



ECJ

Request for Proposal

Storage Area Network and Backup Replacement For The Electoral Commission of Jamaica (ECJ)

Issue Date: February 8, 2014

Due Date: 3 p.m. March 7, 2014

REQUEST FOR PROPOSALS

Notice is hereby given that proposals will be received by the Electoral Commission of Jamaica, for:

Storage Area Network and Backup Replacement

Proposals received later than **3:00 p.m. March 7, 2014 will not** be considered.

A copy of this Request for Proposal (RFP) may also be obtained from EOJ web site at www.ecj.com.jm (Click on RFP) or by contacting the RFP Coordinator, Glasspole Brown, Assistant Director Administration, gbrown@ej.com.jm. There are additional supporting documents for this RFP that are not included in this notice. Based on the sensitive nature of the information that is included in these supporting documents, a fully executed non-disclosure agreement (NDA) is required to receive them. The NDA form is included as an appendix to this RFP document. Completed NDA form must be submitted to Glasspole Brown, Assistant Director Administration, gbrown@ej.com.jm prior to receiving the supporting documents.

The Electoral Commission of Jamaica reserves the right to reject any and all proposals. This RFP does not obligate the EOJ to pay any costs incurred by respondents in the preparation and submission of a proposal. Furthermore, the RFP does not obligate the EOJ to accept or contract for any expressed or implied services.

Funding

This activity will be financed from the financial resources of the Electoral Commission of Jamaica.

Submission of Tenders

Your proposal will be considered open for acceptance for up to One Hundred and Twenty (120) days from submission date. Each proposal must be prepared and placed in an envelope entitled:

Storage Area Network and Backup Replacement
c/o Director of Elections
Electoral Commission of Jamaica
43 Duke Street
Kingston.

Proposal inclusive of all requested information should be deposited in the Tender Box no later than March 7, 2014 at 3pm at 43 Duke Street, Kingston. Proposals submitted after the submission date and time will not be accepted.

Yours Truly

.....
Director of Elections
Electoral Commission of Jamaica
43 Duke Street
Kingston.

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Chapter I: General RFP Information

OBJECTIVE OF THIS RFP

The purpose of this RFP is to solicit proposals from manufacturers qualified to design, configure and install a complete and operational Storage Area Network (SAN) and backup solution for the Electoral Commission of Jamaica. We will consider proposals from single vendors or from multiple vendors working as a team. The ideal vendor(s) shall have experience and certifications in implementing Storage Area Network solutions in businesses and/or local government agencies of similar size to Electoral Commission of Jamaica, and in larger agencies. The successful vendor shall be responsible for the final owner approved design, procurement, installation and commissioning of the storage area network including development of user acceptance testing, system integration and connectivity to existing resources.

BACKGROUND

THE ELECTORAL COMMISSION OF JAMAICA

The Electoral Commission of Jamaica, Head Office at 43 Duke Street, Kingston, Jamaica. A full profile can be found on our website.

ELECTORAL COMMISSION OF JAMAICA COMPUTING/NETWORK

The Electoral Commission of Jamaica has approximately 27 servers. ECJ employees are located at 3 primary locations, all connected by fiber and business VPN. The data needs for these remote sites are served by a combination of fiber, T1, and leased lines.

The ECJ standard network operating system is Windows Server 2008 and 2003 and the standard desktop operating system is Windows 7. The data backbone is a mix of Cisco 10/100 and gigabit switches, firewalls and routers.

The Electoral Commission of Jamaica's servers are split between an internal server room in the building at 43 Duke Street and the Red Hills road data center. Both data centers are configured as limited access, raised floor (Duke Street) and controlled environments. The standard configuration is rack mounted Dell servers with redundant power supplies, Smart Array SCSI controllers, Fiber and built-in Ethernet 10/100 or 10/100/1000 network cards. We have a total of twenty seven servers. There are twenty-seven (27) servers of which 9 are connected to an EMC CX3-20 SAN. The make and model of the current SAN switch is Brocade Silkworm 200E. The typical configuration on the SAN consists of two mirrored RAID 1 sets for direct attached storage and redundant path fiber channel connectivity. The Network is a managed

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TCP/IP switched Ethernet architecture with fiber and T1 connectivity between geographically dispersed locations. All servers are backed up on a regular schedule utilizing a Norton Backup Exec 10 system.

REQUESTED SERVICES & REQUIREMENTS

The ECJ is seeking a network integrator or manufacturer to provide a complete and operational Storage Area Network (SAN) and backup solution to replace the existing SAN and back-up infrastructure.

The vendor shall certify that they are a Manufacturer Partner as of the date of the submission of their response to this RFP and that they are certified in the equipment they are proposing.

The vendor shall have the certification/specialization level required by Manufacturer to support both the product sale and product pricing. The vendor shall source products directly from the Manufacturer or through the US authorized distribution channels only to assure full Warranty/Service support for the product in question.

The programming/ configuration team shall have a minimum of one storage engineer certified by the manufacturer or other industry standard accreditation denoting this skillset. The engineer shall remain assigned for the duration of the Project. The assigned engineer shall be in attendance during planning sessions, project coordination meetings, and be on location at all times when equipment is configured, tested, and during migration.

NOTE: If you wish to submit a proposal, you will be required to sign the ECJ Non-Disclosure Agreement (see Attachment B) in order to receive a storage forecast and server equipment inventory. **The NDA shall be submitted to the Electoral Commission of Jamaica no later than February 14, 2014 to receive supplemental information required to provide a response.**

DELIVERABLES & NETWORK REQUIREMENTS

The system shall provide enterprise wide, fault tolerant and resilient storage and back-up solution that will support future decisions related to disaster recovery and business continuity. An example of this approach would be a disk to disk to disk solution with two (2) mirrored "environments" for online data and a third "environment" for off-line back-up to tape data.

The proposed solution shall include all hardware, software, licenses and other ancillary equipment and devices as required for a complete and operational SAN and back-up solution as indicated in this RFP.

The proposed replacement system shall provide storage space and types to accommodate a minimum of two times the current "Day 1" storage requirements in raw storage (no RAID application). Spare off-line drives shall not count towards this baseline requirement. The proposed solution shall provide an operational benefit over and above the current infrastructure (include in your proposal a narrative of the benefits of the solution that you are proposing). The replacement SAN and back-up solution shall incorporate features for reducing RTO's and RPO's for the enterprise. Examples of this requirement include snapshot technology, real-time replication, site mirroring and high availability fail-over. For the purposes of this RFP, the SAN data should be considered to have a 6 hour RPO and a 2 hour RTO. Any enhancement or exceptions to these recovery objectives shall be addressed in the response to this RFP.

The proposed replacement components shall be fully supported by the manufacturer for a minimum of 5 years effective at the date of final procurement.

Software based de-duplication or other approaches to data de-duplication shall not be used to offset the minimum quantity of storage required under this RFP.

Where snapshot or other similar technology is used, the total drive space provided shall accommodate frequent snapshots without impacting the overall on-line data storage. Proposers shall include additional drive volume to accommodate the storage needs of the proposed technology.

The proposed replacement of the SAN and back-up solution shall include all hardware, software and other ancillary components required for a complete and operational SAN and back-up solution.

The proposed solution shall be fully compatible with current known virtualization software.

The proposed solution shall include all network adapter cards, switches and switching components. The main site Duke Street should have no less than 25TB (raw) and the

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secondary site Red Hills Rd., with no less than 35TB (raw). Existing servers connected to the SAN employ a pair of Fiber Channel connections through installed HBA's. Contractor shall propose new network cards for the solution they propose or optionally re-use the existing HBA cards already installed on servers or an alternate solution. The existing Fiber Channel switches require replacement either in FC or another SAN transport technology based on the proposed solution.

The contractor shall develop in concert with the ECJ a detailed schedule for the project efforts. The detailed schedule shall include at a minimum; time for meeting with the owner to review the final approach, a design submittal for review and comment by the owner that includes all devices and components being replaced, specific time frames for bench testing and system confirmation, and implementation time lines that account for the required outages and testing of devices and equipment prior to be placed into operation. The selected contractor shall be required to cooperate with the Electoral Commission of Jamaica for scheduling of on premise activities and outages to minimize the overall impact to the users.

All equipment and hardware shall be configured as close as possible to the final configuration, and tested successfully by the vendor prior to installation at ECJ's site. This bench test shall demonstrate full functionality of the proposed hardware, software and/or features of the proposed solution. Any issues identified during the bench testing shall be resolved and the affected systems shall be retested prior to installation at the customer site. ECJ must be provided the opportunity to observe the bench testing process. Vendor's project schedule shall include this bench-testing as a task and completion as a milestone. Vendor shall have full responsibility for all equipment being provided (including receiving, transporting and installing) until such time that the equipment is placed in full operation and accepted by the Electoral Commission of Jamaica.

In addition to the one-time cost of replacing the existing equipment, the total long term cost of the replacement system will be considered. The vendor shall submit pricing for support and maintenance contracts for a minimum of 5 years of support from the purchase date for all major components of the solution proposed. Pricing shall be submitted in a yearly matrix denoting the specific costs for maintaining each major component of the infrastructure per year.

This RFP process seeks to find the best overall solution to the Electoral Commission of Jamaica for this investment and cost will not be the only factor in making the determination. The award shall be made to the qualified vendor whose proposal is most advantageous to the Electoral Commission of Jamaica with price and other factors considered. Other factors that may contribute to the selection process include but are not limited to: Training and education costs for required skillsets to support daily operations, maintenance and support costs, scalability, resiliency to outages, available support channels, quantity of installed base, proximity of the vendor to the project site,

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knowledge base and skillsets of the vendor and other factors as determined by the Electoral Commission of Jamaica.

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RFP OFFICIAL CONTACT

Upon release of this RFP, all vendor communications concerning the overall RFP should be directed to the RFP Coordinator listed below. Unauthorized contact regarding this RFP with other ECJ employees may result in disqualification. Any oral communications will be considered unofficial and non-binding on the ECJ. Vendors should rely only on written statements issued by the RFP Coordinator.

Name: Assistant Director - Administration
Glasspole Brown
Address: Electoral Commission of Jamaica
43 Duke Street, Kingston, Jamaica
Telephone: (876)-922-0425-9 or 876-833-7685
E-mail: gbrown@ej.com.jm

PROCUREMENT SCHEDULE

The procurement schedule for this project is as follows:

Note: The ECJ reserves the right to adjust this schedule as necessary.

Milestone	Date
Release RFP to Vendors	Feb 7, 2014
Vendor Questions (if any) Due	Feb 21, 2014
Answers to RFP Questions Released	Feb 8, 2014
Proposal Responses Due	March 7, 2014
Evaluators selected	March 21, 2014
Vendor interviews (please reserve this date)	
Vendor Selection	
Contract Negotiations Complete	
Contract Signed	
Work Begins	
Storage Area Network Complete	To be coordinated with vendor
Final Acceptance	30 days after implementation and testing are complete

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LETTER OF INTENT

Vendors wishing to submit proposals are encouraged to provide a written letter of intent to propose by Feb 14, 2014. An email attachment sent to RFP Coordinator is acceptable. Letters will be accepted at 876-967-0728. The letter must identify the name, address, phone, fax number, and e-mail address of the person who will serve as the key contact for all correspondence regarding this RFP.

A letter of intent is required in order for the ECJ to provide interested vendors with a list of any questions received and the ECJ answers to those questions. Those providing a letter of intent will also be notified of any addenda that are issued. If a letter of intent is not submitted, it will be the vendor's responsibility to monitor the website to get answers to any questions.

A list of all vendors submitting a letter of intent will be available upon request.

Those who choose not to provide a letter of intent will be responsible for monitoring the ECJ purchasing webpage for any addenda issued for this RFP.

QUESTIONS REGARDING THE RFP

Vendors who request a clarification of the RFP requirements must submit written questions to the RFP Coordinator by 3 p.m. (Pacific Time) on Feb 21, 2014. Mailed copies of all questions and answers will be provided to all vendors who have submitted letters of intent. An email attachment sent to The RFP Coordinator is acceptable. Letters sent via facsimile will be accepted at 876-967-0728. Responses to all questions submitted by this date will be emailed to vendors who submitted a letter of intent.

PROPOSAL PREPARATION

General Information

It is important that all vendors read this section carefully. Failure to comply with these instructions may result in your proposal being removed from consideration by the ECJ.

Vendors must prepare proposals using a word processor and electronic versions of the forms provided in Chapter II of this RFP. The Electoral Commission of Jamaica is using a "forms-based" approach to this procurement. This

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will allow all the bids received to be compared in a meaningful (i.e., "apples-to-apples") way. The RFP contains, in addition to the General RFP Information, a series of Response Forms.

PROPOSAL SUBMISSION

The following provides specific instructions for submitting your sealed proposal.

Due Date:	<i>Sealed Proposals must be received by the Purchasing Agent no later than March 7, 2014 at 3 p.m. (Pacific Time).</i> Late proposals will not be accepted nor will additional time be granted to any vendor unless it is also granted to all vendors. Additional copies of the Proposals maybe sent by email must be time stamped as received by Electoral Commission of Jamaica's system by 3:00 p.m. Emailed proposals must be in either MS Word or PDF format. All proposals and accompanying documentation will become the property of the ECJ and will not be returned.
Number of Copies:	In addition to the hard copy an electronic copy of the vendor's proposal, in its entirety, must be received as specified above. The ECJ will not accept facsimile.
Address for Submission:	Electoral Commission of Jamaica Attn: Purchasing Agent Storage Area Network Replacement Electoral Commission of Jamaica, 43 Duke Street, Kingston

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EVALUATION PROCEDURES

The RFP Evaluation Team will evaluate the submitted proposals.

The evaluators will consider how well the vendor's proposed solution meets the needs of the ECJ as described in the vendor's response to each requirement and form. It is important that the responses be clear and complete so that the evaluators can adequately understand all aspects of the proposal. The evaluation process is not designed to simply award the contract to the lowest cost vendor. Rather, it is intended to help the ECJ select the vendor with the best combination of attributes, including price, based on the evaluation factors. The ECJ reserves the right to require that a subset of finalist vendors make a presentation to a selection team.

Basis of Award

<i>CRITERIA</i>	<i>WEIGHT % [Max= 100%]</i>
Technical capability	15
System Scalability	15
Software capability	15
Functionality	10
Vendor support, responsiveness, and follow-up	5
Ease of use	5
Flexibility and ease of product implementation	5
Training	5
Pricing	15
Timely and complete response to RFP	5
Vendor client references	5

NB: Pricing points will be based on the formula $SF = 100 \times Fm/F$ in which SF is the financial score, Fm is the lowest price and F the price of the proposal under consideration.

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The proposal must provide a summary of the firm's qualifications to perform the duties outlined in the requested services section. This chapter contains forms vendors must complete to submit their proposals. Vendors must complete all the forms in this chapter as well as other requests for information contained herein. The following forms are included:

- 1) Cover Letter
- 2) Proposal Summary
- 3) Acceptance of Terms and Conditions
- 4) General Vendor Information
- 5) Project Staff List
- 6) Key Project Staff Background Information
- 7) Customer Reference
- 8) Project Schedule and Work plan

PROPOSAL PREPARATION INSTRUCTIONS

To prepare your proposal, follow these instructions:

1. Open the electronic version of the forms of this RFP in your word processing application (Microsoft Word 2003 or later is highly recommended).
2. Using your word processing application's copy and paste commands, copy sections and forms as necessary and paste them into a new file. Save the new file.
3. Complete all of the forms in your word processing and spreadsheet applications. Also, please create a table of contents with page numbers. Delete instructions (i.e., materials contained in brackets) from each form.
4. When your proposal is finished, refer to the proposal submission instructions in this document.

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FORM 1: COVER LETTER

[Use this space to compose a cover letter for your proposal. All proposals must include a cover letter signed by a duly constituted official legally authorized to bind the applicant to both its proposal and cost schedule. NOTE: The cover letter is not intended to be a summary of the proposal itself; this is accomplished in Form 2.

The cover letter must contain the following statements and information:

1. "Proposal may be released in total as public information in accordance with the requirements of the laws covering same." (Any proprietary information must be clearly marked.)
2. "Proposal and cost schedule shall be valid and binding for ONE HUNDRED TWENTY (120) days following proposal due date and will become part of the contract that is negotiated with the ECJ."
3. Company name, address, and telephone number of the firm submitting the proposal.
4. Name, title, address, e-mail address, and telephone number of the person or persons to contact who are authorized to represent the firm and to whom correspondence should be directed.
5. Proposals must state the proposer's TCC and TRN identification numbers.
6. Please complete and attach the following documents from the Attachments section of this RFP:
 - NCC Registration Certificate - Copy
 - Non-Collusion Certificate
 - Non-Disclosure Agreement

TEXT WITHIN THE BRACKETS IS TO BE DELETED IN YOUR RESPONSE.]

FORM 2: PROPOSAL SUMMARY

[Use this form to summarize your proposal and your firm's qualifications. Additionally, you may use this form at your discretion to articulate why your firm is pursuing this work and how it is uniquely qualified to perform it.

Your proposal summary is not to exceed two pages.

THE TEXT WITHIN THESE BRACKETS IS TO BE DELETED AND REPLACED BY YOUR PROPOSAL SUMMARY.]

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[Use this space as needed for page 2 of your proposal summary.]

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FORM 3: ACCEPTANCE OF TERMS AND CONDITIONS

[Use this form to indicate exceptions that your firm takes to any terms and conditions listed in this RFP, including the Appendices and Attachments. Proposals which take exception to the specifications, terms, or conditions of this RFP or offer substitutions shall explicitly state the exception(s), reasons(s) therefore, and language substitute(s) (if any) in this section of the proposal response. Failure to take exception(s) shall mean that the proposer accepts the conditions, terms, and specifications of the RFP.

If your firm takes no exception to the specifications, terms, and conditions of this RFP, please indicate so.

THE TEXT WITHIN THESE BRACKETS IS TO BE DELETED AND REPLACED BY YOUR RESPONSE.]

Signed,

By: _____

Title

Date

For: _____

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FORM 4: GENERAL VENDOR INFORMATION

[Use this form to provide information about your firm.

THE TEXT WITHIN THESE BRACKETS IS TO BE DELETED IN YOUR RESPONSE.]

1. Please complete the following table:

Name of parent company	
Length of time in business	
Length of time in business of providing proposed services	
Gross revenue for the prior fiscal year (in US dollars)	
Percentage of gross revenue generated by proposed services	
Total number of clients	
Total number of clients in the proposed service area	
Number of public sector clients	
Number of full-time personnel in:	
◆ Technical Support	

2. Where is your headquarters located? Field offices?
3. Which office would service this account and what are your technical hours of operation?

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[form 4 continued...]

4. In the following table, please list credit references that can verify the financial standing of your company. Additionally, attach the most recent audited financial statement or annual report for your company.

Institution	Address	Phone Number

5. If the vendor has had a contract terminated for default during the past five years, all such incidents must be described. Termination for default is defined as notice to stop performance due to the vendor's nonperformance or poor performance; and the issue was either (a) not litigated or (b) litigated, and such litigation determined the vendor to be in default.

In the space provided, submit full details of all terminations for default experienced by the vendor during the past five years, including the other party's name, address, and telephone number. Present the vendor's position on the matter. The ECJ will evaluate the facts and may, at its sole discretion, reject the vendor's proposal if the facts discovered indicate that completion of a contract resulting from this RFP may be jeopardized by selection of the vendor.

If no such terminations for default have been experienced by the vendor in the past five years, declare so in the space provided.

If the vendor has had a contract terminated for convenience, nonperformance, non-allocation of funds, or any other reason which termination occurred before completion of the contract during the past five years, describe fully all such terminations, including the name, address, and telephone number of the other contracting party.

A vendor response that indicates that the requested information will only be provided if and when the vendor is selected as the apparently successful vendor is not acceptable. Restricting the vendor response to include only legal action resulting from terminations for default is not acceptable.

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[Please use this space to respond to Question 5 of Form 4. Your response may take as many pages as needed to fully answer the question. TEXT WITHIN THESE BRACKETS IS TO BE DELETED IN YOUR RESPONSE.]

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FORM 5: PROJECT STAFF LIST

[Please complete the following table to identify the proposed project staff (including subcontractors) that will assist the ECJ with this project. Indicate the percent of time each staff member will be dedicated to the project and each member's years of experience. Add additional lines as necessary for each instance of the list. Use your word processing application's copy and paste functions to create additional copies of this table as necessary. TEXT WITHIN THESE BRACKETS IS TO BE DELETED IN YOUR RESPONSE]

Staff member name	Title	Percent of staff member's time dedicated to project	Number of years in IT

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FORM 6: KEY PROJECT STAFF BACKGROUND INFORMATION

[Complete the following table for each of the key project staff members. Use your word processor's copy and paste commands to create additional copies of this table as necessary. Please allow one page for each table. **At a minimum, key staff must include your proposed project manager and key contributors to this project.** TEXT WITHIN THESE BRACKETS IS TO BE DELETED IN YOUR RESPONSE.]

Vendor Name	
Staff member name	
Position in the company	
Length of time in position	
Length of time at company	
Project position and responsibilities	
Education	
Previous work experience	
Technical skills and qualifications for the project position. Include skills and experience with network management and automation, plus any other skills that might be considered relevant.	

FORM 7: CUSTOMER REFERENCE FORM

[Using the tables below, **please list five private sector clients and all public sector clients for whom you have provided <fill in the blank> services or other services relevant to this RFP over the past two years.** Use your word processor's copy and paste functions to create additional tables as needed.]

Customer/client name				
Reference name				
Title				
Phone number				
Mailing address				
Fax number				
Url where plan copy is available for view (if applicable)				
Customer Size	Service Description	Start Date	End Date	Contract amount

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FORM 8: PROJECT SCHEDULE AND WORKPLAN

[Provide a detailed project implementation plan that includes:

- ◆ A Gantt chart showing beginning and end dates of all tasks (the actual project start date will be determined during contract negotiations)
- ◆ A table listing vendor staff assignments and proposed labor hours for all tasks
- ◆ A brief description of each task and its work products
- ◆ A description of all proposed equipment, provide product cut sheets clearly marked with the item or model to be used.
- ◆ A description of the SAN and back-up system design benefits and reliability of proposed equipment. Include maintenance requirements and cost of ownership once the SAN is operational from the first year through the fifth year.
- ◆ A one-line diagram indicating all proposed SAN equipment indicating connections between equipment.

Gantt Chart

[Use this section to include your Gantt chart showing beginning and end dates of all tasks.

Insert pages as needed to allow space for your Gantt chart and workplan.

THE TEXT WITHIN THESE BRACKETS IS TO BE DELETED IN YOUR RESPONSE.]

Vendor Staff Assignments/Hours

[Use this section to include a table of vendor staff assignments and proposed labor hours for all tasks. Signify if staff assigned is a designated individual or FTE equivalent.

THE TEXT WITHIN THESE BRACKETS IS TO BE DELETED IN YOUR RESPONSE.]

Task Descriptions

[Use this section to include brief descriptions of all tasks, milestones and associated work products.

THE TEXT WITHIN THESE BRACKETS IS TO BE DELETED IN YOUR RESPONSE.]

Proposed Equipment

[Use this section to include brief descriptions of all proposed equipment and cut sheets.

Insert pages as needed to allow space for product cut sheets.

TEXT WITHIN THESE BRACKETS IS TO BE DELETED IN YOUR RESPONSE.]

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SAN Benefits and Reliability

[Use this section to include brief descriptions of SAN design benefits, equipment reliability and cost of ownership.]

THE TEXT WITHIN THESE BRACKETS IS TO BE DELETED IN YOUR RESPONSE.]

Network Impacts

[Use this section to include brief descriptions of possible network impacts and how you plan to minimize these.]

THE TEXT WITHIN THESE BRACKETS IS TO BE DELETED IN YOUR RESPONSE.]

One-line Diagram

[Use this section to include your one-line diagram showing proposed equipment and connections between equipment.]

THE TEXT WITHIN THESE BRACKETS IS TO BE DELETED IN YOUR RESPONSE.]

FEE SCHEDULE

The Proposal must contain a fee schedule that includes estimated hours, rates, training and overall price for the complete project. Labor hours and equipment costs shall be denoted separately. The fee schedule shall list specific equipment by manufacturer's part number and include per unit pricing for each major component. In addition to the complete project cost, the contractor shall submit pricing for support and maintenance contracts in a yearly format for a minimum of 5 years.

Appendices

RFP AMENDMENTS

The ECJ reserves the right to change the schedule or issue amendments to the RFP at any time. The ECJ also reserves the right to cancel or reissue the RFP.

VENDOR'S COST TO DEVELOP PROPOSAL

Costs for developing proposals in response to the RFP are entirely the obligation of the vendor and shall not be chargeable in any manner to the ECJ.

WITHDRAWAL OF PROPOSALS

Proposals may be withdrawn at any time prior to the submission time specified in this RFP, provided notification is received in writing. Proposals cannot be changed or withdrawn after the time designated for receipt.

REJECTION OF PROPOSALS – WAIVER OF INFORMALITIES OR IRREGULARITIES

The ECJ reserves the right to reject any or all proposals, to waive any minor informalities or irregularities contained in any proposal, and to accept any proposal deemed to be in the best interest of the ECJ.

PROPOSAL VAILIDITY PERIOD

Submission of the proposal will signify the vendor's agreement that its proposal and the content thereof are valid for one hundred and twenty (120) days following the submission deadline and will become part of the contract that is negotiated between the ECJ and the successful vendor.

CONTRACT AWARD AND EXECUTION

- ◆ The ECJ reserves the right to make an award without further discussion of the proposal submitted. Therefore, the proposal should be initially submitted on the most favorable terms the vendors can offer. It is understood that the proposal will become a part of the official file on this matter without obligation to the ECJ.
- ◆ The general conditions and specifications of the RFP and as proposed by the ECJ and the successful vendor's response, as amended by agreements between the ECJ and the vendor, will become part of the contract documents. Additionally, the ECJ will verify vendor representations that appear in the proposal. Failure of the

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vendor's products to meet the mandatory specifications may result in elimination of the vendor from competition or in contract cancellation or termination.

- ◆ The vendor selected as the apparently successful vendor will be expected to enter into a contract with the ECJ.
- ◆ If the selected vendor fails to sign the contract within five (5) business days of delivery of the final contract, the ECJ may elect to cancel the award and award the contract to the next-highest-ranked vendor.
- ◆ No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

Appendices

OWNERSHIP OF DOCUMENTS

Any reports, studies, conclusions, and summaries prepared by the Proposer shall become the property of the ECJ.

CONFIDENTIALITY OF INFORMATION

All information and data furnished to the Proposer by the ECJ, and all other documents to which the Proposer's employees have access during the term of the contract, shall be treated as confidential to the ECJ. Any oral or written disclosure to unauthorized individuals is prohibited.

ATTACHMENTS

ATTACHMENTS

ATTACHMENTS

Attachment A: Non-Collusion Certificate

NON-COLLUSION CERTIFICATE

Name _____)

Date _____)

The undersigned, being duly sworn, deposes and says that the person, firm, association, co-partnership or corporation herein named, has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in the preparation and submission of a proposal to the Electoral Commission of Jamaica for consideration in the award of a contract on the improvement described as follows:

Storage Area Network Replacement

(Name of Firm)

By: _____
(Authorized Signature)

Title _____

Sworn to before me this _____ day of _____, _____ .

Notary Public

CORPORATE SEAL:

ATTACHMENTS

Attachment B: Non-Disclosure Agreement

NON-DISCLOSURE AGREEMENT

This Non-Disclosure Agreement ("the Agreement") is made this ____ day of _____, 201____, by and between the Electoral Commission of Jamaica, (the "ECJ"), and _____, a __ corporation ("the Vendor").

Whereas, the Vendor wishes to submit a proposal for the Storage Area Network Replacement; and

Whereas, the Vendor will need to review confidential information ("the Confidential Information") belonging to the ECJ in order to be able to prepare its proposal, which the ECJ does not want disclosed; and

Whereas, in consideration for being allowed to see the Confidential Information so that it can prepare a proposal, the sufficiency of such consideration being hereby acknowledged, Vendor is willing to enter into this Non-Disclosure Agreement,

Now therefore, as evidenced by their signatures below, the parties hereby agree as follows:

1. The Vendor shall maintain and protect the confidentiality of the Confidential Information, the Vendor shall not disclose the Confidential Information to any person or entity and shall not challenge, infringe or permit or assist any other person or entity to disclose the Confidential Information or challenge or infringe any of the ECJ's license rights, trade secrets, copyrights, trademarks or other rights respecting the Confidential Information.
2. Except pursuant to a written agreement between the parties, the Vendor shall not directly or indirectly, i) provide, make, use or sell, or permit or assist any other person or entity to provide, make, use or sell any services, devices or products incorporating any protected feature embodied in any of the Confidential Information; ii) apply for or seek to register, or otherwise attempt to create, establish or protect any patents, copyrights or trademarks with respect to any of the Confidential Information; or iii) use any name used by the other party, whether or not subject to trademark protection, or any confusingly similar name.
3. The Vendor shall not disclose the Confidential Information except to those persons employed by the Vendor, or its affiliates or subsidiaries, who have reasonable need to review the Confidential Information under the terms of this Agreement.
4. Vendor shall not make any copies, drawings, diagrams, facsimiles, photographs or other representations of any of the Confidential Information.
5. Upon request by the ECJ, Vendor shall immediately return any Confidential Information in its possession, including all copies thereof.

ATTACHMENTS

6. Notwithstanding other provisions of this Agreement, the Agreement does not restrict the Vendor with respect to the use of information that is already legally in its possession, that is available to the Vendor from other sources without violating this Agreement or the intellectual property rights of the ECJ or that is in the public domain. Notwithstanding other provisions of this Agreement, this Agreement also shall not restrict the Vendor from providing, making, using or selling services, devices or other products so long as the Vendor does not breach this Agreement, violate the ECJ intellectual property rights or utilize any of the Confidential Information.
7. The covenants in this Agreement may be enforced a) by temporary, preliminary or permanent injunction without the necessity of a bond or b) by specific performance of this Agreement. Such relief shall be in addition to and not in place of any other remedies, including but not limited to damages.
8. In the event of a suit or other action to enforce this Agreement, the substantially prevailing party shall be entitled to reasonable attorneys' fees and the expenses of litigation, including attorneys' fees, and expenses incurred to enforce this Agreement on any appeal.
9. The Agreement shall be governed by and construed in accordance with Jamaican law.
10. For purposes of this Agreement, all covenants of the Vendor shall likewise bind the officers, directors, employees, agents, and independent contractors of the Vendor, as well as any direct or indirect parent corporation of the Vendor, direct or indirect subsidiary corporations of the Vendor and any other person or entity affiliated with or related to the Vendor or to any of the foregoing persons or entities. The Vendor shall be liable to the ECJ for conduct of any of the foregoing persons or entities in violation of this Agreement to the same extent as if said conduct were by the Vendor.
11. The Vendor shall not directly or indirectly permit or assist any person or entity to take any action which the Vendor would be barred by this Agreement from taking directly.
12. This Agreement shall bind and inure to the benefit of the heirs, successors and assigns of the parties.

IN WITNESS WHEREOF, the parties have duly executed this Agreement on the day and year first written above.

ELECTORAL COMMISSION OF JAMAICA

<Company Name>

By: _____

By: _____

Its: _____

Its: _____

ATTACHMENTS

Attachment C: Day 1 Storage and Year 5 Growth Expectations

Attachment withheld pending execution of NDA