



Microsoft Enterprise Agreement

Invitation for Bids # TS-23-01

General Information		
Project Cost Estimate	Not Applicable	Not Applicable
Project Timeline	This contract shall be for an initial one-year period.	See Section 1.4
Evaluation of Proposals	Staff	See Section 1.7
Non-Mandatory Pre-Bid Meeting	Not Applicable	See Section 1.8
Question Due Date	February 6, 2023	See Section 1.8
Proposals will be accepted until	2:00 p.m. on February 14, 2023	See Section 1.8
5% Proposal Security / Bid Bond	Not Applicable	Not Applicable
100% Payment and Performance Bonds	Not Applicable	Not Applicable
Grant or Federal Funding Information	Not Applicable	Not Applicable

THE CITY OF PEMBROKE PINES
 PROCUREMENT DEPARTMENT
 8300 SOUTH PALM DRIVE
 PEMBROKE PINES, FLORIDA 33025
 (954) 518-9020



Table of Contents

SECTION 1 - INSTRUCTIONS.....	5
1.1 NOTICE.....	5
1.1.1 VIRTUAL BID OPENING.....	5
1.2 PURPOSE.....	6
1.3 SCOPE OF WORK.....	7
1.4 PROJECT COST ESTIMATE & TIMELINE.....	7
1.5 PROPOSAL REQUIREMENTS	7
1.5.1 Pricing Sheet / Bid Tables.....	7
1.5.2 Questionnaires.....	8
1.5.3 Other Completed Documents.....	8
1.5.4 Optional Documentation.....	8
1.6 VENDOR REGISTRATION DOCUMENTS	9
1.6.1 Vendor Information Form.....	10
1.6.2 Form W-9 (Rev. October 2018).....	10
1.6.3 Company Profile Form	10
1.6.4 Sworn Statement on Public Entity Crimes Form.....	10
1.6.5 Equal Benefits Certification Form	10
1.6.6 Vendor Drug-Free Workplace Certification Form	10
1.6.7 Scrutinized Company Certification.....	10
1.6.8 E-Verify System Certification Statement	10
1.6.9 Veteran Owned Small Business Preference Certification	10
1.6.10 Local Business Tax Receipts	11
1.6.11 Local Vendor Preference Certification	11
1.7 EVALUATION OF PROPOSALS & PROCESS OF SELECTION	11
1.8 TENTATIVE SCHEDULE OF EVENTS	11
1.9 SUBMISSION REQUIREMENTS	11
SECTION 2 - INSURANCE REQUIREMENTS.....	13
SECTION 3 - GENERAL TERMS & CONDITIONS.....	20
3.1 EXAMINATION OF CONTRACT DOCUMENTS	20
3.2 CONFLICT OF INSTRUCTIONS.....	20
3.3 ADDENDA or ADDENDUM	20
3.4 INTERPRETATIONS AND QUESTIONS	20



3.5	RULES, REGULATIONS, LAWS, ORDINANCES and LICENSES	20
3.6	WARRANTIES FOR USAGE	21
3.7	BRAND NAMES.....	21
3.8	QUALITY	21
3.9	SAMPLES.....	21
3.11	DEVELOPMENT COSTS	21
3.12	PRICING.....	21
3.13	DELIVERY POINT.....	22
3.14	TAX EXEMPT STATUS	22
3.15	CONTRACT TIME	22
3.16	COPYRIGHT OR PATENT RIGHTS	22
3.17	PUBLIC ENTITY CRIMES	22
3.18	CONFLICT OF INTEREST	22
3.19	FACILITIES	22
3.20	ENVIRONMENTAL REGULATIONS	23
3.21	SIGNATURE REQUIRED.....	23
3.22	MANUFACTURER’S CERTIFICATION.....	23
3.23	MODIFICATION OR WITHDRAWAL OF PROPOSAL	23
3.24	PUBLIC BID; BID OPENING AND GENERAL EXEMPTIONS	23
3.25	RESERVATIONS FOR REJECTION AND AWARD.....	24
3.26	BID PROTEST	24
3.27	INDEMNIFICATION.....	24
3.28	DEFAULT PROVISION	25
3.29	ACCEPTANCE OF MATERIAL.....	25
3.30	LOCAL GOVERNMENT PROMPT PAYMENT ACT.....	26
3.31	SCRUTINIZED COMPANIES LIST	26
3.32	PUBLIC RECORDS; TRADE SECRET, PROPRIETARY AND CONFIDENTIAL SUBMITTALS	26
3.33	PURCHASING AGREEMENTS WITH OTHER GOVERNMENT AGENCIES....	27
3.34	CONE OF SILENCE	27
3.35	E-VERIFY	28
3.36	JESSICA LUNSFORD ACT	29



ATTACHMENTS

Attachment A: Non-Collusive Affidavit



SECTION 1 - INSTRUCTIONS

1.1 NOTICE

Notice is hereby given that the City Commission of the City of Pembroke Pines is seeking sealed proposals for:

IFB # TS-23-01 Microsoft Enterprise Agreement

Solicitations may be obtained from the City of Pembroke Pines website at <http://www.ppines.com/index.aspx?NID=667> and on the <https://ppines.bonfirehub.com/> website.

If you have any problems downloading the solicitation, please contact the Bonfire Support at Support@GoBonfire.com.

If additional information help is needed with downloading the solicitation package please contact the Procurement Department at (954) 518-9020 or by email at purchasing@ppines.com. The Procurement Department hours are between 7:00 a.m. - 6:00 p.m. on Monday through Thursday and is located at 8300 South Palm Drive, Pembroke Pines, Florida 33025.

The City requires all questions relating to the solicitation be entered through the “Messages” section for the specific project on the <https://ppines.bonfirehub.com/> website. Under the “Messages” section, vendors will find the “Opportunity Q&A” tab in which they can ask their specific question(s). Responses to the questions will be provided online at https://ppines.bonfirehub.com. Such request must be received by the “Question Due Date” stated in the solicitation. The issuance of a response via Bonfire is considered an Addendum and shall be the only official method whereby such an interpretation or clarification will be made.

Proposals will be accepted until 2:00 p.m., Tuesday, February 14, 2023. Proposals must be **submitted electronically at <https://ppines.bonfirehub.com/>**. The sealed electronic proposals will be publicly opened at 2:30 p.m. by the City Clerk’s Office, in the City Hall Administration Building, 4th Floor Conference Room located at 601 City Center Way, Pembroke Pines, Florida, 33025.

1.1.1 VIRTUAL BID OPENING

The City may not be opening up the physical location for public access.

As a result, meetings may be a combination of in-person and virtual, all as provided by law. **In any event, the public is encouraged to attend the bid opening process virtually in lieu of attending the meeting in person.**



Bid openings for this project will be live-streamed from the City Clerk's Office, in the City Hall Administration Building, 4th Floor Conference Room located at 601 City Center Way, Pembroke Pines, Florida, 33025 at **2:30 PM on the bid due date.**

While recognizing the importance of public accessibility to the bid openings, and considering public health concerns, in the abundance of caution, the City is requesting that interested parties utilize live streaming as a safe way for vendors and the public to view the bid opening process in lieu of attending the meeting in person.

The public is invited to attend the meeting virtually via the Cisco Webex Meetings platform.

- WebEx Meeting Link: <https://ppines.webex.com/meet/purchasing>
- Cisco Webex Meeting Number: 717 019 586
- Join by Phone Number: +1-408-418-9388

The public may download the **Cisco Webex Meetings app** from <https://www.webex.com/downloads.html/>, to view and listen to the meeting, however please make sure to mute your phone/microphone/device's audio and camera as the **public may attend the meeting but will not be allowed to comment or participate in the proceedings.**

If any member of the public requires additional information about this meeting or has any questions about how to access the meeting, please contact:

Danny Bedit, Procurement Department
 City of Pembroke Pines
 8300 South Palm Drive,
 Pembroke Pines, FL 33025
 954-518-9022
purchasing@ppines.com

1.2 PURPOSE

The City of Pembroke Pines is seeking proposals from qualified firms, hereinafter referred to as the Contractor, to provide the requested annual renewal of Microsoft Enterprise Agreement with Microsoft Corporation for the City of Pembroke Pines' Charter Schools in accordance with the terms, conditions, and specifications contained in this solicitation.

The City of Pembroke Pines' Charter Schools utilizes a Microsoft Enterprise Agreement (EA) for Microsoft volume software licensing to support and manage all Windows desktops, laptops, and servers. Software products licensed under the Microsoft EA contract include M365 (Desktop OS, Office 365), Windows Server, and Microsoft SQL. The Microsoft EA allows the City of Pembroke Pines' Charter Schools to create a common platform for simplified support and management through a single agreement.



1.3 SCOPE OF WORK

The City is seeking prices for the following:

	SKU	Product Description	Quantity
1	AAA-73004	Microsoft 365 A3 - Subscription license - 1 User - Hosted - Academic - Campus, School, EES - All Languages	610
2	7JQ-00341	Microsoft SQL Server Enterprise Core Edition - License & Software Assurance - 2 Cores - Enterprise, Select, SPLA, Select Plus, EES - Win - All Languages	4
3	9EA-00039	Microsoft Windows Server Datacenter Edition - License & Software Assurance - 2 Cores - Enterprise - All Languages	94
4	9EM-00562	Microsoft Windows Server Standard Edition - License & Software Assurance - 2 Cores - Enterprise - All Languages	80

1.4 PROJECT COST ESTIMATE & TIMELINE

This contract shall be for an initial one-year period.

1.5 PROPOSAL REQUIREMENTS

The <https://ppines.bonfirehub.com> website allows for vendors to complete, scan and upload their documents as part of the proposer's submittal on the website.

Prospective proposers interested in responding to this solicitation are requested to provide all of the information listed in this section. Submittals that do not respond completely to all of requirements specified herein may be considered non-responsive and eliminated from the process. Brevity and clarity are encouraged.

The Bonfire system utilizes "Questionnaires" to request the following information from prospective proposers.

1.5.1 Pricing Sheet / Bid Tables

1. **Bid Table:** The vendor must provide their pricing through the designated lines items listed on the Excel Sheet that is available for download on the Bonfire website under the "**Pricing Sheet / Bid Table**" section. Please follow the instructions given in this package and on the Excel Sheet to complete and upload the information back onto the Bonfire website.
2. **Primary Responses:** This tab of the Bid Table includes a "**Vendor Notes**" column for any additional comments regarding the requested line item(s). A comment is required in the "**Vendor Notes**" column. If the vendor does not need to submit any comments, please enter N/A or similar.



1.5.2 Questionnaires

1. Contact Information Form
2. Proposer's Background Information
3. Vendor Registration Checklist

1.5.3 Other Completed Documents

1. Attachment A: Non-Collusive Affidavit

1.5.4 Optional Documentation

1. Trade Secrets:

- a. The Proposer's response to this solicitation is a public record pursuant to Florida law, which is subject to disclosure by the City under the State of Florida Public Records Law, Florida Statutes Chapter 119.07 ("Public Records Law"). The City shall permit public access to all documents, papers, letters or other material submitted in connection with this solicitation and the Contract to be executed for this solicitation, subject to the provisions of Chapter 119.07 of the Florida Statutes.
- b. Any language contained in the Proposer's response to the solicitation purporting to require confidentiality of any portion of the Proposer's response to the solicitation, except to the extent that certain information is in the City's opinion a Trade Secret pursuant to Florida law, shall be void. If a Proposer submits any documents or other information to the City which the Proposer claims is Trade Secret information and exempt from Florida Statutes Chapter 119.07 ("Public Records Laws"), the Proposer shall clearly designate that it is a Trade Secret and that it is asserting that the document or information is exempt. The Proposer must specifically identify the exemption being claimed under Florida Statutes 119.07. The City shall be the final arbiter of whether any information contained in the Proposer's response to the solicitation constitutes a Trade Secret.
- c. EXCEPT FOR CLEARLY MARKED PORTIONS THAT ARE BONA FIDE TRADE SECRETS PURSUANT TO FLORIDA LAW, DO NOT MARK YOUR RESPONSE TO THE SOLICITATION AS PROPRIETARY OR CONFIDENTIAL. DO NOT MARK YOUR RESPONSE TO THE SOLICITATION OR ANY PART THEREOF AS COPYRIGHTED. ALL DOCUMENTS THAT THE FIRM PURPORTS TO BE CONFIDENTIAL, PROPRIETARY OR A TRADE SECRET SHALL BE UPLOADED TO THE BONFIRE WEBSITE AS A SEPARATE ATTACHMENT, IN THIS SECTION, CLEARLY



IDENTIFYING THE EXEMPTION BEING CLAIMED UNDER FLORIDA STATUTES 119.07.

- d. The city's determination of whether an exemption applies shall be final, and the proposer agrees to defend, indemnify, and hold harmless the city and the city's officers, employees, and agent, against any loss or damages incurred by any person or entity as a result of the city's treatment of records as public records.

2. Financial Statements:

- a. The City is **not** requesting the vendor to submit any financial statements for this project and prefers if the vendor does not submit financial statements. In addition, if the City needs a copy of the vendor's financial statements, the City can contact the vendor after the bid due date to request those documents. However, if the vendor does submit the financial statements, they should be uploaded in this section.
- b. Any claim of confidentiality on financial statements must be asserted at the time of submittal. The firm must identify the specific statute that authorizes the exemption from the Public Records Law. Please note that the financial statement exemption provided for in Section 119.071(1)c, Florida Statutes only applies to submittals in response to a solicitation for a "public works" project.

3. Additional Information:

- a. Please provide any additional information that you deem necessary to complete your proposal in this section, if it has not been requested in another section.

1.6 VENDOR REGISTRATION DOCUMENTS

The <https://ppines.bonfirehub.com/> website will allow vendors to update their information and documents on an as-needed basis. This process is intended to make the bidding process easier for vendors that bid on multiple City projects. This process will allow vendors to complete and submit the following standard forms and documents at any time prior to bidding on a project. In addition, the vendors will be able to utilize these same forms without the need to re-fill and re-submit the forms each time they bid on a City project. In the event that the City does not have one of the forms or documents listed below for your company, the City may reach out to your company after the bid has closed to obtain the document(s).

Furthermore, please make sure to update this information on an as-needed basis so that all pertinent information is accurate, such as local business tax receipts, and any other relevant information.



The following documents can be completed prior to the bidding process through the <https://ppines.bonfirehub.com/> website and do not need to be attached to your submittal as the Bonfire website will automatically include it.

1.6.1 Vendor Information Form

1.6.2 Form W-9 (Rev. October 2018)

- a. Previously dated versions of this form will delay the processing of any payments to the selected vendor.

1.6.3 Company Profile Form

1.6.4 Sworn Statement on Public Entity Crimes Form

1.6.5 Equal Benefits Certification Form

1.6.6 Vendor Drug-Free Workplace Certification Form

1.6.7 Scrutinized Company Certification

1.6.8 E-Verify System Certification Statement

- a. Effective January 1, 2021, pursuant to Section 448.095, Florida Statutes, the City may not enter into a contract with a vendor/contractor/subcontractor unless that vendor/contractor/subcontractor is registered with and uses the E-Verify system administered by the U.S. Department of Homeland Security ("DHS").
- b. Contractor shall also require all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The Contractor shall maintain a copy of such affidavit for the duration of the contract.

1.6.9 Veteran Owned Small Business Preference Certification

- a. If claiming Veteran Owned Small Business Preference Certification, business must attach the "Determination Letter" from the United States Department of Veteran Affairs Center for Verification and Evaluation notifying the business that they have been approved as a Veteran Owned Small Business (VOSB).
- b. The Veteran Owned Small Business Preference Certification form must be completed by/for the proposer; the proposer **WILL NOT** qualify for Veteran Owned Small Business Preference based on their sub-contractors' qualifications.



1.6.10 Local Business Tax Receipts

1.6.11 Local Vendor Preference Certification

1.7 EVALUATION OF PROPOSALS & PROCESS OF SELECTION

- A. Staff will evaluate all responsive proposals received from proposers who meet or exceed the bid requirements contained in the solicitation. Evaluations shall be based upon the information contained in the proposals as submitted.
- B. Staff will make a recommendation to the City Commission for award of contract.

1.8 TENTATIVE SCHEDULE OF EVENTS

Event	Time &/or Date
Issuance of Solicitation (Posting Date)	January 24, 2023
Non-Mandatory Pre-Bid Meeting	Not Applicable
Question Due Date	February 6, 2023
Anticipated Date of Issuance for the Addenda with Questions and Answers	February 8, 2023
Proposals will be accepted until	2:00 p.m. on February 14, 2023
Proposals will be opened at	2:30 p.m. on February 14, 2023
Evaluation of Proposals by Staff	February 14, 2023 – March 6, 2023
Recommendation of Contractor to City Commission award	March 15, 2023

1.9 SUBMISSION REQUIREMENTS

Bids/proposals **must be submitted electronically** at <https://ppines.bonfirehub.com/> on or before **2:00 p.m. on February 14, 2023**.

Please note vendors should be registered on Bonfire under the name of the organization that they are operating as and it should match the organization name on the documents that they are submitting and utilizing when responding to the solicitation.

In addition, the vendor must complete any questionnaires on the <https://ppines.bonfirehub.com/> website and provide any additional information requested throughout this solicitation. Any additional information requested in the solicitation should be scanned and uploaded.

The City recommends for proposers to submit their proposals as soon as they are ready to do so. Please allow ample time to submit your proposals on the <https://ppines.bonfirehub.com/> website. Proposals may be modified or withdrawn prior to the deadline for submitting Proposals. Bonfire Support is happy to help you with submitting your proposal and to ensure that you are



City of Pembroke Pines

submitting your proposals correctly, but we ask that you contact Support@GoBonfire.com with ample time before the bid closing date and time.

PLEASE DO NOT SUBMIT ANY PROPOSALS VIA MAIL, E-MAIL OR FAX.