

**BOARD OF COUNTY COMMISSIONERS, BUTLER COUNTY, OHIO**

315 High St., 6<sup>th</sup> Floor, Hamilton, OH 45011

**REQUEST FOR PROPOSALS**

R.C. §§ 307.86(M) & 307.862

Pursuant to R.C. § 307.86(M), The Board of Commissioners, Butler County, Ohio (the “County”), as the County contracting authority for the User designated herein has determined that the use of competitive sealed proposals would be advantageous to the County for the acquisition of the goods or services described in this Request for Proposals (the “RFP”). Therefore, pursuant to R.C. § 307.862, the County hereby solicits sealed competitive proposals as described in this RFP.

**A. Submission of Proposal:**

1. *Deadline for Submission of Proposals:* Wednesday, December 22, 2021 at 4:00 p.m.  
Proposals received prior to the deadline will be held and not be opened until the deadline.
2. *Proposals to be Delivered to:* Butler County Sheriff’s Office, Attn: Debra Maloney, 705 Hanover Street, Hamilton, OH 45011

**B. Description of Project:**

1. *Project Name:* Body Scanner System
2. *Contract No.:* 2021-005
3. *USER:* The contract to which this RFP relates is intended to be awarded by the County for the use of the Butler County Sheriff’s Office (the “Sheriff’s Office”)
4. *County Contact Person:* Debra Maloney, Assistant Finance Director, [dmaloney@butlersheriff.org](mailto:dmaloney@butlersheriff.org) or Captain Nick Fisher, [nfisher@butlersheriff.org](mailto:nfisher@butlersheriff.org) at the Butler County Sheriff’s Office, 705 Hanover Street, Hamilton, OH 45011
5. *Brief Description of Project:* The Butler County Sheriff’s Office is requesting a proposal for a high quality, turnkey, body scanner system to detect contraband on or inside the body of an inmate. Please provide a detailed description of the products and features, as well as pricing options. ***Please see Exhibit A for additional information.***
6. *Potential Partial or Multiple Party Awards:* County reserves the right to award upon recommendation of the Sheriff’s Office any, none, or part of the project to one or more Vendors for designated portions of the project.
  - a. In the event that County elects to award multiple contracts concerning the project, the Sheriff’s Office or its designee shall assume responsibility for coordination of the multiple contracts unless County expressly designates that the recipient of one of the awarded contracts shall be responsible to coordinate the multiple contracts.
7. *Intended Contract Duration:* To be determined based on the Project.
8. *Implementation Deadline:* To be determined based on the Project.

**C. The Request for Proposals:**

1. A list of specifications for this project is contained in the Exhibit A attached hereto.
2. A list of the documents, if any, which the County incorporates by reference into this RFP is contained in the Exhibit B attached hereto.

3. A full copy of this RFP, together with all documents incorporated by reference into the RFP, is available to the public and may be obtained by either:
    - a. Download from the County’s website at [www.butlercountycommissioners.org](http://www.butlercountycommissioners.org) or [www.butlersheriff.org](http://www.butlersheriff.org) – Bid Opportunities.
    - b. A written request directed to the County’s Contact Person as designated in this RFP.
  4. County reserves the right to issue one or more addendums modifying the requirements or terms of this RFP.
    - a. A copy of each addendum will be:
      - i posted on the County and Sheriff’s website;
      - ii provided via e-mail to each person/entity who has submitted a proposal at the time of the addendum; and
      - iii provided via e-mail to each person/entity who has provided the County’s Contact Person listed in this RFP in writing:
        - (a) notice that the person/entity is considering submitting a proposal; and
        - (b) the person/entity’s company name, contact person’s name, company address, telephone number, e-mail address, and fax number.
- D. **Prohibited Contacts:** To protect the integrity and fairness of the proposal process, unauthorized communications and other behavior by any prospective Vendor that violates or attempts to manipulate the RFP process in any way may result in the rejection of the offender’s proposal.
1. Except as expressly authorized herein, neither a person/entity interested in submitting a proposal, a Vendor, nor their authorized representatives are permitted to communicate with Individuals Associated with this Project during the proposal process.
  2. Authorized communications are as follows:
    - a. Prior to the date set herein for the receipt of proposals, persons or entities interested in submitting a proposal may submit written questions requesting clarification of information provided in this RFP. All such questions shall be submitted by email to the County Contact Person designated in this RFP. All answers will be shared with all other proposers and known perspective proposers.
    - b. Communications in connection with negotiations between the County and the Vendor who submits the proposal that County determines is the most advantageous to the County based on the rankings performed by County.
  3. As used in this RFP, the term “Individuals Associated with this Project” is defined as:
    - a. County’s elected officials;
    - b. The County Contact Person designated in this RFP; and
    - c. County employees (including but not limited to the designated Sheriff’s staff) involved with development, management, and administration of this RFP and/or the process of evaluating proposals submitted in response to this RFP.
- E. **Form of Proposals:** Each proposal submitted in response to this RFP shall:
1. Be submitted in writing and be responsive to the requests for information requested in this RFP.
    - a. The submittal shall contain an original and one (1) copy of the proposal.

- b. The proposal shall contain the signature of a person who is duly authorized to submit the proposal on behalf of the Vendor.
  - c. The proposal shall contain the content and be organized in the format specified by the County in the Exhibit B (including Attachments) attached to this RFP.
    - i. Each page of the proposal must be numbered sequentially at the bottom of the page and shall be divided into the categories described in Exhibit B.
    - ii. All narrative information must contain a heading which clearly indicates the subject matter of the narrative.
  - d. The proposal must be consistent with applicable federal regulations, State of Ohio policies, and County policies and procedures.
2. Contain the full legal name and mailing address of the principal place of business of the person/entity submitting a proposal (the "Vendor").
    - a. If the Vendor is a sole proprietor, the Vendor shall identify any trade name or fictitious name under which the Vendor conducts his/her business.
    - b. If the Vendor is a corporation, limited liability company, limited partnership, limited liability partnership, or other form of business entity, the Vendor shall identify its form of business entity, any trade name or fictitious name under which the Vendor conducts its business, and whether the Vendor is licensed to do business in the State of Ohio.
  3. Identify the name, postal mailing address, telephone number, and email address of the person(s) who is/are:
    - a. Responsible for preparation and submission of the proposal;
    - b. Authorized to respond to County's questions or requests for additional information related to evaluation of the proposal;
    - c. Conduct negotiations on behalf of the Vendor; and
    - d. Authorized to sign contract documents on behalf of the Vendor.
  4. Fully respond to questions and requests for information set forth in this RFP. The required information may include, but not necessarily be limited to:
    - a. A description of the Vendor's business information including duration of business activity;
    - b. Vendor's experience with like or similar projects;
    - c. References from Vendor's representative clients/customers;
    - d. Vendor's key personnel who will be involved in the project; and
    - e. Disclosure of litigation or known claims pending or asserted against Vendor.
  5. Disclose the name, address, phone number, other contact information, and scope of provided services/goods for each manufacturer, seller, subcontractor, and consultant who will assist the Vendor with the performance of the functions and duties in connection with the project.
  6. Fully complete the Attachments attached to this RFP.
  7. If County has described supplies, services, or both that may be subject to a partial award or multiple awards, each proposal must specify:
    - a. Which portion(s) of those supplies, services, or both the Vendor is proposing to provide; and

- b. If the Vendor is proposing any differential pricing model based upon the scope of the contract which might be awarded to the Vendor, including but not necessarily limited to:
  - i A premium in the event that less than the entire, or a specified portion, of the project scope would be awarded to the Vendor; or
  - ii A discount in the event that the entire, or a specified portion, of the project scope would be awarded to the Vendor.
8. If a proposal contains any information which the Vendor believes is a trade secret or is otherwise entitled to protection as proprietary information, the Vendor has the sole responsibility to clearly identify and delineate the protected information and to otherwise take reasonable measures necessary to protect against the unauthorized disclosure of the protected information.

**F. Units of Measurement:**

1. All price or cost information contained in each proposal shall be stated in US dollars.
2. Unless otherwise expressly specified in the RFP, all quantities described in the RFP and each proposal shall be stated in English units of measurement (*i.e.*; metric units of measure shall not be used).
3. Unless otherwise expressly stated in this RFP, all time periods described in this RFP are expressed in terms of calendar days.

**G. Proposal Evaluation Process:**

1. Each proposal received by the proposal submission deadline as stated in this RFP shall be promptly opened by County and reviewed to determine whether the proposal complies with the requirements prescribed by the RFP and by Ohio law.
  - a. County shall open all timely submitted proposals in a manner that prevents the disclosure of contents of competing proposals to competing Vendors.
  - b. Proposals and any documents or other records related to a subsequent negotiation for a final contract that would otherwise be available for public inspection and copying under section 149.43 of the Ohio Revised Code shall not be available until after the award of the contract.
  - c. Any proposal which County determines fails in any material respect to comply with requirements prescribed by the RFP and by Ohio law shall be rejected and returned to the Vendor without further proceedings.
2. Each proposal which County determines substantially complies with requirements prescribed by the RFP and by Ohio law will be evaluated and ranked by County staff using the factors and criteria developed by the Sheriff's Office which are listed in the Exhibit A attached to this RFP.
  - a. County may initiate and conduct discussions with Vendors for the purpose of ensuring full understanding of, and responsiveness to, the requirements specified in this RFP, and accord fair and equal treatment with respect to any opportunity for discussion with Vendors to provide any clarification, correction, or revision of proposals.
  - b. If County determines that discussions with one or more Vendors are necessary, those discussions will be conducted in such a manner as County determines necessary to avoid disclosing any information derived from proposals submitted by competing Vendors during those discussions.

H. **Rejection of Proposals:** County reserves the right to reject, in whole or in part, any proposal which County determines:

1. Contains material exception(s) by the Vendor to the terms and conditions of this RFP;
2. Fails to meet the terms and conditions of the request for proposals, including but not limited to, the standards, specifications, and requirements specified in this RFP;
3. Submits prices that County considers to be excessive, compared to existing market conditions, or determines exceed County's available funds; or
4. Would not be in the best interest of the County based upon the factors and criteria described in Exhibit A.

I. **Negotiations:**

1. After completion of the evaluation and ranking process described in this RFP, County will negotiate with the one Vendor who submitted the proposal that County determines to be the most advantageous to the County based on the rankings, including any adjustment to those rankings based on discussions described above.
2. County reserves the right to require that the Vendor provide demonstrations or samples as a part of the negotiations.
3. All of the Vendor's activities in connection with the making of a proposal and conducting negotiations with County shall be at the Vendor's sole cost and expense.
4. *Termination of Negotiations*
  - a. A Vendor engaged in negotiations with County may terminate the negotiations by providing the County with written notice of the Vendor's withdrawal of the Vendor's proposal at any time prior to the County's award of a contract.
  - b. County may terminate negotiations with an Vendor at any time during the negotiation process by providing the Vendor with written notice of the Vendor's failure to provide the necessary information for negotiations in a timely manner or the Vendor's failure to negotiate in good faith, including but not limited to the Vendor's refusal to accept the contents of this RFP and the commitments contained in the Vendor's proposal.
    - i. County's written notice shall provide the Vendor with commercially reasonable notice as to the reasons why the Sheriff's Office has decided to terminate the negotiation process.
    - ii. Unless within five (5) business days of the written notice the Vendor cures the deficiencies described by County in its written notice, the negotiation process between County and the Vendor shall be terminated.
5. If either the Vendor or County terminates the negotiation process, County may commence negotiations with the Vendor whose proposal is ranked the next most advantageous to the County according to the evaluation factors and criteria described in this RFP.

J. **Contract Award:**

1. Following the evaluation and ranking of the proposals submitted in response to this RFP and the negotiations described herein, County may award a contract to the Vendor whose proposal is determined to be the most advantageous to County.
  - a. To the extent described in this RFP, County may award a contract in whole or in part to one or more Vendors. The RFP shall be held firm for a minimum of ninety (90) days.
  - b. The Sheriff's Office shall send a written notice to the Vendor to whom the County wishes to award the contract and shall make that notice available to the public.
  - c. The Contract Documents upon which the contract award and any executed agreement are based shall include the final executed agreement between the County and the Vendor, this RFP (including any addenda issued by the County), and the Vendor's proposal. In the case of any conflict between the terms of any of the Contract Documents, the following order of precedence shall prevail:
    - i The executed agreement, including any exhibits or attachments thereto; and
    - ii This RFP.
  - d. The contract award will not be final until the County and the successful Vendor have executed a mutually satisfactory contractual agreement.
  - e. No contract performance may begin prior to the execution of a contractual agreement between the successful Vendor and County.
  - f. Butler County reserves the right to cancel an award immediately if new state or federal regulations or policy makes it necessary to change the service purpose or content substantially or to prohibit such service.
2. Within a reasonable time period after the award is made, County shall notify all other Vendors that the contract has been awarded to another Vendor.

**Cancellation of the RFP:** County may cancel or reissue this RFP if any of the following apply:

3. The supplies or services offered through all of the proposals submitted in response to this RFP are not in compliance with the requirements, specifications, and terms and conditions set forth in this RFP;
4. The prices submitted by the Vendors are excessive compared to existing market conditions or exceed the County's available funds; or
5. County determines that award of a contract would not be in the best interest of the County.

K. **Other Information:**

1. *Warranties.* Vendor must warrant that all services and goods provided by Vendor in connection with the project comply with the terms of the Contract Documents and will be free from defects for one year after County's acceptance thereof. Vendor shall also assign to the County all manufacturer's warranties applicable to goods provided by Vendor in connection with the project.
2. *Non-solicitation.* During the term of the agreement arising from this RFP and for one-year thereafter, Vendor shall not employ nor solicit for employment any current employee of the County unless such employee was terminated by County without just cause.

3. *Proprietary or Non-public Information.* Vendor shall maintain the confidentiality of any proprietary or otherwise non-public records and information contained in such records which is disclosed to Vendor in connection with the negotiations described herein or the Vendor's performance of an agreement resulting from those negotiations.
4. *Compliance with Laws.* The performance by Vendor and its employees pursuant to the Contract Documents shall comply with all federal, state, and local laws, regulations, and policies/procedures.

## Exhibit "A"

### Specifications for Project

The Butler County Sheriff's Office has a Request for Proposal (RFP) for a high quality, turnkey, body scanner system to detect contraband on or inside the body of an inmate. Please provide a detailed description of the products and features, as well as pricing options.

The Body Scanner system should include the following:

- A stationary platform;
- The ability for numerous body scans during a year;
- High quality images;
- Body temperature readings;
- Radiation shall be emitted only during the scanning process and not continuously and should not spread beyond the machine area;
- System components shall be able to fit through a standard 32" door opening;
- The System shall offer the ability to offer a PREA Compliant Operating Program
- Capabilities to take a photograph of the person and or contraband;
- Power from 110 V;
- Please include the physical size of the room or area needed for your product along with any other features or options that are available.
- Delivery, installation, calibration, testing and training shall occur no later than 30 days after receipt of approved purchase order;
- Please include initial and ongoing training that is provided along with preventative maintenance and calibration schedule.
- Continuous training for staff must be included at no additional charge;
- Provision of 24/7 Toll Free Support Line and 24/7 On-Line Help Desk;
- Include warranty options;
- Please include facilities in the Ohio, Kentucky, and Indiana area that currently use the system you are proposing.
- Include the cost to remove and dispose of the existing body scanner.
- Each proposal shall be evaluated on the type of product available that will meet the space available, cost, usage needs, upkeep and maintenance, and warranty products. The BCSO is exploring all options of body scanners to determine the best and most cost effective system and to make the most informed decision for the County Jail.
- All questions must be emailed to Debra Maloney at [dmaloney@butlersheriff.org](mailto:dmaloney@butlersheriff.org). The questions and answers will be provided in a separate document on the Sheriff's and/or Commissioner's website where all bidders will have access to this information.



**Exhibit “B”**  
**Proposal Format and Attachments**

The proposal and proposal addenda shall be submitted in the following sections in the following order:

**SECTION 1. Vendor Information.** Provide for each Vendor, Joint Vendor, and Subcontractor:

- A. Full legal name(s) (including any trade name), address, telephone number, and contact person
- B. If other than a sole proprietor, form of business entity, state, and date of incorporation
- C. Name, address, and phone number of each principal
- D. Year established and any former business names
- E. Financial Statements and annual report for past three years
- F. Number of years of experience with phone service and visitation communication systems.
- G. Average length of service for implementation team members
- H. Estimated number of resources to be dedicated to this project from each of the following:
  - Customer support
  - Project implementation and rollout
- I. Number of current installation sites for like or similar projects
- J. Pending litigation and Asserted Claims
  1. Currently pending litigation
  2. Asserted claims (including claims for liquidated damages)
  3. Any litigation filed or resolved within the past five years
  4. Any claims (including claims for liquidated damages) asserted, resolved, or settled within the past five years

**SECTION 2. Product and Service Description:** This section should contain an item-by-item response to the items listed in Exhibit “A” *Description of Services and Goods to be provided for Project*. Screen captures or other brief materials that may serve to assist in describing the functionality may be attached to your response as an Appendix. Any material attached as an Appendix should be specifically referenced from the body of the response.

**SECTION 3. Cost Proposal:**

- A. Please identify the Proposal Quotation Sheet with a “TAB” for location at proposal opening.
- B. Please ensure your cost proposal includes any and all costs required for:
  1. One-time setup fees;
  2. Maintenance;
  3. Training;
  4. Per item fees;
  5. Convenience fees;
  6. Any additional fees or charges not addressed in this RFP; and

7. Percentage increase in cost for optional renewal years.

**SECTION 4. Certificates and Additional Required Forms:** This section should include the original forms, completed as required. Only the original copy of the proposal is required to have content in this section. Failure to include these forms/items with proposal may be reason for proposal disqualification.

A. Civil Rights Compliance affidavit (Attachment A)

B. Non-Collusion affidavit (Attachment B)

**SECTION 5. Appendices as Necessary:** The Vendor should attach any additional related material that is referenced in the earlier sections of their response.

**Attachment “A”**

**Civil Rights Compliance**

Vendor agrees that in the performance of an Agreement, there shall be no discrimination against an employee because of race, color, sex, religion, national origin, or any other factor as specified in the Civil Rights Act of 1964 and subsequent amendments.

\_\_\_\_\_  
Name of Company

\_\_\_\_\_  
Signature of Representative of Vendor

