



COMPETITIVE SOLICITATION – No. 00318
COOPERATIVE PURCHASING MASTER AGREEMENT
FOR
PUBLIC SAFETY COMMUNICATIONS PRODUCTS, SERVICES AND SOLUTIONS

INTRODUCTION

The Washington State Department of Enterprise Services (Enterprise Services) is issuing this Competitive Solicitation pursuant to RCW chapter 39.26. Pursuant to this Competitive Solicitation, Enterprise Services intends to conduct a competitive procurement to establish and award nationwide Cooperative Purchasing Master Agreements for eligible purchasers to purchase Public Safety Communication Products, Services and Solutions (“Public Safety Radio”). The Cooperative Purchasing Master Agreements will be awarded as set forth in this Competitive Solicitation.

Cooperative Purchasing Agreement: Pursuant to RCW 39.26.060, Enterprise Services is authorized to participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any goods or services with one or more states, state agencies, local governments, local government agencies, federal agencies, or tribes located in Washington, in accordance with an agreement entered into between the participants. Enterprise Services, pursuant to an agreement with NASPO ValuePoint Cooperative Purchasing Program, is serving as ‘Lead State’ in conducting the competitive procurement and resulting Cooperative Purchasing Master Agreement for Public Safety Radio. Enterprise Services intends to use the solicitation to establish Cooperative Purchasing Master Agreements with qualified Bidders to provide Public Safety Radio for Washington State and all NASPO ValuePoint Participating States and authorized Participating Entities.

NASPO ValuePoint. NASPO ValuePoint is a cooperative purchasing program of all 50 states, the District of Columbia and the territories of the United States. The Program is facilitated by the NASPO Cooperative Purchasing Organization LLC, a nonprofit subsidiary of the National Association of State Procurement Officials (NASPO), doing business as NASPO ValuePoint. NASPO is a non-profit association dedicated to strengthening the procurement community through education, research, and communication. It is made up of the directors of the central purchasing offices in each of the 50 states, the District of Columbia and the territories of the United States. NASPO ValuePoint facilitates administration of the cooperative group-contracting consortium of state chief procurement officials for the benefit of state departments, institutions, agencies, and political subdivisions and other eligible entities (i.e., colleges, school districts, counties, cities, some nonprofit organizations, etc.) for all states, the District of Columbia, and territories of the United States. For more information consult the following websites: www.naspovaluepoint.org and www.naspo.org.

Participating Entities. The resulting Cooperative Purchasing Master Agreement(s) from this solicitation will be available for use by the State of Washington and any NASPO ValuePoint cooperative purchasing member – i.e., any state, the District of Columbia, or territory of the United States (collectively “State”).

Participation shall be through a Participation Addendum to participate in the Cooperative Purchasing Master Agreement(s); *Provided*, however, that such Participating Addendum must be executed by the chief procurement official for the applicable State which may authorize local participation in accordance with applicable State law; and *Provided further*, that such Participating Addendum shall not change the terms and conditions set forth in the Cooperative Purchasing Master Agreement(s). Any State that executes such Participating Addendum is a 'Participating State,' and its authorized participants (purchasers) are 'Purchasing Entities.' Some local governments, political subdivisions, and other authorized entities under the applicable state may be permitted by the chief procurement official to execute a Participating Addendum and also become a Participating Entity.

- PARTICIPATING STATES. In addition to Washington, the Lead State conducting this Competitive Solicitation, the following Participating States have requested to be named in this Competitive Solicitation as potential users of the resulting Cooperative Purchasing Master Agreement(s):

| | | |
|------------|--------------|-----------|
| Alaska | Maryland | Utah |
| California | Montana | Vermont |
| Colorado | New Mexico | Wisconsin |
| Florida | Oklahoma | |
| Hawaii | Oregon | |
| Illinois | South Dakota | |

Other States may choose to execute a Participating Addendum, as set forth herein, after award of the Cooperative Purchasing Master Agreement(s).

Some States may have included additional special or unique state terms and conditions that will govern their Participating Addendum. These terms and conditions are being provided as a courtesy to Bidders to indicate which additional terms and conditions may be incorporated into the Participating Addendum of such states after award of the Cooperative Purchasing Master Agreement(s). The Lead State will not address questions or concerns or negotiate other States' terms and conditions. The Participating States shall negotiate these terms and conditions directly with the awarded Bidder. Awarded Bidders have no obligation to agree to any substantive terms and conditions set forth in a Participating Addendum that have not been set forth in this Competitive Solicitation.

The form of the Participating Addendum for the State of Washington as well as the Participating Addendum template(s) or Special Terms and Conditions for other Participating or Purchasing Entities is attached as exhibits:

- [Exhibit E-1 Participating Addendum – State of Washington \(Lead State\)](#)
- [Exhibit E-2 Participating Addendum – State of Oregon](#)
- [Exhibit E-3 Terms and Conditions – State of Vermont](#)
- [Exhibit E-4 Terms and Conditions – State of New Mexico](#)
- [Exhibit E-5 Terms and Conditions – State of Montana](#)
- [Exhibit E-6 Terms and Conditions – State of Hawaii](#)
- [Exhibit E-7 Terms and Conditions – State of Utah](#)
- [Exhibit E-8 Terms and Conditions – State of California](#)
- [Exhibit E-9 Terms and Conditions – State of Illinois](#)

- [Exhibit E-10 Participating Addendum – State of Wisconsin](#)
- [Exhibit E-11 Terms and Conditions – State of Maryland](#)
- [Exhibit E-12 Terms and Conditions – State of Alaska](#)

This Competitive Solicitation is divided into six (6) sections:

- [Section 1](#) provides a summary table of relevant deadlines for responding to the Competitive Solicitation and identifies contact information for Enterprise Services’ Procurement Coordinator
- [Section 2](#) provides important information about the procurement that is designed to help interested Bidder’s evaluate the potential opportunity, including the purpose of the procurement and the Cooperative Purchasing Master Agreement, the form of the resulting the Cooperative Purchasing Master Agreement, and potential contract sales.
- [Section 3](#) identifies how Enterprise Services will evaluate the bids.
- [Section 4](#) identifies how to prepare and submit a bid for this Competitive Solicitation, including detailed instructions regarding what to submit and how to submit your bid.
- [Section 5](#) details the applicable requirements to file a complaint, request a debrief conference, or file a protest regarding this Competitive Solicitation.
- [Section 6](#) provides information pertaining to doing business with the State of Washington.

In addition, this Competitive Solicitation includes the following Exhibits:

- [Exhibit A – Required Bidder Information](#): These exhibits identify information that Bidders must provide to Enterprise Services to constitute a responsive bid. See Section 4, below.
 - [Exhibit A-1 – Bidder Certification](#)
 - [Exhibit A-2 – Bidder Profile](#)
- [Exhibit B – Technical/Performance Requirements](#): This exhibit outlines the required specifications/qualifications for the Public Safety Radio that is/are the subject of this Competitive Solicitation.
 - [Exhibit B-1 Mandatory Technical Requirements](#)
 - [Exhibit B-2 System Solutions Narratives](#)
 - [Exhibit B-3 Experience, Qualifications, Certifications, and Services](#)
 - [Exhibit B-4 References](#)
- [Exhibit C – Bid Price](#): This exhibit provides the pricing information that Bidders will complete as part of their bid and the price evaluation tool that Enterprise Services will use to evaluate and compare bids.
- [Exhibit D – Cooperative Purchasing Master Agreement](#): This exhibit is a draft of the Cooperative Purchasing Master Agreement that any successful Bidder will execute with Enterprise Services.
- [Exhibit D-1 Cooperative Purchasing Master Agreement Issues List](#): This exhibit provides a template for submitting any issues/concerns with the Cooperative Purchasing Master Agreement attached as Exhibit D.

- [Exhibit E – Historical Sales and Other State Information](#). This exhibit provides other states historical sales and unique terms & conditions that are negotiated with that state as a part of the Participating Addendum process.

SECTION 1 – DEADLINES, QUESTIONS, PROCUREMENT COORDINATOR, AND MODIFICATION

This section identifies important deadlines for this Competitive Solicitation and where to direct questions regarding the Competitive Solicitation.

- 1.1. **COMPETITIVE SOLICITATION DEADLINES.** The following table identifies important dates for this Competitive Solicitation:

| COMPETITIVE SOLICITATION DEADLINES | |
|--|--|
| ITEM | DATE |
| Competitive Solicitation Posting Date: | November 16, 2020 |
| Pre-Bid Conference Date and Instructions: | December 2, 2020 |
| | https://www.eventbrite.com/e/public-safety-communications-pre-bid-conferences-tickets-127043742253 1) Pre-Bid Conference registration is open from November 16-23, 2020. 2) All Pre-Bid Conference attendees must register using the link above. 3) A total of five (5) attendees from each company may register. 4) All attendees from each company must register individually. 5) One (1) week prior to the Pre-Bid Conference, all registered attendees will receive a link and instructions for attendance. 6) The Pre-Bid Conference will be recorded. |
| Question & Answer Period: | November 16 – January 15, 2021 |
| Deadline for submitting Bids: | January 25, 2021 |
| Bid Evaluation: | February 1 – February 26, 2021 |
| Anticipated Announcement of Apparent Successful Bidders (s): | March 10, 2021 |
| Anticipated Award of Cooperative Purchasing Master Agreement(s): | March 19, 2021 |
| Cooperative Purchasing Master Agreement Negotiations: | March 22, 2021 through May 31, 2021 |
| Cooperative Purchasing Master Agreement Start Date: | July 1, 2021 |

The solicitation (and award of the Cooperative Purchasing Master Agreements) is subject to complaints, debriefs, and protests, which may impact the dates set forth above.

- 1.2. **COMPETITIVE SOLICITATION QUESTIONS.** Questions or concerns regarding this Competitive Solicitation must be directed to the following Procurement Coordinator:

| Procurement Coordinator | |
|-------------------------|--|
| Name: | Neva Peckham |
| Telephone: | 360-407-2218 |
| Email: | DESContractsTeamCypress@des.wa.gov |

Questions raised at the pre-bid conference and during the Q&A period will be answered and responses posted to Washington’s Electronic Business Solutions (WEBS).

- 1.3. **COMPLAINTS, DEBRIEFS, & PROTESTS.** The Competitive Solicitation (and award of any Cooperative Purchasing Master Agreement) is subject to complaints, debriefs, and protests as explained in Section 5, which may impact the dates set forth above.
- 1.4. **COMPETITIVE SOLICITATION – AMENDMENT & MODIFICATION.** Enterprise Services reserves the right to amend and modify this Competitive Solicitation. Only Bidders who have properly registered and downloaded the original Competitive Solicitation directly via Washington’s Electronic Business Solutions (WEBS) will receive notifications of amendments and other correspondence pertinent to this Competitive Solicitation. Bidders must be registered in WEBS to be awarded a Cooperative Purchasing Master Agreement. Visit [WEBS](#) to register.

SECTION 2 – INFORMATION ABOUT THE PROCUREMENT

This section describes the purpose of the Competitive Solicitation and provides information about this procurement, including the potential scope of the opportunity.

- 2.1. **PURPOSE OF THE PROCUREMENT – AWARD COOPERATIVE PURCHASING MASTER AGREEMENTS.** The purpose of this Competitive Solicitation is to receive competitive bids to evaluate and, as appropriate, award nationwide Cooperative Purchasing Master Agreements for Public Safety Radio.

Enterprise Services intends to award Cooperative Purchasing Master Agreement(s) to Manufacturers by category/sub-category. Bidders may choose to submit a bid to any or all of the categories/sub-categories. The Categories and Allowable Awards are as follows:

| CATEGORY | ALLOWABLE AWARD |
|---|-------------------------|
| 1. Radio (P-25)* | Manufacturers** |
| 2. Conventional Analog Portable (Non-P25) | Manufacturers |
| 3. Vehicular Repeater Systems (VRS) P25 | Manufacturers |
| 4. Dispatch Consoles | Manufacturers |
| 5. Microwave Radio | Manufacturers |
| 6. Interoperability Gateway Devices | Manufacturers |
| 7. Power Supply Products & Solutions | Authorized Resellers*** |

| | |
|---------------------------------|---------------|
| 8. Test Equipment | Manufacturers |
| 9. Monitoring & Alarm Equipment | Manufacturers |
| 10. Furniture, Dispatch Console | Manufacturers |
| 11. Equipment Shelters | Manufacturers |
| 12. Towers | Manufacturers |

*Enterprise Services intends to award Cooperative Purchasing Master Agreement(s) for Radio System Solutions to qualifying Radio Manufacturers. Radio Manufacturers awarded the Base Station Repeater (Sub-Category 1.7) and Dispatch Console (Category 4) are considered qualifying Manufacturer and may have the opportunity to offer a complete (turnkey) radio system solution. System solution may include a system upgrade or a new system. System solution Bidders will be responsible for all components of a solution.

**For purposes of this Cooperative Purchasing Master Agreement, Manufacturer is defined as a company that, as one of its primary functions, designs, assembles, owns the trademark/patent and markets branded products.

***Enterprise Services intends to award Cooperative Purchasing Master Agreements to authorized resellers by category/sub-category in Category 7 Power Supply Products and Solutions. Authorized resellers of power system products may choose to submit a bid for any or all of the categories/sub-categories. System solution providers will be responsible for all components of the solution. Authorized resellers may choose to respond to any or all categories/sub-categories in Category 7.

- 2.2. **COOPERATIVE PURCHASING MASTER AGREEMENT.** The form of the Cooperative Purchasing Master Agreement that will be awarded as a result of this Competitive Solicitation is attached as [Exhibit D – Cooperative Purchasing Master Agreement](#).
- 2.3. **CONTRACT TERM.** As set forth in the attached Cooperative Purchasing Master Agreement for this Competitive Solicitation, the contract term is sixty (60) months. Bidders are to specify prices for the contract term. Cooperative Purchasing Master Agreements are subject to earlier termination.
- 2.4. **ESTIMATED SALES.** For prior Cooperative Purchasing Master Agreements, historical sales from 2012 - 2019 totaled approximately \$899,401,791 for public safety radio among all eligible Purchasers. See [Exhibit E Historical Sales](#) for additional detail by Vendor and State.
- 2.5. **WASHINGTON STATE PROCUREMENT PRIORITY & PREFERENCE.** Enterprise Services will apply the following Washington State procurement priorities and preferences to this Competitive Solicitation which, as set forth in Section 3.9, will impact the evaluation of bids for this Competitive Solicitation:
 - Executive Order 18-03: 50 points

SECTION 3 – BID EVALUATION

This section identifies how Enterprise Services will evaluate bids for this Competitive Solicitation.

3.1 **OVERVIEW.** Enterprise Services will evaluate bids for this Competitive Solicitation as described below.

- Bidder responsiveness, performance requirements, price factors, and responsibility, will be evaluated based on the process described herein.
- Any Bidder whose bid is determined to be non-responsive will be rejected and will be notified of the reasons for this rejection.
- Enterprise Services reserves the right to: (1) Waive any informality; (2) Reject any or all bids, or portions thereof; (3) Accept any portion of the items bid unless the Bidder stipulates all or nothing in their bid; (4) Request clarification of any bid; (5) Cancel the Competitive Solicitation and re-solicit bids; and/or (6) Negotiate with the lowest responsive and responsible Bidder(s) to determine if such bid can be improved.
- Enterprise Services will use the following process and evaluation criteria for an award of a Cooperative Purchasing Master Agreement:

| STEP | ITEM | POINTS | |
|--|--|-------------|-------------|
| | | Products | Solutions |
| 1 | Responsiveness | Pass/Fail | Pass/Fail |
| 2 | Exhibit B-1 Mandatory Technical Requirements (per category/sub-category) | Pass/Fail | N/A |
| 3 | Exhibit B-2 System Solutions Narratives | N/A | 250 |
| 4 | Exhibit B-3 Experience, Qualifications, Certifications, and Services | 500 | 500 |
| 5 | Exhibit B-4 References (per category/sub-category/solution) | 250 | 250 |
| TECHNICAL/PERFORMANCE POINTS AVAILABLE | | 750 | 750 |
| 6 | Exhibit C Bid Price (per category/sub-category/solution) | 300 | 300 |
| COMBINED TECHNICAL/PERFORMANCE & BID PRICE POINTS AVAILABLE | | 1050 | 1300 |
| 7 | Washington Preference - Executive Order 18-03 | 50 | 50 |
| TOTAL AVAILABLE POINTS | | 1100 | 1350 |
| 8 | Responsibility Analysis | Pass/Fail | Pass/Fail |
| 9 | Contract Negotiations | Pass/Fail | Pass/Fail |

3.2 **RESPONSIVENESS (STEP 1).** Enterprise Services will review bids – on a pass/fail basis – to determine whether the bid is ‘responsive’ to this Competitive Solicitation. This means that Enterprise Services will review each bid to determine whether the bid is complete – i.e., does the bid include each of the required bid submittals, are the submittals complete, signed, legible. Enterprise Services reserves the right – in its sole discretion – to determine whether a bid is responsive – i.e., to determine a Bidder’s

compliance with the requirements specified in this Competitive Solicitation and to waive informalities in a bid. An informality is an immaterial variation from the exact requirements of the Competitive Solicitation, having no effect or merely a minor or negligible effect on quality, quantity, or delivery of the goods or performance of the services being procured, and the correction or waiver of which would not affect the relative standing of, or be otherwise prejudicial, to Bidders. Responsive bids will be evaluated as set forth herein.

3.3 MANDATORY TECHNICAL REQUIREMENTS EVALUATION (STEP 2). Enterprise Services will convene a team to review bids to determine whether each Bidder’s product(s) meet the performance requirements set forth in *Exhibit B-1 – Category/Sub-Category Mandatory Technical Requirements*. Enterprise Services reserves the right to request additional information or perform tests and measurements before selecting the Apparent Successful Bidder. A Bidder’s failure to provide requested information to Enterprise Services within ten (10) business days may result in disqualification. Failure to meet the mandatory technical requirements in a category/sub-category will not be further evaluated for the relevant category/sub-category.

3.4 SYSTEM SOLUTIONS NARRATIVE EVALUATION (STEP 3). Enterprise Services will convene a team to review and rate the bid narratives submitted for System Solution Narratives in Exhibit B-2. System Solutions are evaluated and awarded separately by category/sub-category.

Average Evaluator ratings, using the guidelines below will determine awarded points. Bidder’s combined average rating will be divided by the available rating to determine the percentage of awarded points. The percentage will be multiplied by the number of points available to determine the Bidder’s total awarded points. For example:

$$\begin{aligned} &\text{Average Evaluator Rating (65) / available rating (100) = Percentage of Points (65\%)} \\ &\text{Percentage of Points (65\%) X maximum points available (250) = Awarded points = } \mathbf{162.50} \end{aligned}$$

3.5 EXPERIENCE, QUALIFICATIONS, CERTIFICATIONS, AND SERVICES (STEP 4). Enterprise Services will convene a team to evaluate bid responses to Exhibit B-3 Experience, Qualifications, Certifications, and Services. Average Evaluator ratings, using the guidelines below will determine awarded points. Bidder’s average rating will be divided by the available rating to determine the percentage of awarded points. The percentage will be multiplied by the number of points available to determine the Bidder’s total awarded points. For example:

$$\begin{aligned} &\text{Average Evaluator Rating (65) / maximum available rating (100) = Percentage of Points (65\%)} \\ &\text{Percentage of Points (65\%) X total points available (500) = Awarded points = } \mathbf{325.00} \end{aligned}$$

| Quality of Response | Scoring Guidelines | Evaluator’s Rating |
|---------------------|--|--------------------|
| Unacceptable | Bid response fails to meet the requirement/solution, answer the question, or address the topic at hand. Bid response has multiple, significant weaknesses. | 0 |
| Marginal | Bid response partially answers each section/requirements or minimally addresses the line item topic. Bid response has minimal strengths and some weaknesses. | 20 |

| Quality of Response | Scoring Guidelines | Evaluator's Rating |
|---------------------|---|--------------------|
| Moderate | Bid response answers most of the section/requirements and addresses most of the requirements, but does not provide a clear understanding of how the requirement/solution is met. Bid response has minimal strengths that clearly outweigh weaknesses. | 40 |
| Good | Bid response answers all of the sections/requirements, meets the requirements and contains some strengths and/or only has minor weaknesses. | 60 |
| Excellent | Bid response answers all of the sections/requirements completely, exceeds the requirements and exhibits a strong and unique approach with multiple strengths. | 80 |
| Outstanding | Bid response answers all of the sections/requirements completely with additional information that vastly exceeds the requirement and exhibits a very strong and unique approach with multiple strengths. | 100 |

3.6 **REFERENCES** (Step 5). Enterprise Services will convene a team to evaluate Bidder References. Two (2) references per category/sub-category/solution is required. Bidders are required to submit the reference form in Exhibit B-4 with their bid as instructed. References may be duplicated for each category/sub-category/solution if the work was similar in nature and scope. The combined average reference rating for all references will determine Bidder's awarded points using the formula sample below:

$$\begin{aligned} &\text{Average Evaluator Rating (3) / available rating (5) = Percentage of Points (60\%)} \\ &\text{Percentage of Points (60\%)} \times \text{maximum points available (250)} = \text{Awarded points} = \mathbf{150.00} \end{aligned}$$

3.7 **BID PRICING EVALUATION** (STEP 6). Only Bidders who are responsive, meet the minimum mandatory requirements and score at least seventy percent (70%) of the total non-cost evaluation points will advance to the Bid Pricing Evaluation. Enterprise Services will evaluate bids – to identify the lowest evaluation total – by reviewing and comparing the submitted bid prices provided in Exhibit C. The lowest bid price in each category/sub-category will receive the maximum points available. Others will receive proportionately fewer points, using the formula below:

$$\text{Lowest Price/Higher Price X Maximum Available Points} = \text{Bidder's Awarded Points}$$

3.8 **WASHINGTON STATE PROCUREMENT PRIORITIES & PREFERENCES** (STEP 7). Enterprise Services will apply the following Washington State procurement priorities and preferences, as set forth below, to this Competitive Solicitation.

- EXECUTIVE ORDER 18.03 (WORKERS' RIGHTS) - Procurement Preference for Executive Order 18-03 (Firms without Mandatory Individual Arbitration for Employees). Pursuant to RCW 39.26.160(3) (best value criteria) and consistent with Executive Order 18-03 – Supporting Workers' Rights to Effectively Address Workplace Violations (dated June 12, 2018), Enterprise Services will evaluate bids for best value and will provide a bid preference in the amount of fifty (50) evaluation points to any Bidder who certifies, pursuant to the Bidder Certification attached as Exhibit [A-1 – Bidder Certification](#), that their firm does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waiver.

3.9 RESPONSIBILITY ANALYSIS (STEP 8). For responsive bids, Enterprise Services will make reasonable inquiry to determine the responsibility of any Bidder. Enterprise Services will determine responsibility on a pass/fail basis. In determining responsibility, Enterprise Services will consider the following statutory elements:

- The ability, capacity, and skill of the Bidder to perform the contract or provide the service required;
- The character, integrity, reputation, judgment, experience, and efficiency of the Bidder;
- Whether the Bidder can perform the contract within the time specified;
- The quality of performance of previous contracts or services;
- The previous and existing compliance by the Bidder with laws relating to the contract or services;
- Whether, within the three-year period immediately preceding the date of the Competitive Solicitation, the Bidder has been determined by a final and binding citation and notice of assessment issued by the Washington State Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in RCW 49.48.082, any provision of chapter 49.46, 49.48, or 49.52 RCW; and
- Such other information as may be secured having a bearing on the decision to award a Cooperative Purchasing Master Agreement.

See RCW 39.26.160(2)(a)-(f). In addition, Enterprise Services may consider the following:

- Financial Information: Enterprise Services may request financial statements, credit ratings, references, record of past performance, clarification of Bidder's offer, on-site inspection of Bidder's or subcontractor's facilities, or other information as necessary. Failure to respond to these requests may result in a bid being rejected as non-responsive.
- References: Enterprise Services reserves the right to use references to confirm satisfactory customer service, performance, satisfaction with service/product, knowledge of /service/industry and timeliness. Any negative or unsatisfactory reference can be reason for rejecting a Bidder as non-responsible.

3.10 ANNOUNCEMENT OF APPARENT SUCCESSFUL BIDDER. Enterprise Services will determine the Apparent Successful Bidder ("ASB") per category/sub-category. The ASB will be the responsive and responsible Bidder (s) that best meet(s) the Competitive Solicitation requirements and presents the best total value, including price, as calculated consistent with the instructions set forth in Exhibit C – Bid Price, and other factors as set forth in this Competitive Solicitation.

- Designation as an ASB does not imply that Enterprise Services will issue an award for a Cooperative Purchasing Master Agreement to your firm. Rather, this designation allows Enterprise Services to perform further analysis and ask for additional documentation. The Bidder must not construe this as an award,

impending award, attempt to negotiate, etc. If a Bidder acts or fails to act as a result of this notification, it does so at its own risk and expense.

- Upon announcement of the ASB, Bidders may request a debrief conference as specified in Section 5.

3.11 AWARD OF A COOPERATIVE PURCHASING MASTER AGREEMENT. Subject to protests, if any, Enterprise Services and the ASB will enter into a Cooperative Purchasing Master Agreement as set forth in Exhibit D – Cooperative Purchasing Master Agreement. An award, in part or full, is made and a contract formed by execution of the Cooperative Purchasing Master Agreement by Enterprise Services and the awarded Bidder. Enterprise Services reserves the right to award on an all-or-nothing consolidated basis. Following the award of the Cooperative Purchasing Master Agreement, all Bidders registered in WEBS will receive a Notice of Award delivered to the Bidder’s email address provided in the Bidder’s profile in WEBS.

Cooperative Purchasing Master Agreement awards will be made to Bidders who:

1. Are responsive, and
2. Meet all the requirements of Exhibit B-1, and
3. Score seventy percent (70%) of the total technical/performance evaluation points, and
4. Total combined technical/performance and price points is equal to or greater than seventy percent (70%) of the highest Bidder’s score in category/sub-category/solution, and
5. Are responsible.

3.12 Bid Information Availability. Upon Enterprise Services’ announcement of ASB, all bid submissions and all bid evaluations are subject to public disclosure pursuant to Washington’s Public Records Act. See RCW 39.26.030(2). Upon Enterprise Services’ announcement of ASB, Enterprise Services will post all bid evaluations to Enterprise Services’ website.

SECTION 4 – HOW TO PREPARE AND SUBMIT A BID FOR THIS COMPETITIVE SOLICITATION

This section identifies how to prepare and submit your bid to Enterprise Services for this Competitive Solicitation. In addition, Bidders will need to review and follow the Competitive Solicitation requirements including those set forth in the exhibits, which identifies the information that Bidders must provide to Enterprise Services to constitute a responsive bid. By responding to this Competitive Solicitation and submitting a bid, Bidders acknowledge having read and understood the entire Competitive Solicitation and accept all information contained within this Competitive Solicitation.

4.1. PRE-BID CONFERENCE. Enterprise Services will host a Competitive Solicitation pre-bid conference as described in Section 1.1 of this Competitive Solicitation. Attendance is not mandatory. Bidders, however, are encouraged to attend and participate. The purpose of the pre-bid conference is to clarify the Competitive Solicitation as needed and raise any issues or concerns that Bidders may have. If changes to the Competitive Solicitation are required as a result of the pre-bid conference, the Procurement Coordinator will post an amendment to this Competitive Solicitation to WEBS. Assistance for disabled, blind, or hearing-impaired persons who wish to attend the pre-bid conference is available with prior arrangement by contacting the Procurement Coordinator.

4.2. **BIDDER COMMUNICATIONS REGARDING THIS COMPETITIVE SOLICITATION.** During the Competitive Solicitation process, all Bidder communications regarding this Competitive Solicitation must be directed to the Procurement Coordinator for this Competitive Solicitation. See Section 1.2 of this Competitive Solicitation. Bidders should rely only on this Competitive Solicitation and written amendments to the Competitive Solicitation issued by the Procurement Coordinator. In no event will oral communications regarding the Competitive Solicitation be binding.

- Bidders are encouraged to make any inquiry regarding the Competitive Solicitation as early in the process as possible to allow Enterprise Services to consider and, if warranted, respond to the inquiry. If Bidder does not notify Enterprise Services of an issue, exception, addition, or omission, Enterprise Services may consider the matter waived by the Bidder for protest purposes.
- If Bidder inquiries result in changes to the Competitive Solicitation, written amendments will be issued and posted on WEBS.
- Unauthorized contact regarding this Competitive Solicitation with other state employees involved with the Competitive Solicitation may result in Bidder disqualification.

4.3. **PRICING.** Bid prices must include all cost components needed for the delivery of the goods and/or services as described in this Competitive Solicitation. See **Exhibit C – Bid Price**. A Bidder’s failure to identify all costs in a manner consistent with the instructions in this Competitive Solicitation is sufficient grounds for disqualification.

- Inclusive Pricing: Bidders must identify and include all cost elements in their pricing. In the event that Bidder is awarded a Cooperative Purchasing Master Agreement, the total price for the goods and/or services shall be Bidder’s price as submitted. Except as provided in the Cooperative Purchasing Master Agreement, there shall be no additional costs of any kind.
- Credit Cards (P-Cards): In the event that Bidder is awarded a Cooperative Purchasing Master Agreement, the total price for the goods and/or services shall be the same regardless of whether Purchasers make payment by cash, credit card, or electronic payment. Bidder shall bear, in full, any processing or surcharge fees associated with the use of credit cards or electronic payment.

4.4. **BID SUBMITTAL CHECKLIST – REQUIRED BID SUBMITTALS.** This section identifies the bid submittals that must be provided to Enterprise Services to constitute a responsive bid. The submittals must be delivered as set forth below. Bids that do not include the submittals identified below may be rejected as nonresponsive. In addition, Bidder’s failure to complete any submittal as instructed may result in the bid being rejected. Bidders must identify any supplemental materials with the Bidder’s name. Bidder must submit required documents as described below:

EXHIBIT A-1 – BIDDER CERTIFICATION

This document is the Bidder Certification. Complete the certification and submit it along with any exceptions or required explanations to Enterprise Services.

Note: The Certification must be complete. Where there are choices, Bidder must check a box. The certification must be signed and submitted by a duly authorized representative for the Bidder.

EXHIBIT A-2 – BIDDER’S PROFILE

This document is required Bidder information for Enterprise Services’ contract administration purposes. Complete as instructed and submit with bid to Enterprise Services.

EXHIBIT B-1 – MANDATORY TECHNICAL REQUIREMENTS

Bidder must confirm that the goods meet or exceed the detailed specifications set forth in *Exhibit B-1*. Complete as instructed and submit with bid to Enterprise Services.

Exhibit B-2 System Solution Narratives.

Bidder offering either a Radio Solution or a Power Supply Solutions must complete narrative responses to the system solutions as instructed in *Exhibit B-2* and submit with bid to Enterprise Services.

Exhibit B-3 Experience, Qualifications, Certifications, and Services.

Bidder must to complete the worksheet as instructed in *Exhibit B-3* and submit with bid to Enterprise Services.

Exhibit B-4 References.

Bidder must complete the reference form(s) as instructed in *Exhibit B-4 References* and submit with bid to Enterprise Services.

EXHIBIT C – BID PRICE

Bidder is required to complete the price worksheet as instructed in *Exhibit C – Bid Price* and submit with bid to Enterprise Services.

4.5. **BID FORMAT.** Bids must be complete, legible, signed, and follow all instructions stated in the Competitive Solicitation (including the exhibits). Unless otherwise specified in writing by Enterprise Services, documents included with an electronic bid must be prepared in MS Word, MS Excel, or machine readable Adobe PDF. Documents must not be protected using a password to access.

4.6. **SUBMITTING BIDS.** You must submit one (1) electronic bid.

Electronic bids must be emailed to DESContractsTeamCypress@des.wa.gov . Enterprise Services’ email boxes only can accept emails that total less than 30MB in size. Bidders are cautioned to keep email sizes to less than 25MB to ease delivery. Bidders may submit multiple electronic files to accommodate the email limits. Multiple electronic files must be labeled to easily identify Bidder and submission. For example; “00318 [foldername-documentname-Biddername]”. Zipped files cannot be accepted.

Bid response must be separated into two folders, Technical/Performance and Bid Price.

Technical/Performance Folder must include the following documents and labeled, “00138Technical-Performance-BidderName”:

1. Exhibit A-1 Bidder Certification
2. Exhibit A-2 Bidder Profile

3. Exhibit B-1 Mandatory Technical Requirements
4. Exhibit B-2 System Solution Narratives
5. Exhibit B-3 Experience, Qualifications, Certifications and Services
6. Exhibit B-4 References
7. Exhibit D-1 Cooperative Purchasing Master Agreement Issues List

Bid Price Folder must be labeled “00318BidPrice-BidderName” and include:

- Exhibit C Bid Price

SECTION 5 – COMPLAINT, DEBRIEF, & PROTEST REQUIREMENTS

This section details the applicable requirements for complaints, debriefs, and protests.

- 5.1. **COMPLAINTS.** This Competitive Solicitation offers a complaint period for Bidders wishing to voice objections to this solicitation. The complaint period ends five (5) business days before the bid due date. The complaint period is an opportunity to voice objections, raise concerns, or suggest changes that were not addressed during the Question & Answer Period or, if applicable, at the Pre-Bid Conference. Failure by the Bidder to raise a complaint at this stage may waive its right for later consideration. Enterprise Services will consider all complaints but is not required to adopt a complaint, in part or in full. If Bidder complaints result in changes to the Competitive Solicitation, written amendments will be issued and posted on WEBS.
 - a. **CRITERIA FOR COMPLAINT.** A formal complaint may be based only on one or more of the following grounds: (a) The solicitation unnecessarily restricts competition; (b) The solicitation evaluation or scoring process is unfair or flawed; or (c) The solicitation requirements are inadequate or insufficient to prepare a response.
 - b. **INITIATING A COMPLAINT.** A complaint must: (a) Be submitted to and received by the Procurement Coordinator no less than five (5) business days prior to the deadline for bid submittal; and (b) Be in writing (see Form and Substance, and Other below). A complaint should clearly articulate the basis of the complaint and include a proposed remedy.
 - c. **RESPONSE.** When a complaint is received, the Procurement Coordinator (or designee) will consider all the facts available and respond in writing prior to the deadline for bid submittals, unless more time is needed. Enterprise Services is required to promptly post the response to a complaint on WEBS.
 - d. **RESPONSE IS FINAL.** The Procurement Coordinator’s response to the complaint is final and not subject to administrative appeal. Issues raised in a complaint may not be raised again during the protest period. Furthermore, any issue, exception, addition, or omission not brought to the attention of the Procurement Coordinator prior to bid submittal may be deemed waived for protest purposes.
- 5.2. **DEBRIEF CONFERENCES.** A Debrief Conference is an opportunity for Bidder and the Procurement Coordinator to meet and discuss the Bidder’s bid. A debrief is a required prerequisite for Bidder wishing to file a protest. Following the evaluation of the bids, Enterprise Services will issue an announcement of the ASB. That announcement may be made by any means, but Enterprise Services likely will use email to the Bidder’s email address provided in the Bidder’s Profile. Bidder

will have three (3) business days to request a Debrief Conference. Once a Debrief Conference is requested, Enterprise Services will offer the requesting Bidder one meeting opportunity and notify the Bidder of the Debrief Conference place, date, and time. Please note, because the debrief process must occur before making an award, Enterprise Services likely will schedule the Debrief Conference shortly after the announcement of the ASB and the Bidder's request for a Debrief Conference. Enterprise Services will not allow the debrief process to delay the award. Therefore, Bidder should plan for contingencies and alternate representatives; Bidder who are unwilling or unable to attend the Debrief Conference will lose the opportunity to protest.

- a. **TIMING.** A Debrief Conference may be requested by Bidder following announcement of the Apparent Successful Bidder.
 - b. **PURPOSE OF DEBRIEF CONFERENCE.** Any Bidder who has submitted a timely bid response may request a Debrief Conference (see Form and Substance, and Other below). A Debrief Conference provides an opportunity for the Bidder to meet with Enterprise Services to discuss its bid and evaluation.
 - c. **REQUESTING A DEBRIEF CONFERENCE.** The request for a Debrief Conference must be made in writing via email to the Procurement Coordinator and received within three (3) business days after the announcement of the Apparent Successful Bidder. Debrief conferences may be conducted either in person at the Enterprise Services offices in Olympia, Washington, via Zoom (or other approved remote meeting application), or via telephone, as determined by Enterprise Services, and may be limited by Enterprise Services to a specified period of time. The failure of Bidder to request a debrief within the specified time and attend a debrief conference constitutes a waiver of the right to submit a protest. Any issue, exception, addition, or omission not brought to the attention of the procurement coordinator before or during the debrief conference may be deemed waived for protest purposes.
- 5.3. **PROTESTS.** Following a Debrief Conference, Bidder may protest the award of a Cooperative Purchasing Master Agreement.
- a. **CRITERIA FOR A PROTEST.** A protest may be based only on one or more of the following: (a) Bias, discrimination, or conflict of interest on the part of an evaluator; (b) Error in computing evaluation scores; or (c) Non-compliance with any procedures described in the Competitive Solicitation.
 - b. **INITIATING A PROTEST.** Any Bidder may protest an award to the ASB. A protest must: (a) Be submitted to and received by the Protest Officer specified below, within five (5) business days after the protesting Bidder's Debriefing Conference (see Form and Substance, and Other below); (b) Be in writing; (c) Include a specific and complete statement of facts forming the basis of the protest; and (d) Include a description of the relief or corrective action requested.
 - c. **PROTEST RESPONSE.** After reviewing the protest and available facts, Enterprise Services' Protest Officer will issue a written response within ten (10) business days from receipt of the protest, unless additional time is needed.
 - d. **DECISION IS FINAL.** The protest decision is final and not subject to administrative appeal. If the protesting Bidder does not accept Enterprise Services' protest response, the Bidder may seek relief in Thurston County Superior Court.

5.4. **COMMUNICATION DURING COMPLAINTS, DEBRIEFS, AND PROTESTS.** With the exception of protests, all communications about this Competitive Solicitation, including complaints and debriefs, must be addressed to the Procurement Coordinator unless otherwise directed. Protests must be addressed to the Protest Officer.

- a. **FORM, SUBSTANCE, & OTHER.** All complaints, requests for debrief, and protests must (a) Be in writing; (b) Be signed by the complaining or protesting Bidder or an authorized agent, unless sent by email; (c) Be delivered within the time frame(s) outlined herein; (d) Identify the solicitation number; (e) Conspicuously state “Complaint,” “Debrief” or “Protest” in any subject line of any correspondence or email, and (f) Be sent to the address identified below.
- b. **COMPLAINTS & PROTESTS.** All complaints and protests must (a) State all facts and arguments on which the complaining or protesting Bidder is relying as the basis for its action; and (b) Include any relevant documentation or other supporting evidence.

5.5. **HOW TO CONTACT ENTERPRISE SERVICES.**

- a. **TO SUBMIT A COMPLAINT.** Send an email message to the Procurement Coordinator listed in this Competitive Solicitation. The email message must include “Complaint” in the subject line of the email message. Alternatively, mail the complaint to the Procurement Coordinator listed in this Competitive Solicitation at the following address:

Attn: Procurement Coordinator – Complaint
Contracts & Procurement Division
Washington State Department of Enterprise Services
P.O. Box 41411
Olympia, WA 98504-1411

- b. **TO REQUEST A DEBRIEF CONFERENCE.** Send an email message to the Procurement Coordinator listed in this Competitive Solicitation. The email message must include “Debrief” in the subject line of the email message.
- c. **TO SUBMIT A PROTEST.** Send an email message to the Protest Officer at the following email address: DES_DLProcurementProtest@des.wa.gov. The email message must include “Protest” in the subject line of the email message. Alternatively, mail the protest to the Protest Officer at the following address:

Attn: Protest Officer
Contracts & Procurement Division
Washington State Department of Enterprise Services
P.O. Box 41411
Olympia, WA 98504-1411

SECTION 6 – DOING BUSINESS WITH THE STATE OF WASHINGTON

This section provides additional information regarding doing business with the State of Washington.

6.1. WASHINGTON'S PUBLIC RECORDS ACT – PUBLIC RECORDS DISCLOSURE REQUESTS.

- All documents (written and electronic) submitted to Enterprise Services as part of this procurement are public records. Unless statutorily exempt from disclosure, such records are subject to disclosure *if* requested. See RCW chapter 42.56, Public Records Act. Enterprise Services strongly discourages Bidder from unnecessarily submitting sensitive information (e.g., information that you might categorize as 'confidential,' 'proprietary,' 'sensitive,' 'trade secret,' etc.).
 - If, in your judgment, there is an applicable statutory exemption from disclosure for certain portions of your bid, please mark the precise portion(s) of the relevant page(s) of your bid that you believe are statutorily exempt from disclosure and identify the precise statutory basis for exemption from disclosure.
 - In addition, if, in your judgment, certain portions of your bid are not statutorily exempt from disclosure but are sensitive because these particular portions of your bid (NOT including pricing) include highly confidential, proprietary, or trade secret information (or the equivalent) that your firm protects through the regular use of confidentiality or similar agreements and routine enforcements through court enforcement actions, please mark the precise portion(s) of the relevant page(s) of your bid that include such sensitive information.
- In the event that Enterprise Services receives a public records disclosure request pertaining to information that you have submitted and marked either as (a) statutorily exempt from disclosure; or (b) sensitive, Enterprise Services, prior to disclosure, will do the following:
 - Enterprise Services' Public Records Officer will review any records marked as statutorily exempt from disclosure. In those situations, where the designation comports with the stated statutory exemption from disclosure, Enterprise Services will redact or withhold the document(s) as appropriate.
 - For documents marked 'sensitive' or for documents where Enterprise Services either determines that no statutory exemption to disclosure applies or is unable to determine whether the stated statutory exemption to disclosure properly applies, Enterprise Services will notify the Bidder at the address provided in the bid submittal of the public records disclosure request and identify the date that Enterprise Services intends to release the document(s) (including documents marked 'sensitive' or exempt from disclosure) to the requester unless the Bidder, at Bidder's sole expense, timely obtains a court order enjoining Enterprise Services from such disclosure. In the event Bidder fails to timely file a motion for a court order enjoining such disclosure, Enterprise Services will release the requested document(s) on the date specified. Bidder's failure properly to identify exempted or sensitive information or timely respond after notice of request for public disclosure has been given shall be deemed a waiver by Bidder of any claim that such materials are exempt or protected from disclosure.

6.2. **ECONOMIC GOALS.** In support of the state’s economic goals, Bidder is encouraged to consider the following in responding to this Competitive Solicitation:

- Support for a diverse supplier pool, including, veteran-owned, minority-owned and women-owned business enterprises. Results Washington has established the following voluntary numerical goals for this Competitive Solicitation:
 - Ten (10) percent minority-owned businesses (MBE);
 - Six (6) percent women-owned businesses (WBE);
 - Five (5) percent veteran-owned businesses (VB).

Achievement of these goals is encouraged whether directly or through subcontractors. Bidder may contact the [Office of Minority and Women’s Business Enterprises](#) for information on certified firms or to become certified.

- Veterans and U.S. active duty, reserve or National Guard service-members are eligible for the registry. The veteran or service-member must control and own at least fifty-one (51) percent of the business and the business must be legally operating in the State of Washington. Control means the authority or ability to direct, regulate or influence day-to-day operations.

6.3. **POLYCHLORINATED BIPHENYLS (PCBS) NOTICE.** Polychlorinated biphenyls, commonly known as PCBs, have adverse effects on human health and the environment. Accordingly, the State of Washington, through its procurements of goods, is trying to minimize the purchase of PCBs and to incentivize its contractual vendors to sell and package without PCBs. Bidders certifying all products and packaging contain no PCBs will not be evaluated but may receive additional consideration when doing business with the State of Washington. Other states having the same or similar requirement and will be further defined in Participating Addendum.

6.4. **RESOURCES.**

- Register for competitive solicitation notices at the Washington Electronic Business Solution (WEBS) [WEBS Registration](#). Note: There is no cost to register on WEBS.
- If you qualify as a Washington small business, identify yourself in WEBS. Call WEBS Customer Service at 360-902-7400.
- Contact the Washington State Office of Minority and Women’s Business Enterprises about state and federal certification programs at Phone 866-208-1064 or [OMWBE](#).
- Contact the Washington State Department of Veterans’ Affairs about veteran-owned businesses certification at (360) 725-2169 or [DVA](#).
- Contact Enterprise Services about small and diverse business inclusion.

EXHIBIT A-1 BIDDER CERTIFICATION

See attached Exhibit A-1 Bidder Certification.

Note: As set forth above, Bidder must complete, sign, and return the Exhibit A-1 Bidder Certification to Enterprise Services.

EXHIBIT A-2 BIDDER PROFILE

See attached Exhibit A-2 Bidder Profile.

Note: As set forth above, Bidder must complete and return the Exhibit B-2 Bidder Profile to Enterprise Services.

EXHIBIT B -1 MANDATORY TECHNICAL REQUIREMENTS

See attached Exhibit B-1 Mandatory Technical Requirements.

Note: As set forth above, Bidder must complete and return Exhibit B-1 Mandatory Technical Requirements to Enterprise Services.

EXHIBIT B-2 SYSTEM SOLUTION NARRATIVES

See attached Exhibit B-2 System Solution Narratives.

As set forth above, Bidder must complete, and return the Exhibit B-2 System Solution Narratives to Enterprise Services as instructed.

EXHIBIT B-3 EXPERIENCE, QUALIFICATIONS, CERTIFICATIONS AND SERVICES

See attached Exhibit B-3 Experience, Qualifications, Certifications and Services.

Note: As set forth above, Bidder must complete and return Exhibit B-3 Experience, Qualifications, Certifications and Services to Enterprise Services as instructed.

EXHIBIT B-4 REFERENCES

See attached Exhibit B-4 References.

Note: As set forth above, Bidder must complete and return Exhibit B-4 References to Enterprise Services as instructed.

EXHIBIT C – BID PRICE

See attached Exhibit C – Bid Price.

Note: As set forth above, Bidder must complete and return Exhibit C – Bid Price to Enterprise Services as instructed.

EXHIBIT D COOPERATIVE PURCHASING MASTER AGREEMENT

See attached Exhibit D – Cooperative Purchasing Master Agreement for Competitive Solicitation No. 00318 – Public Safety Communications Products, Services and Solutions.

EXHIBIT D-1 COOPERATIVE PURCHASING MASTER AGREEMENT ISSUES LIST

See attached Exhibit D-1 – Cooperative Purchasing Master Agreement Issues List.

Note: As set forth above, Bidder may complete and return Exhibit D-1 – Cooperative Purchasing Master Agreement Issues List to Enterprise Services.

EXHIBIT E – HISTORICAL SALES AND OTHER STATE INFORMATION

See attached Exhibit E Historical Sales.

Note: As a courtesy, Exhibit E – Historical Sales provides historical sales by state and vendor.

EXHIBIT E-1 PARTICIPATING ADDENDUM - STATE OF WASHINGTON

See attached Exhibit E-1 Participating Addendum - State of Washington.

Note: As a courtesy, Exhibit E-1 Participating Addendum - State of Washington provides a copy of the Participating Addendum awarded Contactors may be required to sign to do business in the State of Washington.

EXHIBIT E-2 PARTICIPATING ADDENDUM - STATE OF OREGON

See attached Exhibit E-2 Participating Addendum - State of Oregon.

Note: As a courtesy, Exhibit E-2 Participating Addendum - State of Oregon provides a copy of the Participating Addendum awarded Contactors may be required to sign to do business in the State of Oregon.

EXHIBIT E-3 TERMS AND CONDITIONS – STATE OF VERMONT

See attached Exhibit E-3 Terms and Conditions - State of Vermont

Note: As a courtesy, Exhibit E-3 Terms and Conditions - State of Vermont provides a copy of the terms and conditions awarded Contactors may be required to agree to do business in the State of Vermont.

EXHIBIT E-4 TERMS AND CONDITIONS – STATE OF NEW MEXICO

See attached Exhibit E-4 Terms and Conditions - State of New Mexico

Note: As a courtesy, Exhibit E-4 Terms and Conditions - State of New Mexico provides a copy of the terms and conditions awarded Contactors may be required to agree to do business in the State of New Mexico.

EXHIBIT E-5 TERMS AND CONDITIONS – STATE OF MONTANA

See attached Exhibit E-5 Terms and Conditions - State of Montana

Note: As a courtesy, Exhibit E-5 Terms and Conditions - State of Montana provides a copy of the terms and conditions awarded Contactors may be required to agree to do business in the State of Montana.

EXHIBIT E-6 TERMS AND CONDITIONS – STATE OF HAWAII

See attached Exhibit E-6 Terms and Conditions - State of Hawaii

Note: As a courtesy, Exhibit E-6 Terms and Conditions - State of Hawaii provides a copy of the terms and conditions awarded Contactors may be required to agree to do business in the State of Hawaii.

EXHIBIT E-7 TERMS AND CONDITIONS – STATE OF UTAH

See attached Exhibit E-7 Terms and Conditions - State of Utah

Note: As a courtesy, Exhibit E-7 Terms and Conditions - State of Utah provides a copy the terms and conditions awarded Contactors may be required to agree to do business in the State of Utah.

EXHIBIT E-8 TERMS AND CONDITIONS – STATE OF CALIFORNIA

See attached Exhibit E-8 Terms and Conditions - State of California

Note: As a courtesy, Exhibit E-8 Terms and Conditions - State of California provides a copy the terms and conditions awarded Contactors may be required to agree to do business in the State of California.

EXHIBIT E-9 TERMS AND CONDITIONS – STATE OF ILLINOIS

See attached Exhibit E-9 Terms and Conditions - State of Illinois

Note: As a courtesy, Exhibit E-9 Terms and Conditions - State of Illinois provides a copy of the terms and conditions awarded Contactors may be required to agree to do business in the State of Illinois.

EXHIBIT E-10 PARTICIPATING ADDENDUM – STATE OF WISCONSIN

See attached Exhibit E-1- Participating Addendum - State of Wisconsin.

Note: As a courtesy, Exhibit E-10 Participating Addendum - State of Wisconsin provides a copy of the Participating Addendum awarded Contactors may be required to sign to do business in the State of Wisconsin.

EXHIBIT E-11 TERMS AND CONDITIONS – STATE OF MARYLAND

See attached Exhibit E-11 Terms and Conditions – State of Maryland

Note: As a courtesy, Exhibit E-11 Terms and Conditions – State of Maryland provides a copy of the terms and conditions awarded Contactors may be required to agree to do business in the State of Maryland.

EXHIBIT E-12 TERMS AND CONDITIONS – STATE OF ALASKA

See attached Exhibit E-12 Terms and Conditions – State of Alaska

Note: As a courtesy, Exhibit E-12 Terms and Conditions – State of Alaska provides a copy of the terms and conditions awarded Contactors may be required to agree to do business in the State of Alaska.