

Firm Name: _____

BID # 15-2049

I

CALL FOR BIDS

**INSTRUCTIONS AND SPECIFICATIONS
FOR
FIRE EYE NX 7400 SECURITY APPLIANCE**

The County of Winnebago will receive sealed bids in the Purchasing Department, Winnebago County Administration Building, 404 Elm Street, Room 202, Rockford, Illinois 61101 until 10:30 A.M. on November 6, 2015.

A public opening and reading will be held at this date and time.

ALL BIDS MUST BE ENCLOSED IN SEALED ENVELOPES MARKED:

**“FireEye NX 7400”
10:30 A.M., November 6, 2015**

The County of Winnebago reserves the right to accept or reject any and all bids or to waive technicalities, or to accept any item of any bid. Information is available from the Purchasing Department, Winnebago County Administration Building, 404 Elm Street, Room 202, Rockford, Illinois 61101. Telephone: (815) 319-4380, Fax: (815) 319-4381, E-Mail purchasing@wincoil.us.

The documents constituting component parts of the Bid Form are the following:

- I Call for Bids
- II Requirements for Bidding and Instructions to Bidders
- III Information Sheet
- IV Detailed Specifications
- V Bid Forms

Legal Advertisement for Bids published in the Rockford Register Star on October 24, 2015 or our website <http://wincoil.us/>.

II

REQUIREMENTS FOR BIDDING AND INSTRUCTIONS TO BIDDERS

PREPARATION OF BID OR PROPOSAL

The bidder must submit a bid or proposal on the forms furnished by the Purchasing Department. All blank spaces on the bid or proposal form must be filled in. Authorized signature must be the individual owner of a proprietorship, a general partner of a partnership, or signed in the name of a corporation by an officer whose title shall be stated. Bids or proposals shall be sealed in an envelope and marked as required in the instructions. The bid or proposal is contained in these documents and must remain attached hereto when submitted.

TAXES NOT APPLICABLE

The County of Winnebago as a Governmental Unit pays neither Federal Excise Tax nor Illinois Retailers Occupational Tax, and therefore, those taxes should be excluded from bid. Our Tax Exempt Number is: E9992-3963-07.

PROMPT PAYMENT ACT

The bid should provide that all payments are subject to the Local Governmental Prompt Payment Act.

FREEDOM OF INFORMATION

Any responses and supporting documents submitted in response to a bid or proposal will be subject to disclosure under the Illinois Freedom of Information Act.

WITHDRAWAL OF BIDS OR PROPOSALS

Any bidder may withdraw their bid or proposal at any time prior to the time specified in the advertisement as the closing time for the receipt of bids or proposals by signing a request therefore. However, no bidder shall withdraw or cancel his bid or proposal for a period of sixty (60) days after said advertised closing time for the receipt of bids or proposals; the successful bidder shall not withdraw or cancel their bid or proposal after having been notified by the Director of Purchasing that said bid or proposal has been accepted by the County Board.

CATALOGS

Each bidder shall submit catalogs, descriptive literature, and detailed drawings, where applicable, to fully illustrate and describe the material and/or work they propose to furnish.

CANCELLATION

The County of Winnebago reserves the right to cancel any contract in whole or in part without penalty due to failure of the contractor to comply with terms, conditions and specifications of this contract.

COST OF BID OR PROPOSAL

Expenses incurred in the preparation of proposals in response to this bid or proposal is the Bidder's sole responsibility.

II

REQUIREMENTS FOR BIDDING AND INSTRUCTIONS TO BIDDERS (CONTINUED)

USE OF TRADE NAMES

In cases where a specified item is identified by a manufacturer's name, trade name, or other references, it is understood that the bidder proposes to furnish the item identified. If the bidder proposes to furnish an "equal," the proposed "equal" item must be so indicated in the written bid or proposal. The County shall be the sole determiner of the equality of the substitute offered.

DELIVERIES

All materials shipped to the County of Winnebago must be shipped F.O.B. designated location, County of Winnebago, Rockford, Illinois.

DEVIATIONS, EXCEPTIONS OR ALTERNATES

Bidders are cautioned to avoid making deviations and exceptions to the specifications, which may result in rejection of their bid or proposal. If deviations, exceptions or alternates are submitted, it is the Winnebago County Purchasing Director's sole and final decision whether specifications have been met and will be considered for award.

CASH DISCOUNTS

In determination of award, cash discounts will only be considered when all other conditions are equal.

ORDERING

Purchase orders shall be placed directly to the contractor by an authorized agency. No other purchase orders are authorized.

COMPLIANCE WITH LAWS

All services, work and materials must comply with all federal and state laws, County ordinances, rules and regulations that in any manner affect the production and sale of the product or service contained herein. In the event federal or state funds are being used to fund this contract; additional certifications, attached as addenda, will be required. Lack of knowledge on the part of the vendor will in no way be cause for release of this obligation. If the County becomes aware of violation of any laws on the part of the vendor, it reserves the right to reject any bid, cancel any contract and pursue any other legal remedies deemed necessary.

PREVAILING WAGE

All bidders must bid prevailing wages. The Successful Bidder will be required to provide certified payroll records on a monthly basis according to Illinois Act 820 ILCS §130/5.

II

REQUIREMENTS FOR BIDDING AND INSTRUCTIONS TO BIDDERS (CONTINUED)

SUBSTANCE ABUSE PREVENTION

The Substance Abuse Prevention on Public Works Act, Public Act 95-0635, prohibits the use of drugs and alcohol, as defined in the Act, by employees of the Contractor and by employees of all approved Subcontractors while performing work on a public works project. The Contractor/ Subcontractor herewith certifies that it has a superseding collective bargaining agreement or makes the public filing of its written substance abuse prevention program for the prevention of substance abuse among its employees who are not covered by a collective bargaining agreement dealing with the subject as mandated by the Act.

Bidders and their Subcontractors (if applicable) certifies that the entity has signed collective bargaining agreements that are in effect for all of its employees, and that deal with the subject matter of Public Act 95-0635, or certifies that the contracting entity has in place for all of its employees not covered by a collective bargaining agreement that deals with subject of the Act, and will attach the substance abuse prevention program that meets or exceeds the requirements of Public Act 95-0635.

BID PROTEST

Firms wishing to protest bids or awards shall notify the Purchasing Director in writing within 30 days after the invitation to bid opening. The notification should include the bid number, the name of the firm protesting and the reason why the firm is protesting the bid. The Purchasing Director will respond to the protest within 30 calendar days.

DISPUTES

In case of disputes as to whether or not an item or service quoted or delivered meets specifications, the decision of the Purchasing Director, or authorized representative shall be final and binding to all parties.

ENTIRE AGREEMENT

These Standard Terms and Conditions of Bid or Proposal shall apply to any contract or order awarded as a result of this Request for Bid except where special requirements are stated elsewhere in the Request; in such cases the special requirements shall apply. Further, the written contract and/or order with referenced parts and attachments shall constitute the entire agreement and no other terms and conditions in any document, acceptance, or acknowledgement shall be effective or binding unless expressly agreed to in writing by the contracting authority.

NON-DISCRIMINATION

In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability, sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment of compensation, and selection for training, including apprenticeship. Except with respect to sexual orientation, the contractor further agrees to take affirmative action to ensure Equal Employment Opportunities. The contractor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the Non-Discrimination Clause.

II

REQUIREMENTS FOR BIDDING AND INSTRUCTIONS TO BIDDERS (CONTINUED)

NON-COLLUSION

The Bidder, by its officers, agents or representatives (hereafter referred to the Bidder) present at the time of filing this bid, say that neither they nor any of them, have in any way directly or indirectly, entered into any arrangement or agreement with any other Bidders, or with any public officer or the County of Winnebago, Illinois, whereby, the Bidder has not paid or is to pay to such Bidder or public officer any sum of money, anything of value or has not directly or indirectly entered into any arrangement or agreement with any other Bidder or Bidders. Whereby, no inducement of any form or character other than that which appears upon the face of the bid will be suggested, offered, paid or delivered to any person whomsoever to influence the acceptance of the said bid or understanding of any kind whatsoever, with any person whomsoever to pay, deliver to, or share with any other person in any way or manner, any of the proceeds on the Contract sought by this bid.

NON-BARRED BIDDING

The Bidder is not barred from bidding on this Contract as a result of a conviction for the violation of state laws prohibiting bid rigging or bid rotating.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

The bidder/offeror certifies, by submission of this proposal or acceptance of this contract, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. It further agrees by submitting this proposal that it will include this clause without modification in all lower tier transactions, solicitations, proposals, contracts, and subcontracts. Where the bidder/offeror/contractor or any lower tier participant is unable to certify to this statement, it shall attach an explanation to this solicitation/proposal.

Additionally, for all new contractors and vendors to be paid the Purchasing Office will review the Excluded Parties List System prior to requesting the vendor be created in our accounting system.

ILLINOIS PREFERENCE ACT

Any company bidding certifies that 90% of their workforce are Illinois residents when the unemployment rate exceeds 5 percent as is required by Illinois House Bill 6349. By signing this bid form, Bidder certifies that it will comply with the requirements of Illinois House Bill 6349, and that should it fail to do so, agrees to indemnify Winnebago County for any penalties assessed against it for non-compliance for failure to comply with its requirements.

The Bidder, by signing the bid form, acknowledges, understands and abides by all of the above "Requirements for Bidding and Instructions to Bidders".

III

INFORMATION SHEET

Winnebago County is seeking bids for FireEye NX 7400 Security Appliance.
No alternates will be accepted.

General Terms and Conditions

Award of bid will be based on "best value" considering price, conformance to specifications and ability to deliver the product and service. Winnebago County is exempt from all sales taxes.

- 1) Quote all prices less any applicable Federal Excise or State Sales Taxes.
- 2) Quote all prices to include shipping/delivery cost.
- 3) Any maintenance costs and any other potentially hidden costs shall be identified as part of the proposal.
- 4) Deployment Assistance is to be included.

Any questions may be directed to the Purchasing Department, 404 Elm Street, Room 202, Rockford, Illinois 61101, by telephone 815-319-4380; by fax 815-319-4381; or email Purchasing@wincoil.us.

IV

DETAILED SPECIFICATION

TECHNICAL REQUIREMENTS

FireEye Security Appliance

Description	Part Number	Quantity
FireEye NX 7400 Security Appliance	7400NX-HW	2
FireEye NX 7400 Dynamic Threat Intelligence - 1 Year	7400NX-2WDTI1Y	2
FireEye NX 7400 Platinum Extended Service Agreement - 1 year	7400NX-PTM1Y	2

V

BID FORM

TO: Purchasing Department
C/O County Board of the County of Winnebago
404 Elm Street, Room 202
Rockford, Illinois 61101

DATE: _____

The undersigned declares he has carefully examined the requirement, information sheet, detailed specifications and bid form. In addition, declares that this bid is made without any connection with any person making another bid, that the bid is in all respects fair and without collusion or fraud, that no member of the Winnebago County Board or other officer of the County, or any person in the employ of the County is directly or indirectly interested in this bid, or in any portion of the profits thereof.

BID PRICES

FireEye NX 7400 Security Appliance _____ Each

FireEye NX 7400 Dynamic Threat Intelligence - 1 Year _____ Each

FireEye NX 7400 Platinum Extended Service Agreement - 1 year _____ Each

Received Addendum: _____ **of** _____.

Company Information:

Female Business Enterprise (FBE) Yes _____ No _____

Small Business Enterprise (SBE) Yes _____ No _____

Minority Business Enterprise (MBE) Yes _____ No _____

If yes, check the following boxes that apply:

Black/African American _____ Hispanic _____
Native American or Alaskan Native _____ Asian American _____

Total Annual Sales: \$ _____

Type of Organization:

Individual _____ Partnership _____ Corporation _____ Other _____

BID FORM (CONTINUED)
FIRE EYE NX 7400 SECURITY APPLIANCE – 15-2049

SIGNATURE _____

DATE _____

PRINT/TYPE SIGNATURE _____

CONTACT PERSON _____

COMPANY _____

ADDRESS _____

CITY, STATE, ZIP _____

TELEPHONE NO. _____

FAX NO. _____

E-MAIL NO. _____

FEIN NO. _____