



CLAY COUNTY SHERIFF'S OFFICE
SHERIFF DARRYL DANIELS
P.O. BOX 548
(904) 264-6512 or (352) 473-7211
FAX (904) 284-0710
GREEN COVE SPRINGS, FLORIDA 32043-0548

ADDENDUM 3

Request for Proposal (RFP) #: B19-004

Project Name: CCSO Inmate Phone System

April 29, 2019

Special Note: Questions are numbered sequentially through all issued addendums.

Section 2.15

Section 2.15 of RFP B19-004 is hereby deleted and replaced with:

Section 2.15 – Protest
2.15 – Protest

Any actual or prospective Proposer who has a substantial interest in and is aggrieved in connection with the Solicitation, the RFP, the Notice of Intent to Award, the award or proposed award of a contract, or the failure to award a contract may submit a protest in accordance with this Section.

Any protest concerning the bid specifications or requirements must be made within seventy-two (72) hours from the time the facts become known and, in any case, at least twenty-four (24) hours prior to the bid opening. Such protest must be made in writing to the person identified under General Condition 2 of this RFP and materially comply with Section 2.15.1 (a) – (e) of this RFP. Failure to timely protest bid specifications or requirements is a waiver of the ability to protest the specifications or requirements.

A Protester must have submitted a Proposal in order to have sufficient standing to protest the proposed award of a contract. The Protestor must file a Notice of Intent to Protest with the person identified under General Condition 2 within three (3) business days from the time the facts become known and, in any case, at least three (3) business days after the Notice of Intent to Award is provided to all proposers. Thereafter, a Formal Written Protest shall be filed with the person identified under General Condition 2 of this RFP as detailed under Section 2.15.1.

2.15.1 – Formal Written Protest

The Formal Written Protest shall be submitted in writing to the person identified under General Condition 2 of this RFP within seven (7) calendar days after the submittal of a Notice of Intent to Protest. The seven (7) day period includes official holidays, Saturdays, and Sundays. If the seventh day should fall on an official holiday, Saturday or Sunday, then the period shall extend until the end of the next regular work day.

The Formal Written Protest must include:

- (a) the name, address, and telephone number of the protester;
- (b) the signature of the protester or the protester's representative;
- (c) identification of the contracting department and the Solicitation or contract at issue;
- (d) a detailed statement of the legal and factual grounds of the protest including copies of relevant documents; and
- (e) the form of relief requested.
- (f) a bid protest bond made payable to Sheriff Darryl Daniels in an amount equal to 1 percent of the CCSO's estimate of the total contract or \$10,000 whichever is less. In lieu of a bond, the CCSO may accept a cashier's check or money order in the amount of the bond.

Protests filed by telex or telegram are not acceptable because they do not contain a signature. Fax copies containing a signature are acceptable.

Any actual or prospective Proposer who has a substantial interest in and is aggrieved in connection with the Solicitation or proposed award of a contract which is in excess of the award authority of the Purchasing Manager may protest to the Senior Executive of Finance and Strategic Planning. Protests arising from the decisions and votes of Selection/Negotiation Committees shall be limited to protests based upon alleged deviation(s) from Section Seven.

2.15.2 – Protest Resolution

The Senior Executive of Finance and Strategic Planning shall have the authority to settle and resolve a protest of an aggrieved Proposer, actual or prospective, concerning the solicitation or award of a contract.

If the protest is not resolved by mutual agreement, the Senior Executive of Finance and Strategic Planning shall promptly issue a decision in writing, after consulting with the CCSO General Counsel. The decision shall:

State the reasons for the action taken and inform the protestant of his right to administrative review.

A copy of this decision shall be mailed or otherwise furnished immediately to the protestant and any other party intervening.

In the event of a timely protest under this section, the CCSO shall not proceed further with the solicitation or with the award of this contract until a written determination is made by the Senior Executive of Finance and Strategic Planning and approved by the CCSO General Counsel or a written determination is made that the award of the contract must be made without delay in order to protect the substantial interest of the CCSO.

2.15.3 – Timely Submittal of a Protest

Protests, to include the Notice of Intent to Protest and the Formal Written Protest, not timely made under this section shall be barred. Any basis or ground for a protest not set forth in the Formal Written Protest required under this section shall be deemed waived.