

***DARLINGTON COUNTY  
RFP- LEASE – PURCHASE EXCAVATOR  
RFP 01-10-19-2017***



*Darlington County Procurement Office  
Portia E. Davis Procurement Analyst  
1 Public Square, RM 210; Darlington, SC 29532  
Telephone: 843-944-8275, Email: [pdavis@darcountysc.net](mailto:pdavis@darcountysc.net)*

**DARLINGTON COUNTY**  
**RFP- LEASE – PURCHASE EXCAVATOR**  
**RFP 01-10-19-2017**

**LEASE – PURCHASE EXCAVATOR**  
**RFP 01-10-19-2017**  
**FOR DARLINGTON COUNTY LANDFILL**

Acceptance Date:	Prior to 3:00 PM, October 19, 2017 “Eastern Daylight Savings Time”
RFP Number:	RFP 01-10-19-2017
Acceptance:	Procurement
Place:	1 Public Sq. RM 210 Darlington, SC 29532

Request for information related to this proposal should be directed to:

Portia E. Davis  
Procurement Analyst  
843-944-8275

[Pdavis@darcosc.net](mailto:Pdavis@darcosc.net)

This document can be downloaded from our web site:

[www.darcosc.net](http://www.darcosc.net)

If you need any reasonable accommodation for any type of disability in order to participate in this procurement, please contact this division as soon as possible.

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**I. PURPOSE**

Darlington County of South Carolina is soliciting Request for Proposals (RFP) from firms having specific experience and qualifications to local government equipments lease financing programs with options to purchase.

**II. SCOPE OF SERVICES**

Darlington County is looking to lease an excavator for the landfill. The County desires to have the option to purchase, the equipment after the end of the lease agreement. The County is seeking a 2017 KOMATSU Excavator; Model PC210LC-11 or an excavator that is compatible. The limited number of hours per year shall be at least 1500 hours. All preventative maintenances will be the responsibility of the vendor during the time of the lease. Please list any discount that may apply if lease is paid annually. All taxes and property taxes must be included in quoted prices and will be the responsibility of the vendor. The following specs shall be included but not limited to the following:

- PC210LC-11 Komatsu Hydraulic Excavator
- 31.5” (800 MM) Triple Grouser
- STD CTWT
- Revolving Frame Undercover, STD.
- 9’7” (2925MM) HD Arm Assembly
- Track Roller Guards
- 18’8” (5700MM) HD Boom Assembly
- Komatsu Care
- PC200 54” 1.93 CY High Cap Bucket
- PC200 PM Prog Link Thumb For 48” Bucket
- Piping for Hydraulic Thumb for PC228USLC-10 (Base Kit)

**III. SUBMISSION PROCEDURES, REQUIREMENTS**

**Submittals**

All submissions must be received by **3:00 PM on October 19, 2017** and delivered to Darlington County Procurement Analyst, 1 Public Square, Room 210, Darlington, S.C. 29532. If the submission is late, the request for proposal will be rejected. There will be no exceptions. Responders submitting proposals shall be responsible for all cost of preparing such.

Responders to this Request For Proposal shall closely examine the specific requirements noted herein and the attached Terms and Conditions and submit one (1) original document and three (3) copies of their proposal to the address listed below. To ensure acceptance of the bid, the Proposal number (**RFP# 01-10-19-2017**) should be clearly shown on the lower left corner of the return envelope. Facsimile transmittals or offers communicated by telephone will not be accepted or considered. Send to:

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**Darlington County**  
**Attn: Procurement Analyst**  
**1 Public Square, Room 210**  
**Darlington, South Carolina 29532**  
**RFP# 01-10-19-2017**

**IV. Faxed or E-mailed bids will not be accepted by Darlington County**

If you need any reasonable accommodation for any type of disability in order to participate in this procurement, please contact the purchasing office as soon as possible.

Any deviations from the specifications or modification of this bid and any extra or incidental work or reductions in work shall be set forth in writing and signed by both parties prior to making such change. Any increase or decrease in the bid price resulting from such change shall be included in writing.

Exceptions: The bidder shall list on a separate sheet of paper any variations from, or exceptions to, the conditions and specifications of this bid. This sheet shall be labeled “Exception(s) to Bid Conditions and Specifications,” and shall be attached to the bid. When Proposers find instances where they must take exception with certain requirements or specifications of the bid, all exceptions shall be clearly identified. Written explanations shall include the scope of the exceptions, the ramifications of the exceptions for the County of Darlington, and a description of the advantage to be gained or disadvantages to be incurred by the County as a result of these exceptions.

The County reserves the right to reject any or all bids, waive any informality in bids and accept in whole or in part such bid or bids as may be deemed in the best interest of the County. Darlington County reserves the right to reject any bid submitted, at sole option that the vendor may not be able to meet the service requirements of the bid.

**IV. INCLEMENTAL WEATHER /CLOSURE OF COUNTY COURTHOUSE**

If the County Courthouse is closed for business at the time scheduled for bid opening, for whatever reason, sealed bids will be accepted and opened on the next scheduled business day, at the originally scheduled time.

This solicitation does not commit Darlington County to award a contract, to pay any cost incurred in the preparation of the bid, or to procure or contract for goods or services. It is the responsibility of each bidder to see that the Darlington County Purchasing Office receives bids on, or before, the date and time specified for the bid opening. No bid will be accepted thereafter. The County assumes no responsibility for delivery of bids that are mailed. Darlington County reserves the right to reject any or all bids and to waive any informalities and technicalities in the bid process.

No Bidder may submit more than one bid. Multiple bids for different manufacturers but represented by the same firm will not be accepted. Bids offered directly from manufacturers shall indicate if a local dealer/representative will be involved.

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**Definitions:**

- a) The terms “Proposer”, “Offeror”, or “Bidder” refer to those parties who are submitting sealed responses for the work set forth in this document to the OWNER, as distinct from a sub-bidder who provides a bid to the Bidder. The term “Contractor” refers to the successful Bidder.
- b) The terms “Owner” and “County” refer to the County of Darlington, South Carolina.
- c) Where the words “shall” or “must” are used, it signifies an absolute minimum function or capacity that, if not satisfied, may result in disqualification.
- d) Where the words “should”, “may”, or “is desirable” are used, it signifies desirable, but not mandatory functions or capacities. Bidders who are able to provide these functions or capacities may be evaluated more favorably than those who cannot.

**V. EVALUATION OF PROPOSALS: SELECTION FACTORS**

Proposals will be reviewed by an Evaluation Team made up of County employees with knowledge and interest of the process, and will be scored on the basis of the criteria listed below. Additional information may be sought by the evaluators, and both the County and the proposer are allowed to negotiate points of the proposal until both parties reach an agreement.

- 60% Overall, total cost to the County
- 30% Experience, References, Financial Stability of the Proposer
- 10% Added value(s) included in the proposal

The evaluation committee will collectively develop a composite rating which indicates the group's collective ranking of the highest rated proposals in a descending order. The committee may then conduct interviews with only the top ranked offerors, usually the top two (2) or three (3) depending upon the number of proposals received. Negotiations shall be conducted with offerors so selected. The committee may request a Best and Final Offer(s) (BAFO) and/or make a recommendation for the Contract award.

**VI. PROPOSAL SUBMISSION FORMAT**

Proposals shall be concise complete and must include at a minimum the following elements:

1. A full and complete financial detail for what is expected to cost the County to include all fees, add-ons, and any other expenses. Must include purchase options.
2. Contact information including name, address, phone, and e-mail.
3. Evidence of financial stability of the offeror company, preferably in the form of audited financial statements for the past three years.
4. Minimum of three references the proposer has done business with over the past two years. Preferably public entities are preferred.
5. Samples of standard forms and documents the proposer normally uses in the course of servicing such arrangements.
6. Bidder shall disclose any current adverse business circumstances, including litigation that might adversely affect this project.

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**VII. INOUIRES AND ADDENDA**

All questions concerning this bid are to be submitted in writing via fax, electronic mail, or regular mail to Portia E. Davis, Procurement Analyst, to the address listed below, no later than **October 02, 2017 by 1:00 PM**. Bidders must clearly mark as "confidential" each part of their bid which they consider to be proprietary information that could be exempt from disclosure under section 30-4-40, Code of Laws of South Carolina 1976, as amended (Freedom of Information Act). If any part is designated as confidential, there must be attached to that part an explanation of how this information fits within one or more categories listed in section 30-4-40. The County reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the County or its agents for its determination in this regard. Please refer all questions in writing about this RFP to:

**Darlington County**  
**Attn: Procurement Analyst**  
**1 Public Square, Room 210**  
**Darlington, South Carolina 29532**  
**Phone: (843) 398-4100**  
**Fax: (843) 393-8539**  
**E-mail: [pdavis@darcosc.net](mailto:pdavis@darcosc.net)**

All inquiries and responses will be distributed to all vendors known to have received the solicitation document. The County will not be responsible for or bound by any oral instructions made by any employee(s) of the County in regard to this quote.

**Addenda**

This Request For Proposal represents the most definite statement Darlington County will make concerning information upon which quotes are to be based. Any changes to this bid will be in the form of a written addendum, which will be furnished to all vendors who are listed with the County as having received a request for bid document. *No addenda will be issued later than five (5) working days prior to the date for receipt for bid except an addendum which, if necessary, postpones the date for receipt of bid or cancels this bid.* Vendors shall acknowledge receipt of all addenda with their bid.

**VIII. GENERAL INFORMATION**

1.0 Proprietary Information

The County of Darlington is a public body and governed by the South Carolina Freedom of Information Act. Documents submitted to the County relating to this Invitation for Bid are subject to requirements of the Freedom of Information Act and may be deemed public records.

1.1 Errors and Omissions

The Responder will not be allowed to take advantage of any errors or omissions in the Invitation for Bid. Where errors or omissions appear in the Bid, the Responder shall

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promptly notify the County of Darlington in writing of such error or omission it discovers. Any significant error, omission and/or inconsistency in the specifications are to be reported as soon as possible but no later than five (5) days before such time the response is to be submitted.

#### 1.2 Correction or Withdrawal of Bids; Cancellation of Awards

An offeror must submit in writing a request to either correct or withdraw a bid to the Procurement Officer. Each written request must document the fact that the offeror's mistake is clearly an error that will cause him substantial loss.

- a) Correction of awards : An offeror shall not be permitted to correct a bid mistake after bid opening that would cause such offeror to have the low bid unless the mistake in the judgment of the Procurement Officer is clearly evident from examining the bid document; for example, extension of unit prices or errors in addition.
- b) Cancellation of awards prior to performance: When it is determined after an award has been issued, but before performance has begun that Darlington County's requirements for the goods or services have changed or have not been met, the award or contract may be canceled and either reawarded or a new solicitation issued.

#### 1.3 Withdrawal of Bid

An official representative of a Responder may withdraw a Responder's response at any time prior to the proposal submission deadline. Acceptable proof establishing that he/she is the representative of the Responder must be provided.

#### 1.4 Non-Endorsement

If the County awards contract, the successful Responder shall not issue any news release or other statement relating to the award or servicing of the agreement which state or imply the County of Darlington's endorsement of the successful Responder's services.

#### 1.5 Right of Refusal

Darlington County, South Carolina (the "Owner") reserves the right to reject any or all bids or to award or refrain from awarding the contract for the work, to request additional information, and to interview, whichever is deemed to be in the Owner's best interests. All submittals shall become the property of the Owner and are subject to the Freedom of Information Act (FOIA) regulations.

#### **Hold Harmless Clause**

The Contractor shall, during the term of the contract including any warranty period, indemnify, defend, and hold harmless the County, its officials, employees, agents, and representatives thereof from all suits, actions, or claims of any kind, including attorney's fees, brought on account of any personal injuries, damages, or violations of rights, sustained by any person or property in

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consequence of any neglect in safeguarding contract work or on account of any act or omission by the contractor or his employees, or from any claims or amounts arising from violation of any law, bylaw, ordinance, regulation or decree. The vendor agrees that this clause shall include claims involving infringement of patent or copyright.

**Condition of Items**

All items shall be new, in first class condition, including containers suitable for shipment and storage, unless otherwise indicated herein. Verbal agreements to the contrary will not be recognized.

**Publicity Releases**

Contractor agrees not to refer to award of any resulting contract in commercial advertising in such a manner as to state or imply that the products or services provided are endorsed or preferred by the user.

**IX. LOCAL PREFERENCES**

A vendor shall be a resident of this county. If the vendor is an individual, partnership, or corporation that is authorized to do business within the state, an office must be maintained in Darlington County and all taxes assessed must be paid. During the bid evaluation process, any vendor who meets the criteria for local preference and the evaluation team feels that the county will gain value; will have their bid price reduced by 5 percent. **The local vendor will be required to match the lowest bid submitted by the non-local responsive bid.** If all bids received are local vendors; then the 5 percent preferences will not be calculated. (Sec. 46-61)

**X. ILLEGAL IMMIGRATION REFORM ACT COMPLIANCE**

By submitting an offer, Contractor certifies that it will comply with the applicable requirements of Title 8, Chapter 14 of the South Carolina Code of Laws (originally enacted as Section 3 of The South Carolina Illegal Immigration Reform Act , 2008 S.C. Act No. 280) and agrees to provide upon request any documentation required to establish either: (a) the applicability of Title 8, Chapter 14 to Contractor and any subcontractors or sub-subcontractors; or (b) the compliance with Title 8, Chapter 14 by Contractor and any subcontractor or sub-subcontractor. Pursuant to Section 8-14-60, "A person who knowingly makes or files any false, fictitious, or fraudulent document, statement, or report pursuant to this chapter is guilty of a felony and upon conviction, must be fined within the discretion of the court or imprisoned for not more than five years, or both." Contractor agrees to include in any contracts with its subcontractors language requiring the subcontractors to (a) comply with the applicable requirements of Title 8, Chapter 14, and (b) include in any contracts with the sub-subcontractors language requiring the sub-subcontractor to comply with the applicable requirements of Title 8, Chapter 14. In the event any contractor, subcontractor and/or sub-subcontractor is found not to be in compliance with the SC Immigration Reform Act [hereinafter "The Act"], the contractor agrees to fully indemnify the County for any loss suffered by the County as a result of such contractor, subcontractor or sub-subcontractor's failure to comply with the Act.



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**XI. IRAN DIVESMENT ACT**

Pursuant to the Iran Divestment Act of 2014, S.C. Code Ann. §§ 11-57-10, *et seq.*, the Executive Director of the State Budget and Control Board (SC State Fiscal Accountability Authority, Division of Procurement Services effective July 1, 2015) has published a list of persons determined to engage in investment activities in Iran. The list identifies entities that are ineligible to contract with the State of South Carolina or any political subdivision of the State, including state agencies, public universities, colleges and schools, and local governments. The Iran Divestment Act of 2014.

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# Intent to Respond

**REF: 01-10-19-2017**  
**Lease – Purchase Excavator**

If your company intends to respond to this solicitation, please complete and promptly return this form to assure that you can be included on the mailing list to receive all addenda regarding this project.

It is not necessary to return any other portion of the bid documents if you are not bidding.

Failure to return the Intent to Respond shall not be sufficient cause to rule a submittal as non-responsive; nor does the return of the form obligate an interested party to submit a response. Darlington County's efforts to directly provide interested parties with addenda or additional information are provided as a courtesy only, and do not alleviate the respondent from their obligation to verify they have received and considered all addenda. All addenda are published and available on the county website at <http://www.darcosc.com/departments/purchasing/index.php> select Active Bid List of the current year and click on the solicitation.

Our firm **does** intend on responding to this solicitation.

Our firm **does not** intend on responding to this solicitation.

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone: \_\_\_\_\_

FAX: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**Please return this completed form to Portia E. Davis, Procurement Analyst:**

- by e-mail to [pdavis@darcosc.net](mailto:pdavis@darcosc.net)
- or by FAX to (843)393-8539

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**MANDATORY RFP SUBMITTAL FORM**  
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The undersigned, on behalf of the vendor, certifies that: (1) this Proposal is made without previous understanding, agreement or connection with any person, firm or corporation making an offer on the same project; (2) is in all respects fair and without collusion or fraud;(3) the person whose signature appears below is legally empowered to bind the firm in whose name the proposal is entered (4) they have read the complete RFP understand all provisions: (5) if accepted by the County, this proposal is guaranteed as written and amended and will be implemented as stated; and (6) mistakes in writing of the submitted proposal will be the offeror's responsibility.

1. Name of Company submitting proposal \_\_\_\_\_
2. Contact Address: \_\_\_\_\_
3. Contact Person: \_\_\_\_\_
4. Telephone Number \_\_\_\_\_ Fax Number \_\_\_\_\_
5. E-Mail address \_\_\_\_\_
6. Remittance Address: \_\_\_\_\_
7. Is your place of business located in Darlington SC? \_\_\_\_\_ Yes \_\_\_\_\_ No
8. Total Proposal Cost: \_\_\_\_\_
9. Total Insurance Coverage: \_\_\_\_\_
10. Accounting Contact \_\_\_\_\_
11. Telephone Number \_\_\_\_\_ Fax Number \_\_\_\_\_
12. E-Mail address \_\_\_\_\_

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Three (3) Customer References for similar size and scope of services:

Entity Name:	
Contact:	
Title:	
Street:	
City, State & Zip:	
Primary Telephone:	
Primary FAX:	
E-Mail Address:	
Brief Explanation of Relationship:	

Entity Name:	
Contact:	
Title:	
Street:	
City, State & Zip:	
Primary Telephone:	
Primary FAX:	
E-Mail Address:	
Brief Explanation of Relationship:	

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Entity Name:	
Contact:	
Title:	
Street:	
City, State & Zip:	
Primary Telephone:	
Primary FAX:	
E-Mail Address:	
Brief Explanation of Relationship:	

16. FEIN or Social Security Number: \_\_\_\_\_

17. Suspension and Debarment

Federal guidelines require grant recipients to obtain sufficient assurance that vendors are not suspended or debarred from participating in federal programs when contracts exceed \$25,000. By signing below you verify that no party to this agreement is excluded from receiving Federal contracts, certain subcontracts, and certain Federal financial and nonfinancial assistance and benefits, pursuant to the provisions of 31 U.S.C. 6101, note, E.O. 12549, E.O. 12689, 48 CFR 9.404, and each agency's codification of the Common Rule for Nonprocurement suspension and debarment. [See <https://www.epls.gov/> for additional information.]

18. Does your individual or company structure require the filing of a Form 1099 to the IRS on the part of Darlington County, SC?                     **Yes**                     **No**

19. Will you honor the submitted prices for purchase by other departments within Darlington County and by other government entities who participate in cooperative purchasing with Darlington County, South Carolina?

**Yes**                     **No**

20. Acceptance of Invitation for Bid Content: The contents of the successful IFB/RFP are included as if fully reproduced herein. Therefore, the selected contractor must be prepared to be bound by his/her proposal as submitted.

21. CERTIFICATION REGARDING DRUG-FREE WORKPLACE:

The undersigned certifies that the vendor listed below will provide a “drug-free workplace” as that term is defined in Section 44-107-30 of the Code of Laws of South Carolina, 1976, as amended, by the complying with the requirements set forth in title 44, Chapter 107.

**Yes**                     **No**

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22. Any attempt by the vendor to influence the opinion of County Staff or County Council by discussion, promotion, and advertising, misrepresentation of the submittal or purchasing process or any procedure to promote their offer will constitute a violation of the vendor submittal conditions and will cause the vendor's submittal to be declared null and void.
23. The lowest or any proposal will not necessarily be accepted and the County reserves the right to award any portion thereof. I/We, the undersigned, hereby confirm that all the above noted documents for Bid/Request for Proposal No. 01-08-24-2017 were received.

24. MINORITY PARTICIPATION [INFORMATION ONLY]

(a) Is the bidder a South Carolina Certified Minority Business?  **Yes**  **No**

(b) Is the bidder a Minority Business certified by another governmental entity?

**Yes**  **No**

If so, please list the certifying governmental entity: \_\_\_\_\_

(c) Will any of the work under this contract be performed by a SC certified Minority Business as a subcontractor?

**Yes**  **No**

If so, what percentage of the total value of the contract will be performed by a SC certified Minority Business as a subcontractor? \_\_\_\_\_%

(d) Will any of the work under this contract be performed by a minority business certified by another governmental entity as a subcontractor?

**Yes**  **No**

If so, what percentage of the total value of the contract will be performed by a minority business certified by another governmental entity as a subcontractor?  
\_\_\_\_\_%

(e) If a certified Minority Business is participating in this contract, please indicate all categories for which the Business is certified:

Traditional minority

Traditional minority, but female

Women (Caucasian females)

Hispanic minorities

DOT referral (Traditional minority)

DOT referral (Caucasian female)

Temporary certification

SBA 8 (a) certification referral

Other minorities (Native American, Asian, etc.)

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(If more than one minority contractor will be utilized in the performance of this contract, please provide the information above for each minority business.)

25. **ILLEGAL IMMIGRATION:** Non-Construction (NOV. 2008): (An overview is available at [www.procurement.sc.gov](http://www.procurement.sc.gov)) By signing your offer, you certify that you will comply with the applicable requirements of Title 8, Chapter 14 of the South Carolina Code of Laws and agree to provide to the State upon request any documentation required to establish either: (a) that Title 8, Chapter 14 is inapplicable to you and your subcontractors or sub-subcontractors; or (b) that you and your subcontractors or sub-subcontractors are in compliance with Title 8, Chapter 14. Pursuant to Section 8-14-60, "A person who knowingly makes or files any false, fictitious, or fraudulent document, statement, or report pursuant to this chapter is guilty of a felony, and, upon conviction, must be fined within the discretion of the court or imprisoned for not more than five years, or both." You agree to include in any contracts with your subcontractors language requiring your subcontractors to (a) comply with the applicable requirements of Title 8, Chapter 14, and (b) include in their contracts with the sub-subcontractors language requiring the sub-subcontractors to comply with the applicable requirements of Title 8, Chapter 14. [07-7B097-1]

26.

INFORMATION ONLY:

- Our company accepts VISA government procurement cards.
- Our company does not accept VISA government procurement cards.

27. Printed Name of person binding bid \_\_\_\_\_

28. Signature (X)\_\_\_\_\_

29. Date\_\_\_\_\_

**NOTE: THE ENTIRE RFP PACKET NEED NOT BE RETURNED. Please be sure to provide the requested number of copies of all offeror provided attachments. Thank you.**

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]

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# **EXCEPTIONS PAGE**

## **MANDATORY BID SUBMISSION FORM**

*List any areas where you cannot or will not comply with the specifications or terms contained within the request for proposal documentation. If none, write “NONE”*