



**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

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***TOM GROSSMANN
SHANNON JONES
DAVID G. YOUNG***

ENTER INTO AGREEMENT WITH F & E PAYMENTPROS TO SUPPLY ELECTRONIC FINANCIAL TRANSACTION DEVICE KIOSK ON BEHALF OF THE WARREN COUNTY TREASURER

WHEREAS, pursuant to Resolution #20-0621 adopted April 28, 2020, this Board authorized the Warren County Treasurer's office to accept payments by financial transaction device and advertise for proposals for finance transaction devices; and

WHEREAS, the Treasurer reviewed the proposals received and upon public discussion with this Board of Commissioners, was authorized to begin negotiations with F & E PaymentPros for said device; and

NOW THEREFORE BE IT RESOLVED, to enter into agreement with F & E PaymentPros to supply an electronic financial transaction device kiosk; copy of said agreement attached hereto and made a part hereof.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mrs. Jones. Upon call of the roll, the following vote resulted:

Mr. Young-yea
Mrs. Jones-yea
Mr. Grossmann-yea

Resolution adopted this 4th day of August 2020.

BOARD OF COUNTY COMMISSIONERS

Tina Osborne, Clerk

/tao

cc: c/a—F & E Payment Pros
Treasurer (file)

PUBLIC NOTICE – REQUEST FOR PROPOSALS

Purchase of Electronic Financial Transaction Device or Kiosk for Warren County Treasurer's Office

April 28th, 2020

1.0 Introduction: The Warren County Treasurer's Office is soliciting proposals for the purchase of one (1) electronic financial transaction device or kiosk to collect property taxes, assessment, and other related expenses at the Warren County Treasurer's Office.

2.0 Scope of Performance and Functions: The electronic financial device shall be in the form of a stand-alone self-service kiosk and shall accept cash, check, credit and debit cards in a secure manner compliant with the payment card industry data security standards, and further; a convenience fee may be permitted but shall not be more than 3% of the transaction, and a penalty of not more than \$2.50 per transaction shall be required if a payment by means of the kiosk is returned or dishonored for any reason. Proposers shall include proposals for ongoing service and maintenance of the device.

3.0 Price Proposal Guarantee: All proposers agree that their pricing is valid for a minimum of one year after the contract execution. The County will negotiate with the proposer who submits a proposal that the County determines is the most advantageous to the County based upon rankings of the County. Proposer's are strongly encouraged to submit the most competitive proposals possible up-front since the County will use the costs as a major determinant of its short listing for negotiation and contract award criteria.

4.0 Receipt of Proposals: Sealed proposals for the purchase of one Electronic Financial Transaction Device / Kiosk will received by the Warren County Treasurer's Office, 406 Justice Drive, Lebanon, Ohio, 45036, until 12:00 p.m., May 26, 2020. Envelopes containing the proposals must be sealed, addressed to Warren County Treasurer's Office at 406 Justice Drive, Lebanon, Ohio 45036, and shall be clearly marked:

PROPOSAL TO SUPPLY ELECTRONIC FINANCIAL TRANSACTION DEVICE KIOSK
MAY 26TH 2020, 12:00 PM

Any proposal may be withdrawn prior to the above scheduled submittal time or authorized postponement thereof. Any proposal received after the time and date specified shall not be considered.

4.1 Addenda and Interpretations: Questions regarding the information contained in this Request for Proposal shall be submitted in writing and emailed to:

Warren County Treasurer Barney Wright
Barney.Wright@co.warren.oh.us

To be given consideration questions must be received at least five days prior to the proposal submittal date. All such interpretations and any supplemental instructions will be in the form of written addenda to the Request for Proposal, which if issued, will be posted on the Warren County Commissioner's website, no later than three days prior to the submittal date. Failure to receive any such addenda or interpretations shall not relieve the submitter from any obligations under their proposal as submitted.

4.2 Qualification Investigation: In addition to the qualification and selection criteria described below, the County may make such investigations as they deem necessary to determine the ability of the proposer to perform the work, services, or functions, and the proposer shall furnish to the County all such information and data for the purpose as the County may request.

4.3 Right to Reject Bids: In accordance with ORC 307.862, the County reserves the right to reject any proposal in which the offeror takes exception to the terms and conditions of the Request for Proposals, fails to meet the terms and conditions of the request for proposals, including but not limited to, the standards, specifications, and requirements contained in the request for proposals, or submits prices that the County considers to be excessive, compared to existing market conditions, or determines exceed the available funds of the County.

4.4 The County reserves the right to reject, in whole or in part, any proposal that the County has determined using the factors and criteria the County has developed herein, would not be in the best interest of the County.

4.5 Discussions for Clarification Purposes: In accordance with ORC 307.862, the County may conduct discussions with offerors who submit proposals for the purpose of clarifications or corrections regarding a proposal to ensure full understanding of, and responsiveness to, the requirements specified in the request for proposals.

5.0 Selection Process: Each proposal will be evaluated by the Warren County Treasurer's Office for responsiveness to the requirements of this request for proposal and the criteria described below.

5.1 The Warren County Treasurer's Office will evaluate and rank the proposals and determine which proposal is most advantageous by applying the factors and criteria described herein. The rankings and proposals shall be presented to the Warren County Commissioners for authorization to enter contract negotiations with the top ranked proposal. The selection of any proposal shall not imply acceptance by the County of all terms of the proposal, which may be subject to further negotiations and approvals before the County may be legally bound thereby. If a satisfactory contract cannot be entered into in a reasonable time the selection committee, in its sole discretion, may terminate negotiations with the highest ranked offeror and begin contract negotiations with the next highest ranked offeror.

6.0 Criteria and Qualifications: To determine which proposal is most advantageous The Warren County Treasurer's Office shall evaluate the proposals by providing equal weight to each factor and will rank them accordingly. The County will seek to award a contract to the offeror that is most advantageous according to the ranking of the Warren County Treasurer:

Criteria:

6.1 Price of Product

6.2 Price of ongoing service and maintenance

6.3 Positive Feedback and reviews from relevant customers [proposers shall provide at least three references]

6.4 Availability for installation and training

7.0 Incurred Costs: Those submitting proposals do so entirely at their expense. There is no expressed or implied obligation by the County to reimburse any individual or firm for any costs incurred in preparing or submitting proposals, for providing additional information when requested by the County, or for participating in any selection interviews, negotiations and/or Discovery.

8.0 Assignment: The proposer may not reassign, transfer, convey, sublet, or otherwise dispose of any award made as the result of this RFP, without prior written consent from the Board of County Commissioners

9.0 Withdrawal of Proposal: An offeror may withdraw the offeror's proposal at any time prior to the award of a contract. The County may terminate negotiations with an offeror at any time during the negotiation process if the offeror fails to provide the necessary information for negotiations in a timely manner or fails to negotiate in good faith. If the County terminates negotiations with an offeror, the County shall negotiate with the offeror whose proposal is ranked the next most advantageous to the County according to the selection criteria and direction from County Commissioners.

10.0 Indemnification: The successful proposer shall agree to indemnify and hold harmless the County, and its officers and employees, from and against all liability, claims, demands, and expenses, including court costs and attorney fees, on account of any injury, loss, or damage, which arises out of the work to be performed under this Agreement, if such injury, loss, or damage is due to the negligence of the respondent, any subcontractor of the respondent, or any officer, employee, or agent of the respondent.

11.0 Additional Terms and Conditions.

11.1 Controlling Law: This RFP and any contract resulting therefrom shall be governed by and construed according to the laws of the State of Ohio.

11.2 Tax Exemption: Warren County is exempt from payment of Federal Excise Tax, Transportation Tax and Ohio State Tax. Prices shall not include these taxes.

11.3 Responsibility: The proposer shall be required to assume responsibility for all items listed in this Request for Proposals. The successful respondent shall be considered the sole point of contact for purposes of this contract.

11.4 Obligations of the Proposer: At the time of opening of proposals, it shall be presumed that each proposer has reviewed the specifications to clear up any questions. The failure of any

proposer to examine any proposal requirement shall in no way relieve the proposer of any obligation or condition of these contract documents.

11.5 Ownership of Information: All information pertaining to records, property, financial, or other information acquired under the scope of this contract shall be strictly confidential and shall be considered works for hire and become the property of the County. Any such works will not be stamped with the Proposers' proprietary marking. The proposer shall return all information to the County upon termination, and/or request and shall not utilize any of the information for purposes outside of the scope of this contract or without express approval of the County.

11.6 Foreign Corporations: If the Proposer to be awarded the Contract is a foreign corporation, the Secretary of State has certified that such corporation is authorized to do business in this state; and until if the Proposer so awarded the Contract, is a person or partnership has filed with the Secretary of State as its agent for the purpose of accepting service of summons in any action brought under Section 153.05 of the Revised Code or under Sections 4123.01 to 4123.94, inclusive of the Revised Code.

11.7 Implied Requirements: All products and services not specifically mentioned in the proposal, but which are necessary to provide the functional capabilities described by the vendor, shall be included in the vendor's base proposal.

11.8 Insurance: The proposer must obtain, for the contract term and any extension of it, insurance issued by a company or companies qualified to do business in the State of Ohio and provide the County with evidence of insurance. Insurance in the following types and amounts is required:

- Worker's Compensation Insurance covering all liability of the proposer arising under the Worker's Compensation Act and Worker's Occupational Disease Act.
- Comprehensive General (Public) Liability in a broad form, to include coverage for the following where exposure exists:
 - Premises/Operations, Independent Contractors,
 - Products/Completed Operations, Personal Injury and
 - Contractual Liability, limits of liability not less than:
 - \$ 1,000,000 each occurrence
 - \$ 2,000,000 general aggregate

11.9 Public Record Requests of Proposals: In order to ensure fair and impartial evaluation, proposals and any documents of 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 Revised Code shall not be available until after the award of contract.

12.0 Submittals: Each Proposer shall submit a written proposal that enables the County Treasurer to evaluate the proposal as described in Section 6.0 of this RFP, and shall include a description of the product, price proposal, description and price of ongoing service and maintenance, a plan for installation and training, a description of warranty, a

description of security of the system, and at least three relevant references that have a similar product and service.

12.1 Non-Collusion Affidavit: The selected proposer will be required to sign an affidavit affirming no collusion with the County or any other proposer.

12.2 The Proposer shall have the authority granted by the President, Vice-president, or any other Officer or company official to bind the vendor to the proposal

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