's record of past performance and continuous experience in providing Supervised Release and Pre-Trial Electronic Monitoring Services similar to those described herein.
- B.04.5. Operations Plan:** Submit an Operations Plan describing in specific detail the firm's ability to provide complete monitoring of the offender's movement activities.
- B.04.6. Equipment Plan:** Provide a detailed list of equipment anticipated in fulfilling the requirements of this RFP. The list shall include an equipment history of reliability and dependability.
- B.04.7. Contingency Plan:** Describe in detail your firm's contingency plan for system malfunction including movement to a back-up monitoring system.
- B.04.8. Implementation Plan:** Describe your implementation plan to be able to provide the highest quality of services to the County. Detail the time required from the date of execution of the agreement to the commencement of service.
- B.04.9. Quality Control Plan:** Submit a detailed quality control plan to demonstrate the level of quality that is being proposed will either meet or exceed quality standards in terms of the proposed monitoring system in detecting errors in monitoring and preventing future errors.
- B.04.10. Sample Reports:** Demonstrate the firm's ability to provide complete, informational, and user-friendly monitoring/tracking reports of the offender's movement activities; provide samples of all reports required in the Scope of Services as well as sample invoices.
- B.04.11. Requirements of the County:** List any requirements of the County that your firm deems necessary to implement the services described herein.

B.04.12. Compensation Proposal: Provide a compensation proposal that clearly delineates a sliding scale (e.g., 1-50 units, 51-100 units, etc.) Fixed Fee Basis to perform the services described herein.

The compensation proposal shall include a unit cost for each of the following:

- a) Provide a Sliding Scale Fixed Fee for Monitoring and Support Services only; and,
- b) Provide a Sliding Scale Fixed Fee for Monitoring and Support Services including Installation and Removal.

The proposed fee paid to the County shall be all-inclusive, unless otherwise directed herein, and shall include, but not be limited to, any and all of the costs associated with labor, personnel, supervision, administration, and insurance necessary to perform the work, and any and all of the costs necessary to perform the work in a professional and efficient manner as described in the Scope of Services. In addition, all fees shall apply to weekday, weekend, holiday, overtime, and extra personnel coverage.

B.05 SUPPLEMENTAL INFORMATION

Submit any other additional information which would assist the County in the evaluation of your proposal.

NOTE: The County reserves the right to make such investigation and solicit additional information or submittals as it deems necessary to determine the ability of any Proposer to perform the Scope of Services stated in this Request for Proposal.

END SECTION B

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SECTION C: SELECTION

C.01 EVALUATION FACTORS

Evaluation factors are price and demonstrated ability of the proposer(s) to perform the Scope of Services as generally outlined in Section E of this Request for Proposal in the most timely and efficient manner. The Proposer whose ability and proposal is determined to be the most advantageous to the County, taking into consideration the Evaluation Factors set forth in this Request for Proposal, shall be selected to negotiate an agreement for the County determined Scope of Services.

While overall compensation will be a significant factor in the County's assessment of proposals, it is conceivable that the Proposer with the highest quoted compensation to the County may not be selected for negotiations of an agreement if competing proposals are deemed to provide better overall terms and benefits for the County.

C.02 RELATIVE IMPORTANCE OF EVALUATION FACTORS

No weight has been assigned to the Evaluation Factors other than as stated above.

C.03 PRELIMINARY RANKING

A Selection Committee shall determine from the responses to this Request for Proposal and subsequent investigation as necessary, the Proposer(s) most susceptible of being selected for award.

C.04 IN-PERSON REVIEW OF PROPOSERS AND PROPOSALS

In-person reviews may be conducted with responsible Proposers who are deemed reasonably susceptible of being selected for award, for the purposes of assuring full understanding of (a) conformance to the solicitation requirements, (b) the abilities of the Proposer, and (c) the proposal submitted.

Proposers shall be available for presentations to and interviews with the Selection Committee, upon notification from the Purchasing Division. The date(s) and time(s) of any such presentations / interviews shall be determined solely by the County.

C.05 SELECTION FOR NEGOTIATION

The Proposer, whose ability and proposal is determined to be the best proposal that is most advantageous to the County, taking into consideration the Evaluation Factors set forth in this Request for Proposal, shall be selected to negotiate an agreement for the County determined Scope of Services.

The selection of a Proposer for negotiation shall not be construed as vesting any contractual or other rights of any nature in the Proposer.

Section C: Selection – continued

C.06 AWARD

Award is subject to the successful negotiation and the approval by the Purchasing Official to execute the agreement.

END SECTION C

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SECTION D: NEGOTIATION OF THE AGREEMENT

D.01 GENERAL

The following general terms and conditions apply to the proposal submitted for consideration and the subsequent negotiations:

- a. The proposal will serve as a basis for negotiating an agreement, but not compel adherence to its terms or conditions.
- b. Upon submission, all proposals become the property of the County which has the right to use any or all ideas presented in any proposal submitted in response to this Request for Proposal whether or not the proposal is accepted.
- c. All products and papers produced in the course of this engagement become the property of the County upon termination or completion of the engagement.

D.02 AGREEMENT

The selected Proposer shall be required to negotiate an agreement in a form and with provisions acceptable to Manatee County.

Negotiated agreements may or may not include all elements of this Request for Proposal or the resulting successful proposal where alternative terms or conditions become more desirable to the County, and the parties agree to such terms.

END SECTION D

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SECTION E: SCOPE OF SERVICES

E.01 BACKGROUND AND INTRODUCTION

Manatee County (the “County”) is a mid-size Florida county located on the southwest coast and consists of 150 miles of coastline on the Gulf of Mexico, 741 square miles of land, 311,000 residents, and attracts more than 2 million visitors every year.

Manatee County provides probation and pre-adjudicatory supervision through the County Probation Division of the Community Services Department. These services are provided to the 12th Judicial Circuit Court of Florida.

Supervised Release for pre-trial defendants consists of an intense supervision program designed to ensure that no incarcerated defendant remains in jail simply by virtue of the fact that they don't have the funds to post bail. Felony cases are supervised by experienced probation officers who make treatment referrals and assure that offenders appear for their court dates. A small percentage of the caseload is placed on electronic or alcohol monitoring and is more intensely supervised.

The County is soliciting a firm to provide Supervised Release and Pre-Trial Electronic Monitoring Services on a twenty-four (24) hour continuous basis to ensure offender compliance with court ordered requirements. Services shall include, but not be limited to, equipment installation and removal, monitoring, support services, and custom reports.

The successful Proposer shall have the ability to provide passive, intermediate, and continuous Global Positioning System (GPS) monitoring equipment.

The successful Proposer shall provide (1) a facility dedicated solely to monitor house arrest participants, (2) a means of verifying unauthorized departures from the place of confinement, (3) timely notification to the County of the probable violation of electronic monitoring rules, and, (4) a definitive method to verify equipment malfunctions or tampering. The monitoring system shall have a minimum of one (1) year's history of reliability and dependability.

The successful Proposer shall provide all administration, supervision, labor, material, and equipment necessary to perform the services described herein. Manatee County expects that this Request for Proposal will result in an award to perform Supervised Release and Pre-Trial Electronic Monitoring Services on an annual basis for a period of three (3) years.

E.02 SCOPE OF SERVICES

Service Hours:

- A. The successful Proposer shall provide monitoring services twenty-four (24) hours a day, seven (7) days a week, three hundred sixty-five (365) days per year.
- B. The successful Proposer shall provide service on County recognized holidays. These holidays change from year to year so the County will provide the successful Proposer with a list of all County holidays.

General System Requirements:

- A. The system, at a minimum, shall be capable of electronically monitoring and tracking an offender's presence at, or absence from, locations within Manatee County, Florida and other surrounding locations that may be specified during specific periods. The system shall also record the offender's recent movements in the community. The monitoring/tracking base system shall be a continuous signaling, GPS portable tracking unit capable of reporting in real time the continuous location of offenders.
- B. The successful Proposer shall provide equipment that includes a wearable GPS tracking device for offender monitoring under ISO 9000 Certification Standards for quality control. The monitor equipment shall be of the latest technology available from the manufacturer.
- C. The monitoring equipment shall have the capability to identify the offender assigned to each individual unit and shall use standard telephone lines to communicate between the individual GPS tracking devices and the monitoring center. All telecommunications charges shall be included in the daily unit cost.
- D. The equipment shall be upgradeable and the County shall be provided with all new revisions as they become available at no cost to the County.

Equipment for specified offenders shall be installed at the following County locations:

- 1) **Manatee County Central Jail**
14470 Harlee Road
Palmetto, FL 34221
- 2) **Manatee County Judicial Center**
1051 Manatee Avenue West
Bradenton, FL 34205
- 3) **Manatee County Administration Center**
1112 Manatee Avenue West
Bradenton, FL 34205

For those units that require a home base, most installations will be done at the offender's residence.

The anticipated number of offenders to be monitored and tracked may range from one (1) to twenty (20) on a continuous basis. However, the County is under no obligation to maintain a minimum or maximum number of offenders on the system.

The equipment and system features shall include at a minimum:

- Tamper alarm
- Simple inconspicuous design
- Simple installation
- Cost Effective
- Battery back-up
- Water proof, sealed residence unit
- User friendly instructions
- English and Spanish capability
- Password protected
- Flexible curfew scheduling
- Expansion capability
- Custom printouts
- Secured on-line accessibility to data
- Hypoallergenic
- Capable of e-mail notifications.

Monitoring Transmitters:

- A. The successful Proposer shall provide to the County one (1) F.C.C. certified transmitter for each offender which is affixed to the offender in the form of an ankle bracelet.
- B. The transmitter's signal range shall be sufficient to cover normal household conditions with a typical range of 100 – 300 feet.
- C. The transmitter shall be capable of being attached to the offender so that efforts to tamper with or remove the transmitter are obvious upon visual inspection.
- D. The transmitter shall be shock-resistant, water and moisture proof, and function reliably under normal atmospheric and environmental conditions. The transmitter shall not pose a safety hazard or unduly restrict the activities of the offender.
- E. Transmitter straps shall be either adjustable to fit any size offender, or varying sized straps shall be provided as an alternative. The straps shall be made of hypoallergenic materials and not made of any metal or steel that may cause injury to either County Probation Staff or offenders.
- F. The transmitter shall have internal battery power of at least one (1) year without the need the recharging or replacement. The successful Proposer shall be responsible for supplying and replacing all defective or worn batteries. The transmitter shall have an indicator that gives a low power signal to indicate that the transmitter power source should be replaced. Low power signals shall be communicated to the monitoring center.

GPS Tracking Units:

- A. The successful Proposer shall provide an F.C.C. certified monitoring unit that transmits data on the offender's monitoring status to a central monitoring system operated by the successful Proposer, or directly to County Probation.
- B. The GPS tracking unit shall include an internal clock and a memory to store data if communication with the monitoring center is disrupted. If this should occur, the monitoring unit shall transmit stored data to the monitoring center or County Probation as soon as communication is restored.
- C. The successful Proposer shall provide written instructions with the units explaining how to install/affix the tracking units to offenders and how to service the units.

- D. The GPS units shall be equipped with a location verification feature and a tamper notification system that alerts the monitoring center of any attempts to enter the unit or alter the routine operation of the unit.
- E. The GPS tracking unit shall report, at a minimum, the following status data:
- Loss of power
 - Transmitter tampers
 - Transmitter low battery
 - Inclusion/Exclusion zone violations
 - Charge condition and time
 - Missed call attempts
 - Number of calls made
 - Violation of charge rules
 - Phone loss
 - Battery back-up
 - Case tamper
 - Loss of GPS signal.
- F. The GPS tracking shall be capable of storing four (4) or more days of data and shall operate for a minimum of sixteen (16) hours on a single battery charge. The GPS tracking shall be capable of not losing any data if the battery is depleted. All replaceable or rechargeable batteries shall be supplied and replaced by the successful Proposer.

Remote Location Monitoring System:

- A. The successful Proposer shall provide a remote location monitoring system that shall receive, record, and store data from the transmitters and portable GPS tracking units. The successful Proposer shall provide a real-time hosting environment that allows real-time access to offender data for active tracking. All equipment components and systems shall have F.C.C. certification.
- B. In the event the remote location monitoring system receives, records, and stores data from the monitoring equipment, the successful Proposer shall immediately notify the County by telephone of any or all of the following system applicable key events, including, but not limited to:
- Unauthorized absence from the offender's residence
 - Proximity violation
 - Inclusion and exclusion zone violations
 - Equipment malfunctions
 - Equipment tampering

- Power degradation
- Location verification failure including loss of GPS signal
- Missed calls from monitoring unit.

The successful Proposer shall record and store information obtained about the key events at a central location and which allow the County remote access to set up the location parameters and schedules, view, print, or download offender monitoring data.

- C. In the event of an equipment or communication line failure, the successful Proposer shall provide delivery of required notices (to include, at a minimum, alerts, daily reports, and violations) by overnight delivery to the County.
- D. The successful Proposer shall maintain a physical facility that meets all applicable federal, state, and local building, fire, and safety regulations and will not endanger the health and safety of employees and the community. The monitoring system and/or facility shall be located at a secure location where access to the center and all records are restricted only to authorized individuals.
- E. The successful Proposer shall maintain a contingency plan for movement to a back-up monitoring system following a system malfunction.

Continuous Monitoring System:

- A. The GPS system shall provide continuous location monitoring of the offender's location. Location information shall be stored and downloaded to the central location at scheduled time periods or, minimally, every fifteen (15) minutes for active tracking. The County shall be able to access information via remote access to the successful Proposer's secure internet website or by telephone to the on-call duty person on a twenty-four (24) hour per day basis.
- B. The successful Proposer shall provide a 100% web browser based software platform without the need to load any proprietary software onto the County's hardware.

Training:

- A. The successful Proposer shall provide at least one (1) initial training session for the County's designated staff members concerning the operation and installation of the monitoring equipment and systems specified herein. The training shall take place at a County location as determined by the County and shall include written instructions concerning the use of the monitoring system and equipment.

- B. The successful Proposer shall provide additional training as needed when requested by the County.

Tools:

- A. The successful Proposer shall provide all necessary tools to install, adjust, and remove the monitoring unit and transmitter from the offender.

Spares and Maintenance:

- A. The successful Proposer shall maintain a sufficient inventory of equipment at the County's specified location(s). In the event of equipment failure, the County will be responsible for providing replacement equipment to the offender. The successful Proposer shall replenish or increase the inventory within twenty-four (24) hours after notification of a need from the County. All replacements shall be provided by overnight delivery.
- B. The successful Proposer shall maintain the equipment and spares in good operating condition and arrange for prompt repair or replacement. The successful Proposer shall be responsible for all replacement and shipping costs. The successful Proposer shall supply sufficient non-durable items, e.g., spare straps and all other necessary parts for attaching and maintaining equipment, to allow timely installation and servicing of non-site inventory.
- C. The successful Proposer shall maintain the following inventory at each site where the equipment is used: a) minimum of three (3) GPS tracking devices stored on-site at each of the County's specified locations for immediate availability at all times (or more as the County determines the need). Special needs may arise where additional inventory may be needed by the County. The successful Proposer shall make every reasonable effort to accommodate additional inventory as requested by the County.

Testimony Preparation and Appearance:

- A. The successful Proposer shall be required to attest to its methodology and performance in any legal proceeding if called upon or subpoenaed. If required to provide testimony, the successful Proposer shall provide the person(s) with direct responsibility for the information requested, to appear and testify on behalf of the County. Reimbursement will be in accordance with Florida Statute 112.061.
- B. The successful Proposer shall notify the County immediately upon receipt of any legal process requiring disclosure of records of offenders.

Ethical Standards:

- A. The successful Proposer and its employees shall avoid compromising relationships with offenders, their families, and the County's staff. The successful Proposer shall immediately report any conflicts of interest, improprieties, or the appearance thereof, to the County.
- B. The successful Proposer shall meet sufficient standards of integrity to ensure that the confidentiality of offenders' records is not compromised. The successful Proposer shall ensure that its staff does not disclose information to any third party without a written authorization from the County.
- C. No personnel employed by the successful Proposer for the services described herein shall be on active probation or parole currently or within the last three (3) years. No personnel with a felony conviction may be employed under the resulting agreement.
- D. The successful Proposer and its' employees shall be under a continuing obligation to disclose any prior or subsequent criminal conviction record or any pending criminal trial to the County.
- E. The successful Proposer shall submit the names of its employees to the County prior to the employee beginning work for the County. No employees shall begin work before receiving written notification of clearance from the County. The County reserves the right to preclude the successful Proposer from employment or continued employment of any individual. The successful Proposer shall have a sufficient number of qualified personnel with current background checks so as to be able to provide for immediate removal and replacement of personnel within twenty-four (24) hours when requested by the County.

Records and Reporting:

- A. For the duration of the resulting agreement, the successful Proposer shall maintain for inspection and examination by authorized County personnel, all offenders' records associated with the agreement. At the end of the agreement, all offenders' records will become the exclusive property of the County and the successful Proposer shall present all records to the County in a readable format.

- B. The successful Proposer shall provide the County access to the monitoring system. The following items will be remotely accessed, as needed, by the County:
1. Installations/Terminations
 2. Monitoring units operating at the end of each month
 3. Offender's schedule changes and alerts
 4. Reports of equipment returned for repair and the repairs made
 5. Alerts of specific key events.
- C. The successful Proposer shall designate one (1) initial point of contact for the County who shall respond to County requests within one (1) business day. The successful Proposer shall also designate a back-up person to whom inquiries and requests can be made in the absence of the initial point of contact.

Quality Control Program:

- A. The successful Proposer shall have a formal Quality Control Program in place that will detect errors in monitoring, prevent future errors, and provide quality assurance for the services described herein. The Quality Control Program shall include a routine review proves that addresses all areas of the successful Proposer's performance.

Equipment and Service Upgrades and Improvements:

- A. The successful Proposer shall provide the County with the most recent generation of equipment through the duration of the resulting agreement. The successful Proposer shall notify the County of any system updates or upgrades that become available from the manufacturer. All equipment and service upgrades or changes will be approved in advance by the County in writing.

END SECTION E

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PROPOSAL SIGNATURE FORM

REQUEST FOR PROPOSAL NO. 11-3475 –DW

Firm Name

Mailing Address:

Email

() _____
Telephone Number

City, State, Zip Code

The undersigned attests to his or her authority to submit this proposal and to bind the firm herein named to perform the services offered in a two party agreement. If the firm is selected by the County the undersigned certifies that he/she will negotiate in good faith to provide the selected services as may determined by the County which are detailed in this RFP #11-3475-DW.

Signature

Witness Signature

Date: _____

Date: _____

Name and Title of Above Signer

Name and Title of Above Signer

Name and Title of Firm's Representative for Manatee County

Email for Firm's Representative for Manatee County

Telephone Number of Firm's Representative for Manatee County

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ATTACHMENT "A"

PUBLIC CONTRACTING AND ENVIRONMENTAL CRIMES CERTIFICATION

**SWORN STATEMENT PURSUANT TO ARTICLE 6,
MANATEE COUNTY PURCHASING CODE**

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

This sworn statement is submitted to the Manatee County Board of County Commissioners by _____
[print individual's name and title]

_____ for _____
[print name of entity submitting sworn statement]

whose business address is: _____

and (if applicable) its Federal Employer Identification Number (FEIN) is _____. If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____

I understand that no person or entity shall be awarded or receive a county contract for public improvements, procurement of goods or services (including professional services) or a county lease, franchise, concession or management agreement, or shall receive a grant of county monies unless such person or entity has submitted a written certification to the County that it has not:

(1) been convicted of bribery or attempting to bribe a public officer or employee of Manatee County, the State of Florida, or any other public entity, including, but not limited to the Government of the United States, any state, or any local government authority in the United States, in that officer's or employee's official capacity; or

(2) been convicted of an agreement or collusion among bidders or prospective bidders in restraint of freedom of competition, by agreement to bid a fixed price, or otherwise; or

(3) been convicted of a violation of an environmental law that, in the sole opinion of the County's Purchasing Director, reflects negatively upon the ability of the person or entity to conduct business in a responsible manner; or

(4) made an admission of guilt of such conduct described in items (1), (2) or (3) above, which is a matter of record, but has not been prosecuted for such conduct, or has made an admission of guilt of such conduct, which is a matter of record, pursuant to formal prosecution. An admission of guilt shall be construed to include a plea of nolo contendere; or

(5) where an officer, official, agent or employee of a business entity has been convicted of or has admitted guilt to any of the crimes set forth above on behalf of such and entity and pursuant to the direction or authorization of an official thereof (including the person committing the offense, if he is an official of the business entity), the business shall be chargeable with the conduct herein above set forth. A business entity shall be chargeable with the conduct of an affiliated entity, whether wholly owned, partially owned, or one which has common ownership or a common Board of Directors. For purposes of this Form, business entities are affiliated if, directly or indirectly, one business entity controls or has the power to control another business entity, or if an individual or group of individuals controls or has the power to control both entities. Indicia of control shall include, without limitation, interlocking management or ownership, identity of interests among family members, shared organization of a business entity following the ineligibility of a business entity under this Article, or using substantially the same management, ownership or principles as the ineligible entity.

Any person or entity who claims that this Article is inapplicable to him/her/it because a conviction or judgment has been reversed by a court of competent jurisdiction, shall prove the same with documentation satisfactory to the County's Purchasing Director. Upon presentation of such satisfactory proof, the person or entity shall be allowed to contract with the County.

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR MANATEE COUNTY IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT ANY CONTRACT OR BUSINESS TRANSACTION SHALL PROVIDE FOR SUSPENSION OF PAYMENTS, OR TERMINATION, OR BOTH, IF THE CONTRACTING OFFICER OR THE COUNTY ADMINISTRATOR DETERMINES THAT SUCH PERSON OR ENTITY HAS MADE FALSE CERTIFICATION.

[Signature]

STATE OF FLORIDA

COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 20____ by _____

Personally known _____ OR Produced identification _____
[Type of identification]

Notary Public Signature My commission expires _____

[Print, type or stamp Commissioned name of Notary Public]

Signatory Requirement - In the case of a business entity other than a partnership or a corporation, this affidavit shall be executed by an authorized agent of the entity. In the case of a partnership, this affidavit shall be executed by the general partner(s). In the case of a corporation, this affidavit shall be executed by the corporate president.

ATTACHMENT "B"

Drug Free Work Place Certification

**SWORN STATEMENT PURSUANT TO RESOLUTION R-01-36 SECTION 4, E (1) (a)
MANATEE COUNTY PURCHASING POLICIES, ON DRUG FREE WORK PLACES**

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

This sworn statement is submitted to the Manatee County Board of County Commissioners by

_____ [print individual's name and title]

_____ for

_____ [print name of entity submitting sworn statement]

whose business address is: _____

and (if applicable) its Federal Employer Identification Number (FEIN) is _____ (If the entity has no
FEIN, include the Social Security Number of the individual signing this sworn statement: _____.)

I understand that no person or entity shall be awarded or receive a county contract for public improvements, procurement of goods or services (including professional services) or a county lease, franchise, concession or management agreement, or shall receive a grant of county monies unless such person or entity has submitted a written certification to the County that it will provide a drug free work place by:

(1) providing a written statement to each employee notifying such employee that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance as defined by §893.02(4), Florida Statutes, as the same may be amended from time to time, in the person's or entity's work place is prohibited specifying the actions that will be taken against employees for violation of such prohibition. Such written statement shall inform employees about:

(i) the dangers of drug abuse in the work place;

(ii) the person's or entity's policy of maintaining a drug free environment at all its work places, including but not limited to all locations where employees perform any task relating to any portion of such contract, business transaction or grant;

(iii) any available drug counseling, rehabilitation, and employee assistance programs; and

(iv) the penalties that may be imposed upon employees for drug abuse violations.

(2) Requiring the employee to sign a copy of such written statement to acknowledge his or her receipt of same and advice as to the specifics of such policy. Such person or entity shall retain the statements signed by its employees. Such person or entity shall also post in a prominent place at all of its work places a written statement of its policy containing the foregoing elements (i) through (iv).

(3) Notifying the employee in the statement required by subsection (1) that as a condition of employment the employee will:

(i) abide by the terms of the statement; and

(ii) notify the employer of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such a conviction.

Attachment "B" – continued

(4) Notifying the County within ten (10) days after receiving notice under subsection (3) from an employee or otherwise receiving actual notice of such conviction.

(5) Imposing appropriate personnel action against such employee up to and including termination; or requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

(6) Making a good faith effort to continue to maintain a drug free work place through implementation of sections (1) through (5) stated above.

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR MANATEE COUNTY IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT ANY CONTRACT OR BUSINESS TRANSACTION SHALL PROVIDE FOR SUSPENSION OF PAYMENTS, OR TERMINATION, OR BOTH, IF THE CONTRACTING OFFICER OR THE COUNTY ADMINISTRATOR DETERMINES THAT:

- (1) Such person or entity has made false certification.
- (2) Such person or entity violates such certification by failing to carry out the requirements of sections (1), (2), (3), (4), (5), or (6) or Resolution R-01-36 Section 4, E (1) (a) or
- (3) Such a number of employees of such person or entity have been convicted of violations occurring in the work place as to indicate that such person or entity has failed to make a good faith effort to provide a drug free work place as required by Resolution R-01-36 Section 4, E (1) (a).

[Signature]

STATE OF FLORIDA
COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 200__ by _____.

Personally known _____ OR Produced identification _____
[Type of identification]

My _____ commission expires _____
Notary Public Signature

[Print, type or stamp Commissioned name of Notary Public]