

**REQUEST FOR PROPOSAL #09-1793FL  
DUAL VIEW INDUCTIVELY COUPLED OPTICAL  
EMISSIONS SPECTROMETER (ICP-OES)**

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 legal entities authorized to do business in the State of Florida, for the purpose of providing a Dual View Inductively Coupled Optical Emissions Spectrometer (ICP-OES).

TIME AND DATE DUE: Proposals will be received until 4:00 p.m., Tuesday, June 16, 2009, at which time they will be **publicly opened**. All interested parties are invited to attend this opening.

CONTENTS OF THIS REQUEST FOR PROPOSAL:

Section A: Information to Proposers	pages 2 - 8
Section B: Form of Proposal	pages 9 - 11
Section C: Selection	page 12
Section D: Negotiation of the Agreement	page 13
Section E: Scope of Services	pages 14 - 18
Proposal Signature Form	page 19
Manatee County Resolution R-93-22	Attachment A
Drug Free Work Place Certification	Attachment B
Environmental Crimes Certification	Attachment C

**Important note: A prohibition of Lobbying  
has been enacted with the issuance of this Request for Proposal**

**Please review paragraph A.18 carefully to avoid violation and possible sanctions.**

FOR INFORMATION CONTACT:  
Frank G. Lambertson, Contracts Negotiator  
PHONE: (941) 749-3042 FAX: (941) 749-3034  
Manatee County Financial Management Department  
Purchasing Division

AUTHORIZED FOR RELEASE: \_\_\_\_\_



## REQUEST FOR PROPOSAL #09-1793FL

### SECTION A: INFORMATION TO PROPOSERS

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

#### A.01 OPENING LOCATION

These 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.

Proposals become "Public Records" ten (10) days after the proposal opening or if an award decision is made earlier than this time as provided by Florida Statue 110.071. **No announcement of pricing or review of the proposal documents shall be conducted at the public opening of the proposals.**

#### 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.

Manatee County may also use an internet service provider to distribute Bids and Proposals. A link to that service <http://www.DemandStar.com>, is provided on this website under the Tab "DemandStar". Participation in the DemandStar system is not a requirement for doing business with Manatee County.

Note: The County posts the Notice of Source Selection seven calendar days prior to the effective date of the award.

IT IS THE RESPONSIBILITY OF EACH VENDOR, PRIOR TO SUBMITTING THEIR BID or 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 BID or PROPOSAL.

**A public internet connection** is available during regular business hours in the lobby of the Purchasing Division. If you have questions which cannot be answered by these sources, please contact the individual named on the front page of the bid or proposal.

A.03      PROPOSAL FORM DELIVERY REQUIREMENTS

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 office 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 Office. 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.

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 Office. The County shall not be responsible for oral interpretations given by any County employee, representative, or others. The issuance of a written addendum is the only official method whereby interpretation, clarification or additional information can be given.

If any addenda are issued to this Request for Proposals, the County will broadcast the addenda through DEMANDSTAR to "planholders" identified on this web service, however, it shall be the responsibility of each proposer, prior to submitting their proposal, to contact the Manatee County Purchasing Office (see contact information on page 1) to determine if addenda were issued and to make such addenda a part of their proposal.

A.05      SEALED & MARKED

**Four (4) signed copies** of your proposal shall be submitted in one sealed package, clearly marked on the outside "**Sealed Proposal #09-1793FL**" 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 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 shall 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 OFFER

The examination of the proposal and the Proposer generally requires a period of not less than one hundred twenty (120) calendar days from the date of the opening of the proposals.

A.09      DISCLOSURE

Upon receipt, all inquires and responses to inquires related to this Request For Proposal become "Public Records" and shall be subject to public disclosure consistent with Chapter 119, Florida Statutes.

**Proposal become "Public Records" ten (10) days after the proposal opening or if an award decision is made earlier than this time as provided by Florida Statue 119.071, No announcement of pricing or review of the proposal documents shall be conducted at the public opening of the proposals.**

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. No changes shall be allowed until a selection is made and contract negotiations actually begin.

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 Purchasing Code Ordinance 99-37, as amended. Any actual or prospective Proposer who is aggrieved in connection with the solicitation or award of a contract may protest to the Board of County Commissioners of Manatee County as required in Section 9-101 of the Purchasing Code. A protest with respect to this Request for Proposal shall be submitted in writing prior to the scheduled opening date of this proposal, unless the aggrieved person did not know and could not have been reasonably expected to have knowledge of the facts giving rise to such protest prior to the scheduled opening date of this proposal. The protest shall be submitted within seven calendar days after such aggrieved person knows or could have reasonably been expected to know of the facts giving rise thereto.

#### 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 Purchasing Code Ordinance 99-37, Article 3, Ethics in Public Contracting, and/or the state of Florida per 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 anticipates 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, 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      PROPOSAL FORMS

Proposals must be submitted in the format specified in Section B of this Request For Proposals. 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 to facilitating expedient review of all responses.

A.16      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 (as of 1/01/2005 is \$25,000) for a period of 36 months from the date of being placed on the convicted vendor list.

A.17      DRUG FREE WORK PLACE

Drug Free Workplace Program: Manatee County Board of County Commissioners adopted a policy regarding maintaining a Drug Free Work Place, Resolution R-93-22. Proposers are asked to review the attached copy of the Resolution and provide either a certification of compliance with the program outlined in this Resolution or 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.

A.18      LOBBYING

After the issuance of any Request for Proposals or Invitations for Bids, prospective bidders, Proposers or any agent, representative or person acting at the request of such bidder or Proposer shall not contact, communicate with or discuss any matter relating in any way to the Request for Proposals or Invitation for Bids with any officer, agent or employee of Manatee County other than the Purchasing Manager or as directed in the Request for Proposals or Invitation for Bids. This prohibition begins with the issuance of any Request for Proposals or Invitation for Bids, and ends upon execution of the final contract or when the invitation or request has been canceled. Violators of this prohibition shall be subject to sanctions as provided in the Manatee County Purchasing Code.

A.19      PUBLIC CONTRACTING AND ENVIRONMENTAL CRIMES CERTIFICATION

In accordance with Ordinance 99-37, adding Article 6, Manatee County Board of County Commissioners adopted a policy prohibiting the award of County contracts to persons, business entities, or affiliates of business entities who have not submitted written certification to the County that they have not been convicted of bribery, attempted bribery, collusion, restraints of trade, price fixing, and violations of certain environmental laws. A Non-Conviction Certification Form is attached for this purpose.

A.20      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 they will affirmatively ensure that in any contract entered into pursuant to this advertisement, 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.21      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.



## SECTION B: FORM OF PROPOSAL

This section identifies specific information which must be contained within each proposal. **The contents of each proposal shall be separated and arranged with tabs in the same order as listed in Sections B.02 and B.03 below, identifying the response to each specific item.**

### B.01 MINIMUM QUALIFICATIONS

#### Minimum Qualifications to be considered

Proposer must provide a minimum of five (5) references of systems currently operating in a water/wastewater laboratory setting in the United States following prescribed methods (EPA 200.7 and SW-846 6010).

### B.02 ADMINISTRATIVE SUBMITTAL

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

### B.03 INFORMATION TO BE SUBMITTED

- a. Description of the proposer's **background and size**. Include a statement of qualifications that includes your firm's professional credentials and experience in providing the service enumerated in this Request For Proposal and the legal status of your organization.
- b. Describe any **changes in the mode of conducting business** your firm has made in the past three (3) years, including any mergers, acquisitions, consolidations, downsizing or bankruptcy proceeding or filings.
- c. Identify each **principal of the firm and other "key personnel"** who will be professionally associated with the County. Describe their respective areas of expertise. Include personalized resumes which identify the qualifications, training and experience of each key personnel. Submit a list of subcontractors and subconsultants that may be used. Identify each individual on your analysis team and provide the following information:
  - Name
  - Professional credentials
  - Title
  - Telephone number
  - Office address

B.03      INFORMATION TO BE SUBMITTED (Continued)

- Email address
  - Brief description of the individual's role and duties for the County
  - Individual resume
- d. Submit a **manning level statement** for your organization, detailing how many total employees work for your firm 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.
- e. Provide a **project or work plan** detailing how your firm would perform and meet the requirements of the Scope of Services and any additional services that may be offered as part of your proposal submission.
- f. Provide a detailed technical explanation as to how the proposed system will meet the specifications stated in Section E, Scope of Service.
- g. Provide an overview of the capabilities of the ICP-OES which shall include the following information:
1. Method detection limits in environmental samples for analytes listed in Table 1 (see Section E).
  2. The ability to be configured with a cyclonic spray chamber.
  3. The system precision in standard operating mode measured in relative standard deviation (RSD).
  4. The ability to analyze high TDS samples (5000-10,000 mg/L) for the analytes listed in Table I (excluding Ca, Mg, K, Na, and Fe) at trace levels (ug/L).
  5. How analyte interferences are addressed.

Please note:

Method detection limit procedure as defined in 40 CFR Part 136, Appendix B.

The County reserves the right to request analysis of representative samples provided by the Central Laboratory.

The County reserves the right to request raw data and documentation of a system configuration with respect to the analysis of representative samples.

- h. Provide a detailed explanation as to how the system will meet the specifications detailed in Section E.
- i. Provide a list of the **contracts your firm has obtained** within the past two (2) years, indicating the type of services provided and the locations. Provide

a list of the contracts your firm has lost in the past two (2) years and state the reason for the loss and the location.

- j. Provide your **proposed cost** for the required hardware/software and services. Group cost detail in logical payables for specific effort. Costs are to be detailed with each task of work proposed, include hardware/software each labor category, proposed hours, labor rates, travel and any other direct cost.
- k. 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.

In addition, analysis of ten (10) samples of varying matrices considered representative by the Central Laboratory, may be required for each proposer as part of the selection process.

The County reserves the right to request raw data and documentation of a system configuration with respect to the analysis of representative samples.

## SECTION C: SELECTION

### C.01 EVALUATION FACTORS

Evaluation factors are price and perceived ability of the Proposer to perform the Scope of Services as stated in this Request for Proposal in the most timely and efficient manner, and the proposal(s) which will overall best meet the needs of Manatee County as determined from the responses to this Request for Proposal and subsequent investigation by the County.

### C.02 RELATIVE IMPORTANCE OF EVALUATION FACTORS

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

### C.03 PRELIMINARY RANKING

A Selection Committee may determine from the response to this Request for Proposal and subsequent investigation as necessary, the Proposers most susceptible of being selected for award.

### C.04 REVIEW OF PROPOSERS AND PROPOSALS

Review shall be conducted with responsible Proposers who may be reasonably susceptible of being selected for award, for the purposes of clarification to assure full understanding of and conformance to the solicitation requirements, the abilities of the Proposer, and the proposal submitted.

Firms responding to this Request for Proposal shall be available for presentation/interviews, to the Selection Committee and/or Board of County Commissioners upon notification from the Purchasing Office at a time and date determined by the County.

### C.05 SELECTION FOR NEGOTIATION

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 recommended to the Board of County Commissioners for authorization to negotiate an agreement for the stated Scope of Services.

### C.06 AWARD

Award of an agreement is subject to the successful negotiations and the vote of the Board of County Commissioners to authorize execution of the agreement.

## 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.
- 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 a formal agreement, in a form acceptable to Manatee County.

The Manatee County Board of County Commissioners will be presented the negotiated agreement as the best and final offer for consideration of award and execution. The Board of County Commissioners shall determine if award of the agreement is to be: considered; rejected and direct further negotiations; rejected and terminate negotiations; or accepted, authorizing the chairman to execute the agreement.

## SECTION E: SCOPE OF SERVICES

### E.01 PURPOSE

The Manatee County Utilities Central Laboratory has the need to acquire a dual view inductively coupled optical emissions spectrometer (ICP-OES) for the analysis of environmental samples. The objective of the ICP-OES procurement is to replace the existing ICP-OES that is nearing the end of its lifespan and to meet the Laboratory's growing need to provide inorganic analytical services for the Wastewater, and Solid Waste Divisions. The proposer will furnish a system meeting the technical specifications defined herein. To insure successful system implementation, system services such as professional training, comprehensive documentation, system security and maintenance must be key features of the overall proposal. This scope outlines the services needed to bring the system on-line successfully and to support it over time.

### E.02 BACKGROUND INFORMATION

The Manatee County Utilities Department Central Laboratory provides analytical services to the Southwest Regional Water Reclamation Facility, the Southeast Regional Water Reclamation Facility, the North Regional Water Reclamation Facility, and in support of the Manatee Agricultural Reuse System. Additionally analytical services are provided to the Industrial Compliance Section, the Solid Waste Department, and to a limited extent, the Drinking Water Treatment Facility. These services include data analysis, interpretation, and consultation to assist in water treatment and permit compliance. Of the approximately 40,000 analyses performed each year by the Central Laboratory, about 15-20% are metals analyses. Due to its ability to analyze multiple elements efficiently and its inherent sensitivity, the ICP-OES plays a critical role in performing these analyses.

The Central Laboratory is located in a 7600 + square foot facility constructed in 2007. Laboratory equipment is located in distinct work rooms separated according to types of analyses performed. The new ICP-OES will be located in the metals analytical room which currently houses a graphite furnace atomic absorption spectrometer, flow injection mercury system, and the existing ICP-OES.

### E.03 TECHNICAL REQUIREMENTS

A new, automated, ICP-OES shall be furnished to the Manatee County Utilities Central Laboratory in accordance with the following technical specifications.

- 1.1 The system shall perform immediate, on-demand analysis and automated (walk-away) operation based on the principle of inductively coupled plasma optical emissions spectrometer analysis.
- 1.2 The instrument must be a simultaneous reading ICP-OES using solid state detector technology.

- 1.3 The instrument must have an Echelle-based polychromator that utilizes a solid state detector. The entire optical system must be enclosed in a purged optical enclosure that is temperature controlled..
- 1.4 The system must include a chiller and that unit must not be mounted to the instrument chassis and must have the ability to be situated at a distance from the instrument.
- 1.5 The instrument must be a bench top design.
- 1.6 Viewing of the plasma must be instrument controlled.
- 1.7 The spectrometer must cover the spectral range from 167- 782 nm.
- 1.8 The instrument must be able to determine all desired elements in one analytical method pass. (See Table 1)
- 1.9 The system must have the ability to view the torch both axially and radially.
- 1.10 The system must have the ability to view the torch both axially and radially across the entire emission spectrum.
- 1.11 The system must include a computer controlled, system that shields the detector between samples from long exposures to UV radiation.
- 1.12 The instrument must be able to run organic as well as aqueous matrices. Organic matrices include but are not limited to MIBK, kerosene, and hexanes.
- 1.13 The RF generator must be solid state and operate at a frequency of 40 MHz. The generator must have an optimal power output range of 800-1500 watts and must be computer controlled.
- 1.14 The power output stability must be better than 10%.
- 1.15 System must be capable of automatic startup, shutdown, and optimization.
- 1.16 All system operations must be accomplished using a single software program.
- 1.17 The system must allow for priority sample editing of sample information file (i.e. must be able to add samples after sample analysis has begun without stopping or aborting run).
- 1.18 The system must be fully compliant with NELAC standards for the following methods:
  - 1.18.1 EPA Method 200.7
  - 1.18.2 EPA Method SW-846 6010
- 1.19 The system must come equipped with a micro nebulizer with autowash capabilities.
- 1.20 The system must allow for the same torch conditions for both EPA 200.7 and SW-846 6010.
- 1.21 Must provide detailed explanation of the use and control of gases in the system operation.
- 1.22 Must provide detailed explanation of the system's detector type.
- 1.23 System hardware must be of a material resistant to organic solvent matrices.
- 1.24 The instrument must monitor gas pressures and flows, interlocks, waterflows, shear gas flows and plasma stability. The interlocks must be continuously monitored and displayed on the instrument controller. If any interlock is interrupted, the plasma is shutdown automatically.
- 1.25 The instrument must be able to operate in laboratory conditions that range from 15-35 degrees C and a relative humidity of 20-80% non-condensing.

- The instrument must be able to operate with temperature changes of up to 2.5 degrees C per hour without any degradation of performance.
- 1.26 Must utilize a shear gas to address the cool end of the axial plasma to minimize self absorption and physical interferences.
  - 1.27 Must provide information as to how plasma and auxiliary gas flows are controlled.
  - 1.28 The sample introduction compartment must be temperature controlled.
  - 1.29 The sample introduction system must be constructed of an inert material.
  - 1.30 The sample introduction system must be of a reduced volume design to decrease sample loading on torch components.
  - 1.31 The sample introduction system must include a heated spray chamber to increase analyte transport efficiency.
  - 1.32 The sample introduction system must include a Peltier-cooled desolvation system to increase analyte transport efficiency and reduce solvent-derived matrix interferences.
  - 1.33 The sample introduction system must include a sample loop on a multi- port injection valve for high sample throughput, increased sensitivity, and reduced memory effects.
  - 1.34 The sample introduction system must be fully integrated by computer control into the operation of the ICP.
  - 1.35 The sample introduction system must include on-line addition of internal standard.
  - 1.36 The autosampler must include a rinse station to reduce carryover and memory effects.
  - 1.37 The autosampler must be fully integrated by computer control into the operation of the ICP.
  - 1.38 The plasma ignition must be computer controlled and totally automated.
  - 1.39 The torch must be mounted axially to the instrument optical path.
  - 1.40 Must be able to adjust the torch for optimum spectral viewing while lit.
  - 1.41 System software must have the ability to designate user-specific login.
  - 1.42 Instrument software shall operate in a Windows XP environment without modification.
  - 1.43 Instrument software shall have a menu that allows selection of preprogrammed or user defined methods.
  - 1.44 Must provide detailed explanation of system software's calibration curve fit models.
  - 1.45 System software must have the ability to define, schedule, and evaluate user designed quality control (QC) samples.
  - 1.46 System software must have the ability to reschedule QC samples that fail to meet user defined criteria.
  - 1.47 System software must allow for autolinking of methods.
  - 1.48 System software must provide audit trail capabilities.
  - 1.49 System software must include tutorial or indexed help screens.
  - 1.50 System software must have the ability to export data to MS Excel or CSV format.
  - 1.51 System software must have the ability to generate inter-element corrections (IEC) factors to address polyatomic ion interferences.



- 1.52 System software must have bidirectional capabilities for import and export of data to and from PerkinElmer LabWorks laboratory information management system.
- 1.53 Instrument software sample information file must be able to accommodate up to eighteen (18) alphanumeric characters.
- 1.54 Instrument software must be able to define user privileges (i.e. must provide for different levels of user access).
- 1.55 Instrument software shall have the ability to be updated without changing hardware for future applications.
- 1.56 Instrument software shall have the ability to reprocess data and must provide an audit trail for reprocessed data.
- 1.57 An external data acquisition device (including monitor and printer), shall be included.
- 1.58 An interface that allows for the automated export of data from the instrument software to the County's laboratory information management system (LabWorks) must be provided.
- 1.59 The system shall be supplied with a one year parts and labor warranty. Three additional years of coverage will be provided following expiration of one year warranty.
- 1.60 Installation and on-site start up assistance will be provided by factory trained personnel. Four days of additional advanced on-site training will be provided at a time designated by County authorized personnel.
- 1.61 Warranty and extended service agreement coverage shall provide a minimum forty eight (48) hour on-site response time to service requests made by authorized County personnel.
- 1.62 Vendor shall provide a call back to telephone service inquiries within two hours after a call is received. Service hours must cover business hours (08:00 a.m. – 05:00 p.m. EST Monday-Friday, excluding holidays).

**TABLE 1**

Aluminum	Magnesium
Arsenic	Manganese
Barium	Molybdenum
Beryllium	Nickel
Boron	Lead
Cadmium	Sodium
Calcium	Silica
Chromium	Silver
Cobalt	Antimony
Copper	Selenium
Iron	Strontium
Potassium	Thallium
Magnesium	Tin
Manganese	Titanium
Molybdenum	Vanadium
Nickel	Zinc
Lead	
Sodium	
Silica	

**PROPOSAL SIGNATURE FORM**  
RFP #09-1793FL

\_\_\_\_\_  
Firm Name

\_\_\_\_\_  
Mailing Address:

(\_\_\_\_\_) \_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
City, State, Zip Code

The undersigned attests to his (her, their) authority to submit this proposal and to bind the firm herein named to perform as per agreement. If the firm is selected by the County the undersigned certifies that he/she will negotiate in good faith to establish an agreement to provide a Dual View Inductively Coupled Optical Emissions Spectrometer according to the requirements of this RFP #09-1793FL.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness Signature

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Name and Title of Above Signer

\_\_\_\_\_  
Name and Title of Above Signer

\_\_\_\_\_  
Address of any branch office  
proposed to service Manatee County other than above

\_\_\_\_\_  
Name and Title of Firm's Representative for Manatee County

\_\_\_\_\_  
Telephone Number of Firm's Representative for Manatee County.

ATTACHMENT "A"

RESOLUTION R-93-22

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, IMPLEMENTING ¶3-101(7)3(1) OF THE MANATEE COUNTY PROCUREMENT CODE (ORDINANCE 84-02 AS AMENDED) TO ESTABLISH MINIMUM REQUIREMENTS FOR BIDDERS WITH RESPECT TO MAINTAINING A DRUG FREE WORKPLACE; REQUIRING WRITTEN CERTIFICATION TO THE COUNTY OF COMPLIANCE WITH THE REQUIREMENTS ESTABLISHED HEREIN; AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Manatee County recognizes that substance abuse is a complex societal problem that continues to threaten the welfare of the residents and community; and

**WHEREAS**, the Board of County Commissioners considers substance abuse on the job to be an unsafe and counter-productive work practice; and

**WHEREAS**, consistent with its policy to promote a safe work environment and encourage personal health for all citizens of Manatee County, the Commission finds it necessary to combat substance abuse in the workplace by promoting education and awareness; and

**WHEREAS**, consistent with the Drug Free Workplace Act (§112.0455, Florida Statutes) and policies applicable to Manatee County employees pursuant to Resolution R-93-10, the Board of County Commissioners of Manatee County has determined that it is necessary and in the best interest of the County to adopt the drug free workplace requirements for persons or entities contracting with Manatee County; and

**WHEREAS**, ¶3-101(7)B of the Manatee County procurement Code (Ordinance 84-02, as amended) authorizes the adoption of requirements for maintaining a drug free workplace applicable to persons or entities bidding on contracts with Manatee County.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Manatee County, Florida, as follows:

1. **Certification Required:** No person or entity submitting a bid pursuant to ¶3-101 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, unless such person or entity has submitted a written certification to the county that it will provide a drug free workplace by:

- a. 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 in §893.02(4), Florida statutes, as the same may be amended from time to time, in the person's or entity's workplace 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 workplace;
  - (ii) the person's or entity's policy of maintaining a drug free environment at all its workplaces, 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.
- b. 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 workplaces a written statement of its policy containing the foregoing elements (i) through (iv).
- c. 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 workplace no later than five (5) days after such a conviction.

- d. At all times pertinent to the performance of any contract with Manatee County, notify the county within ten (10) days after receiving notice under subsection c. from an employee or otherwise receiving actual notice of such conviction.
  - e. 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.
  - f. Making a good faith effort to continue to maintain a drug free workplace through implementation of sections a. through e. of this subsection.
2. **Severability.** If any part, section, subsection, or other portion of this Resolution, or any application thereof to any person or circumstances declared to be void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Resolution, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect.
3. **Effective Date.** This Resolution shall take effect ninety (90) days after adoption by the Board of County Commissioners.

**ADOPTED** in open session by a majority of the duly elected Board of County Commissioners of Manatee County, Florida, this 2nd day of February, 1993.

**ORIGINAL DOCUMENT SIGNED BY BOARD OF COUNTY COMMISSIONERS  
CHAIRMAN MS. LARI ANN HARRIS ON FEBRUARY 2, 1993 AND IS ON FILE AT  
MANATEE COUNTY CLERK'S OFFICE.**

<R93-22>

## 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:

\_\_\_\_\_ for \_\_\_\_\_  
[print individual's name and title] [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.

(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 \_\_\_\_\_, 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]



**ATTACHMENT "C"**

**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.