



REQUEST FOR QUALIFICATIONS

RFQ 2014-1-27

Adobe Software ETLA Reseller

DUE DATE: MAY 27, 2014 AT 3:00PM

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1.0 PURPOSE AND INTENT

1.1 Purpose

The purpose of this Request for Qualifications is to solicit proposals from currently certified Platinum Partners for the administration of an Adobe Enterprise Term Licensing Agreement (ETLA) for the Higher Educational Institutions in the State of Florida as part of a consortium. The selected reseller will service the entire State of Florida. The State of Florida College system is comprised of 28 Colleges. Although, the College System is comprised of 28 Colleges, **NOT** all the Colleges are part of the Consortia.

Please direct questions regarding this selection to;

Charm Stone, CPPB
Buyer
Purchasing
305-237-0004
cstone@mdc.edu

1.2 Intent

The intent of the College is to prequalify and select a reseller to provide the services outlined in this RFQ. Work will be assigned based on the firm's ability to complete the work in the required time frame and on the basis of experience with similar jobs. The term of the contract is for (3) three years. Continuation of the contract beyond the initial period is a College prerogative; not a right of the bidder. This prerogative will be exercised only when such continuation is clearly in the best interest of the College. The intent of this proposal is to ensure single source responsibility for all material and labor proposed by reseller.

1.3 Small Local Business Enterprise Policy and Procedure

The College has recently adopted Policy No. VI-4 entitled: "Small Local Business Enterprise Initiative" The College is committed to increasing its utilization of goods and services provided by small local businesses. The Small Local Business Enterprise Initiative is created to encourage economic development by assisting small local businesses to complete successfully for professional, construction, and goods and services contracts with the College. Procurement incentives developed and utilized to encourage business with qualified small local firms may include, Sheltered Markets, Mandatory Subcontracting and Preference Points. Although this ITN process does not have procurement incentives, proposers are encouraged, whenever possible, to provide small local business utilization. A complete copy of the Small Business Enterprise Policy and Procedure is available for review and may be requested from Roman Martinez, CPPO, CPPB, Director of Purchasing. You may contact Mr. Martinez at 305-237-0012.

1.4 SCOPE OF WORK

The successful reseller is required to fully meet or exceed each of the mandatory minimum requirements and scope of work as set forth in Section 7.0. Any reseller submitting a proposal which is not able to fully meet each of the mandatory minimum requirements will not be considered for further evaluation during the RFQ process.

2.0 BACKGROUND INFORMATION

2.1 The College

The College, hereinafter referred to as "MDC" or the "College," is a publicly supported College, which serves the populous metropolitan Miami Dade County through eight campuses and a number of off-campus centers. The campuses are North Campus, Kendall Campus, Wolfson Campus, Medical Center Campus, Interamerican Campus, Homestead Campus, Hialeah Campus and West Campus. The Entrepreneurial Education Center (EEC) is an extension of the North Campus. The College offers both two-year and four-year Degrees.

The Homestead Campus extension centers include Miami International Aviation Center (MIA) and Tamiami Airport Aviation Center (Tamiami). The number and locations of campuses and extension centers can and will vary during the term of this contract.

MDC is one of 28 colleges in the Florida system of Community Colleges and is a political subdivision of the State of Florida. The District Board of Trustees of Miami Dade College consists of seven appointed members that work directly with the College District President in all matters pertaining to the governance and operation of the College. The District Board is responsible to the State Board of Education and the State Commissioner of Education.

Through its open door policy, the College provides educational opportunities to all, regardless of sex, race, religion, marital status, age, national origin, handicaps or financial resources. The instructional program is designed to prepare students for the upper division of senior colleges and universities, or for immediate job entry into career fields. Courses are also offered to meet students' personal interests or to upgrade their occupational skills.

MDC MISSION - The mission of Miami Dade College is to provide accessible, affordable, high quality education by keeping the learner's needs at the center of the decision-making process and working in partnership with its dynamic, multi-cultural community.

The College is dedicated to the continued development and economic growth of small, minority or women-owned businesses. Small, minority or women-owned businesses are strongly encouraged to submit replies to this and any solicitations made by the College.

SCHEDULE OF EVENTS

3.0 TimeLine

The following timeline is a general guideline for the issuance, evaluation, recommendation for award of this RFQ and the issuance of the contract for this service. The College may change portions of timelines as required.

<u>DATE</u>	<u>EVENT</u>
5/8/2014	Legal Advertisement
5/8/2014	Issue RFQ
5/22/2014	Last date to present written questions
5/27/2014	Deadline for submittal of proposals (Proposals due prior to 3:00 p.m.)
TBD	Evaluation Committee Meetings
July 15, 2014	Approval by Board of Trustees

Exact time and location of each meeting will be publicly advertised. Any changes will be advertised in the Daily Business Review and will be posted in the Purchasing Department's Webpage.

4.0 **PROPOSAL INSTRUCTIONS**

One (1) original binder and one (1) digital copy in the form of compact disk (CD) of the sealed Proposer's Response to RFQ shall be submitted to Purchasing Department, no later than **3:00 pm (EST) on May 27, 2014.** *Digital copies must be an exact and complete copy of original binder and must include all signed documents, forms, certificates and licenses. Digital copy must be PDF format, one single file. Please provide thumbnails for each section.* The digital copy should be labeled with the following information:

- ❖ RFQ number
- ❖ Company name
- ❖ Proposer's name
- ❖ Address
- ❖ Telephone number
- ❖ Facsimile number
- ❖ Email Address

Proposals received after that day and time will be returned to the Proposer unopened and deemed as non-responsive. The time of receipt of the proposal will be based on the time kept in the College's Procurement Office. **Proposals must be submitted in sealed envelopes to the College and labeled RFQ 2014-1-27 and delivered to: Miami Dade College, Kendall Campus at 11011 SW 104 Street, Miami, FL. 33176, Room 9254. Packages must be received no later than 3:00PM local time.**

On the dates indicated in section 3.0 Project Milestones, public meetings will be held to review the applications and determine a short list of applicants, conduct interviews with the short listed applicants and determine the top ranked applicants to perform the services. The screening committee shall present its evaluation information to the President of the College. The President shall submit his recommendation to the District Board of Trustees of Miami Dade College. All applicants will be notified of the Board action.

4.1 **Contact with the College Personnel**

Questions concerning this RFQ must be directed in writing, by email or fax, to Charm Stone at cstone@mdc.edu , by Fax at 305-237-0024 and to no other person or department at the College. Please provide the following information when submitting your questions:

- ❖ RFQ number
- ❖ Company name
- ❖ Address
- ❖ Telephone number
- ❖ Facsimile number
- ❖ Proposer's name
- ❖ Number of pages being faxed or submitted
- ❖ Specific questions or Comments.

CONTACTING THE COLLEGE'S PERSONNEL OR MEMBERS OF THE COLLEGE'S DISTRICT BOARD OF TRUSTEES, EITHER DIRECTLY OR INDIRECTLY, REGARDING THIS RFQ, THE SELECTION PROCESS OR ANY ATTEMPT TO FURTHER A PROPOSER'S INTEREST IN BEING SELECTED, WILL RESULT IN THE PROPOSER BEING DISQUALIFIED.

It is expected that personnel and team members from firms that have applied for this selection refrain from posting opinions, provide commentary or engage in any discussion regarding the selection by the use of social media such as Twitter, Facebook, Myspace and the like. Violation of these guidelines may result in disqualification of the applicant. The latter applies to employees of the Proposer, retained consultants or any other representative or individual promoting on behalf of the Proposer. Violation of these guidelines may constitute grounds for disqualification

4.2 Contracts; Public Records 119.0701 F.S.

Contractor agrees to comply with section 119.0701 of Florida Statutes regarding public records retention and availability.

Label this Response to Section 4.2

5.0 PROPOSAL CONDITIONS

5.1 The College Options

The College may, at its sole and absolute discretion, reject any or all proposals, re-advertise this RFQ, postpone or cancel this RFQ process at any time, or waive any irregularities in this RFQ or in the proposals received as a result of this RFQ.

The determination of the criteria and process whereby proposals are evaluated, the decision as to who shall receive a contract award, or whether an award shall ever be made as a result of this RFQ, shall be the sole and absolute discretion of the College.

In no event will any successful challenger of these determinations or decisions be automatically entitled to the award of this RFQ.

The submittal of a proposal will be considered by the College as constituting an offer by the Proposer to provide the services described in this RFQ.

5.2 Rules, Regulations, and Requirements

All Proposers shall comply with all laws, ordinances, and regulations of any Federal, State of Florida, Miami-Dade County, or City government applicable to submitting a response to this RFQ and to providing the services described herein.

5.3 Change of Proposal

Any Proposer, who desires to change his/her proposal, shall do so in writing. Any request for changes shall be received prior to the date and hour of the proposal opening. The Proposer's name and the RFQ # shall appear on the envelope.

5.4 Withdrawal of Proposal

A proposal may be withdrawn prior to the date and hour of the proposal opening. Any proposal not so withdrawn shall, upon opening, constitute an irrevocable offer, for the period of one ninety (90) days after the date of the proposal opening, to provide the proposed services.

5.5 Modifications of Proposal

No unsolicited modifications to proposals will be permitted after the date and hour of the proposal opening.

5.6 Protest of RFQ Document

All Proposers are required to thoroughly review the RFQ document within a reasonable time after receipt. Any concerns or comments relating to the RFQ documents shall be brought to the attention of the College's Director of Procurement: Roman Martinez, in writing, promptly after receipt. However, if the Proposer desires to protest the RFQ document, or any of the specifications, requirements, or procedures thereof, the Proposer will be required to comply with the Miami Dade College Bid Protest Procedures 6010 (a copy of which is available from the Purchasing Director at Miami Dade College within seventy-two (72) hours after receipt of the proposal document.

Failure to comply with this procedure will constitute a waiver by the Proposer of any right to later protest on the basis of the form, content and substance, including without limitation, the specifications, requirements or procedures, of the RFQ documents

5.7 Protest of Intended Decision

A Notice of Intended Decision to recommend or reject proposals will be posted in the Purchasing Department and at the Purchasing website www.mdc.edu/purchasing. In the event an unsuccessful Proposer desires to protest the College's notice of intended decision to award or reject a proposal, that Proposer shall be required to comply with the **Miami Dade College Bid Protest Procedures 6010** (a copy of which is available from the Purchasing Director at Miami Dade College, including, without limitation, filing a notice of protest with the Director of Purchasing, in writing, within seventy-two (72) hours after receipt of the notice or posting of the intended decision, and filing a formal written protest within ten (10) calendar days after the date the notice of protest is filed.

Failure to file a protest that complies with Section 120.53(5), Florida Statutes, within the time prescribed herein shall constitute a waiver of proceedings under chapter 120, Florida Statutes.

6.0 Requirements

6.1 Experience:

Please list if you are an Adobe Education Reseller and what **level of partnership** with Adobe you have. Have you ever participated in an Enterprise Term Licensing Agreement as the reseller? Is your company able to receive payment in NET 30 terms or longer if needed?

Label this Response to Section 6.1

6.2 Staff

Identify any key personnel who have worked together before on a similar accounts or agreements. Please describe if you will provide an Adobe dedicated Account Manager and total staff directly involved with or supporting Adobe. Indicate your total staff size. Please list total number of Offices. Indicate your company's ability to service the entire State of Florida from Pensacola to Jacksonville to Key West.

Label this Response to Section 6.2

6.3 Enterprise License Resellers, Other Major Publishers.

Please provide a list of other publishers such as: Microsoft, Symantec, Oracle, etc. That your company is an authorized sales agent and/or Enterprise and Volume Licensing Agreements.

Label this Response to Section 6.3

6.4 Florida State Contracts or Cooperative Agreements.

Please indicate any Florida State Contracts or Cooperative Agreements you may have in place

Label this Response to Section 6.4

6.5 References:

The Proposer must provide a list of minimum three (3) clients and a maximum of five (5) references for which the Proposer is currently providing, or within the last five years has provided, services similar in size and scope to those outlined in this RFQ. References list provided shall include the client's name, address, a contact name and telephone number, date contract was entered into, and a brief description of the services provided. ***Do not include in your references any former or current employee of the College.*** The College will accept evaluation forms and/or reference letters issued by any unit of government. See Section 8.5.

Label this Response to Section 6.5

6.6 Additional Information:

Provide any additional and/or relevant information regarding the reseller capability in regards to this project or similar projects in terms of scope and requirements.

Label this Response to Section 6.6

6.7 Business Structure

Corporation, Joint Venture, or Partnership. Submit copy of State of Florida Department of State records indicating when corporation organized, corporation number, and date and status of most recent annual report.

Label this Response to Section 6.7

6.8 Sworn Statement on Public Entity Crime

A completed (with all blanks filled in), executed and properly notarized "Sworn Statement Under Section 287.133(3)(a), Florida Statutes, on Public Entity Crimes" (Florida Department of General Management Form PUR 7068 and attached hereto, the "Public Entity Crime Form") certifying whether the Bidder, or an affiliate of the Bidder (as that term is defined in Section 287.133, Florida Statutes, collectively, the "Public Entity Crime Statute") has been convicted of a "public entity crime" (as that term is defined in the Public Entity Crime Statute).

Label this Response to Section 6.8

7.0 BID FORMS

**Failure to complete, sign and return
the following forms may deem
your proposal as non-responsive**

Section 7.1

STATEMENT OF NO RESPONSE

Charm Stone
Purchasing Department
Miami Dade College
11011 SW 104 Street, Room 9254
Miami, FL 33176

The undersigned declines to submit a proposal for:
RFQ # 2014-1-27 Adobe Software ETLA Reseller,

Reason(s):

Signature

Title

Name of Firm

Telephone

SECTION 7.2

**MIAMI DADE COLLEGE
DISTRICT ADMINISTRATION - PURCHASING DEPARTMENT**

PROPOSAL COVER SHEET

2014-1-27

Sealed Proposals will be accepted in the Purchasing Department until 3:00 P.M. on said day, and may not be withdrawn for 150 days after opening.

I certify that this proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a proposal for the same service, and is in all respects fair and without collusion or fraud. I agree to abide by all conditions of these proposal specifications and I certify that I am authorized to sign this proposal.

LEGAL NAME OF FIRMS(S): _____

MAILING ADDRESS: _____

CITY, STATE, ZIP CODE: _____

TELEPHONE NUMBER: _____ DATE _____

FAX NUMBER: _____

FEDERAL EMPLOYEE IDENTIFICATION (FEIN) NUMBER _____

BY: SIGNATURE (Manual): _____

BY: SIGNATURE (Typed): _____

TITLE: _____

SECTION 7.3
References

Vendors are required to submit a list of their customer references by submitting the following information for each reference. The evaluation committee will evaluate all references submitted and will determine the acceptability of all references and may request the vendor to provide additional references or clarifications to submitted references.

The Evaluation Committee reserves the right to contact any or all of the references listed.

Customer Name: _____

City: _____ **State:** _____ **Zip:** _____

Project Start Date: _____ **Completion Date:** _____

Can Miami Dade College contact customer directly? ___ Yes; ___ No

Customer Contact:

Name: _____ **Title:** _____

Telephone: (_____) _____

E-mail: _____

Brief description of project's products installed and size of deployment.

SECTION 7.4

MIAMI DADE COLLEGE NON-DISCRIMINATION IN EMPLOYMENT FORM

(Section 301, Executive Order 10925, March 6, 1961, 26 FR 1977 as amended by Executive Order 11114, June 22, 1963, 28 FR 6485) "During the performance of this contract the Firms agrees as follows:

- "(1) The Firms will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The Firms will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Firms agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this non-discrimination clause.
- "(2) The Firms will, in all solicitations or advertisements for employees placed by or on behalf of the Firms; state that all qualified applicants will receive consideration for employment without regard to race, creed, color or national origin.
- "(3) The Firms will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the said labor union or workers' representative of the Firm's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- "(4) The Firms will comply with all provisions of Executive Order No. 10925 of March 6, 1961, as amended, and of the rules, regulations, and relevant orders of the President's Committee on Equal Employment Opportunity created thereby.
- "(5) The Firms will furnish all information and reports required by Executive Order No. 10925 of March 6, 1961, as amended, and by the rules, regulations, and orders of the said Committee, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Committee for purposes of investigation to ascertain compliance with such rules, regulations and orders.
- "(6) In the event of the Firm's noncompliance with the non-discrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the Firms may be declared ineligible for further Governments contracts in accordance with procedures authorized in Executive Order No. 10925 of March 6, 1961, as amended, and such other sanctions may be imposed and remedies invoked as provided in the said Executive Order or by rule, regulation, or order of the President's Committee on Equal Employment Opportunity, or as otherwise provided by law.
- "(7) The Firms will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the President's

Committee on Equal Employment Opportunity issued pursuant to section 303 of Executive Order No. 10925 of March 6, 1961, as amended, so that such provisions will be binding upon each subcontractor or vendor. The Firms will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provide, however, that in the event the Firms becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the Firms may request the United States to enter into such litigation to protect the interests of the United States."

Legal Name of Firms: _____

By: _____
Signature (Manual)

By: _____
Name (Typed)

Date: _____

SECTION 7.5

**SWORN STATEMENT PURSUANT TO SECTION 287.133(3) (A), FLORIDA STATUTES, ON
PUBLIC ENTITY CRIMES**

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

1. This sworn statement is submitted to **MIAMI DADE COLLEGE**
By _____
[Print individual's name and title]
For _____
[Print name of submitting sworn statement]
Whose business address is _____
and (if applicable) its Federal Employer Identification Number (FEIN) is _____.
If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____.
[Social Security Number]

2. I understand that a "public entity crime" as defined in Paragraph Section 287.133 (1)(g), Florida Statutes, means

a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133 (1)(b), Florida Statutes, means a finding of guilt or conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that an "affiliate" as defined in Paragraph 287.133 (1) (a), Florida Statutes, means:

A predecessor or successor of a person convicted of a public entity crime; or

An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133 (1) (e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives,

partners, shareholders, employees, members, and agents who are active in the management of an entity.

6. Based on information and belief, the statement, which I have marked below, is true in relation to the entity submitting this sworn statement. [Initial next to statement which applies.]

_____ Neither the entity submitting this sworn statement nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or against who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. [Attach a copy of the final order]

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

[Signature]

Sworn to and subscribed before me this _____ day of _____, 20____ personally known _____ OR produced identification _____.

Notary Public – State of _____

My commission expires _____
(Type of Identification)

(Printed typed or stamped commission name of notary public)