

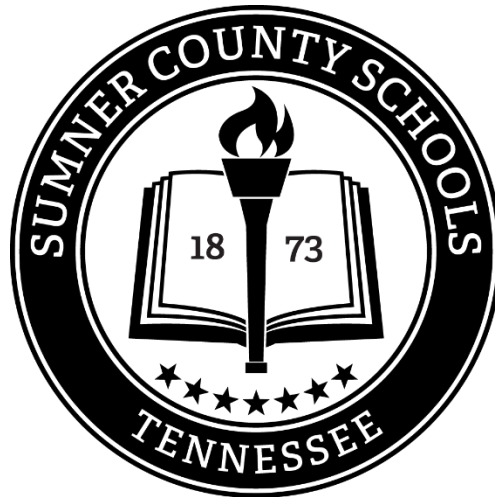
REQUEST FOR PROPOSAL (RFP)

NUMBER: 20200513-02-BOE

SUMNER COUNTY BOARD OF EDUCATION

This solicitation document serves as the written determination of the SCS Purchasing Supervisor that the use of Competitive Sealed Proposals for this solicitation is in the best interest of SCS.

RFP Title: **Cleaning Chemicals & Dispensers**



Purchasing Staff Contact:

Chris Harrison	Janice Wright
Purchasing Supervisor	Purchasing Coordinator
615-451-6560	615-451-6569
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Release Date: April 30, 2020	Proposal Due Date: May 13, 2020 @ 11:00 a.m. CDT
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Any alterations to this document made by the proposer may be grounds for rejection of proposals, cancellation of any subsequent award, or any other legal remedies available to the Sumner County Board of Education.

NOTICE TO PROPOSERS

There may be one or more amendments to this RFP. In order to receive communication for any such amendments issued specifically to this RFP, the proposer must provide a Notice of Intent to Propose to the Sumner County Board of Education (SCS) Purchasing Department. The proposer must utilize this form when submitting notice. The notice may be sent by email to: Purchasing Office, purchasing@sumnerschools.org. SCS will send amendments only to those proposers which complete and return this information by the deadline list in the RFP Schedule of Events (Section 4).

RFP Number: **20200513-02-BOE Cleaning Chemicals & Dispensers**

Company Name: _____

Mailing Address: _____

Phone Number: _____

Contact Person: _____

Email Address: _____

Authorized Signature _____

Printed Name _____

Date _____

Emailed amendments will be sent in a Microsoft Word (Office for Windows) or Portable Document Format (pdf) format. Any alterations to the document made by the proposer may be grounds for rejection of proposal, cancellation of any subsequent award or any other legal remedies available to the Sumner County Board of Education.

Amendments will also be posted on the SCS website <https://sumnerschools.org/index.php/current-bids-and-rfps> and attached to the solicitation listing as a PDF or WORD file. Check the particular solicitation on the Current Bids and RFPs webpage for any posted amendments.

By completing and returning this form, the Proposer has expressed its intent to provide a proposal for **20200513-02-BOE Cleaning Chemicals & Dispensers**

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1. Scope of Work / Specifications

SCS is seeking proposals for a cleaning chemicals and dispensing systems contract. The awarded bidder will be under a contract with the SCS for a period of three years with an option for two one-year extensions. The original contract will begin on July 1, 2020 and will end on June 30, 2023.

Evaluation Criteria

SCS reserves the following rights and options:

- To reject any and all proposals that fail to meet the literal and exact requirements of the specifications provided in this RFP document.
- To accept the proposal that is, in the judgment of the SCS, in the best interest of the SCS and the SCS facilities.
- To issue subsequent requests for new proposals; and
- To discontinue its negotiations after commencing negotiations with a finalist, if progress is unsatisfactory, and commence discussions with another Bidder.

Requirements

Cleaning chemical & dispensing units for all buildings listed in Appendix A. The number of mop sinks and the number of custodial staff listed in Appendix A are estimates only and may not reflect an accurate count. For any chemical that the SCS is not familiar with, the vendor must be able to supply, free of charge, a sample of each chemical in sufficient quantity to test the effectiveness of that chemical. Samples are to be supplied at the SCS's request only.

Dilution System Requirements –

- Dilution system must be built of durable, lasting materials.
- If connected directly to a water source, system must have quick connect adapter.
- System must be easily operated.
- Chemicals must be easily and quickly changed/refilled.
- Dilution system must internally dilute chemicals, no manual measuring.
- Concentrated chemicals must be in tamper proof containers to prevent misuse.
- Must comply with OSHA chemical labeling requirements.

Chemicals

1. Disinfectant & Cleaner

- Broad range disinfect non-porous surfaces.
- Fresh scent.
- Virucide (Minimum requirements)
 - Influenza Type A / Hong Kong (Influenza); HIV-1; Hepatitis B Virus (HBV); Hepatitis C Virus (HCV); Herpes Simplex Virus Type 1; Herpes Simplex Virus Type 2; Human Coronavirus; Respiratory Syncytial Virus (RSV); Rotavirus; Norwalk Virus (Norovirus) (Feline Calicivirus); SARS Associated Coronavirus (SARS) (cause of Severe Acute Respiratory Syndrome)

- Bactericide (Minimum requirements)
 - Pseudomonas aeruginosa (Pseudomonas); Salmonella enterica (Salmonella); Staphylococcus aureus (Staph); Enterobacter aerogenes; Enterococcus faecalis (Enterococcus); Enterococcus faecalis - Vancomycin resistant (VRE); Escherichia coli (E. coli); Escherichia coli O157:H7 ; ESBL Escherichia coli (Extended spectrum beta-lactamase producing E. coli); Klebsiella pneumoniae (Klebsiella); Klebsiella pneumoniae, Carbapenem-resistant; Listeria monocytogenes; Serratia marcescens; Shigella dysenteriae (Shigella); Shigella flexneri serotype 1B; Staphylococcus aureus - Community Associated Methicillin-Resistant (CA-MRSA) (NRS384) (USA300); Staphylococcus aureus - Methicillin-Resistant (MRSA); Staphylococcus aureus - Community Associated Methicillin-Resistant (CA-MRSA) (NRS123) (USA400); Staphylococcus aureus - Multi-Drug Resistant; Streptococcus pyogenes (Strep); Legionella pneumophila
 - Fungicide (Minimum requirements)
 - Candida albicans; Trichophyton mentagrophytes (the Athlete's Foot Fungus).
2. Restroom Cleaner
 - Removes tough dirt and soap scum from restroom surfaces such as toilets, sinks, and tile.
 - Fresh clean scent
 3. Heavy Duty Neutral Floor Cleaner
 - For daily maintenance of high traffic floor surfaces.
 - Use on a variety of flooring types such as vinyl composite, vinyl asphalt, vinyl asbestos, sheet vinyl, terrazzo, rubber, linoleum, concrete and sealed wood floors.
 - Fresh clean scent.
 4. Glass Cleaner
 - Removes fingerprints, dirt and other soil, from glass and mirrors, leaving a film-free, streak-free shine.
 - Non-ammoniated.
 - Fresh clean scent.
 5. All Purpose/Multi Surface Cleaner
 - Removes dirt, grease and other soils from a variety of hard non-porous surfaces such as walls, countertops and restroom stalls.
 - Fresh clean scent.
 6. Include a list of all chemicals, including a discount price, that work with the dispensing unit. SCBOE may at their discretion purchase additional chemicals from this list.

Safety Data Sheets

The awarded Bidder will provide SCS with any SDS information. If changes occur to the SDS during the contract period, it will be the sole responsibility of the awarded Bidder to provide the new SDS.

Implementation

- Contract start date - July 2020.
- Transition: Over a two-month period from July to August, the awarded Bidder will install dilution systems into the facilities listed in Appendix A. If installation is not available by awarded Bidder, it must be disclosed.
- The awarded Bidder must disclose any installation cost, if applicable, per CPS.

Additional Services

The awarded Bidder will be expected to perform a level of service. This service will include but is not limited to the following:

- Servicing of defective units.
- Replacement of defective units (cost, if applicable, must be disclosed).
- Routine service call to gauge working condition of units.
- Regular training on the use of their chemicals and dilution system. (cost, if applicable, must be disclosed).

Bid Response Requirements

1. Written proposal

- Describe your plan and product, specify how it will meet the requirements
- Comment on the feasibility of meeting the dates outlined for the proposed implementation. Include any thoughts you may have for alternative roll-out plans that could improve the implementation.
- Comment on ability of your personnel to complete the installation. If no personnel are available, suggest alternate for installation.
- Identify what resources you will devote to the SCS, including training or other resources you have available to provide to the SCS.

Appendix A – School Building and Information

SCHOOL	Address	City	Zip	# of Mop Sinks	# of Custodians
Bethpage Elementary	420 Old Highway 31E	Bethpage	37022	3	3
North Sumner Elementary	1485 No. Sumner Road	Bethpage	37022	2	2
Oakmont Elementary	3323 Highway 76	Cottontown	37048	2	2
Benny Bills Elementary	1030 Union School Road	Gallatin	37066	4	5
E B Wilson	685 E. Main	Gallatin	37066	1	1
Gallatin High	700 Dan Herron Drive	Gallatin	37066	15	15
Guild Elementary	1018 South Water Street	Gallatin	37066	7	3
Howard Elementary	805 Long Hollow Pike	Gallatin	37066	4	5
James W. Hawkins Building	695 E. Main Street	Gallatin	37066	1	4
Joe Shafer Middle	240 Albert Gallatin Blvd.	Gallatin	37066	6	7
R T Fisher Alternative	455 North Boyers Street	Gallatin	37066	2	1
Rucker Stewart Middle	350 Hancock Street	Gallatin	37066	5	7
SCBOE Admin Building	695 E Main Street	Gallatin	37066	4	4
SCBOE Support Services	1500 Airport Road	Gallatin	37066	5	4
SCBOE Teacher Center	695 E. Main Street	Gallatin	37066	2	2
Station Camp Elementary	1020 Bison Trail	Gallatin	37066	4	7
Station Camp High	1040 Bison Trail	Gallatin	37066	15	10
Station Camp Middle	281 Big Station Camp Blvd	Gallatin	37066	5	8
Union STEM	516 Carson Street	Gallatin	37066	3	3
Vena Stuart Elementary	780 Hart Street	Gallatin	37066	4	5
Madison Creek Elementary	1040 Madison Creek Rd.	Goodlettsville	37076	4	4
Millersville Elementary	1248 Louisville Hwy.	Goodlettsville	37076	2	3
Beech Elementary	3120 Long Hollow Pike	Hendersonville	37075	6	4
Beech High	3126 Long Hollow Pike	Hendersonville	37075	8	6
Beech High Annex	3140 Long Hollow Pike	Hendersonville	37075	4	3
Dr William Burrus Elementary	1336 Drakes Creek Road	Hendersonville	37075	4	5
Gene Brown Elementary	174 Imperial Blvd	Hendersonville	37075	5	3

George A Whitten Elementary	140 Scotch Street	Hendersonville	37075	4	3
Hendersonville High	123 Cherokee Road	Hendersonville	37075	15	11
Indian Lake Elementary	505 Indian Lake Road	Hendersonville	37075	5	4
Jack Anderson Elementary	250 Shutes Lane	Hendersonville	37075	4	6
Knox Doss at Drakes Creek Middle	1338 Drakes Creek Road	Hendersonville	37075	5	6
Lakeside Park Elementary	204 Dolphus Drive	Hendersonville	37075	3	3
Merrol Hyde Magnet	128 Township Drive	Hendersonville	37075	4	4
Nannie Berry Elementary	138 Indian Lake Road	Hendersonville	37075	5	3
Robert Ellis Middle	100 Indian Lake Road	Hendersonville	37075	5	5
T W Hunter Middle	2101 New Hope Road	Hendersonville	37075	6	6
V G Hawkins Middle	487 A Walton Ferry Rd	Hendersonville	37075	4	5
Walton Ferry Elementary	732 Walton Ferry Road	Hendersonville	37075	3	4
J W Wiseman Elementary	922 South Broadway	Portland	37148	4	4
Portland East Middle	604 South Broadway	Portland	37148	5	5
Portland West Middle	110 Nolan Private Drive	Portland	37148	6	4
Portland Gateview Elementary	1098 Gateview Drive	Portland	37148	4	5
Portland High	600 College Street	Portland	37148	8	8
Watt Hardison Elementary	300 Gibson Street	Portland	37148	4	4
Clyde Riggs Elementary	211 Fountain Head Road	Portland	37148	5	3
Westmoreland Elementary	4178 Hawkins Drive	Westmoreland	37186	4	5
Westmoreland High	4300 Hawkins Drive	Westmoreland	37186	9	4
Westmoreland Middle	4128 Hawkins Drive	Westmoreland	37186	6	4
H B Williams Elementary	115 S. Palmer Chapel	White House	37188	4	5
White House High	508 Tyree Springs Road	White House	37188	8	4
White House High Annex	111 Meadows Road	White House	37188	3	2
White House Middle	2020 Highway 31W	White House	37188	6	5

2. Source Selection and Contract Award

- Award(s), if made, will be made to the Responsive and Responsible proposer(s) whose proposal is most advantageous to SCS, taking into consideration price and the other evaluation criteria set forth in the RFP.
 - General Criteria to be determined “Responsive”
 - Does the proposal include all required information, included completed attachment forms and affidavits?
 - Was the proposal delivered on or before the stated deadline? Did it include the required number of copies (hard & electronic)?
 - General Criteria to be determined “Responsible”
 - Does the Proposer demonstrate an understanding of SCSs needs and proposed approach to the project?
 - Does the Proposer possess the ability, capacity, skill and financial resources to provide the service?
 - Can the Proposer take upon itself the responsibilities set forth in the RFP and produce the required outcomes in a timely fashion?
 - Does the Proposer have the character, integrity, reputation, judgement, experience and efficiency required for the project?
- SCS reserves the right to enter into discussions with Proposers which have submitted proposals determined to be reasonably like of being considered for selection to assure a full understanding of and responsiveness to the RFP requirements. Every effort shall be afforded to assure fair and equal treatment with respect to the opportunity for discussion and/or revision of their respective proposals.
- Upon mutual agreement by both parties, SCS shall grant the right to extend the terms, conditions and prices of contract(s) awarded from this RFP to other Institutions (such as State, Local and/or Public Agencies) who express an interest in participating in any contract that results from this RFP. Each of the “piggyback” Institutions will issue their own purchasing documents for purchase of the goods/services. Proposer agrees that SCS shall bear no responsibility or liability for any agreements between Proposer and the other Institution(s) who desire to exercise this option.

3. Schedule of Events

RFP Issued	April 30, 2020
RFP Submission DEADLINE	May 13, 2020 @ 11:00 a.m. CDT

4. Instructions for Proposal

4.1. Required Forms

- Proposer must complete and submit the Attachments in Section 6. Attachments may be omitted depending on the RFP requirements. Refer to the Table of Contents for omitted Attachments.
- Evidence of a valid State of Tennessee Business License and/or Sumner County Business License.
- For all vendors with annual purchases in excess of \$50,000; a Sumner County Business License must be on file with the SCS Finance Department. Evidence of the license must be provided within ten (10) working days following notification of award; otherwise, SCS may rescind its acceptance of the Proposer's proposal.
- Copy of State of Tennessee License (if applicable) in respective field.
- If applicable, the Proposer must include a copy of the contract(s) the Proposer will submit to be signed.

4.2. New Vendors

- To comply with Internal Revenue Service requirements, all vendors who perform any type of service are required to have a current IRS Form W-9 on file with the SCS Finance Department. It is a mandatory requirement to complete the IRS Form W-9 (Attachment 6.9) included in this RFP.
- To comply with the **Tennessee Lawful Employment Act (50-1-702 and 50-1-703)**, non-employees (individuals paid directly by the employer in exchange for the individual's labor or services) must have on file one (1) of the following documents:
 - A valid Tennessee driver's license or photo identification;
 - A valid driver's license or photo identification from another state where the license requirements are at least as strict as those in Tennessee;
 - A birth certificate issued by a U.S. state, jurisdiction or territory;
 - A U.S. government issued certified birth certificate;
 - A valid, unexpired U.S. passport;
 - A U.S. certificate of birth abroad (DS-1350 or FS-545)
 - A report of birth abroad of a U.S. citizen (FS-240);
 - A certificate of citizenship (N560 or N561);
 - A certificate of naturalization (N550, N570 or N578);
 - A U.S citizen identification card (I-197 or I-179); or
 - Valid alien registration documentation or other proof of current immigration registration recognized by the United States Department of Homeland Security that contains the individual's complete legal name and current alien admission number or alien file number (or numbers if the individual has more than one number).

4.3. Acknowledgement of Insurance Requirements

By submitting a proposal, Proposer acknowledges that it has read and understands the insurance requirements for the proposal. The Proposer who may have employees, contractors, subcontractors or agents working on SCS properties shall carry current certificates for general and professional liability insurance and for workers' compensation as indicated below. The owner or Principal of each Proposer must also be insured by workers' compensation if they perform any of the services on SCS properties. There will be no exceptions to the insurance requirement. Proposer also understands that the evidence of required insurance must be submitted within fifteen (15) working days following notification of its offer being accepted; otherwise, SCS may rescind its acceptance of the Proposers proposal.

- **General Liability**

General Aggregate	\$2,000,000
Each Occurrence	\$1,000,000

- **Workers Compensation**

Workers Compensation	Tennessee Statutory Limits
Employer's Liability	\$500,000

4.4. Proposal Package

The package containing the proposal must be sealed and clearly marked on the outside of the package:

"20200513-02-BOE Cleaning Chemicals & Dispensers"
DO NOT OPEN

All sealed proposals packages must include all of the following. Any sealed proposals are subject to rejection as non-conforming if any applicable item is not included.

- One (1) Complete Original
- One (1) electronic format (CD/USB Drive)
- Original Signature on Original Proposal. NO copied or digital signatures.

The outside of the proposal package must be labeled as follows (if applicable) per **T.C.A § 62-6-119**:

1. Name of Company and Principal Owner, Business License Number, Expiration Date and License Classification.
2. In addition to Item 1, the same is applicable to masonry contractors if the work performed is > \$100,000.
3. In addition to Item 1, the same is applicable to HVAC, electrical, plumbing or A/C contractors if the work performed is > \$25,000.
4. In addition to Item 1, the same is applicable plus the Department of Environment & Conservation License Number and Classification, applicable to geothermal contractors if the work performed is > \$25,000.

4.7. Protests

In the event that any interested party finds any part of the listed specifications, terms or conditions to be discrepant, incomplete or otherwise questionable in any respect; it shall be the responsibility of the concerned party to notify the SCS Purchasing Office of such matters immediately upon receipt of the RFP. All notifications must be sent to the Purchasing Supervisor via email at purchasing@sumnerschools.org.

Any actual or prospective Proposer who is aggrieved in connection with the RFP or award of a contract may protest to the Purchasing Supervisor and/or the Sumner County Board of Education at its regularly scheduled meeting.

ATTACHMENT 5.1 – Contact Information

Company Legal Name: _____

Company Official Address: _____

Company Web Site (URL): _____

Contact Person for project administration:

Name: _____

Address: _____

Phone Number: _____ (office)

_____ (mobile)

Email Address: _____



Attn: Purchasing Supervisor
1500 Airport Road
Gallatin, TN 37066

ATTACHMENT 5.2 – Bid Form/Certification
20200513-02-BOE

Date _____

COMPLETE ATTACHED FORMS

5.2.1 BID FORM – DISPENSER

5.2.2 BID FORM – CHEMICALS

5.2.3 BID FORM – SPRAY BOTTLE

By checking this box, Proposer agrees that SCS reserves the right to extend the terms, conditions and prices of this contract to other Institutions (such as State, Local and/or Public Agencies) who express an interest in participating in any contract that results from this RFP. Each of the piggyback Institutions will issue their own purchasing documents for the goods/service. Proposer agrees that SCS shall bear no responsibility or liability for any agreements between Proposer and the other Institution(s) who desire to exercise this option.

Authorized Signature _____

Title _____

Printed Name _____

Vendor Legal Name _____

Address _____

(street)

(city, state, zip)

ATTACHMENT 5.2.1
BID FORM – DISPENSER

Style / Dimensions	Cost	Cost to SCS	Shipping Fee	Maintenance Fee	Installation Fee

Do you have personnel assigned to complete the installation YES NO
If yes, cost per Dispenser \$ _____

Vendor Legal Name _____

DATE _____

Explanation:

**ATTACHMENT 5.2.2
 BID FORM – CHEMICALS**

	Chemical Name	Container Size	Cost per Container	Dilution Rate	End-Use Cost	Quarts made per Container	No. of Containers per Case
Example	ABC Cleaner	1 qt. or 32 oz.	\$12.00	0.5 oz. / gallon	\$0.047 / qt.	256	4
Disinfectant Cleaner							
Restroom Cleaner							
Heavy Duty Neutral Floor Cleaner							
Glass Cleaner							
All Purpose/ Multi-Surface Cleaner							

Vendor Legal Name _____

Date _____

Explanation or Additional Information

**ATTACHMENT 5.2.3
BID FORM – SPRAY BOTTLE**

Are screen printed bottles available

____ YES COST per Bottle \$ _____

____ NO

Are labels provided

____ YES Label Cost \$ _____ Quart Bottle Cost \$ _____ Total Cost \$ _____

____ NO

Vendor Legal Name _____

Date _____

Explanation

ATTACHMENT 5.3 – References

1. Company Name & Location: _____

Business Type: _____

Contract Start Date: _____ Contract Term (No. of Years): _____

Project Manager/Contact: _____

Phone: _____ Email: _____

2. Company Name & Location: _____

Business Type: _____

Contract Start Date: _____ Contract Term (No. of Years): _____

Project Manager/Contact: _____

Phone: _____ Email: _____

3. Company Name & Location: _____

Business Type: _____

Contract Start Date: _____ Contract Term (No. of Years): _____

Project Manager/Contact: _____

Phone: _____ Email: _____

4. Company Name & Location: _____

Business Type: _____

Contract Start Date: _____ Contract Term (No. of Years): _____

Project Manager/Contact: _____

Phone: _____ Email: _____

**Proposers may copy this page and submit additional references.*

ATTACHMENT 5.4 – Certification Regarding Debarment or Suspension

The prospective participant certifies, to the best of its knowledge and belief, that it and its principals:

- Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in transactions under federal non-procurement programs by any federal department or agency;
- Have not, within the three-year period preceding the proposal, had one or more public transactions (federal, state or local) terminated for cause or default; and
- Are not presently indicated or otherwise criminally or civilly charged by a government entity (federal, state or local) and have not, within the three-year period preceding the bid, been convicted or had a civil judgement rendered against it:
 - For the commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public transaction (federal, state or local) or a procurement contract under such a public transaction;
 - For the violation of federal or state antitrust statutes, including those proscribing price fixing between competitors, the allocation of customers between competitors, or bid rigging; or
 - For the commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

I understand that a false statement on this certification may be grounds for the rejection of this proposal or the termination of the award. In addition, under **18 U.S.C. 1001**, a false statement may result in a fine of up to \$10,000 or imprisonment for up to five years, or both.

Name of Participating Agency: _____

Name and Title of Authorized Representative: _____

Signature of Authorized Representative: _____

Date: _____

____ I am unable to certify to the above statement. Attached is my explanation.

ATTACHMENT 5.5 – Condition of Submitting Proposal

The undersigned Proposer has carefully examined all instructions, requirements, specifications, terms and conditions of the RFP and certifies:

- It is a reputable company regularly engaged in providing goods and/or services necessary to meet the requirements, specifications, terms and conditions of the RFP.
- All statements, information and representations prepared and submitted in response to the RFP are current, complete, true and accurate. Proposer acknowledges that the Sumner County Board of Education (SCS) will rely on such statements, information and representations in selecting the successful proposer(s).
- That the prices quoted shall be SCSs pricing for the products and/or service.
- It shall be bound by all statements, representations, warranties and guarantees made in its proposal.
- Proposer acknowledges that the contract may be canceled if any conflict of interest or appearance of a conflict of interest is discovered by SCS, in its sole discretion.
- All purchase orders must be duly authorized and executed by SCS and subject to the terms and conditions of the RFP.

VENDOR LEGAL NAME: _____

AUTHORIZED SIGNATURE: _____

PRINTED NAME: _____ TITLE: _____

ADDRESS: _____

PHONE: _____ (office)
_____ (mobile)

EMAIL: _____

ATTACHMENT 5.6 – Attestation Re Personnel

ATTESTATION RE PERSONNEL USED IN CONTRACT PERFORMANCE

CONTRACTOR LEGAL ENTITY NAME:	
FEDERAL EMPLOYER IDENTIFICATION NUMBER: <i>(or Social Security Number)</i>	

The Contractor, identified above, does hereby attest, certify, warrant and assure that the Contractor shall not knowingly utilize the services of an illegal immigrant in the performance of this Contract and shall not knowingly utilize the services of any subcontractor who will utilize the services of an illegal immigrant in the performance of this Contract, T.C.A. § 12-3-309.

SIGNATURE & DATE:

_____ *NOTICE: This attestation MUST be signed by an individual empowered to contractually bind the Contractor.*

ATTACHMENT 5.7 – Drug Free Workplace Affidavit

The Sumner County Board of Education is committed to maintaining a safe and productive work environment for its employees and to providing high quality service to its citizens. The goal of this policy is for Sumner County Board of Education employees and contractors to remain, or become and remain, drug-free. Abuse and dependency on alcohol and/or drugs can seriously affect the health of employees, contractors and citizens, jeopardize personal safety, impact the safety of others and impair job performance.

STATE OF _____

COUNTY OF _____

The undersigned, principal officer of _____,
an employer of five (5) or more employees contracting with Sumner County Board of Education to provide goods or services, hereby states under oath as follows:

1. The undersigned is a principal officer of _____
(hereinafter referred to as the "Company") and is duly authorized to execute this Affidavit on behalf of the Company.
2. The Company submits this Affidavit pursuant to **T.C.A. § 50-9-113**, which requires each employer with no less than five (5) employees receiving pay who contracts with the state and any local government to provide contracted services to submit an affidavit stating that such employer has a drug-free workplace program that complies with Title 50, Chapter 9 of the *Tennessee Code Annotated*.
3. The Company is in compliance with **T.C.A. § 50-9-113** and all applicable Federal Laws, Rules and Regulations requiring a drug-free workplace program.

Further affiant saith not.

Principal Officer: _____

STATE OF _____

COUNTY OF _____

Before me personally appeared _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that such person executed the foregoing affidavit for the purposes therein contained.

Witness my hand and seal at office this _____ day of _____, 20____.

Notary Public

My commission expires: _____

ATTACHMENT 5.8 – W9

Form W-9 (Rev. December 2014) Department of the Treasury Internal Revenue Service	<h2 style="margin:0;">Request for Taxpayer Identification Number and Certification</h2>	Give Form to the requester. Do not send to the IRS.
---	---	--

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
	5 Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	6 City, state, and ZIP code	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)																												
Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> on page 3.	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center; font-size: 8px;">Social security number</td> </tr> <tr> <td style="width:30%; text-align: center;"> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> </tr> </table> </td> <td style="width:10%; text-align: center;">-</td> <td style="width:30%; text-align: center;"> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> </tr> </table> </td> <td style="width:10%; text-align: center;">-</td> <td style="width:30%; text-align: center;"> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> </tr> </table> </td> </tr> </table>	Social security number		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> </tr> </table>									-	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> </tr> </table>					-	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> <td style="width:20px; height: 20px;"></td> </tr> </table>								
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Part II Certification			
Under penalties of perjury, I certify that:			
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and			
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and			
3. I am a U.S. citizen or other U.S. person (defined below); and			
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.			
Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.			
Sign Here	<table style="width:100%;"> <tr> <td style="width:60%; border-bottom: 1px solid black;"> Signature of U.S. person ▶ </td> <td style="width:40%; border-bottom: 1px solid black;"> Date ▶ </td> </tr> </table>	Signature of U.S. person ▶	Date ▶
Signature of U.S. person ▶	Date ▶		

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1096 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

**ATTACHMENT 5.9 – Standard Terms & Conditions
SUMNER COUNTY BOARD OF EDUCATION (SCS)**

1. PREPARATION AND SUBMISSION OF BID.

- a. Failure to examine any drawings, specifications, or instructions will be at the proposer's risk. Any deviation from the stated terms, conditions and specifications must be coordinated with and approved in writing by the SCS Purchasing Supervisor.
- b. RFP/ITB SUBMITTAL / SIGNATURE: Proposal shall give the full name and business address of the bidder. If the proposer is a corporation, the name shall be stated as it is in the corporate charter. Proposals must be signed in ink by the proposer's authorized agent. Unsigned proposals will be rejected. Proposals are to be sealed and the outside of the envelope is to reference the RFP/ITB number. The person signing the proposal must show their title, and if requested by the institution, must furnish satisfactory proof of his or her authority to bind his or her company in contract. Proposer understands that by submitting a proposal with an authorized signature, it shall constitute an offer to SCS. Proposals must be typewritten or in ink; otherwise they may not be considered. Purchase orders will be issued to the firm name appearing on the W9. Electronic submissions via email, fax, etc. shall not be accepted.
- c. SCS is not responsible for any costs incurred by any vendor pursuant to the RFP/ITB. The vendor shall be responsible for all costs incurred in connection with the preparation and submission of its proposal.
- d. All proposers must be in compliance with [T.C.A. § 62-6-119](#) at the time of proposal submission and provide evidence of compliance with the applicable provisions of the chapter before such proposal may be considered.
- e. Proposals are to be received in the location designated in the RFP/ITB no later than the specified date and time. Late submissions will NOT be opened or considered.
- f. No erasures permitted. Errors may be crossed out and corrections printed in ink or typewritten adjacent to error and must be initialed in ink by person signing the proposal.
- g. Specifications: Reference to available specifications shall be sufficient to make the terms of the specifications binding on the proposer. The use of the name of a manufacturer, or any special brand or make in describing an item does not restrict the proposer to that manufacturer or specific article, unless specifically stated. Comparable products of other manufacturers will be considered if proof of compatibility is contained in the proposal. Proposers are required to notify SCS's Purchasing Supervisor whenever specifications/procedures are not perceived to be fair and open. The articles on which the proposal is submitted must be equal or superior to that specified. Informative and Descriptive Literature: The proposer must show brand or trade names of the articles proposed, when applicable. It shall be the responsibility of the proposer, including proposer's whose product is referenced, to furnish with the proposer such specifications, catalog pages, brochures or other data as will provide an adequate basis for determining the quality and functional capabilities of the product offered. Failure to provide this data may be considered valid justification for rejection of proposer.
- h. Samples: Samples of items when called for, must be furnished free of expense, and if not destroyed will, upon proposer's request within ten (10) days of RFP/ITB opening, be returned at the proposer's expense. Each sample must be labeled with the proposer's name, manufacturer's brand name and number, RFP/ITB number and item reference.
- i. Time of Performance: The number of calendar days in which delivery is to be made after receipt of order shall be stated in the RFP/ITB and may be a factor in making an award, price notwithstanding. If no delivery time is stated in the bid, bidder agrees that delivery is to be made within two weeks (10 business days) of order.
- j. Transportation and delivery charges should be included in the price and be fully prepaid by the vendor to the destination specified in the RFP/ITB. Proposal prices shall include delivery of all items F.O.B. destination.
- k. New materials and supplies must be delivered unless otherwise specifically stated in the RFP/ITB.
- l. Alternate/multiple bids will not be considered unless specifically called for in the RFP/ITB.
- m. Only proposals submitted on RFP/ITB forms furnished by SCS will be considered.
- n. By signing this RFP/ITB where indicated, the proposer agrees to strictly abide by all applicable local, state and federal statutes and regulations. The proposer further certifies that this proposer is made without collusion or fraud.
- o. Error in Proposal. In case of error in the extension of prices in the proposal, the unit price will govern. Late submissions will NOT be opened or considered. Proposers are cautioned to verify their proposals before submission, as amendments received after the RFP/ITB deadline will not be considered. No proposals shall be altered, amended or withdrawn after opening. After proposal opening, a proposer may withdraw a proposal only when there is obvious clerical error such as a misplaced decimal point, or when enforcement of the proposal would impose unconscionable hardship due to an error in the proposal resulting in a quotation substantially below the other proposals received. Proposal withdrawals will be considered only upon written request of the proposer.

2. **OPEN RECORDS.** In order to comply with the provisions of the [Tennessee Open Records Act](#), all proposals will be publicly opened and are subject to public inspection after the award upon written request. Proposers may be present at RFP/ITB opening. Summary information will be posted the SCS website, www.sumnerschools.org under the Invitation to Bid link.

- 3. ACCEPTANCE AND AWARD.** SCS reserves the right to reject any and all proposals and to waive any informality in proposals and, unless otherwise specified by the proposer to accept any item in the proposal. Action to reject all proposals shall be taken for unreasonably high prices, errors in the proposal documents, cessation of need, unavailability of funds, or any other reason approved by SCS.
- a. Contracts and purchases will be made with the lowest, responsive, responsible, qualified proposer. The quality of the articles to be supplied, their conformity with the specifications, their suitability to the requirements of SCS, cash discount offered, and the delivery terms will be taken into consideration.
 - b. Any deviation from these stated terms, specifications and conditions must be coordinated with and approved in writing by the Purchasing Supervisor.
 - c. Prices quoted on the response (if any) are to be considered firm and binding until the said equipment, supplies or services are in the possession of SCS.
 - d. SCS reserves the right to order more or less than the quantity listed in the proposal.
 - e. If a proposer fails to state a time within which a proposal must be accepted, it is understood and agreed that SCS shall have ninety (90) days to accept.
 - f. No purchase or contract is authorized or valid until the issuance of a SCS purchase order in accordance with SCS policy. No SCS employee is authorized to purchase equipment, supplies or services prior to the issuance of such a purchase order.
 - g. The contract may not be assigned without written SCS consent.
 - h. If the appropriate space is marked on the RFP/ITB, other Institutions (such as State, Local and/or Public Agencies) may purchase off the contract during the same period as SCS.
 - i. The awarded proposer will be required to post a performance and payment bond in the amount of 25% of the contract price if it exceeds \$100,000 as stated by **T.C.A. §12-4-201**.
 - j. If the project cost is in excess of \$25,000 a performance bond must be secured by the requesting part in an amount equal to the market improvement value.
 - k. By submission of this bid and signature thereof, the Bidder acknowledges compliance with the provisions of **Public Chapter No. 587 / Senate Bill No. 2048** (Employee Background Check). The Bidder further agrees to submit a formal certification thereof prior to commencing work.
- 4. PAYMENT.** Payment terms must be specified in the proposal, including any discounts for early payment. Partial payments will not be approved unless justification for such payment can be shown. Terms will be NET 30 days. Payment will not be made until the conditions and specifications of the RFP/ITB are inspected and approved as conforming by persons appointed by SCS.
- 5. DEFAULT OF SELECTED VENDOR.** In case of vendor default, SCS may procure the articles or services from other sources and hold the defaulting vendor responsible for any resulting cost. If the awarded vendor violates any terms of their response, the contract, SCS policy or any law, they may be disqualified from proposing for a period of two years for minor violations or longer for major violations. Proposals from disqualified proposers will not be accepted during the period of disqualification.
- 6. INSPECTION OF PURCHASES.** Articles received which are not equivalent will not be accepted and will be picked up by the vendor or returned to vendor, shipping charges collect. SCS shall have a reasonable period in which to inspect and accept or reject materials without liability. If necessity requires SCS to use nonconforming materials, an appropriate reduction in payment may be made.
- 7. TAXES.** SCS is tax exempt; do not include taxes in quotation. Vendors making improvements or additions to or performing repair work on real property for SCS are liable for any applicable sales or use tax on tangible personal property used in connection with the contract or furnished to vendors by the state for use under the contract.
- 8. NONDISCRIMINATION.** SCS is an equal opportunity employer. SCS and bidder agree to comply with **Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Executive Order 11,246, the Americans with Disabilities Act of 1990**, if applicable, and the related regulations to each. Each party assures that it will not discriminate against any individual including, but not limited to employees or applicants for employment and/or students, because of race, religion, creed, color, sex, age, disability, veteran status or national origin. In the event that any claims should arise with regards to violations of any such local, state or federal law, statutes, rule or regulations, the vendor will indemnify and hold SCS harmless for any damages, including court costs or attorney fees, which might be incurred.
- 9. PROHIBITIONS/NO VENDOR CONTRACT FORM.** Acceptance of gifts from vendors is prohibited. **T.C.A. §12-4-106**. The contract documents for purchase under this RFP/ITB shall consist of the successful proposer's bid and SCS's purchase order. The proposer may request exceptions to terms and conditions and/or request SCS to accept other terms and conditions by means of subsequent documents such as invoices, warranty agreements, license agreements, etc. All subsequent documents shall be open to revision for impermissible language. SCS reserves the right to render the proposal unresponsive and subject the proposal to rejection if successful terms cannot be negotiated.

- 10. PROHIBITION ON HIRING ILLEGAL IMMIGRANTS.** Tennessee Public Chapter No. 878 of 2006, T.C.A. §12-3-309, requires that Contractor attest in writing that Contractor will not knowingly utilize the services of illegal immigrants in the performance of this Contract and will not knowingly utilize the services of any subcontractor, if permitted under this Contract, who will utilize the services of illegal immigrants in the performance of this Contract. The attestation shall be made on the form, Attestation re Personnel Used in Contract Performance ("the Attestation"), which is attached and hereby incorporated by this reference.
- 11. SALES AND USE TAX.** Before the Purchase Order/Contract resulting from this RFP/ITB is signed, the apparent successful proposer must be registered with the Department of Revenue for the collection of Tennessee sales and use tax as required by T.C.A. §12-3-306.
- 12. ASSIGNMENT.** Neither the vendor nor SCS may assign this agreement without prior written consent of the other party.
- 13. LIABILITIES.** The vendor shall indemnify SCS against liability for any suits, actions or claims of any character arising from or relating to the performance under this agreement by the vendor or its subcontractors. SCS has no obligation for the payment of any judgement or the settlement of any claim made against the vendor or its subcontractors as a result of obligations under this contract.
- 14. APPLICABLE LAW.** Any contract shall be interpreted under the laws and statutes of the State of Tennessee. SCS does not enter into contracts which provide for mediation or arbitration. Any action arising from any contract made from this RFP/ITB shall be brought in the state courts in Sumner County, TN or in the United States Federal District Court for the Middle District of Tennessee.
- Additionally, it is a violation of state statutes to purchase materials, supplies, services or any other item from a vendor that is a commissioner, official, employee or board member that has any financial or beneficial interest in such transaction, T.C.A. §12-4-101.
- 15. FUNDS.** The Proposer understands and accepts the non-appropriation of funds provision of SCS.
- 16. DATA PRIVACY AND SECURITY.** Personal Information (PI) includes but is not limited to that information protected by HIPAA, the HITECH Act, FERPA, or Gramm-Leach-Bliley) or such information which would allow a third party to gain access to the personal, medical or financial records of any of any party. Vendor represents and warrants that its collection, access, use, storage, disposal and disclosure of PI complies with all applicable federal and state privacy and data protection laws. Vendor represents and warrants that Vendor will maintain compliance with the SSAE 16 standard, and shall undertake any audits and risk assessments Vendor deems necessary to maintain compliance with SSAE16. If PI provided by SCS to Vendor is subject to FERPA. Vendor agrees that in its handling of FERPA data it will perform as a school official as that term is defined by FERPA regulations. Vendor acknowledges that its improper disclosure or re-disclosure of PI covered by FERPA may, under certain circumstances, result in Vendor's exclusion from eligibility to contract with SCS for at least five (5) years. Vendor shall provide SCS with the name and contact information for an employee of Vendor who shall serve as SCS's primary security contact and shall be available to assist Customer twenty-four (24) hours per day, seven (7) days per week as a contact in resolving obligations associated with any security incident in which it is reasonably suspected that there has been a breach of information security. Vendor shall immediately mitigate or resolve any Security Incident, at Vendor's expense and in accordance with applicable privacy rights, laws, regulations and standards. Vendor shall reimburse SCS for actual costs incurred by SCS in responding to, and mitigating damages caused by, any Security Incident, including all costs of notice and/or remediation incurred under applicable law as a result of the Security Incident.
- 17. IRAN DIVESTMENT ACT.** By submission of this proposal, each proposer and each person signing on behalf of any proposer certified, and in the case of a joint proposal, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each proposer is not on the list created pursuant to T.C.A. §12-12-106.
- 18. COMPLIANCE WITH CONDUCT STANDARDS.** Contractors shall be fully responsible for the conduct of its employees, subcontractors, representatives and agents. Loud or offensive music, language or behavior is unacceptable. Tobacco use of any type and vaping is prohibited on SCS property. Contact or interaction with staff or students is not allowed excepted between designated representatives of SCS and Contractor.

ATTACHMENT 5.10 – Vendor Checklist

Vendor Checklist for Prevention of Common RFP Mistakes that lead to Proposal Rejection

1. Submission of Proposal

- ___ On-Time Submittal
 - Deadline is listed in Section 4 – Schedule of Events
 - Late Proposals will be IMMEDIATELY DISQUALIFIED
- ___ A Proposer may not submit alternate proposals unless requested.
- ___ Tax not included in cost proposal.
- ___ Clearly marked outside of envelope/package.
 - RFP Number and “DO NOT OPEN”
 - Vendor Name, License Number, Expiration Date & License Classification (if applicable)
 - Other License data as required in Section 5.6 – Proposal Package
- ___ No erasures on proposal documents.

Correct Format:

- ___ One (1) Complete Original (*Section 5.6 & Attachment 6.2*)
- ___ One (1) Electronic format copy - CD/USB Drive (*Section 5.6*)
- ___ Original Signature on Original Proposal. NO copied or digital signatures (*Section 5.6 & Attachment 6.2*)

2. Required Forms

- ___ Evidence of Business License (*Section 5.1*)
- ___ Completed “Contact Information” form (*Attachment 6.1*)
- ___ Signed and dated “Bid Form/Certification” form (*Attachment 6.2*)
- ___ Complete “Reference” form (*Attachment 6.3*)
 - Must meet the criteria established in Section 5.8 – Evaluation of Proposals.
- ___ Signed and dated “Certification Regarding Debarment or Suspension” form (*Attachment 6.4*)
- ___ Signed and dated “Condition of Submitting Proposal” form (*Attachment 6.5*)
- ___ Signed and dated “Statement of Non-Collusion” form (*Attachment 6.6*)
- ___ Signed and dated “Attestation Re Personnel” form (*Attachment 6.7*)
- ___ Signed, dated and notarized “Drug Free Workplace Affidavit” form (*Attachment 6.8*)
- ___ Signed and dated “IRS Form W-9” form (*Attachment 6.9*)

***This checklist does not represent a complete list of, or replacement for, the mandatory requirements listed in the RFP. This checklist is ONLY A TOOL meant to assist in the prevention of disqualification.**

****Notations on proposals that materials submitted be kept confidential will not be honored. All proposal documents and contracts become public record.**