

**COLFAX COUNTY  
NEW MEXICO**

**Request for Proposal**

**#2009-14**

**Telecommunications and Internet Data System**

Colfax County is accepting proposals from qualified individuals, firms, businesses and corporations to provide a telecommunications system (Voice over Internet Protocol) for the Leon Karelitz Judicial Center, located at 1413 S. 2<sup>nd</sup> Street in Raton New Mexico. This project includes the planning, design, drawing, engineering and installation and maintenance of a new telephone and data system for the Colfax County Sheriff and the Eighth Judicial District Court.

This RFP contains information necessary for the submittal of proposals for a “**turnkey**” Voice over Internet Protocol (VoIP) system to support the Colfax County Sheriff and District Court. Through this RFP, Colfax County requests formal proposals that provide detailed explanations of services, hardware, software, user options and associated costs, and training. All responses should include a separate option for the Sheriff’s Department, a separate option for the District Court and a combined option for both agencies.

The scope of work, the minimum requirements, the requested information, the criteria for evaluating proposals and other terms and conditions are set forth herein.

**All proposals must be submitted to:**

Don Day  
Colfax County Manager  
P.O. 1498  
Raton, NM 87740

**Proposals may be delivered as follows:**

US mail  
County Manager, P.O. Box 1498, Raton, NM 87740  
Delivery service or hand delivery to;  
County Manager, 230 North 3<sup>rd</sup> St., Raton, NM 787740

**Proposals must be received no later than;  
Monday, November 16, 2009 by 2:00 P.M.**

Firms submitting proposal must include all requested information. Failure to do so may result in disqualification. Any inaccurate, misleading or untrue statements may also result in disqualification. Firms submitting proposals understand and agree that Colfax County

may verify information by any appropriate method determined by Colfax County. Firms also understand that at the conclusion of the selection process, the names of all qualified firms and final scores will become public information.

## **SCOPE OF WORK**

The scope of work for this project includes the planning, designing, installing and maintenance of a complete telephone and internet data system, voice over internet protocol (VoIP) for the new Judicial Center. Responding firms must possess the requisite skills, knowledge and experience to enable them to perform the work and services in order to be considered.

The new system shall be scalable to allow for future expansion to other County offices. The system may be either hosted or server based.

The system must include all low voltage wiring and internet connections, labor and materials necessary to install, test and certify a complete VoIP system. The successful offeror must deliver a system ready to perform its function.

All work shall meet professional, industry standards of workmanship.

All work on the construction site will be coordinated with the General Contractor, MS Rich Contractors to ensure safety and cohesive construction process.

## **MANDATORY SPECIFICATIONS**

### **The system shall have at a minimum;**

T1 or equivalent broadband connection

15 telephones for the Sheriff's office and 12 telephones for the court

The capacity to make no less than eight simultaneous telephone calls (four through Sheriff's office and four through court) with no interference or loss of function to internet accessibility.

3 tier redundancy

Three analog lines for dedicated fax machines. These lines will act as one level of redundancy in case of T1 failure.

Local and long distance calling

Unlimited telephone and internet access

911 compatible

Telephone and computers must work simultaneously and independently

Optional phone adapter for use with existing telephone sets

Automated Telephone System capabilities; Automated answering system, voice mail, conference calling, call forwarding, automatic redial, caller ID, intercom, internal 4-digit dialing, speed dial, do not disturb mode (these functions must be controllable and changeable by the sheriff and court staff)

Hunt groups designed to ensure fastest possible call retrieval.

Proposals shall specify the company's ability to respond to system failures or associated problems and provide timelines and solution options for response to failures and problems.

Proposals shall include all low voltage wiring, connections, labor and associated costs of installation.

## **GENERAL REQUIREMENTS**

1. Acceptance of Conditions Governing the Procurement  
Submission of a proposal constitutes acceptance of the Conditions Governing the Procurement and the Evaluation Factors contained in this RFP.
2. Incurring Cost  
Any cost incurred by the offeror in preparation, transmittal, presentation of any proposal or material submitted in response to this RFP shall be borne solely by the offeror.
3. Prime Contractor Responsibility  
Any contract that may result from this RFP shall specify that the prime contractor is solely responsible for fulfillment of the contract with Colfax County. The County will make contract payments to the prime contractor only.
4. Subcontractors  
The prime contractor must perform all work that may result from this procurement. Subcontracting of work is not acceptable.
5. Amended Proposals  
An offeror may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be complete replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. The County personnel will not merge, collate, or assemble proposal materials.
6. Offerors' Rights to Withdraw Proposal  
Offerors will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The offeror must submit a written withdrawal request signed by the offeror's duly authorized representative addressed to the County Manager.

The approval or denial of withdrawal requests received after the deadline for receipt of the proposals is governed by the applicable procurement regulations.

7. Proposal Offer Firm

Responses to this RFP, including proposal prices, will be considered firm for ninety (90) days after the due date for receipt of proposals or sixty (60) days after receipt of a best and final offer if one is submitted.

8. Disclosure of Proposal Contents

The proposals will be kept confidential until a contract is awarded. At that time, all proposals and documents pertaining to the proposals will be open to the public, except for the material that is proprietary or confidential. The County will not disclose or make public any pages of a proposal on which the offeror has stamped or imprinted "proprietary" or "confidential" subject to the following requirements.

Proprietary or confidential data shall be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal. Confidential data is normally restricted to confidential financial information concerning the offeror's organization and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act, 57-3A-1 to 57-3A-7 NMSA 1978. The price of products offered or the cost of services proposed shall not be designated as proprietary or confidential information.

If a request is received for disclosure of data for which an offeror has made a written request for confidentiality, the County shall examine the offeror's request and make a written determination that specifies which portions of the proposal should be disclosed. Unless the offeror takes legal action to prevent the disclosure, the proposal will be so disclosed. The proposal shall be open to public inspection subject to any continuing prohibition on the disclosure of confidential data.

9. No Obligation

This procurement in no manner obligates Colfax County or any of its agencies to the use of any proposed services or product until a valid written contract is awarded and approved by the County Commission.

10. Termination  
This RFP may be canceled at any time and any and all proposals may be rejected in whole or in part when Colfax County determines such action to be in the best interest of the County.
11. Sufficient Appropriation  
Any contract awarded as a result of this RFP process may be terminated if sufficient appropriations or authorizations do not exist. Sending written notice to the contractor will effect such termination. Colfax County's decision as to whether sufficient appropriations and authorizations are available will be accepted by the contractor as final.
12. Legal Review  
The County requires that all offerors agree to be bound by the General Requirements contained in this RFP. Any offeror concerns must be promptly brought to the attention of the Procurement Agent.
13. Governing Law  
The laws of the State of New Mexico shall govern this procurement and any agreement with successful proposer that may result.
14. Basis for Proposal  
Only information supplied by Colfax County in writing through the County Manager or in this RFP should be used as the basis for the preparation of offeror proposals.
15. Offeror's Terms and Conditions  
Offerors must submit with the proposal a complete set of any additional terms and conditions, which they expect to have included in a contract negotiated with the County.
16. Contract Deviations  
Any additional terms and conditions, which may be the subject of negotiation, will be discussed only between the County and the selected offeror and shall not be deemed an opportunity to amend the offeror's proposal.
17. Offeror Qualifications  
The County Commission may make such investigations as necessary to determine the ability of the offeror to adhere to the requirements specified within this RFP. The County Commission will reject the proposal of any offeror who is not a responsible offeror or fails to submit a responsive offer as defined in Sections 13-1-83 and 13-1-85 NMSA 1978.

18. Right to Waive Minor Irregularities  
The County Commission reserves the right to waive minor irregularities. The County Commission also reserves the right to waive mandatory requirements provided that all of the otherwise responsive proposals failed to meet the mandatory requirements and/or doing so does not otherwise materially affect the procurement. This right is at the sole discretion of the County Commission.
19. Change in Contractor Representatives  
Colfax County reserves the right to require a change in contractor representatives if the assigned representatives are not, in the opinion of the County, meeting its needs adequately.
20. Notice  
The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and misdemeanor criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kick-backs.
21. Colfax County Rights  
The County reserves the right to accept all or a portion of an offeror's proposal.
22. Multiple Awards  
Colfax County reserves the right to make multiple awards of the items, projects and/or sections of this RFP.
23. Right to Publish  
Throughout the duration of this procurement process and contract term, potential offerors and contractors must secure from Colfax County written approval prior to the release of any information that pertains to the potential work or activities covered by this procurement or the subsequent contract. Failure to adhere to this requirement may result in disqualification of the offeror's proposal or termination of the contract.
24. Ownership of Proposals  
All documents submitted in response to this Request for Proposal shall become the property of Colfax County. However, any technical or user documentation submitted with the proposals of non-selected offerors shall be returned after the expiration of the protest period.

25. Electronic Mail Address Required

A large part of the communication regarding this procurement will be conducted by electronic mail (e-mail). Offeror must have a valid e-mail address to receive this correspondence.

26. State and Local Ordinances.

In submitting a proposal, the offeror represents that he/she has familiarized himself/herself with the nature and extent of the RFP dealing with federal, state, and local requirements that are part of this RFP. The successful offeror(s) shall perform work under the resultant Contract in strict accordance with the latest version of all State and local codes, ordinances, and regulations governing the work involved. All materials and labor necessary to comply with the rules, regulations and ordinances shall be provided by the successful offeror(s). In the event of a conflict between various codes and standards, the more stringent shall apply.

27. Status of Successful Offerors.

The successful offeror(s) is an independent contractor performing services for Colfax County and neither he/she nor his/her agents or employees shall, as a result of the resultant Contract, accrue leave, retirement, insurance, bonding authority, use County vehicles, or any other benefits, prerequisites or allowances normally afforded only to employees of the County. The successful offeror(s) acknowledges that all sums received under the resultant Contract are personally reportable by him/her for income, self-employment and other applicable taxes.

## **RESPONSE FORMAT AND ORGANIZATION**

A. NUMBER OF RESPONSES

Offerors shall submit only one proposal.

B. NUMBER OF COPIES

Offerors shall deliver six (6) identical copies of their proposal to the location specified herein.

C. PROPOSAL FORMAT

All proposals must be typewritten on standard 8 1/2 x 11 paper (larger paper is permissible for charts, spreadsheets, etc.) and placed within a binder with tabs delineating each section.

The proposal must be organized and indexed in the following format and must contain, as a minimum, all listed items in the sequence indicated.

- a) Letter of Transmittal
- b) Table of Contents
- c) Proposal Summary
- d) Response to Mandatory Specifications
- e) Response to Colfax County's Terms and Conditions
- f) Offeror's Additional Terms and Conditions
- g) Other Supporting Material

Within each section of their proposal, offerors should address the items in the order in which they appear in this RFP. All forms provided in the RFP must be thoroughly completed and included in the appropriate section of the proposal. Any proposal that does not adhere to these requirements may be deemed non-responsive and rejected on that basis.

Offerors wishing to provide the County Commission with an overview of the technical and business features of the proposal may include a proposal summary; however, this material will not be used in the evaluation process unless specifically referenced from other portions of the offeror's proposal.

Offerors may attach other materials that they feel may improve the quality of their responses. However, these materials should be included as items in a separate appendix.

#### Letter of Transmittal

A letter of transmittal must accompany each proposal. The letter of transmittal MUST:

- a) identify the submitting company.
- b) identify the name and title of the person authorized by the company to contractually obligate the company.
- c) identify the name, title and telephone number of the person authorized to negotiate the contract on behalf of the company.
- d) identify the names, titles and telephone numbers of persons to be contacted for clarification.
- e) be signed by the person authorized to contractually obligate the company.
- f) acknowledge receipt of all amendments to this RFP.

## REQUESTED INFORMATION

- A. Describe the company's proposed system, including all equipment and hardware, service and installation fees and recurring costs.
- B. Describe in detail the competence and expertise your firm has in similar projects.
- C. Provide a list of references for which you have provided telecommunications services including VoIP during the past three years.
- D. Identify and provide the qualifications of the person or persons who will be responsible for providing the services to Colfax County.
- E. Identify and describe in detail any and all currently pending suits arising out of negligence, tortuous activities, or violations of anti-trust laws or any other state or federal laws.
- F. State whether your firm is or has been under inquiry or investigation regarding compliance or violations of procurement codes, or offering or receiving bribes, kickbacks or gratuities in the past ten years.
- G. State whether any governmental authority has ever denied, suspended, or revoked any license or permits necessary to engage in the business of providing telecommunications services.

## EVALUATION

### Evaluation Point Summary

The following is a summary of evaluation factors with point value assigned to each. These, along with the general requirements, will be used in the evaluation of offeror proposals.

Short Listing - A maximum total of 100 points are possible in scoring each proposal for the shortlist evaluation. The County Commission will evaluate the proposals and may or may not conduct interviews with offerors applying for selection.

The evaluation criteria to be used by the County Commission for the proposal shortlist and the corresponding point values for each criterion are as follows:

- (1) Specialized design and technical competence of the business, including a joint venture or association, regarding the type of services required.....**15 points**
- (2) Capacity and capability of the business to perform the work and provide the service, including any specialized services, within the time limitations. The company's knowledge of the project, scope of work and evidence of the firm's ability to provide the service. Key personnel who will be assigned to the project should be identified and summaries of their knowledge and experience given. The team's knowledge of VoIP, as well as the company's product line should be discussed.

- .....**25 points**
- (3) Past record of performance on contracts with government agencies and private industry with respect to such factors as control of costs, quality of work, and ability to meet schedules.  
.....**15 points**
- (4) Proximity to or familiarity with the area in which the project is located.  
.....**10 points**
- (5) Cost of products and service. Firms should provide separate pricing options for Colfax County Sheriff, District Court as well as a combined option. Pricing shall include any hardware and equipment, monthly fees, and/or lease options.  
.....**35 points**

**SHORTLIST EVALUATION FACTORS**

A brief explanation of each evaluation category is listed below. Information in one category may overlap information in other categories. Offerors are encouraged to fully address each category completely, as points are assigned for responses to each separate category.

1. Specialized Design - Provide information about the firm's specific technical experience with similar projects that demonstrate competence to successfully complete the project. Indicate the relevance of previous projects to the anticipated scope of work. Demonstrate the successful aspects of past design projects and the corresponding applications to the proposed scope of work.
2. Capacity and Capability - Provide information about the business that demonstrates the ability to provide sufficient professional competence, meet time schedules, accommodate cost considerations and project administration requirements. Indicate the relationship of the work in this RFP to the firm's other current projects. Indicate proposed work schedules and milestones with completion methods and strategies. Indicate key project team members and their specific rolls, experience and background. Demonstrate or indicate project team organization and working relationships. Other items could include references from clients, financial institutions and insurance carriers.
3. Past Record of Performance - Demonstrate through historical documentation that the firm has the ability to meet schedules and budgets, as well as user program goals, and final construction project costs. Include information regarding owner budgets, construction estimates, bidding and completed project cost including change order information. Project schedules should provide information about the progress of work as related to owner schedules and goals as well as the overall success of projects and client satisfaction. References from past clients can be included.

4. Proximity to or Familiarity with Site Location - Demonstrate through narrative, graphics or maps the firm's ability to respond quickly to on and off-site requirements for design, construction and administration of the project. Indicate previous knowledge or experience regarding the project location, and any current work or associated consultants who could enhance the firm's ability to provide timely responses or special expertise to project needs.
  
6. Cost of Products and Services- Describe in detail the anticipated scope of work for the project and include all costs associated with the design, engineering, installation, testing , training and maintenance of the system. Include information about the project site, project administration, scheduling, budget and user requirements. The proposal should demonstrate competent knowledge of project constraints as well as any applicable discussion of possible pricing options.

A serious deficiency in any one category may be grounds for rejection of the proposal regardless of the overall score.

## **OTHER TERMS AND CONDITIONS**

### **All proposals must include a Disclosure of Campaign Contributions to Applicable Public Officials form pursuant to Section 13-1-191.1 NMSA 1978.**

The agreement shall be governed exclusively by the laws of the State of New Mexico, as the same from time to time exist.

In making this decision, Colfax County shall take into account the estimated value of the services to be rendered and the scope and complexity of the services. Should Colfax County be unable to reach a satisfactory contract with the highest qualified firm, the County shall then undertake negotiations with second highest qualified firm. This process will continue until a satisfactory contract is reached with a qualified firm. In the event that a contract is not reached with any of the qualified firms submitting proposals, then the County shall initiate a new RFP process.

This Request for Proposal may be canceled at any time by Colfax County. Colfax County reserves the right to reject any proposals submitted and to make no award pursuant to this Request for Proposal.

### **NOTICE:**

THE NEW MEXICO PROCUREMENT CODE, SECTION 13-1-28 THROUGH 13-1-199, NMSA1978 PROVIDES CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THE CODE. ADDITIONALLY, IT IS A FELONY TO OFFER OR RECEIVE BRIBES, KICKBACKS OR GRATUITIES OF ANY KIND