

City of Fargo
Auditors Office
200 3rd Street North
PO Box 1066
Fargo ND 58102
Contact: Steven Sprague, City Auditor
701-241-1301
Ssprague@FargoND.Gov

Request for Proposal Parking Services

Proposal Due Date: June 27, 2018

The City of Fargo is issuing this Request for Proposal (RFP) for obtaining proposals for parking management including citation issuance and processing (on and off street), permit processing and collection services.

All solicitation information and documents shall be available to vendors on www.Fargoparking.com. All information in a bidder's proposal and the subsequent contract is subject to the provisions of the Freedom of Information Act, as amended.

Introduction

The City of Fargo is issuing this Request for Proposal (RFP) to obtain proposals from qualified and experienced vendors for citation issuance and processing (on and off street), permit processing and collection services. The City is interested in establishing a relationship with a contractor who offers the latest services and technology based upon industry trends and standards and continues to expand the capabilities of their system.

The City desires vendors with a minimum of three (3) years of experience with the mobile solution in U.S. markets. The Company must be able to demonstrate success with software and hardware components through client references. In addition, the Company must have a positive standing within the parking industry, be able to provide proof of technical expertise, perform a successful installation of the proposed system, provide a thorough training program, and be able to provide future maintenance support after the initial purchase.

The City intends for this Request for Proposal to result in a contract(s) for a period of five (5) years, with the option to renew the contract for five additional one (1) year terms.

This RFP document, along with the complete submitted response, will be included by reference as part of any contract document with the awarded vendor. Respondents must be bona fide providers of the products and services requested.

This Request for Proposal does not commit the City to award a contract, to pay any costs incurred in the preparation of a proposal under this request, or to procure a contract for services or supplies. The City reserves the right to accept or reject any or all proposals received as a result of this RFP, to negotiate with all qualified sources, and/or to cancel this RFP in part or in whole, if it is in the best interest of the City to do so.

To respond to this RFP, proposals must conform to the procedures, format, and content requirements outlined in this document. Significant deviations may be grounds for disqualification. The City reserves the right to waive, at its discretion, any irregularity or informality that City deems correctable or otherwise not warranting rejection of the RFP.

The City reserves the right to check all references furnished and consider responses received in determining the award. The City reserves the right to perform investigations as may be deemed necessary by the City to assure that competent persons will be and are utilized in the performance of the Agreement and to verify the accuracy of the contents of proposals.

Estimated Timetable:

Key milestones for the procurement are shown below. Companies shall note that the dates provided are as a guideline only and are subject to change as the City deems in its own best interests.

| | | |
|-----------------------------------|--------------------------------|-----------------|
| RFP Release Date | May 30, 2018 | |
| Deadline for Questions | June 22, 2018 | |
| Proposal Submission Deadline | June 27, 2018 | |
| Evaluation Period | July 13, 2018 | |
| Targeted Demonstration Dates | July 19, 2018 | |
| Targeted Notice of Award | July 25, 2018 | |
| Targeted City Commission Approval | July 30, 2018 | |
| Targeted Contract Execution | July 31, 2018 | |
| Targeted Launch Date: | Pay-by-Cell | October 1, 2018 |
| | Digital Permitting | October 1, 2018 |
| | Citation Issuance & Processing | October 1, 2018 |

Background

The mission of the City of Fargo and the Fargo Parking Commission (“the City”) is to manage, provide, promote and maintain safe, convenient, accessible, attractive and reasonably priced parking facilities that will meet the needs of downtown businesses, employers, residents and visitors.

City of Fargo parking management and citation information:

- The City of Fargo issues the following parking permits;
 - DRP3 Residential Permits
 - Construction and Service Vehicle Permits
 - Bike Lockers
- The City of Fargo offers the following surface lots and parking ramps
 - Roberts Common (RoCo) Ramp
 - Civic Center Ramp
 - Island Park Ramp
 - Ground Transportation Center (GTC)
 - NP Avenue Lot
 - 4th Street Lot
 - 3rd Street Lot
 - Main Avenue Lot
 - 7th Street Lot
- Downtown Parking Guidelines
 - Time Zone – 90 minute, 2 hour, 4 hour
 - Re-Parking Ordinance
 - Fine Escalation
- Non-Downtown Parking Guidelines
 - Flat rate, no escalation
 - Night Parking November to April
 - NDSU concentration
- Annual Citations Issued, Approximately 30,000

SCOPE OF SERVICES

A. General Requirements

The City desires comprehensive solutions with demonstrated success for various mobile/web based applications:

§ Citation Issuance & Processing (Section B)

Companies must submit a response for all of the individual solutions listed above.

Timeline:

The submitted proposal shall include a definitive timeline for implementation on solutions, and include details on how the schedule will be met. The submitted proposal should provide an estimate of deployment, installation and implementation. Project milestone and completion dates are required to meet the launch date.

Training:

The City requires a training program for any of the desired solutions listed herein to educate, train and teach personnel in all details of any of systems, solutions, and equipment to the component level as required allowing Interstate Parking Services, Fargo Police and Fargo Street Department personnel to operate and understand them satisfactorily. The training provided shall be for up to 25 people, and shall occur either on individual basis, or in a group setting, as approved by the City of Fargo and the Parking Services Department. A training program for technicians and staff responsible for software, installation, implementation and maintenance of the solutions listed herein shall also be provided. The City is open to a Train the Trainer intensified program with three individuals (Police, Streets and Interstate Parking).

The submitted response shall include Training Program Plan outlining how it intends to instruct the Parking Services staff, including how and what type of training will be carried out. A combination of train-the-trainer and training sessions directly to Parking Services designated staff will be preferred.

Any costs related to any part of the training program shall be provided in detail in the Cost section of the proposal.

Integrations:

Third Party Integrations

A critical part of the Parking Department's operations for all software is the ability to access data with our hardware and software providers. The City requires that any proposed solution and contractor have the ability to integrate with other partners through one of several methods:

API Access

An API will provide secure data access. The API would offer the ability to export relevant data and insert relevant data as well.

Database Access

The partner will provide secure direct database access to export data and populate relevant data from external sources.

Automated File Transfer and import

The partner will provide secure Automated File Transfer and importing through various methods such as scripting and ftp transfer. The process would be two-way with both importing and exporting to other systems.

Any additional data sharing methods accepted by other partners

Any data sharing methods accepted by other partners will be allowed. This must be a two-way agreement to use said method when communicating with other partners. Each data access solution will occur at a regular interval which will allow near real-time equivalency of operations across platforms. This data transfer would share relevant transactional data about the customer interaction and be able to use said data in reporting and operations with partners. The data transfer must be through secure methods.

Data Integrity

Demonstrated PCI Compliance shall be provided in the submitted proposal. The City requires any vendors with access to payment information to be PCI compliant. Encryption of credit card data must be performed. All passwords and credit cards must be hashed and salted. No financial or identifying data shall travel unencrypted over public networks. The Respondent needs to provide documentation on the following:

Level 1 Compliant: A PCI DSS Service Level 1 compliant provider has proven their ability to not only process credit cards in large volume, but also maintain the highest level of security.

SSAE 16 Compliant: SSAE 16 compliant vendors have the necessary processes in place to remain compliant in day-to-day activities.

Cybersecurity Insurance Policy: This policy will protect the City if there is a security breach of mobile payment platform.

Data Ownership

Please state the ownership of the data that is stored by your organization. This would cover whether the Respondent has the ability to retain data after the contract period, what usage of the data is allowed by the city and the partner during and after the contract period, ability of the City of Fargo to export or transfer the data during and after the contract period, and the length of retention of the data. If certain portions of data are treated differently, please describe each portion separately.

Data Access and Reporting

The ability to create customized reports as well as the ability to use third party reporting tools are strongly preferred. Please state the reporting solutions and data access methods.

Quality Assurance, Inspection & Testing:

The submitted proposal shall include quality assurance (QA) and control procedures in a quality assurance and control plan. A final QA/QC plan shall be provided to City of Fargo and Interstate Parking Services for approval prior to go-live for any solution.

The quality assurance and control plan shall include written descriptions of quality assurance and control policies, procedures, methods, and instructions, including the process and procedures that the contractor shall follow to ensure control and detailed documentation is maintained throughout software development, equipment manufacture and configuration changes.

The Respondent shall plan, perform and document all tests required to prove design, functionality and security of the EPM, including all elements, subsystems, interfaces and system as a whole to ensure that the requirements identified in the Requirements are fulfilled.

The Respondent shall develop and submit for approval a comprehensive inspection and testing plan, including test procedures and test reports, to demonstrate successful integration of all pay by cell components; equipment, software, interfaces, and data reporting provided under this Contract. The inspection and testing plan shall include a detailed schedule indicating the sequence of each test and where and when each test will take place. The Respondent shall be responsible for managing all testing and producing test reports.

Testing of Deliverables

The Respondent shall conduct thorough testing of any deliverables as part of this project. This testing should include cross-platform and multiple browser testing, application testing on multiple devices for native apps, testing of all features that use integrations with other partners, load testing, and User Acceptance Testing.

The testing and resolution of any issues that appear would be expected to be resolved before the deliverable date. A bug tracking system with regular reports should be available to the City. If one is not available, the partner will need to work with the City for tracking and resolution of bugs.

Flexibility

In addition to continued product innovation, the Respondent must be very flexible. Vendors achieve this flexibility with an open API (Application Programming Interface) architecture. An open API-based system facilitates the push and pull of data between various parking systems. This can include a push and pull of mobile pay data to and from meter hardware, handheld devices, enforcement technology, and other existing systems that may be in place.

Support

A dedicated client support team member is critical to the ongoing success of the partnership. The submitted proposal shall clearly identify a dedicated client support team member. Any change to the dedicated client support team member shall be clearly communicated to the City; the City desires any change to be approved in writing.

Errors and Interruptions:

For any solution proposed, the City requires industry standard uptimes. In the instance of errors or interruptions for any of the solutions proposed, the City desires the contractor to inform the City as soon as possible. The contractor shall confirm its receipt of such notification in writing. If any error or interruption cannot be repaired by contractor within one hour from the date when the error or interruption is reported to the contractor, then the contractor may issue a credit for the Services during such downtime.

In the event that the City of Fargo and selected vendor disagree about whether an error or interruption has been resolved, City of Fargo and the Respondent shall discuss in good faith and reach a mutual resolution regarding whether such error or interruption has occurred or been adequately resolved. If the parties agree that the problem was in fact an error or interruption, then Client shall not be entitled to a credit for the Software during the downtime.

B. Citation Issuance & Processing

The Citation Issuance & Processing solution shall encompass an efficient issuance process, online payment portal, adjudication tracking, and collections for all current and legacy citations. The desired solution will allow parking enforcement officers to quickly issue citations using a mobile device, including management of scoff laws and boot and tow services. Additionally, the customer should have an option to pay or appeal citations in real time using debit and credit cards.

The following is a non-exhaustive list of desired option and requirements for the pay-by-cell solution, and shall be considered, provided, and discussed with any submittal:

- **ISSUANCE:**
 - Digital Chalking.
 - Dynamic License plate look up.
 - Automatically assign citation numbers.
 - Automatically include issuing officer's badge number.
 - Identify vehicles eligible for towing (based on criteria provided by the City) for excessive parking violations by entering vehicle's plate number.
 - Take unlimited number of photos of the violation at the time of issuance.
 - Attach up to 4 photos to the citation.
 - Attach notes to each citation, using both text and speech-to-text.
 - Automatically populate fields, such as state.

- Automatically attach the officer's signature to each citation.
- Print citations.
- Issue citations from a desktop computer, i.e., police officers in the field.
- Wirelessly upload issued citations to the citation processing system in real time.
- **PROCESSING:**
 - Limit access to backend management system by job function.
 - Authorize administrators with correct access to update citations in the following ways:
 - Adjust fine amounts, as needed.
 - Enter notes concerning the citation or customer to be viewed internally.
 - Enter notes concerning the citation or customer to be viewed externally (by customer, on payment portal site).
 - Dismiss citations for a pre-defined set of reasons.
 - Apply payment, including overpayment and underpayment.
 - Process refund or overpayment on citations.
 - Identify vehicles eligible for impound for excessive parking violations.
 - Display all citations written against plate number.
 - Display citation, field notes, and photograph within backoffice.
 - Provide a payment portal for customers to pay citations.
 - Violators should be able to lookup citations based on their LPN or Citation Number.
 - Searches should return all outstanding citations for that LPN.
 - Citations should be available for payment immediately upon issuance.
 - Payment accepted in the form of debit or credit cards.
 - Paid accounts should reconcile in backoffice in real time.
 - Give recurring violators the option to receive an email when a citation is issued against their license plate.
 - Ability to receive payment on citations not yet loaded to the system, which will be automatically matched to payment with citation is loaded.
 - Within payment portal, violators should have option to appeal citations.
 - Violators should have sufficient space to capture the reason for their appeal.
 - Violators can upload photographic evidence and documentation (PDF format) to support their argument.
 - During the appeals process, all collection efforts should be placed on hold.
 - Generate notice to the violator that their appeal has been received and is on hold, pending investigation. Notice should be emailed when an email address is provided, otherwise it should be printed and mailed.
 - Provide the appropriate adjudicator limited access to settle appeals cases.
 - Access to a pre-defined list of reasons for dismissing an appeal.
 - Access to reduce or adjust fines.
 - Ability to void a citation.
 - Generate a template notification letter to send to violator with the decision made and the pre-defined reason for such decision.

- A copy of the notification should be stored electronically and be available for retrieval and reprinting/sending.
 - Reconcile payment/appeals portal in real time when a citation is paid or an appeal is decided.
 - COLLECTION:
 - Automatically calculate and apply penalties on outstanding citations based on City's fine schedule.
 - Automatically check in- and out-of-state DMV records for most recent address of registered owner, based on LPN.
 - Must have access to DMV data for all 50 states.
 - Automatically generate and mail letters with updated fines in accordance with escalation schedule.
 - Save a copy of each notification should be electronically saved with the citation and be available for retrieval and reprinting/sending.
 - Transfer all legacy citations to new system and put them through the collection process.
 - REPORTING:
 - Maintain a searchable audit trail of all actions taken within the backoffice system.
 - Automatically run reports on a recurring schedule.
 - Provide pre-defined reports related to citations:
 - Out-of-State Citations
 - Habitation Parking Violator List
 - Open Citations
 - Closed Citations
 - Percentage change from month to month
 - Collection report
 - Notices Mailed
 - Current Revenue Totals
 - Custom report
 - Provide pre-defined reports related to issuance:
 - Issuance density
 - Officer route tracking
 - Officer issuance
 - Ability to create ad-hoc reporting
 - Reports must be exportable to Excel

The City requires the following hardware, to be included in the pricing section:

- A minimum of twelve (12) functioning Android-based issuance units.
- A minimum of twelve (12) functioning lightweight, Bluetooth printers.
- The units must be able to withstand the weather conditions experienced throughout the year in the City of Fargo

Operation and Maintenance of the Citation Issuance & Collection Solution

When implemented, the City strongly desires that any system maintenance performed by the contractor does not occur during business hours. In emergency cases, adjustments to the system may also take place during hours for paid parking. If necessary, the contractor may perform maintenance of the system during business hours, provided the City is provided with at least twenty-four (24) hours advance notice before the start of the work.

The Respondent shall perform daily backup of data in the (local) database. The data shall be retained for six (6) months.

Maintenance and Support:

The proposal shall also include a minimum of one (1) year warranty in costs proposed on hardware, parts, and software, hourly rates/labor, and incidentals. The proposal shall include pricing for the City's option to purchase up to three (3) additional years of extended maintenance/software support. All materials and components shall be new and unused.

The proposal shall provide details for a full and complete schedule of preventative maintenance requirements for the hardware and software components identified as part of the RFP. The schedule of preventative maintenance shall be organized by device, or software component, and shall detail the following as the minimum requirement:

Each required preventative maintenance activity

- The recommended frequency of each preventative maintenance activity
- The procedures for performing each preventative maintenance activity
- Any special tools or supplies needed for the performance of preventative maintenance activities

As part of the maintenance support, the vendor must provide new releases or upgrades for software upon release of revision to the installed software products, without charge.

Response Time/Support:

As part of the warranty process, the Respondent shall provide timely, same day, response for any service calls placed between 8 a.m. to 5 p.m. EST, Monday through Friday (excluding major holidays) regarding repair or replacement of any and all components identified as necessary parts by this RFP.

FORMATTING REQUIREMENTS

A. Responses/Submittals

The City requires submittal of **one original and two (2) hard copies of the complete RFP response, as well as an electronic version on flash drive or other media**. In order to expedite and simplify proposal evaluation and to assure that each proposal receives the same orderly review all proposals should adhere to the format described below. A completed, signed copy of this RFP document shall be submitted as part of the proposal response for both hard and electronic copies. Submission of a proposal shall be conclusive evidence that the Proposer has investigated and is satisfied as to the conditions to be encountered in performing the work.

All proposal sections and pages should be appropriately numbered. Any variances from specifications, which may be proposed, must be specifically noted as an “Exception” in the fields provided.

All responses, documents, terms, and information related to the proposer’s response to this RFP shall be submitted with the response package prior to the submission deadline. No separate schedules, agreements, terms, conditions, etc. shall be recognized or accepted if not submitted with the response to this RFP.

Proposals must include a table of contents listing all sections, figures, and tables. Major sections and appendices should be separated by labeled index tabs, and pages must be numbered.

Submitted proposals shall include:

1. Company Overview and Executive Summary

Include a brief introduction and executive summary of the major facts or features of the proposal, including any conclusions, assumptions, and recommendations the Respondent desires to make. The Executive Summary should be designed specifically for review by a non-technical audience and senior management.

Provide clear, descriptive information on the following:

1. A description of the company’s background and history, including year established, former names, and type of ownership. Also provide the name of the authorized office/representative for the company with regard to negotiation and contractual matters.
2. Please indicate if your company has a Diversity and Inclusion policy or program. If so, briefly describe.
3. Number of total, current personnel currently available for services described herein
4. The location of any local office, as well as the office location that may provide off-site services as well as any redundant site locations.
5. Identify whether your company is a single source provider of professional services or if a subcontractor will be used. If a subcontractor will be used, please provide detailed information

regarding the nature of the subcontracting work and descriptive information about the company, including its primary representative.

6. A statement concerning the Company's current financial stability. Clearly label if any financial information provided is considered confidential and proprietary.
7. Describe what is distinctive about your firm and the services you offer, including any value-added services.

2. Professional Qualifications

For any response to the solution(s) proposed, provide names, resumes, qualifications and experience of all staff anticipated to be involved in the project, including the project manager and technical staff. The assigned Project Manager of this project shall be identified in the proposal and cannot be changed, replaced, or altered throughout the project unless agreed to by both the City and the company.

3. References and Experience

Provide detailed descriptions of at least three (3) similar contract references for the solutions desired as described herein, including but not limited to the organization name, contact person, address, telephone number and email address, date of initiation, contract status, and a brief overview of the services provided. The Respondent agrees that the City may contact the references given at the City's discretion.

The City desires a vendor(s) with a minimum of five (5) years of demonstrated experience with any proposed solution, in the U.S. markets; in addition, the vendor must have a positive standing within the parking industry, be able to provide proof of technical expertise, perform a successful installation of the proposed system, provide a thorough training program and be able to provide future maintenance support after the initial purchase. Briefly describe your firm's ability to provide:

- Timely implementation
- System stability
- Future sustainability and growth
- Security
- Software reliability and performance
- Equipment quality and performance
- Operator- and user-friendliness
- Maintainability
- Quality training for users and technicians
- Quality of maintenance and support
- Customer service

4. Solution's Proposed/Meeting of Technical Specifications/Timeline

Responses for any part of the solutions described herein shall be clearly labeled by section (B, C, D, etc...). Provide a detailed narrative description for any of the solutions described herein, and how it would meet the City's goals and expectations. Respondents shall describe any and all software components, hardware components, services and tasks, including implementation, training and support required to implement a working, fully functional parking meter system fit for the intended use of the City.

The Respondent shall describe how each technical specification outlined in this RFP is met with the system they have proposed.

As part of the project approach, the Respondent shall propose a scheduling methodology for effectively managing and executing the work in the optimum time. Such timeline information and proposed dates shall include, but not necessarily be limited to: delivery, installation, diagnostic testing, training of designated personnel, and other phase related completion dates as per the specifications contained herein.

Responses shall address all items in the scope of work and specification sections of the RFP. Also include any estimated City requirements for the Evaluation/Testing Pilot Program and the final project.

Proposals shall also state the initial equipment, licensing, and software warranty for any solution proposed. Also provide information for extended maintenance and support services that are available after expiration of the initial equipment and software/firmware updates and warranties. Information shall include specific details on the type of coverage and all exclusions, if applicable.

5. Cost Proposal

For each solution proposed, provide a complete, detailed cost and price schedule for the services and requirements described in the RFP, including on-going annual fees, subscriptions, any one-time fees, research fees, hourly rates, and any and all other fees that will or could be charged for the solution proposed, including but not limited to:

| Citation Issuance & Processing Solution | | |
|--------------------------------------------------------------------------------|-------------------|--|
| Administrative Fee Per Citation Issued | Paid by City | |
| Convenience Fee per Citation Paid online | Paid by Violator | |
| Percentage of Revenue Share for Citations Collected After sending First Notice | | |
| Cost of Paper and Postage | | |
| Cost of Enforcement Kit | Issuance Device | |
| | Bluetooth printer | |
| Citation Issuance & Processing Platform | | |
| System Setup and Training | | |
| Back Office Software Licensing Fee | | |
| Payment Portal Licensing Fee | | |
| Addition of New Users | | |
| Integrations | | |
| Client Technical Support | | |
| Tier Three Parker Support | | |
| Extended Maintenance | Hourly Rate | |
| Custom Development | Hourly Rate | |
| Project Management | Hourly Rate | |
| | | |
| | | |

Failure to submit all required pricing information will result in the proposal being considered non-responsive. Proposers are required to hold prices firm for a minimum of 120 days in order that an award be made.

B. Submittal Checklist

___ Procurement Website Registration

___ One (1) Original and two (2) copies of the signed, completed Proposals with all requested information

___ Certificate of Insurance

___ PCI Certificate of Compliance

GENERAL INSTRUCTIONS

All information in a bidder's response and the subsequent contract is subject to the provisions of the Freedom of Information Act or latest revision thereof. Companies shall note that pricing methodologies, cost and fee proposals, and any other response information related to pricing shall not be considered confidential information.

The City reserves the right to declare as non-responsive and reject any proposal in which material information requested is not furnished or where indirect or incomplete answers of information are provided, or if departments are contacted prior to bid opening. All proposals submitted shall include the City's RFP document and in the format requested, no exceptions. Any submitted proposal not including the City form may be rejected as non-responsive.

No separate agreements shall be recognized unless they are included in the proposal for analysis and review, prior to contract award. The City of Fargo "General Instructions" are hereby incorporated by reference. The City shall not be bound by any part(s) of any Company's response to the RFP which contains information, options, conditions, terms, or prices not requested nor required in the RFP unless such conditions are agreed to by both parties prior to entering a contract.

All documents and submittals provided with the RFP response shall become the property of the City, and shall be subject to public inquiry and dissemination as required. Any response that is submitted in full as "confidential" or "proprietary" shall be rejected as non-responsive, no exceptions.

All costs proposed shall remain firm for one-hundred twenty (120) days from the date of the RFP opening.

Communication Restriction:

The City of Fargo Auditors Office shall be the sole point of contact for purposes of information concerning this RFP. From the date that this RFP is issued until the date the Contract is awarded, interested parties should not contact any official or employee of the City for additional information concerning this RFP, except in writing directed only to the contact listed herein, or the City Auditor. Any requests for clarification or additional information regarding this RFP shall be directed in writing. If a prospective Proposer engages in any unauthorized communication, the City may reject that Respondent's proposal(s).

Cost of Preparation:

The Respondent shall be responsible for any and all costs incurred in the development and submission of any response. The City assumes no contractual obligation as a result of the issuance of the solicitation, the preparation or submission of a response by a Respondent, the evaluation of an accepted response, or the selection of finalists. The City shall not be contractually bound until the City and the successful Respondent have executed a written Contract for performance of work.

Discrepancies or omissions:

If a Proposer should find discrepancies or omissions in these documents, he/she should at once notify the City Auditor. The Proposer is required to furnish any information regarding any additional costs not covered herein by the City with their proposal. It is the City's intent for all costs to be included herein. Any costs not included herein may not be considered allowable costs under any contract.

Non-Collusion:

By signed submittal and completion of this document, the Proposer certifies that this proposal response is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a proposal for the same product and that this proposal is in all respects bona fide, fair and not the result of any act of fraud or collusion with another person or firm engaged in the same line of business or commerce. The Proposer understands collusive bidding is a violation of Federal Law and that any false statement thereunder constitutes a felony and can result in fines, imprisonment, as well as civil damages.

RFP/Solicit Cancellation:

The City reserves the right to cancel this solicitation and/or any planned award for any or no reason as it deems in its own best interests, at no additional costs to the City. Such cancellation notice shall be provided to all respondents prior to final contract execution.

Economy of Responses:

Responses and presentations should be prepared simply and economically, providing a straightforward and concise description of the Proposer's capabilities to satisfy the requirements of the solicitation. Emphasis should be placed on completeness and clarity of content.

Multiple Responses:

Multiple responses or solutions, defined as the submission by the same Proposer of two or more responsive responses offering an alternative which meet the requirements of the solicitation, will be considered. Multiple responses shall be submitted separately and will be evaluated as independent responses.

Reserved Rights:

The City of Fargo reserves the right to request any additional information which might be deemed necessary after responses are submitted as it deems in its own best interests to do so.

Further, the City, as it deems in its own best interest, reserves the right to:

1. Reject any or all bids.
2. Issue subsequent RFP's.
3. Postpone opening for its own convenience.

4. Remedy technical errors in the RFP process.
5. Approve or disapprove the use of particular subcontractors.
6. Solicit best and final offers from all or some of the Proposers.
7. Award an agreement in its own best interests.
8. Waive informalities and irregularities in responses and/or services proposed.

The City reserves the right to check all references furnished and consider responses received in determining the award. The City reserves the right to perform investigations as may be deemed necessary by the City to assure that competent persons will be and are utilized in the performance of any Agreement and to verify the accuracy of the contents of responses.

Questions:

Any formal requests for clarification, questions, or additional information regarding this solicitation shall be submitted in writing no later than June 22, 2018 per the following contact information:

Steven Sprague

City Auditor

200 3rd Street North, Fargo, ND 58102

Tel: 701-241-1301

Fax: 701-476-4188

Email: Ssprague@FargoND.Gov

Any questions received after June 22, 2018 shall not be considered. Questions received prior to the stated deadline will be collated into a single Addendum document to be provided to all proposers, on or about June 25, 2018. Any and all questions, requests for clarification or additional information received by the City regarding this RFP will not be considered confidential in any way, shape, or form.

Addendum:

The City will issue responses to inquiries and any other corrections or amendments it deems necessary in written addenda prior to the response due date. Any such Addendum or correction shall be provided through the City's procurement website. Respondent should not rely on any representations, statements or explanations other than those made in this RFP or in any written Addendum to this solicit. Where there appears to be conflict between the RFP and any Addenda issued, the last Addendum issued shall prevail.

It is the Proposer's responsibility to assure receipt of all Addenda. The Proposer should verify with the City's website prior to submitting a response that all Addenda have been received. Proposers are required to acknowledge the number of Addenda received as part of their responses.

Proposers who obtain copies of this solicit from sources other than the City's website risk the potential of not receiving addenda, since their names will not be included on the vendor list for this particular solicit. Such Proposers are solely responsible for those risks.

Submittals Deadline:

The City requires submittal of one original and two (2) hard copies of the RFP response, each properly labeled, as well as an electronic version provided on a flash drive, cd-rom, or other media.

Fields contained within this RFP document shall be completed where requested; the Company name shall be entered in the areas provided at the bottom of each page where requested. Responses should contain the elements of information requested. All proposal pages should be appropriately numbered. Any variances from specifications, which may be proposed, must be specifically noted as an "Exception" in the fields provided.

All responses, documents, terms, and information related to the proposer's response to this RFP shall be submitted with the response package prior to the submission deadline. No separate schedules, agreements, terms, conditions, etc. shall be recognized or accepted if not initially submitted with the response to this RFP.

Proposal responses and submittals shall be received and date-stamped by the City Auditors Office no later June 27 at 2 pm

If the response is sent by mail or commercial express service, the Respondent shall be responsible for actual delivery of the response to the City Auditors Office before the deadline. All responses become the property of the City of Fargo. The content of all responses shall be held confidential and sealed until after the public bid opening.

Late Proposals, Modifications, or Withdrawal

Proposals received after the date and time indicated will not be accepted or considered.

Proposals may be withdrawn or modified in writing prior to the proposal submission deadline. Proposals that are resubmitted or modified shall be sealed and submitted to the City Auditors Office prior to the proposal submission deadline. Following the deadline date proposals will be considered firm.

Price Quotations:

All costs and prices shall be quoted in U.S. dollars. Pricing/Rates proposed for complete services as described herein shall be inclusive of all overhead, all fuel costs, mobilization, labor, materials, equipment, scheduling, parking fees, setups, incidentals, profit, mailing and postage costs, and all other miscellaneous cost borne by the contractor throughout the life of the contract. Any required travel costs shall be provided as an estimate at standard rates (i.e. coach airfare, standard room rental, etc.); any travel costs above standard rates shall be at the contractor's cost. In case of error in the extension of prices in the response, the unit prices shall govern.

Solicit Evaluation/Award:

The City reserves the right to award to any proposer, or multiple proposers, for any services or solutions as it deems in its own best interests to do so. Upon initial award recommendation by the internal review team, the Auditors Office may, at its' sole discretion, provide appropriate notice through the city's website or by email.

The City reserves the right to award in total, to reject any and all responses in whole or in part, and to waive any informality or technical defects, if, in the City's sole judgment, the best interests of the City will be served. The solicitation file shall contain the basis on which the award is made. The award of this RFP and any subsequent contract shall be at the sole discretion of the City.

Review for Defects: Submitted responses will be reviewed for their timeliness, format, completeness, and the correct number of submittal copies. Responses may be rejected by being late, incomplete, incorrectly formatted, or incorrect number of copies. This review may waive any defects or allow vendors to submit a correction if determined in the best interest of the City. If a late response is rejected, the response will not be opened or evaluated for format or completeness.

Evaluation and Review: An evaluation committee, formed at the City's sole discretion, will evaluate and numerically score each response that has passed Review for Defects. The evaluation and award for this solicitation shall be made to the responsible offer whose response is determined in writing to be the best value for the City taking into consideration the evaluation factors set forth in this document.

The City will use the following criteria to evaluate the responses which, in the City's opinion, will best serve the City's interest in obtaining the desired service levels:

1. References and experience of the company (20 points)
2. Proposed product solution, including technical specifications (35 points)
3. Staff qualifications (10 points)
4. Support services proposed (10 points)
5. Costs and fees (25 points)

The evaluation team will develop a composite rating indicating the collective ranking of the highest rated responses in descending order. The evaluation team may then conduct interviews and presentations with the top ranked responses, usually the top two (2) or three (3) depending upon the number of responses received ("short-listed"). Negotiations may then be conducted with responses so selected. The evaluation committee may request an interview and/or make a recommendation for the Contract award, at the committee's sole discretion.

Interview/ Presentation: Proposers who are selected for an interview and presentation by the evaluation committee will be provided the opportunity to clarify or elaborate on the proposal, including ease of use of the software application features for both the customer and the City, ease of use of hardware and software including flexibility, better customer experience, transit capabilities, tools, performance, integration and equipment quality and durability. This is a fact finding and explanation session only, and does not include negotiation. The City desires

presentations to take place on July 19, 2018, on-site at a City location (tbd). The City will schedule the time for the selected Respondents in advance, including exact date and time, as well as any specific questions or requirements.

The commencement of discussions or the scheduling of presentations does not signify a commitment by the City to award or to continue discussions with the Respondent. Oral presentations are an option of the City and may or may not be conducted. The evaluation team reserves the right to re-rank proposals based on the results of the presentations in consideration of the final award. Failure to comply with the presentation request shall result in the bid being rejected as non-responsive.

Negotiations: The City reserves the right to select the response that best fits the requirements of the City, and upon recommendation for award, enter into contract negotiations, and/or request revised responses from the recommended Proposer. If the City and the recommended or selected Proposer cannot negotiate a successful contract, the City may terminate said negotiations and begin negotiations with another recommended selected Proposer. This process will continue until a contract acceptable to the City has been executed or all selected responses are rejected. No Proposer shall have any rights against the City arising from such negotiations or termination thereof.

Debriefing: Upon the RFP opening date, a tabulation of respondents by company name will be made available; review of submittals will not be allowed at that time. The entire solicitation file, including responses, submittals, ratings and justifications of award, will become public information and may be available for review upon request, only after final award approvals are completed. Debriefing requests shall be by appointment only.