



**INVITATION TO BID**

**DESKTOP COMPUTERS AND MONITORS  
(Contract through June 30, 2012)**

**Submit Responses to:  
SOUTH FLORIDA WORKFORCE INVESTMENT BOARD  
7300 CORPORATE CENTER DRIVE  
SUITE 500  
MIAMI, FLORIDA 33126**

**Release Date: May 7, 2012**

**Deadline for Receipt of Responses, May 16, 2012 by 3:00 p.m. ET**

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**Part I**  
**CALENDAR AND PROCESS**  
**(ITB - DESKTOP COMPUTERS AND MONITORS)**

If your company is interested in providing a bid, please read the following information carefully and return as directed on the ITB no later than the bid due date listed below:

**A. Solicitation Timetable**

ITB Publicly Noticed	Friday, May 4, 2012
Solicitation Release Date	Monday, May 7, 2012
Offerors' Conference	Friday, May 11, 2012, 9:00 a.m.
Deadline for Receipt of Bids	Wednesday, May 16, 2012, 3:00 p.m.
Opening of Bids	Thursday, May 17, 2012, 1:00 p.m.
Award Date	Thursday, May 24, 2012
Delivery Date	By No Later than Monday, June 11, 2012

**B. Method of Solicitation**

An Invitation to Bid (ITB) is being used as the method of solicitation to seek to assure the greatest degree of open competition and to obtain the best technical responses and services at the best possible price. Public notices of this ITB has been published in local newspapers, and notices of this solicitation have been sent to agencies on the SFWIB Vendor's List. Moreover, the ITB has been published on the SFWIB website.

The method of solicitation being used is intended to require a minimal expenditure of resources by responding organizations while at the same time enabling SFWIB to identify those organizations that can provide the highest quality. SFWIB is not seeking elaborate responses. Brief narratives are requested that specify the proposed services, document qualifications and a demonstrated performance track record in providing the proposed equipment. Responses should illustrate governmental experience and capability in providing IT Equipment.

**C. Cone of Silence**

All Respondents to this ITB are limited by the "Cone of Silence" surrounding solicitations and prohibitions against ex parte communications. The "Cone of Silence" prohibits communications regarding this solicitation between a current or potential contractor and any SFWIB member, SFWIB staff, or any other person serving as a selection committee member during this solicitation process. Respondents directly contacting Board members, staff, or selection committee members risk immediate elimination of their response.

**D. Offerors' Conference**

Potential Respondents are encouraged to attend the Offerors' Conference scheduled for **May 11, 2012, at 9:00 a.m.** This conference will be held at the SFWIB Headquarters, 7300 Corporate Center Drive (NW 19<sup>th</sup> Street), 5<sup>th</sup> Floor, Conference Room 3, Miami, FL 33126. Attendance is not mandatory.

This conference is the only communication opportunity given to Respondents regarding this solicitation. This will provide the only public forum available to Respondents for submitting

questions. Except for information provided at the Offerors' Conference, SFWIB staff is prohibited from communicating with Respondents.

#### **E. Request for Clarification**

All questions regarding the clarification of any requirement, standard or question in this ITB because of any alleged ambiguity, conflict, discrepancy or omission or other alleged error must be received by SFWIB not later than 12:00 noon, **May 10, 2012**. Written requests should be emailed to [mmartinez02@southfloridaworkforce.com](mailto:mmartinez02@southfloridaworkforce.com).

1. SFWIB reserves the right to accept or reject any or all request(s) for clarification, either in whole or in part, and may require requests to be supplemented through additional written submissions.
2. Oral requests for clarification shall not be accepted.

All written requests for clarification accepted by the SFWIB along with corresponding responses will be posted on the SFWIB website at [www.southfloridaworkforce.com](http://www.southfloridaworkforce.com).

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## **Part II General Specifications**

### **A. Introduction**

The SFWIB is one of 24 regional workforce boards in Florida and comprises the geographical area of Miami-Dade and Monroe Counties, known as Region 23. The SFWIB is composed of representatives of local private business, educational institutions, economic development agencies, labor organizations, community-based organizations, state agencies, and other individuals deemed appropriate who are responsible for shaping the regional workforce development system in accordance with federal and state laws.

The South Florida Workforce Investment Board (SFWIB) is soliciting competitive responses from experienced and capable Information Technology vendors.

Responses should illustrate experience with this type of service. Responses submitted will be used to determine the best-qualified firm and will be the basis for negotiating a contract.

### **B. Services Solicited Under this ITB**

SFWIB is seeking to secure the best pricing available for high quality technology equipment to support the continuous delivery of integrated employment and training services to individuals, job seekers, and participants accessing the workforce delivery infrastructure as more specifically described in Part III (Product Technical Specifications).

### **C. Indemnification**

The Respondent shall indemnify and hold harmless SFWIB and its officers, employees, agents, servants, agencies and instrumentalities from any and all liability, losses or damages, including attorneys' fees and costs of defense, which SFWIB and its officers, employees, servants, agents, agencies or instrumentalities may incur as a result of any and all claims, demands, suits, causes of action or proceedings of any kind or nature arising out of, relating to or resulting from the performance of the contract by the Respondent or the Respondent's officers, employees, agents, servants, partners, principals or subcontractors. The Respondent shall pay all claims and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of SFWIB, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorneys' fees which may issue thereon. The Respondent expressly understands and agrees that any insurance policies required by the Contract or otherwise provided by the Respondent shall in no way limit the responsibility to indemnify, keep and save harmless and defend SFWIB, and its officers, employees, agents, servants, agencies and instrumentalities as herein provided.

Term of Indemnification. The provisions of this indemnification shall survive the expiration of the contract and shall terminate upon the expiration of the applicable statute of limitation.

#### **D. Non-Discrimination And Equal Opportunity**

As a condition of the award of financial assistance from the Department of Labor under Title I of the Workforce Investment Act of 1998, and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the Respondent assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

Section 188 of the Workforce Investment Act of 1998 (WIA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawful admitted immigrant authorized to work in the United States or participation in any WIA Title I – financially assisted program or activity;

Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C 2000d et seq., which prohibits discrimination against qualified individuals from participating or receiving benefits in any Federal Assisted Programs on the basis of race, color, or national origin;

Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination against qualified individuals with disabilities;

The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 et seq., which prohibits discrimination on the basis of age;

Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et seq., which prohibits discrimination on the basis of sex in educational programs;

Section 654 of the Omnibus Budget Reconciliation Act of 1981, as amended, 42 U.S.C. 9849, which prohibits discrimination on the basis of race, creed, color, national origin, sex, handicap, political affiliation or beliefs;

The American with Disabilities Act of 1990, P.L. 101-336, which prohibits discrimination on the basis of disability and requires reasonable accommodation for persons with disabilities;

45 CFR 98, the Temporary Assistance for Needy Families Program (TANF), 45 CFR Parts 260-265, and other applicable federal regulations and policies promulgated hereunder; and

Executive Order (EO) No. 11246, Equal Employment Opportunity, as amended by EO No. 11375, and as supplemented in Department of Labor regulation 29 CFR Parts 33 and 37 as well as 41 CFR, Part 60 and 45 CFR Part 80; if applicable.

The Respondent also assures that Respondent will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to Respondent's operation of the WIA Title I and TANF – financially assisted program or activity and to all agreements the Respondent makes to carry out the WIA Title I and TANF – financially assisted program or activity. The Respondent understands the United States has the right to seek judicial enforcement of this assurance.

#### **E. Clean Air Act And Water Pollution Act**

The Respondent agrees that if this is a Contract for more than \$100,000, then Respondent shall comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, 42 U.S.C. 7401 et seq., and the Federal Water Pollution Control Act, as amended 33 U.S.C. 1251 et seq. SFWIB shall report violations to the HHS and the appropriate Regional Office of the Environmental Protection Agency.

**F. Compliance With Energy Efficiency Provision**

The Respondent shall comply with the mandatory standards and policies relating to energy efficiency, if applicable, which are contained in the State Energy Conservation Plan issued in compliance with the Energy Policy and Conservation Act (Public Law 94-163).

**G. Association of Community Organizations for Reform Now (ACORN) Funding Restrictions Assurance (Pub. L. 111-117 And H.R. 3571).**

As a condition of Award, Respondent assures that it will comply fully with the federal funding restrictions pertaining to ACORN and its subsidiaries per the Consolidated Appropriations Act of 2010, Division E, Section 511 (Pub. L. 111-117) and the federal funding restrictions of covered organizations as defined in the Defund ACORN Act (H.R. 3571).

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**Part III**  
**PRODUCT TECHNICAL SPECIFICATIONS**

<b>ITEMS</b>	<b>UNITS</b>	<b>SPECIFICATIONS</b>
Computer	260	6200 Pro HP Compaq SFF – 1 X Core I3 2120 / 3/3 GHZ – RAM 4 GB – HDD 250 GB WINDOWS 7 PROFESSIONAL  Or Other Major Name Brand
Monitor	260	HP LE1901W 19 wide LCD display – TFT – 19 – Widescreen – 1440 x 900 / 60 HZ - BLACK  Or Other Major Name Brand

All products provided under this ITB must be of the same brand name and model. No substitutions or combinations will be acceptable.

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## IV Terms and Conditions

The issuance of this ITB does not commit the South Florida Workforce Investment Board (SFWIB) to pay any costs incurred in preparation and response to this solicitation. Vendors must be fully registered with Miami-Dade and/or State of Florida prior to the award of any contract. The SFW reserves the right to investigate or inspect at any time the product or qualifications offered by the respondent to meet the ITB requirements.

1. Delivery of the goods is required to be completed on or before **June 11, 2012**.
2. Respondents must submit responses as indicated in the delivery method section of this ITB.
3. Bid opening shall be on May 17, 2012. Bids will be opened in the presence of the Bidder's representative(s) who choose to attend at the address below. Late bids shall not be accepted.
4. All prices shall be for new merchandise.
5. All products must be of the same brand name and model. No substitutions or combinations will be acceptable.
6. The Contractor shall provide a three year warranty on workmanship with bid. All warranties, express and implied, shall be made available to SFWIB for goods and services covered by this Invitation to Bid. All goods furnished shall be fully guaranteed by the successful bidder against factory defects and workmanship. At no expense to SFWIB, the successful bidder shall correct any and all apparent and latent defects that may occur within the period of warranty.
7. All quotes must indicate price per unit and total cost. Prices are to be firm, i.e. – fixed for the above period.
8. For purchase orders, payment for all items will be made within thirty (30) days upon receipt of original invoice.
9. Companies are not under any obligation to respond. If a response is late or not received within the specified deadline, the SFWIB shall consider this action as non-responsive.
10. SFWIB reserves the right to modify or make no award if deemed by the SFWIB to be in the best interest of the SFWIB.
11. Where two (2) or more related parties, as defined herein, each submit a bid for any contract, such bids shall be presumed to be collusive. The foregoing presumption may be rebutted by the presentation of evidence as to the extent of ownership, control and management of such related parties in preparation and submittal of such bids. "Related parties" shall mean the bidder or the principles thereof which have direct or indirect ownership interest in another bidder for the same contract. Furthermore, any prior understanding, agreement, or connection between two or more corporations, firms, or persons submitting a bid for the same materials, supplies, services, or equipment shall also be deemed collusive. Bids found to be collusive shall be rejected. Bidders who have been found to have engaged in collusion may be considered non-responsible, and may be suspended or debarred, and any contract resulting from collusive bidding may be terminated for default.
12. Any individual, corporation or other entity that attempts to meet its contractual obligations with SFWIB through fraud, misrepresentation, or material misstatement, may be debarred for up to five (5) years. SFWIB as a further sanction may terminate or cancel any other contracts with such individual, corporation, or entity. Such individual or entity shall be responsible for all direct or indirect costs associated with termination or cancellation, including attorney's fees.

13. SFWIB may conduct a pre-award inspection of the goods or hold a pre-award qualification hearing to determine if the bidder is capable of performing the requirements of this bid solicitation.
14. Bidders are hereby notified that all information submitted as part of, or in support of bid submittals will be available for public inspection after opening of bids in compliance with Chapter 119 of the Florida Statutes; popularly known as the "Public Records Law." The bidder shall not submit any information in response to this invitation which the bidder considers to be a trade secret, proprietary or confidential. The submission of any information to SFWIB in connection with this invitation shall be deemed conclusively to be a waiver of any trade secret or other protection, which would otherwise be available to the bidder.

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**Part V**  
**Vendor Requirements**

The vendor must meet all requirements under this bid in order to be considered. The SFWIB may require additional proof of meeting requirements after opening the bids for verification purposes. Failure to provide additional required verification within 24 hours from request may result in your company to become considered as non-responsive.

**1. Completion of the Vendor Questionnaire:**

- a. In business since July 2009 providing the same type of business under the same business name.
- b. In the past twelve months have provided desktop computers to local, state, or federal governmental agency.
- c. Complete business contact information from three of your customers with whom business was conducted within the past twelve months.

**2. Completion of the following disclosure forms:**

- a. Bid Proposal Form
- b. Bid Proposal Package Checklist
- c. Certification Regarding Lobbying
- d. Code of Business Ethics
- e. Contractor Disclosure and Certification
- f. Copy of IRS Tax form W-9
- g. Debarment and Suspension Certification
- h. Non-Discrimination and Equal Opportunity
- i. Public Entity Crimes
- j. Sarbanes-Oxley

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**Part VI**  
**Response Package Submission Requirements**

**A. Submission Guidelines**

Respondents are required to submit two (2) sets of sealed bids **no later than 3:00 p.m. on May 16, 2012**. Response packages shall be delivered to the address set forth on the cover of this Invitation to Bid. SFWIB shall not accept any changes, modifications or additions to the response packages after the submission deadline has passed.

Any response packages not reaching the aforementioned address by the aforesaid time and date will not be accepted by the SFWIB. Any response packages received after the aforesaid time and date shall neither be considered nor evaluated by the SFWIB and will be returned unread to the Respondent. No response packages will be accepted via electronic mail or facsimile.

It is the responsibility of the bidder to become thoroughly familiar with the bid requirements, terms and conditions of this invitation to bid. Pleas of ignorance by the bidder of conditions that exist or that may exist will not be accepted as a basis for varying the requirements of the SFWIB, or the compensation to be paid to the bidder.

This solicitation is subject to all legal requirements contained in applicable local, state, and federal laws. Where conflict exists between the invitation to bid and these legal requirements, the authority shall prevail in the following order: federal, state, and local.

The Bid Proposal Form must be completed and submitted with the Response package. Use of any other form will result in the rejection of the bidder's offer.

The Bid Proposal Form must be legible. Bidders shall use a typewriter, computer, or ink. All changes must be crossed out and initialed in ink. Failure to comply with these requirements may cause the bid to be rejected.

The bidder may be considered non-responsible if bids are conditioned to modifications, changes, revisions to the terms and conditions of the solicitation.

Bidder's authorized agent must sign proposal. **FAILURE TO SIGN THE BID PROPOSAL FORM SHALL RENDER THE BID NON-RESPONSIVE.**

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**B. Response Package Format, Content and Organization**

All proposals packages must be assembled in the following format:

1. Bid Proposal Package Checklist

Bid Proposal Form

Certification Regarding Lobbying

Code of Business Ethics

Contractor Disclosure and Certification

Copy of IRS Tax form W-9

Debarment and Suspension Certification

Non-Discrimination and Equal Opportunity

Public Entity Crimes

Sarbanes-Oxley

Vendor Questionnaire

2. Bids must be submitted in two (2) sets not later than 3:00 p.m. on **May 16, 2012**

**Via regular mail or delivery to:** SFWIB Headquarters, Suite 500, Reception Desk, 7300 Corporate Center Drive, Miami, Florida, 33126

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## **Part VII Selection Process**

### **A. Evaluation Process**

SFWIB will conduct a review of all timely submitted bids to this solicitation. Responses will be opened on May 17, 2012, to publicly record vendor responses.

Price is an important factor in selecting a vendor. However, other factors in the competitive process will be considered and may take precedence over price. These factors may include, but are not limited to a bidders reputation, past performance, business and financial capabilities which indicates the bidder is capable of satisfying the terms and conditions of the ITB.

SFWIB will evaluate bids to determine if all information required by the ITB is complete. Incomplete responses or those not satisfactorily addressing each requirement may be disqualified. Respondents are requested to be concise and complete in their responses. A respondent may include additional information and such information may or may not be considered by SFWIB during the evaluation process.

SFWIB reserves the right to reject any and all bids, to waive any irregularities or technicalities and to withdraw, in the SFWIB's sole discretion, this solicitation or any portion of this solicitation at any time without prior notice.

When there are multiple line items in a solicitation, SFWIB reserves the right to award on an individual item basis, on any combination of items, or in whichever manner is deemed in the best interest of SFWIB.

### **B. Contract Award**

Final award of a contract will be contingent upon:

- Acceptance by the Respondent of the contract terms and conditions,
- Satisfactory verification of past performance of the Respondent

### **C. Appeal Process**

Respondents will be advised of the SFWIB appeal process at the time of the May 17, 2012, public review forum.

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**Part VIII  
ATTACHMENTS**

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## BID PROPOSAL PACKAGE CHECKLIST

1. Bid Proposal form typed or printed in ink?	YES	NO
2. Certification Regarding Lobbying?	YES	NO
3. Code of Business Ethics	YES	NO
4. Contractor Disclosure and Certification?	YES	NO
5. Copy of IRS Tax form W-9?	YES	NO
6. Debarment/Suspension Certification?	YES	NO
7. Non-Discrimination and Equal Opportunity?	YES	NO
8. Public Entity Crimes?	YES	NO
9. Sarbanes-Oxley?	YES	NO
10. Vendor's Authorized Agent/Representative has signed proposal?	YES	NO
11. Vendor Questionnaire attached?	YES	NO

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Name of Business/Company

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Mailing Address

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City State Zip

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Signature of Authorized Representative

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Print Or Type Name Title

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Phone/Fax

## BID PROPOSAL FORM

Having carefully read and understood all sections of this Bid, I/we agree to provide all labor and materials as per specifications for the following prices. I/we agree to supply products of the same brand name and model..

Do not include sales tax.

Complete all areas on this form

Company's Name	
Federal ID No.	
Mailing Address	
Telephone /Fax	
e-mail address	
Contact Person's name and Title	

### EQUIPMENT INFORMATION

Computer Make & Model		
Price per Computer	\$	
Quantity		
Total	\$	

Monitor Make & Model		
Price per Monitor	\$	
Quantity		
Total	\$	

<b>Total Bid Proposal</b>	\$
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AUTHORIZED AGENT SIGNATURE: \_\_\_\_\_ DATE \_\_\_\_\_

COMPANY \_\_\_\_\_

## CERTIFICATION REGARDING LOBBYING

### CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS

The Respondent certifies, to the best of the Respondent's knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of a Contractor, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The Respondent shall require that the language of this certification be included in the award documents for "all" sub-awards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all\* subrecipients shall certify and disclose the same accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by the Byrd Anti-Lobbying Amendment Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**CODE OF BUSINESS ETHICS AFFIDAVIT**

**Code of Miami-Dade County Section 2-8.1(i)**

I, being duly sworn, hereby state and certify that this firm has adopted a Code of Business Ethics that is fully compliant with the requirements of Section 2-8.1(i) of the Code of Miami-Dade County as amended. I further acknowledge that failure to comply with the adopted Code of Business Ethics shall render any contract with Miami-Dade County voidable, and subject this firm to debarment from County work pursuant to Section 10-38(h)(2) of the Code of Miami-Dade County as amended. I further acknowledge that failure to submit this affidavit shall render this firm ineligible for contract award.

By: \_\_\_\_\_ 20\_\_\_\_  
Signature of Affiant Date

\_\_\_\_\_  
Printed Name of Affiant and Title

\_\_\_\_/\_\_\_\_-\_\_\_\_/\_\_\_\_/\_\_\_\_/\_\_\_\_/\_\_\_\_/\_\_\_\_/  
Federal Employer Identification Number

\_\_\_\_\_  
Printed Name of Firm

\_\_\_\_\_  
Address of Firm

**SUBSCRIBED AND SWORN TO** (or affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

He/She is personally known to me or has presented \_\_\_\_\_ as identification.  
Type of identification

## CONTRACTOR DISCLOSURE AND CERTIFICATION

For purposes of this Invitation to Bid, Respondent makes the following disclosure:

The principals\* and owners\*\* of the contracting entity:

have no relative who is a member of the SFWIB;

have a relative who is a member of the SFWIB, whose name is \_\_\_\_\_

There is / is not (circle one) a principal or owner who is a member of the SFWIB. If applicable, the principal's or owner's name is \_\_\_\_\_.

There is / is not (circle one) a principal or owner who is an employee of the SFWIB. If applicable, the principal's or owner's name is \_\_\_\_\_.

\* "Principal" means an owner or high level management employee with decision-making authority.

\*\* "Owner" means a person having any ownership interest in the contractor.

I hereby certify that the information above is true and correct.

## DEBARMENT / SUSPENSION CERTIFICATION

### INSTRUCTIONS

Complete this certification and submit it with your bid.

### CERTIFICATION STATEMENT

The SFWIB shall solicit offers from, award contracts to, and consent to subcontracts with responsible contractors only. This is in accordance with Section 10-38 of the Miami-Dade County Code and Ordinance 00-18.

The agent, officer, or representative certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal or state agency;
  - (i). For commission of a fraud or a criminal offense in connection with obtaining, attempting to obtain, performing, or making a claim upon a public contract or subcontract, or a contract or subcontract funded in whole or in part with public funds;
  - (ii). For violation of federal or State antitrust statutes relating to the submission of offers;
  - (iii). For commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (iv). For commission of any other payment or performance related offense that seriously and directly affects the completion of one (1) or more contracts or the performance of the completed building, or project, or goods and services; or
  - (v). Which makes the County the prevailing party in a legal proceeding, and a court determines that the lawsuit between the contractor and the County was frivolous or filed in bad faith.
  
2. Where the agent, officer, or representative is unable to certify to any of the statements in this certification, such agent, officer, or representative shall attach an explanation to this proposal.

---

Organization Name

---

Name and Title of Authorized Agent/Representative

---

Signature

---

Date

**NON-DISCRIMINATION, EQUAL OPPORTUNITY, AND  
AMERICANS WITH DISABILITIES ACT**

The Respondent assures that Respondent will comply fully with the non-discrimination and equal opportunity provisions of the following laws:

1. Section 188 of the Workforce Investment Act of 1998 (WIA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States.
2. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), as amended, which prohibits discrimination on the basis of race, color, and national origin;
3. Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended, which prohibits discrimination against qualified individuals with disabilities;
4. The Age Discrimination Act of 1975 (Pub. L. 94-135), as amended, which prohibits discrimination on the basis of age;
5. Title IX of the Education Amendments of 1972 (Pub. L. 92-318), as amended, which prohibits discrimination on the basis of sex in educational programs;
6. Section 654 of the Omnibus Budget Reconciliation Act of 1981 as amended, 42 U.S.C. 9849, which prohibits discrimination on the basis of race, creed, color, national origin, sex, handicap, political affiliation or beliefs;
7. The American with Disabilities Act of 1990, P.L. 101-336, which prohibits discrimination on the basis of disability and requires reasonable accommodation for persons with disabilities;
8. 45 CFR 98, the Temporary Assistance for Needy Families Program (TANF), 45 CFR Parts 260-265, and other applicable federal regulations and policies promulgated hereunder; and
9. Executive Order (EO) No. 11246, Equal Employment Opportunity, as amended by EO No. 11375, and as supplemented in Department of Labor regulation 29 CFR parts 33 and 37 as well as 41 CFR, part 60 and 45 CFR part 80; if applicable.

The Respondent also assures that Respondent will comply with all other regulations implementing the laws listed above. The Respondent understands the United States has the right to seek judicial enforcement of this assurance.

---

Respondent

---

Name and Title of Certifying Representative

---

Signature of Certifying Representative

---

Date



**SWORN STATEMENT UNDER 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 OFFICER AUTHORIZED TO ADMINISTER OATHS.**

1. This sworn statement is submitted to \_\_\_\_\_  
[print name of public entity]  
by \_\_\_\_\_  
[print individual's name and title]  
for \_\_\_\_\_  
[print name of entity submitting sworn statement]  
whose business address is \_\_\_\_\_  
and (if applicable) its Federal Employer Identification Number (FEIN) is \_\_\_\_\_(if the entity has no  
FEIN, include the Social Security Number of the individual signing this sworn statement:  
\_\_\_\_\_.)

2. I understand that a "public entity crime" as defined in Paragraph 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 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 a 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, nonjury 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:

1. A predecessor or successor of a person convicted of a public entity crime; or
2. 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 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. **[indicate which statement applies]**

Neither the entity submitting this sworn statement, nor any 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 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 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. 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 \_\_\_\_\_

\_\_\_\_\_  
(Type of Identification) My commission expires \_\_\_\_\_

\_\_\_\_\_  
[Signature of Notary Public]

(Printed, typed, or stamped Commissioned name of Notary Public)

**SARBANES-OXLEY ACT OF 2002**

It is the policy of the SFWIB to comply with the requirements of the Sarbanes-Oxley Act of 2002, Sections 1102 and 1107, set forth by the Act, the United States Code Title 18, Sections 1512 and 1513, as amended, and the requirements of the Workforce Board. By signing below, the Respondent assures that the Respondent will comply with the Sarbanes-Oxley Act provisions as set forth below:

**Provisions of the Act – Title X1 – Corporate Fraud Accountability**

**Section 1102 – Tampering with a record or otherwise impeding an official proceeding** – “Whoever corruptly: 1) alters, destroys, mutilates, or conceals a record, document or other object, or attempts to do so, with the intent to impair the object’s integrity or availability for use in an official proceeding 2) otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both”.

**Section 1107 – Retaliation against Informants** – “Whoever knowingly, with the intent to retaliate, takes any action harmful to any person, including interference with the lawful employment or livelihood of any person, for providing to a law enforcement officer any truthful information relating to the commission or possible commission of any Federal offense, shall be fined under this title or imprisoned not more than 10 years, or both”.

\_\_\_\_\_  
**Respondent**

\_\_\_\_\_  
**Name and Title of Certifying Representative**

\_\_\_\_\_  
**Signature of Certifying Representative**

\_\_\_\_\_  
**Date**

## VENDOR QUESTIONNAIRE

### INSTRUCTIONS

Complete all areas on this form

1. Has your company been in business since July 2009 providing the same type of business under the same business name?     **YES**        **NO**
2. In the past twelve months has your company provided desktop computers to a local, state, or federal government agency?     **YES**        **NO**
3. List business contact information for three of your customers. (Please contact the references below prior to submitting your bid to ensure they will openly discuss your contract with the SFW in order to be considered responsive).

Company Name	Contact Person	Phone Number	Commodity/Service

\_\_\_\_\_  
Organization Name

\_\_\_\_\_  
Name and Title of Authorized Agent/Representative

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date