STATE OF FLORIDA

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

Solicitation Number:	**ITB 1273**
Bid Title:	Reduction of Backlog for Forensic Biology Cases
Number of Addenda as of above date:	None
Commodity Code:	415-420
Date and Time Due:	**October 23, 2012,** no later than **2:00 p.m. EST**

Florida Department of Law Enforcement
Office of General Services
2331 Phillips Road
Tallahassee, Florida 32308

It is the respondent's responsibility to monitor the Vendor Bid System (VBS) for any changes to this solicitation. To receive information on FDLE solicitations 24 hours a day, 7 days a week, register with the Vendor Bid System at: http://myflorida.com/apps/vbs/vbs_www.main_menu .

COMPANY NAME: _____

FEDERAL TAX IDENTIFICATION NUMBER: _____

ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP** _____

RESPONDENT: _____ **TITLE:** _____

AUTHORIZED SIGNATURE: _____ **DATE** _____

PHONE: _____ **EMAIL:** _____

For additional information on the solicitation process, you may telephone the Office of General Services at (850) 410-7300.

FDLE is committed to the fundamental values of:

★ **SERVICE** ★ **INTEGRITY** ★ **RESPECT** ★ **QUALITY**

SOLICITATION INTRODUCTION

The 10 Most Critical Things to Keep in Mind When Responding to a Solicitation for the Florida Department of Law Enforcement

1. **Read the *entire* document.** Note critical items such as: mandatory requirements; sample(s) required, supplies/services required; submittal dates; number of copies required for submittal; funding amount and source; contract requirements (i.e., contract performance security, insurance requirements, performance and/or reporting requirements, etc.).

2. **Note the Procurement Officer's name, address, phone numbers and e-mail address.** This is the ***only*** person you are allowed to communicate with regarding the Solicitation and is an excellent source of information for any questions you may have.

3. **Attend the pre-proposal conference**. (If applicable)

4. **Take advantage of the "question and answer" period.** Submit your questions to the Procurement Officer by the due date listed in the Calendar of Events and view the answers given in the formal "addenda" issued for the Solicitation. All addenda issued for a Solicitation are posted on the Vendor Bid System's website (**http://vbs.dms.state.fl.us/vbs/search.criteria_form**) and will include all questions asked and answered concerning the Solicitation.

5. **Follow the format required in the Solicitation** when preparing your response. Provide point-by-point responses to the required sections in a clear and concise manner.

6. **Provide complete answers/descriptions.** Read and answer **all** questions and requirements. Don't assume the Department or evaluation committee will know what your company capabilities are or what items/services you can provide, even if you have previously contracted with the Department. The proposals are evaluated based solely on the information and materials provided in your response.

7. **Use the forms provided**, i.e., Solicitation cover sheet, Price Proposal forms, etc.

8. **Check the Vendor Bid System website for Solicitation addenda.** Before submitting your response, check the Vendor Bid System website to see whether any addenda were issued for the Solicitation, some addenda require that you sign and return them with the bid.

9. **Review and read the Solicitation document again** to make sure that you have addressed all requirements. Your original response and the requested copies must be identical and be complete. The copies are provided to the evaluator/evaluation committee members and will be used to score your response.

10. **Submit your response on time.** Note all the dates and times listed in the Calendar of Events and within the document, and be sure to submit all required items on time. Faxed, emailed or late proposal responses are ***never*** accepted.

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SECTION 1 – INTRODUCTORY AND GENERAL INFORMATION

1.0 DEFINITIONS

ASCLD/LAB: American Society of Crime Laboratory Directors/Laboratory Accreditation Board

CV: Curriculum Vitae

Department: Florida Department of Law Enforcement

DNA: Deoxyribonucleic Acid

FAC: Florida Administrative Code

FDLE: Florida Department of Law Enforcement

FQS: Forensic Quality Services

ITB: Invitation to Bid

NFSTC: National Forensic Science Technology Center

Proposal: All information and materials submitted by a respondent in response to this solicitation.

RFU: Relative Fluorescence Units

Respondent: Any firm or person who submits a proposal to the Department in response to this solicitation. Synonymous with proposer

SOP: Standard Operating Procedure

SOQ: Statements of Qualification

STR: Short Tandem Repeat

SWGDAM: Scientific Working Group on DNA Analysis Methods

VBS: The Vendor Bid System (VBS) is the official online repository for all state bids. The VBS is a place for state agencies, universities, and water management districts to post announcements, solicitations and public meeting notices per Florida Administrative Code (F.A.C.) requirements.

1.2 INTRODUCTION

The State of Florida's Department of Law Enforcement, hereinafter called the FDLE, Department, Customer, or Purchaser intends to obtain competitive sealed bids for Reduction of Backlog for Forensic Biology Cases.

1.3 GENERAL CONTRACT CONDITIONS (PUR 1000)

http://dms.myflorida.com/index.php/content/download/2933/11777/version/6/file/1000.pdf
The State of Florida General Terms and Conditions (PUR 1000) are hereby referenced and incorporated in their entirety into this ITB. This section explains the General Contract Conditions (PUR 1000) of the solicitation process. This is a downloadable document. Please download and save this document to your computer for further review. Potential respondents to the solicitation are encouraged to carefully review all materials contained herein and prepare responses accordingly. There is no need to return this document back to the Department of

Law Enforcement.

1.4 GENERAL INSTRUCTIONS TO RESPONDENTS (PUR 1001)

http://dms.myflorida.com/index.php/content/download/2934/11780/version/6/file/1001.pdf
The State of Florida General Instructions to Respondents (PUR 1001) are hereby referenced and incorporated in their entirety into this ITB. This section explains the General Instructions to Respondents (PUR 1001) of the solicitation process. This is a downloadable document. Please download and save this document to your computer for further review. Potential respondents to the solicitation are encouraged to carefully review all materials contained herein and prepare responses accordingly. There is no need to return this document back to the Department of Law Enforcement.

1.5 TERMS AND CONDITIONS

All responses are subject to the terms of the following sections of this solicitation, which, in case of conflict, shall have the order of precedence listed:

- Technical Specifications,
- Special Conditions and Instructions,
- Instructions to Respondents (PUR 1001),
- General Conditions (PUR 1000), and
- Introductory Materials.

The Buyer objects to and shall not consider any additional terms or conditions submitted by a respondent, including any appearing in documents attached as part of a respondent's response. In submitting its response, a respondent agrees that any additional terms or conditions, whether submitted intentionally or inadvertently, shall have no force or effect. Failure to comply with terms and conditions, including those specifying information that must be submitted with a response, shall be grounds for rejecting a response.

The purchase order resulting from this ITB contains all the terms and conditions agreed upon by the parties. No oral agreements or representations shall be valid or binding upon FDLE or the Contractor unless expressly contained herein or by a written amendment to this Contract.

1.6 PROCUREMENT OFFICER

The Procurement Officer, acting on the behalf of the Department, is the sole point of contact outside of official conferences and meetings, with regard to all procurement matters relating to this solicitation, from the date of release of the solicitation until the Department's Notice of Intended Award or Decision is posted. All questions and requests for clarification outside the above referenced meetings are to be directed to:

Keith Milton, Purchasing Analyst
Florida Department of Law Enforcement
Office of General Services / Room C-1026A
2331 Phillips Road
Tallahassee, Florida 32308

Telephone: (850) 410-7314 (direct)
Telephone: (850) 410-7300 (operator)
Email: keithmilton@fdle.state.fl.us

Florida Statute Section 287.057(23) requires that respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

Any questions arising from this solicitation must be forwarded, in writing, to the Procurement Officer

identified above. The Department's written response to those inquires will be posted on the Florida Vendor Bid System at http://vbs.dms.state.fl.us/vbs/search.criteria_form under the above referenced solicitation number. It is the responsibility of all potential respondents to monitor this site for any changing information prior to submitting their proposal.

NOTE: FAILURE TO INCLUDE ANY INFORMATION OR DOCUMENTATION REQUESTED WITHIN THIS ITB MAY LEAD TO REJECTION OF THE ITB FOR NON-RESPONSIVENESS. IF YOU ARE UNSURE OF THE REQUIRED INFORMATION OR DOCUMENTATION, ASK FDLE. DO NOT MAKE ASSUMPTIONS.

1.7 CALENDAR OF EVENTS

The following time schedule will be strictly adhered to in all actions relative to this solicitation, unless modified by the Department by written addendum to this solicitation.

DATE	EVENT
9/14/12	Release ITB via State/DMS Vendor Bid System (VBS) Mandatory Advertisement Period Respondents have 72 hours from release of this ITB to protest and/or request changes to the solicitation documents by 5:00 p.m., Eastern Standard time (EST) on 9/19/12
10/02/12	All Respondents' questions must be submitted to the Procurement Officer Keithmilton@fdle.state.fl.us no later than 5:00 p.m., EST
10/09/12	FDLE's response to Respondents' written questions due & posted on the VBS
10/23/12	Respondents' responses to ITB due to FDLE Public opening and announcement of Respondents who have submitted bids Time/Location: 2:00 p.m., EST @ FDLE's Headquarters Building 2331 Phillips Road, Tallahassee, Florida 32308
10/24/12 through 11/6/12	Review of ITB responses for responsiveness & Respondents' qualifications for Step One
11/7/12	Vendors who qualified in Step One process and will proceed to Step Two will be posted on the VBS for 72 hours beginning at 2:00 p.m., EST
11/14/12	Public opening and reading of cost from Respondents who have successfully met all qualifications in Step Two of the Bid Time/Location: 2:00 p.m., EST @ FDLE's Headquarters Building 2331 Phillips Road, Tallahassee, Florida 32308
11/16/12	FDLE's Intended ITB Award Award posting to be on the VBS system for a mandatory 72 hours beginning at 2:00 p.m., EST
12/20/12	On or about issue Purchase Order to Awarded Respondents

SECTION 2 - SPECIAL CONDITIONS

2.0 ADDITIONAL REQUIREMENTS

The State of Florida General Terms and Conditions (PUR 1000) and the General Instructions to Respondents (PUR 1001) are hereby referenced and incorporated in their entirety into this ITB. FDLE's Special Conditions modifies and shall take precedence over the State of Florida Form PUR 1001, General Instructions to Respondents.

The Florida Department of Law Enforcement currently does not utilize the State of Florida's MyFloridaMarketPlace (MFMP) e-procurement system for competitive solicitations such as this ITB. Respondents are to manually submit their responses to this ITB to FDLE. Specific references to MFMP usage for this ITB stated in paragraphs 3 and 5 of the State of Florida Form PUR1001, General Instructions to Respondents, are not applicable.

2.1 MYFLORIDAMARKETPLACE (MFMP) VENDOR REGISTRATION

Each vendor desiring to sell commodities or contractual services as defined in Section 287.012, F.S., to the State through the on-line procurement system is prequalified to do so and shall register in the MFMP system, unless exempted under subsection 60A-1.030(3), F.A.C. Information about the registration process is available, and registration may be completed, at the MFMP website (link under Business on the State portal at www.myflorida.com). Interested persons lacking Internet access may request assistance from the MyFloridaMarketPlace Customer Service at (866) FLA-EPRO {(866) 352-3776)} or from State Purchasing, 4050 Esplanade Drive, Suite 300, Tallahassee, Florida 32399. A vendor not currently registered in the MFMP system shall do so within 5 days after posting of after posting of intent to award.

2.2 E-VERIFY

The successful respondent is required to utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all persons employed during the contract term by the contractor to perform employment duties within Florida and all persons (including subcontractors) assigned by the contractor to perform work pursuant to the contract with the Department. Refer to http://www.uscis.gov/e-verify for more information.

2.3 EMPLOYMENT OF UNAUTHORIZED ALIENS

The State of Florida does not award publicly funded contracts to those who knowingly employ unauthorized alien workers. The Department shall consider this a violation of Section 274A(e) of the Immigration and Nationality Act. Such violation shall be cause for unilateral cancellation of this contract.

2.4 SCRUTINIZED COMPANIES

In accordance with Section 287.135, Florida Statutes, agencies are prohibited from contracting with companies for goods or services over $1 million that are on either the Scrutinized Companies with Activities in Sudan list or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector list which have been combined into one Protecting Florida's Investments Act, (PFIA) list of Prohibited Companies, located at http://www.sbafla.com/fsb/Home/ProtectingFloridasInvestmentAct/tabid/751/Default.aspx, which is updated quarterly. This list is created pursuant to Section 215.473, Florida Statutes which provides that false certification may subject company to civil penalties, attorney's fees and/or costs.

2.5 MANDATORY REQUIREMENT

The Department has established certain requirements with respect to bids to be submitted by respondents. The use of "shall", "must" or "will" (except to indicate simple futurity) in this Request for Proposal (ITB) indicates a requirement or condition from which a material deviation may not be waived by the Department. A deviation is material if, in the Department's sole discretion, the deficient response is not in substantial accord with the ITB requirements, provides an advantage to one respondent over other respondents, has a potentially significant

effect on the quantity or quality of items bid, or on the cost to the Department. Material deviations cannot be waived. The words "should" or "may" in this ITB indicate desirable attributes or conditions, but are permissive in nature. Deviation from, or omission of, such a desirable feature, will not in itself cause rejection of a bid.

2.6 SUBCONTRACTORS

The responding laboratory **will not** subcontract the sample or data analysis to any other laboratory, nor will it assign any sample or data analysis to an independent contractor.

2.7 HEADING AND SECTION REFERENCES

Section headings in this Agreement are inserted only for convenience and are not to be construed as a limitation of the scope of the particular section to which the heading refers.

2.8 TRAVEL EXPENSES

All bills for any travel expenses that are authorized by Section 112.061, Florida Statues, will be submitted and paid in accordance with the rates specified in Section 112.061, Florida Statutes, governing payments by the State for travel expenses. No charges for travel expenses are to be assessed to the Department during the term of this agreement without advance written approval by FDLE.

2.9 NON-DISCRIMINATION

In the performance of such services, the Contracting Party agrees not to discriminate against any employee or applicant for employment on grounds of race, creed, color, sex, age, national origin, or disability.

2.10 TERM

The term of this agreement is for three (3) years; therefore, the bid price will remain firm with no price increase for a period of three (3) years, beginning at the issuance of the initial purchase order. A three year renewal option is included in this bid and shall be contingent upon satisfactory performance evaluations by the agency and subject to the availability of funds.

SECTION 3 - SPECIAL INSTRUCTIONS TO VENDORS

3.0 SOLICITATION INFORMATION

All questions pertaining to this solicitation document, ITB requirements or technical requirements should be addressed to Keith Milton, email address, keithmilton@fdle.state.fl.us. It shall be the responsibility of each respondent to raise any questions prior to ITB opening concerning the specifications or solicitation procedures as written and submit questions to the Department in accordance with the Calendar of Events. The written interpretation of the appropriate representative of the Florida Department of Law Enforcement shall prevail.

3.1 POSTING OF TABULATIONS

Solicitation tabulations will be posted electronically as Agency Decisions on the Department of Management Services Vendor Bid System (see Section 3.3 for website address) as a Public Notice.

The Agency Decisions may be viewed and will remain posted for a period of 72 hours. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

3.2 RESPONDENT INQUIRIES

The Respondent will examine the ITB to determine if the State's requirements are clearly stated. If there are requirements which restrict competition, Respondents may request specification changes. Requests must identify and describe the difficulty meeting specifications, provide detailed justification, and provide the recommended changes. Change requests or protests of the specifications must be received by the State no later than the date and time specified in the ITB Calendar of Events. The State will determine what, if any, changes to the ITB will be acceptable. If required, the State will issue an addendum reflecting the acceptable changes.

Written interpretations of the appropriate representative of FDLE will prevail. While oral responses will be given in good faith and are intended to be accurate, the Department is not bound by any non-written interpretation or guidance offered to the Respondents.

FDLE's responses to questions will be compiled into a single written document and posted on the Vendor Bid System (VBS).

3.3 ADDENDA

The FDLE reserves the right to modify this ITB. All addenda to this ITB will be in writing with content and number of pages described to all respondents. Any addenda or answers to written questions supplied by the FDLE to participating respondents may include an Addenda Acknowledgement Form. This form shall be signed by an authorized representative of the Respondent's organization.

All addenda will be provided via the State Department of Management Services Vendor Bid System (VBS) at website: http://myflorida.com/apps/vbs/vbs_www.main_menu

It is the sole responsibility of the respondent to monitor the VBS for any addenda issued in reference to this ITB.

3.4 DISCUSSIONS

No negotiations, decisions or actions shall be initiated or executed by the respondent as a result of any discussions with any state employee prior to opening of solicitation. Prior to opening of solicitation, respondents are not to divulge proposal costs to any employee or representative of the State. Further, proposals submitted to the Department will remain unopened until the time for opening proposal at the Department's Office of General Services. During this period, any discussion by the respondent with any employee or authorized representative of the Department involving cost information will result in rejection of said respondent's

response. Only those communications, which are in writing or electronically submitted from the FDLE's Office of General Services Office, may be considered as a duly authorized expression on behalf of the FDLE. Also, only communications from respondents, which are in writing and signed or electronically submitted, will be recognized by the FDLE as duly authorized expressions on behalf of the respondent.

3.5 SOLICITATION EVALUATION

The respondent must bid on all items as specified in the specifications and as listed on COST PROPOSAL SHEET (Attachment A). Proposals which do not meet the requirements specified in the ITB will not be considered for selection.

3.6 IDENTICAL TIE BIDS

When evaluating respondent responses to solicitations where there is identical pricing or scoring from multiple respondents, the department shall determine the order of award in accordance with Rule 60A-1.011 FAC.

3.7 CERTIFICATION OF A DRUG-FREE WORKPLACE

In the event of a tie bid, preference must be given to respondents submitting a certification with their response to this ITB certifying they have a drug-free workplace in accordance with Section 287.087, Florida Statutes. (See Attachment C)

3.8 SUBMISSION OF MANDATORY FORMS

The Acknowledgement and Certification of Respondent's Proposal to FDLE's ITB #1273 form will be signed by a representative who is authorized to contractually bind the Respondent and returned with the Respondent's bid.

The Cost Proposal Sheet (Attachment A) shall be completed and signed by a representative who is authorized to contractually bind the respondent for submission to this solicitation.

Respondent references form (Attachment B) will be filled out and returned with the technical portion of the proposal.

The Drug Free Workplace Certificate (Attachment C) shall be completed and signed by a representative who is authorized to contractually bind the respondent and returned with the respondent's proposal.

Any addenda supplied by the State to participating respondents may include an Addenda Acknowledgment Form. The form(s) shall be signed by an authorized representative, dated, and returned with the respondent's proposal

FDLE has provided an ITB Checklist (Attachment D) which provides guidance to the respondent in assuring that all mandatory information and documents are included.

3.9 LEGAL REQUIREMENTS

Applicable provisions of all Federal, State, County and local laws and administrative procedures, regulations, or rules shall govern the development, submittal and evaluation of all proposals received in response hereto and shall govern any and all claims and disputes which may arise between respondent's submitting a proposal hereto and the Department. Lack of knowledge of the law or applicable administrative procedures, regulations or rules by any respondent shall not constitute a cognizable defense against their effect.

3.10 ACCESSIBILITY FOR DISABLED PERSONS

Any person with a qualified disability shall not be denied equal access and effective communication regarding any ITB documents or the attendance at any related meeting or ITB opening. If accommodations are needed because of a disability, please contact the FDLE Purchasing Office at (850) 410-7300.

3.11 CONTRACTUAL MANDATORY

A respondent’s response to this ITB shall be considered as the respondent’s formal offer. The issuance of Purchase Order(s) and/or Contract(s) for the purchase of the commodities and/or services shall constitute the Department's written acceptance of the successful bid and the signed Purchase Order(s) and/or Contract(s) will be forwarded to the successful respondent.

SECTION 4 - STATEMENT OF WORK

4.0 INTRODUCTION

This ITB has been issued by the Florida Department of Law Enforcement (FDLE), Investigations and Forensics Program to obtain bids from qualified laboratories for the purpose of outsourcing a total of approximately 1300 (110/month) Forensic Biology cases for the FDLE.

4.1 REQUIRED DOCUMENTATION FOR VENDOR QUALIFICATION BEFORE ADVANCING TO STEP TWO OF THIS BID.

ATTENTION RESPONDENTS: RESPONDING LABORATORIES MUST MEET OR EXCEED ALL REQUIRED DOCUMENTATION REQUESTED UNDER THIS SECTION 4.1, LETTERS A-J.

The Laboratory must be currently accredited by either the American Society of Crime Laboratory Directors – Laboratory Accreditation Board (ASCLD/LAB-*International*) or Forensic Quality Services (FQS-*I*) in both DNA testing and biological screening. Protocols employed by the laboratory for DNA testing must meet the Quality Assurance Standards for Forensic DNA Testing Laboratories issued by the Federal Bureau of Investigation (QAS). The laboratory must also agree to adhere to the National DNA Index System DNA Data Acceptance Standards when performing analysis on FDLE samples.

The following documentation must accompany the ITB:

A. A copy of the responding laboratory's most recent (within last 2 years) external audit, including the NDIS Audit Document for the Quality Assurance Standards for Forensic DNA Testing Laboratories. If this external audit was not conducted by auditors representing ASCLD/LAB, NFSTC or FQS the last such external audit must also be included. A copy of the laboratory's response to the external audit, the resolution of any quality assurance issues identified during the external audit, and the laboratory table of organization at the time of the external audit must also be included. The sufficiency of remediation of any audit findings, unless part of an accreditation inspection, will be determined by FDLE. FDLE reserves the right to question any response/remediation findings in the audit documentation for completeness and compliance with the FBI Quality Assurance Standards, ASCLD/LAB Supplemental Requirements, and/or FQS Forensic Requirements for Accreditation, where applicable.

B. A copy of the current accreditation certificate(s) from ASCLD/LAB or FQS. A certificate from NFSTC will not be acceptable.

C. A copy of the responding laboratory's current organization chart (table of organization) and the organization chart in effect at the time of the most recent external audit, including all laboratory personnel, noting the technical leader, the quality manager, and the number of analysts and technicians performing the following analyses: Forensic biology analysis and Forensic DNA STR case analysis. It will be required that all personnel performing any analysis for FDLE be employed and located at the same facility awarded the bid.

D. The responding laboratory must indicate the percentage of time an analyst spends performing the following duties in his assigned area of responsibility: forensic biology testing, forensic STR case analysis, and/or database analysis. The responding laboratory must indicate the percentage of time the technical leader spends performing the following duties in his assigned area of responsibility: forensic biology testing, forensic STR case analysis, database analysis and technical leader responsibilities. This may be accomplished by providing position descriptions for different classes/titles of employees.

E. Curriculum vitae (CV) and/or Statements of Qualification (SOQ), including documentation of the required DNA courses, for all analysts performing DNA analysis. CV/SOQ must outline completed training in forensic biology and/or DNA analysis and include the length of time the individual has been performing independent forensic biology and/or DNA STR forensic case analysis, and/or DNA STR database analysis. If not specified in CV or SOQ, documentation must be provided of the most recent proficiency test results for each technologist/analyst conducting casework analysis, including extraction technology (manual and/or

automated) and amplification kit(s) used.

F. Documentation describing the responding laboratory's maximum capacity per month to perform DNA testing and biological screening casework following the responding laboratory's standard operating procedure. The responding laboratory must be able to handle a monthly throughput capacity of approximately 110 of the FDLE's cases (biological screening cases and forensic DNA STR cases that average two to five evidentiary items per case). Capacity in excess of 110 cases per month should be noted. The responding laboratory must include its throughput history noting the average number of DNA cases and biological screening cases the laboratory has analyzed in the last twelve months. The responding laboratory must show proof that it has worked at least 1300 **forensic cases** with a **minimum** of 300 requiring differential extraction(s) within the last 2 years.

G. A copy of the responding laboratory's current procedure manual(s) for biological screening and DNA testing including guidelines for DNA STR interpretation, the interpretation of mixtures, statistical calculations, and the quality assurance technical review procedure. The responding laboratory must provide with the bid response a summary report outlining the number of unexplainable DNA and/or DNA case contamination occurrences and corrective actions in its laboratory for the past 12 months.

H. A list of all publicly funded crime laboratories located within the United States that use or have used the responding laboratory services within the last three years.

I. A sample of the responding laboratory's chain-of-custody documentation and procedure(s) for conducting audits of evidence stored on site in examiner custody and evidence vault(s).

J. A sample report and STR summary sheet or allele table. The final report and summary sheet format will be approved by the FDLE after the contract has been awarded.

4.2 SPECIFICATIONS

A. The responding laboratory must permit on-site visits by the FDLE and/or designee for the purpose of making a technical assessment of the laboratory's adherence to QAS. Pursuant to QAS Standard 17, these visits must allow access to all applicable areas of the laboratory and will be permitted before and during the contract period as required. If the responding laboratory experiences any technical problems including but not limited to any contamination situations, the responding laboratory will pay all expenses involved in having an FDLE representative conduct an additional on-site inspection and audit of the responding laboratory to ensure continued compliance with the contract, if deemed necessary by the FDLE.

B. All DNA testing and biological screening procedures including interpretation guidelines and the process by which samples for DNA testing are determined will be reviewed and approved by the FDLE's Technical Leader(s) and Forensic Quality Manager prior to the commencement of casework. All procedures used on FDLE samples must comply with the most current version of the NDIS Standards for Acceptance of DNA Data, QAS, and the responding laboratory's approved Standard Operating Procedures. Analysis by the responding laboratory may not begin until the technical specifications of the outsourcing agreement have been approved and documented by its technical leader.

C. The responding laboratory must annually provide the FDLE with copies of its most recent annual NDIS DNA audit document report, laboratory response to the audit, and resolution of any quality assurance or accreditation non-compliance issues. The responding laboratory must provide immediate notification to the FDLE in the event that its casework ability or accreditation is suspended due to personnel, physical facility, or quality assurance issues. The responding laboratory must provide immediate written notification to the FDLE Technical Leader(s) within five (5) working days in the event that there is a quality issue warranting corrective action implementation in its laboratory, regardless of whether or not it involves FDLE cases.

D. The responding laboratory shall complete analysis of each shipment of forensic casework items within ninety (90) days of receipt. Analysis is considered complete when FDLE receives all electronic DNA data, and written reports, and applicable supporting documentation. A set of approximately 110 cases per month will be sent to the responding laboratory. Cases in excess of 110 per month may be determined based on

the responding laboratory's proof of capacity. Shipments of cases will be worked out with the awarded vendor(s). The responding laboratory will notify FDLE immediately of any situation that would affect the responding laboratory's ability to analyze the samples in the required time period.

E. All procedures and critical equipment must be validated by the responding laboratory prior to use in the analysis of the FDLE samples. Validation and performance evaluation studies will be provided for review to the FDLE upon request. Standard operating procedures for all tests employed will be provided to the FDLE and approved by the FDLE Technical Leader(s) prior to use on FDLE samples.

F. A chain-of-custody record must be maintained on each sample submitted. Documentation of chain-of-custody must comply with the published standards of the accrediting organization so as to protect the samples from deleterious change or loss. The responding laboratory will provide documentation differentiating between evidence and work product as part of its quality documents.

G. Items will be submitted as identified by the case agency. The types and percentages of cases are not known, but may include property crimes, sexual assaults, and other crimes against persons. The cases may include victim and suspect reference samples. Casework items will be in a variety of forms such as swabs, cuttings, stain cards, clothing, bedding, knives, etc. In some cases, the items may have been screened and/or tested for the presence of appropriate biological fluids and samples selected by FDLE submitted to the responding laboratory.

H. The responding laboratory will return all completed case samples, including DNA extracts (dried or frozen or otherwise preserved in a manner approved by the FDLE), to the **submitting** FDLE laboratory via overnight carrier (FedEx, UPS, USPS, or another appropriate way approved by the FDLE) in a method that maintains chain-of-custody within 30 days of the issuance of a laboratory report. . Items will be returned at the responding laboratory's expense. Questioned and known DNA extracts from each case will be packaged separately in marked plastic bags labeled with the FDLE case number and returned to the **submitting** FDLE laboratory, one container per case. The FDLE will be notified immediately of any problems related to sample evidence handling. Responding laboratory personnel will verify receipt of all shipments and notify the **submitting** laboratory in writing within 24 hours upon receipt of the shipment. Upon receipt, the responding laboratory will identify all containers and items and maintain a proper chain of custody. Prior to returning completed cases, the FDLE is to be provided, via fax or email, with a copy of the return manifest, designating by the case and the container identifier all items being returned.

I. The majority of items will require biological screening, sample selection, extraction and quantitation of DNA using real-time PCR, amplification with AmpFlSTR Identifiler Plus amplification kits, and analysis using capillary electrophoresis platforms and GeneMapper v3.2(.1) Software or other version approved by FDLE. Biological screening includes presumptive and confirmatory testing for the presence of semen, presumptive testing for the presence of blood, presumptive testing for the presence of amylase and screening of hair for suitability for STR DNA testing.

J. Testing procedure:
Blood:
1. For applicable cases, the most probative exhibits will first be tested for chemical indications for the presence of blood. Once an exhibit is determined to be positive, it can be moved on to DNA analysis.
2. A sample(s) giving the strongest presumptive result will be sent for STR analysis. Not all exhibits/samples are to be sent for DNA. The responding laboratory will select the best sample(s) to move on to DNA. Selection of the number and type of samples that go to DNA must be made by the analyst based on the strength of the presumptive test, the number of subjects believed to be involved, and nature of the case. The responding laboratory will make every reasonable effort to obtain a complete DNA profile from the sample. If probative data is not obtained, additional techniques will be employed in attempts to obtain a full profile. If consumption of an item through sampling and analysis is required, the responding laboratory will contact the **submitting** FDLE laboratory for permission to consume.
3. Presumptive testing followed by STR analysis will continue until a probative DNA profile is obtained. The vendor will be allowed to discontinue evaluation and/or testing once probative information is

obtained or when all items are tested.

Semen:

1. For applicable cases, the most probative exhibits will be tested for Acid Phosphatase (AP), starting with the sexual assault kit. For a sexual assault kit, each swab type (i.e. vaginal, cervical, anal, and oral) will be tested. Every swab will be individually tested for AP.
2. Confirmatory test(s) will be performed on the most AP positive swab and one swab of each type (e.g. vagina, cervical) if AP negative. Screening for the presence of prostate specific antigen (PSA) or microscopic identification of sperm are acceptable confirmatory tests. Confirmation by microscopic observation of sperm may be completed during differential extraction.
3. If one or more swab types are determined to be positive, only one swab type giving the best ratio of sperm to epithelial cells or strongest AP result (best chance for DNA) will be sent for STR analysis. Not all swabs from all orifice types are to be sent for DNA. The responding laboratory is expected to select the best swab(s) to move on to DNA. The decision as to the number of swabs from a single orifice that go to DNA must be made by the analyst based on the strength of the screening results, the number of subjects believed to be involved and the nature of the case. The responding laboratory will make every reasonable effort to obtain a complete DNA profile(s) from the sample. If probative data is not obtained, additional techniques will be employed to obtain a full profile. If consumption of an item through sampling and analysis is required, the responding laboratory will contact the **submitting** FDLE laboratory for permission to consume. If all swabs are negative for semen, analysis/testing will cease on the sexual assault kit, unless warranted based on amylase testing or the reasonable assumption of the possible presence of amylase (breast swabs, lick/bite swabs). DNA analysis will not be attempted on negative samples.
4. In the absence of a positive kit, clothing will be tested for AP, starting with the most probative item(s). Items of clothing with a positive AP test will also undergo a confirmatory test. If the confirmatory test is positive, then the guidelines in (c) above will be followed with respect to sample selection and analysis. If the AP test results are negative, analysis/testing will cease. DNA analysis will not be attempted on negative samples.

Amylase:

1. All juvenile cases (victim age 12 and under) where semen was not identified will be tested for the presence of amylase or submitted directly for DNA testing based on the amount and type of evidence and case scenario. Cases involving unconscious or otherwise disabled adult individuals must also be considered for amylase testing based on the amount and type of evidence and case scenario. Amylase testing will not be conducted on internal orifice swabs. Amylase testing will be conducted using starch and gel techniques, Phadebas, or RSID-Saliva.
2. If one or more swab types are determined to be positive, only one swab type giving the strongest presumptive result (best chance for DNA) will be sent for STR analysis. Not all swabs are to be sent for DNA. Inconclusive swabs/cuttings will be forwarded for DNA testing in the absence of a positive sample. The responding laboratory selects the best sample(s) to move on to DNA. The decision as to the number of samples that go to DNA must be made by the analyst based on the strength of the screening test and the nature of the case. The responding laboratory will make every reasonable effort to obtain a complete DNA profile(s) from the sample. If probative data is not obtained, additional techniques will be employed in attempts to obtain a full profile. If consumption of an item through sampling and analysis is required, the responding laboratory will contact the **submitting** FDLE laboratory for permission to consume.
3. All cigarette butts and bitemark samples will be directly forwarded to STR DNA analysis regardless of other biological screening results in the case. Other samples expected to contain saliva (e.g. swabbings from beverage containers and swabs collected from body areas potentially licked or kissed) will also be forwarded directly to DNA.

Hair:

1. Apparent hairs removed from items will be retained in the original packaging. In the absence of other biological material for DNA testing, apparent hairs of probative value will be examined microscopically to determine suitability for STR DNA analysis prior to extraction. Hairs determined to be unsuitable for nuclear DNA will be reported as such and will not be extracted.

Other:

1. All fingernail scrapings will be forwarded to STR DNA analysis in the absence of other positive screening results.
2. Methods other than those listed above may be used for presumptive and confirmatory testing only with prior approval by the FDLE Technical Leader(s).

K. The responding laboratory must use AmpF/STR Identifiler Plus STR kits utilizing the ABI Genetic Analyzer 3100 or 3130(xl) Capillary Electrophoresis instrument. STR results must be analyzed with GeneMapper ID software v 3.2(.1) or other version approved by FDLE. The responding laboratory will attempt to assign an allelic type to all interpretable peaks above its analytical threshold. Validation and/or performance check studies must be provided to support the laboratory's analytical and stochastic thresholds. If the responding laboratory's analytical threshold is below 50 RFU, it shall analyze data for FDLE cases at a minimum of 50 RFU. A numeric allele designation will be assigned to off-ladder alleles where possible according to the laboratory's SOP.

All analysis also requires the use of controls including extraction or reagent blanks and positive and negative amplification controls. One extraction/reagent blank per case for known sample(s) and one extraction/reagent blank per case for each set of questioned sample(s) must be processed and returned along with the extracts for that case. The amplification positive control must type correctly at all loci. Re-injection of controls is acceptable to clarify spurious non-allelic peaks. If re-amplification is required due to failure of the amplification positive control or observance of contamination as defined by the responding laboratory, the entire sample batch must be re-amplified. Whenever an additional manipulation is performed on a sample, the same manipulation must be performed on the extraction/reagent blank (e.g. sample concentration using a microcentrifugation device). Observed contamination in an extraction or reagent blank will require the responding laboratory to repeat the extraction as needed. If no sample remains, the sample and contaminated blank profiles will be reported to the FDLE. Observed contamination in an amplification negative control will require the responding laboratory to re-amplify the corresponding samples as needed. As soon as any contamination is confirmed, the responding laboratory will contact the appropriate submitting FDLE laboratory. If case samples must be re-extracted and/or quantitated and/or re-amplified, and reanalyzed because any control did not yield expected results, it will be done at no additional cost to the submitting FDLE laboratory.

L. Re-injections due to technical or capillary electrophoresis artifacts are to be at no additional cost to the FDLE. The GS600-LIZ internal size standard must be run with each sample, and there must be at least one injection of Identifiler Plus allelic ladder per every two runs (injections of 16) per plate (i.e. a full 96-well plate requires a minimum of three injections of allelic ladder. Off-ladder alleles must be re-injected and verified in order to be used for interpretation. Tri-alleles must be re-amplified and the verified in order to be used for interpretation. The FDLE shall be provided with data from both injections and/or runs for confirmation of off-ladder alleles and tri-alleles.

M. Where a single source match is made between a known and questioned sample, the responding laboratory will report a random match probability using a validated population database. Where possible, the responding laboratory will resolve mixtures according to its SOP. Where comparison of a known sample to a questioned mixture results in an inclusion, the responding laboratory must utilize a validated population database to calculate a combined probability of inclusion and/or combined probability of exclusion and/or a modified random match probability (restricted inclusion statistic) in accordance with the recommendations found in SWGDAM Interpretation Guidelines for Autosomal STR Typing by Forensic DNA Testing Laboratories (January 14, 2010). The responding laboratory must conduct the analysis in such a manner as to produce a court-ready report. Whenever possible (based on time constraints and timeline of the contract), the responding laboratory agrees to conduct the additional analysis of known standards supplied subsequent to a CODIS hit.

N. At least two qualified analysts shall interpret all reported allele calls by employing a type of second read or confirmation of electronic data analysis.

O. Electronic data used for interpretation shall be returned to the FDLE on CD-ROM for review. The responding laboratory shall name each CD with the responding laboratory name or abbreviation, "FDLE",

the corresponding FDLE regional laboratory number and a sequential disk number for that FDLE laboratory so that each CD is uniquely named. Data on the disk will include Run Folders containing the .fsa files used for interpretation, corresponding controls, and the GeneMapper ID .ser project files. Documentation should be sufficient to allow the FDLE to easily locate the Controls, Knowns, and Questioned samples in each case. GeneMapper ID .ser files and run folders containing .fsa files will be batched in folders on a CD-ROM in a manner agreed upon by the responding laboratory and the FDLE. If all data, regardless of use in interpretation is supplied, it must be separate from the project(s) containing data used for interpretation. The FDLE will be responsible for CODIS upload of **eligible** profiles following FDLE technical review. Multiple cases will be batched per CD. FDLE will work with awarded vendor(s) to assure a system that is acceptable to both FDLE and the vendor(s).

P. A summary sheet must be provided for each FDLE case. The summary sheet must include the final allele calls at each locus for each sample tested, including sperm and epithelial cell fractions and any major/minor/foreign profiles resolved by mixture interpretation, as well as the date the data was obtained (CE run date). Identification of the controls associated with this data may be recorded on this sheet or otherwise provided in a manner that facilitates FDLE confirming controls are present for all samples used for interpretation.

Q. A written case report will be generated. A copy of the case report(s) will be returned with the CD-ROM, referenced above (under O.) The report will include the biological screening results as well as the DNA testing results. The original report will be forwarded directly to the submitting law enforcement agency by the vendor(s). Any standardized report segments used by the awarded vendor(s) will be supplied to the FDLE.

R. The responding laboratory must assure that any discrepancies or quality assurance issues detected by the FDLE are resolved to the satisfaction of the FDLE at no additional cost to the FDLE. Cases with discrepancies requiring re-examination of evidence will be returned to the responding laboratory for reanalysis at no additional cost to the FDLE.

S. The FDLE expects a level of performance that ensures CODIS-eligible profiles are never rejected. (The FDLE defines a rejected profile as a profile that cannot be entered into CODIS for any reason other than ineligibility of the actual profile, e.g. additional amplification cycles and low copy number analysis.) The FDLE also expects that data quality will be such that FDLE 100% data review can be achieved according to QAS Standard 17. In addition to rerunning samples that do not meet the quality criteria above, the responding laboratory shall retest any sample that the FDLE determines to be of poor quality if not attributable to the sample type itself. Proper documentation, such as accessioning notes and/or quantitation results, shall be provided for a sample upon request.

T. The responding laboratory will compare all open profiles to those of analysts/technicians performing analysis on the case or its staff database. If extraneous DNA from a responding laboratory employee is detected, the responding laboratory must repeat the test. If the test cannot be repeated for any reason, the results noting the presence of extraneous DNA must be reported. As soon as any extraneous DNA is confirmed, the responding laboratory will contact the submitting FDLE laboratory.

U. Spiking or enriching a sample at any point in the analysis is not acceptable or allowed. Spiking is defined as “the addition of more amplified product to a sample in order to obtain a profile”. Increased injection time and/or voltage is acceptable if supported by the responding laboratory’s validation studies and/or performance checks. Post-amplification modification (clean-up or concentration) may not be employed per NDIS.

V. The responding laboratory shall conduct full volume amplifications using Identifiler Plus (25ul). The reaction volume may be changed with 90 days’ notice and upon mutual agreement, demonstration of validation studies, and approval by FDLE Technical Leader(s). Reduced volume real-time quantitative PCR reactions may be utilized if authorized by the responding laboratory’s SOP and supported by validation and/or performance check studies provided to the FDLE for review.

W. The responding laboratory shall, within five (5) working days of occurrence, provide written documentation of any problem and associated corrective action regarding samples from the FDLE.

X. The responding laboratory must allow for a minimum of one quality assurance sample per shipment during the term of the contract. The FDLE laboratory will evaluate results from quality assurance samples contained in each batch of cases concomitant with review of the casework data. If the responding laboratory fails to demonstrate its quality assurance and competency or its ability to substantially comply with the time constraints of the contract, the FDLE may cancel the contract.

Y. The responding laboratory will retain all technical and quality documentation required by the QAS as well as personnel records (including proficiency testing records) and other documents required by the contract for a minimum of ten (10) years after final payment from FDLE. The responding laboratory will provide FDLE with full access to and the right to examine and copy any of the said materials during the contract and during the said period after final payment from FDLE. The responding laboratory will agree not to destroy any of the said materials after the expiration of the ten (10) year period without written approval from the FDLE. If at any time the responding laboratory plans to destroy any of the noted materials, and FDLE denies permission to destroy these records, the responding laboratory will turn the materials over to the FDLE.

Z. The responding laboratory must provide qualified witnesses for court testimony in Florida criminal cases upon receipt of a subpoena, at the request of FDLE or at the request of the appropriate prosecutorial agency.

1. The responding laboratory must provide at no cost telephonic pre-trial consultation and/or deposition at the request of the prosecutorial agency or the court. Costs associated with on-site pre-trial consultation and/or deposition will be the responsibility of the requesting party.
2. The responding laboratory will provide discovery materials, at no cost to FDLE or the prosecutorial agency, and in accordance with Florida law as directed by the appropriate prosecutorial agency or FDLE. The responding laboratory will continue to provide discovery material at no cost to the FDLE or the prosecutorial agency, after the contract has ended, so long as the case was worked by the responding laboratory within the time frame of the contract.
3. The responding laboratory will provide public access to all documents, papers, letters, or other material made or received by the responding laboratory in conjunction with the contract, unless the records are exempt from s. 24(a) of Art. I of the Florida Constitution and Section 119.07(1), Florida Statutes.

AA. The responding laboratory will charge only for work performed on each case for each test and not a “per case” basis.

BB. The cost item for “Amplification with Results” includes partial profiles; however, FDLE expects the awarded vendor(s) to obtain complete profiles whenever possible.

CC. Payment will not be made for any testing that does not meet the specifications of this contract. Payment will be made when analysis is complete. Analysis will not be considered complete until all requirements are met. Complete analysis is considered to include the receipt of all electronic data, a summary sheet, and a final laboratory report. The report must include interpretation with the statistical frequency of the probative matches and/or inclusions as designated per category and specify the population database used.

4.3 INVOICE REQUIREMENTS

Vendor invoices must include the information described below.

- Vendor Name and remit to address;
- Purchase Order Number
- Deliverable Item and Description
- Deliverable amount

4.4 INVOICING AND PAYMENT

All invoices or bills for fees, or other compensation for services, or expenses will be submitted with reasonable detail for a proper pre-audit and post-audit thereof, to comply with Section 287.058(1)(a), Florida Statues. Whenever this contract is terminated with or without cause, all amounts due will be pro-rated.

The State of Florida cannot make deposits or pay for goods and/or services in advance unless approved under rules issued by the Comptroller of Florida. Therefore, payments by the Department covering goods and/or services will be due and payable within 30 days after the receipt of a proper invoice and actual receipt of goods and/or services. The Department is not authorized to pay to Contracting Party any deposit for services to be rendered or equipment to be purchased in the future.

Invoices shall reference a valid purchase order number and be submitted to:

Florida Department of Law Enforcement
Office of Financial Management
P.O. Box 1489
Tallahassee, Florida 32302

4.5 EXPERT WITNESS FEES

Expert witness fees are to be proposed (price to be inclusive for all subsistence, per diem or travel costs per/day) separately from analysis fees and billed on an as-used basis. Whenever possible, a single employee of the responding laboratory will provide testimony. Requests for a response and testimony by multiple parties employed by the responding laboratory will be discussed with the submitting FDLE laboratory and the prosecutorial agency issuing the subpoena prior to travel.

The responding laboratory must submit an invoice for Expert Witness Fees to FDLE Office of Financial Management P. O. Box 1489, Tallahassee, Florida, 32302 within seven (7) business days of date of testimony. The responding laboratory must also include the purchase order number listed on all billing.

4.6 SHIPPING CHARGES

All shipping charges shall be included in the bid price.

4.7 FINANCIAL CONSEQUENCES FOR FAILURE OF PERFORMANCE

Consistent with Sections 4.1 and 4.2 item c., the responding laboratory's failure to maintain accreditation, including compliance with the QAS may, at FDLE's discretion, result in suspension of submission of case samples for analysis pending resolution or cancellation of the remainder of the contract. Consistent with Section 4.2 items f. and h., failure of the responding laboratory to handle samples in accordance with a well-documented chain of custody to insure the integrity of the evidence and the admissibility of results in court proceedings, may, at FDLE's discretion, result in rejection of invoices for payment regarding such samples or cancellation of the remainder of the contract. Consistent with Section 4.2 item r., should the responding laboratory provide analysis of forensic casework with discrepancies, FDLE will return the case to the responding laboratory and will require the responding laboratory to conduct reanalysis at no additional cost to FDLE.

4.8 FEDERAL GRANT FUNDING SPECIAL CONDITIONS

The responding laboratory will agree that any contract for services entered into with FDLE for the purpose of outsourcing Forensic Biology cases for FDLE is funded solely by a grant from the U.S. Department of Justice (DOJ) to FDLE and FDLE's performance and obligation to pay under any such contract is contingent upon and subject to available federal grant funds pursuant to award and disbursement of funds by DOJ under the grant. In accordance with DOJ Federal grant funding special conditions, the responding laboratory will agree that it will:

A. Comply with Federal laws prohibiting discrimination on the basis of race, color, national origin, religion, sex, or disability, not only in respect to employment practices but also in the delivery of services or benefits.

B. Comply with Federal laws prohibiting discrimination on the basis of age in the delivery of services or benefits.

C. Otherwise comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an Equal Employment Opportunity Plan (EEOP).

D. Have procedures in place for responding to discrimination complaints that employees and clients, customers, and program participants. Should the responding laboratory or any of its employees, contractors, vendors, or program beneficiaries have a discrimination complaint, they may file a complaint with FDLE or with the Office for Civil Rights. Discrimination complaints may be submitted to FDLE at Office of the Inspector General, P.O. Box 1489, Tallahassee, Florida 32302-1489 or on-line at www.fdle.state.fl.us/contacts/comment_form.html. Discrimination complaints may also be submitted to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, NW, Washington, DC 20531, by phone at (202)307-0690.

E. Comply with the applicable requirements of the Americans with Disabilities Act (ADA), Public Law 101-336, which prohibits discrimination by public and private entities on the basis of disability and requires certain accommodations be made with regard to employment (Title I), state and local government services and transportation (Title II), public accommodations (Title III), and telecommunications (Title IV).

F. Take reasonable steps, in accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, to provide meaningful access to programs and activities for persons with limited English proficiency (LEP). (For more information on the civil rights responsibilities in providing language services to LEP individuals, please see the website at: http://www.lep.gov.)

G. Comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation").

H. Comply with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. §3711 et seq. at www.gpo.gov/fdsys/); the provisions of the current edition of the Office of Justice Programs *Financial Guide* www.ojp.usdoj.gov/financialguide/index.htm); and all other applicable State and Federal laws, orders, circulars, or regulations.

I. Ensure that it does not knowingly employ unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324a(e), Section 274A(e) of the Immigration and Nationality Act ("INA"). Such violation by the responding laboratory of the employment provisions contained in Section 274A(e) of the INA shall be grounds for unilateral cancellation of any contract with FDLE.

J. Promptly notify FDLE, who will in turn notify the DOJ Office of Inspector General, of any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds.

K. Consider, pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), adoption and enforcement of policies banning employees from text messaging while driving any vehicle during the course of performing work pursuant to any contract for services entered into with FDLE, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

L. Ensure that each DNA analysis conducted pursuant to any contract for services entered into with FDLE is maintained pursuant to all applicable Federal privacy requirements, including those described in 42 U.S.C. §14132(b)(3).

M. Upon DNA testing of evidentiary materials, forward any resulting eligible DNA profiles to FDLE to be uploaded to the Combined DNA Index System (CODIS) and ensure that no profiles generated pursuant to

any contract for services entered into with FDLE are entered into any other non-governmental DNA database without prior express written approval from FDLE and DOJ Bureau of Justice Assistance. (For more information, refer to the NIJ FY 2012 DNA Backlog Reduction Program, available at ncjrs.gov/pdffiles1/nij/sl000989.pdf.)

N. Ensure that no funds received from FDLE pursuant to any contract for services entered into with FDLE are used for research or statistical projects or activities as defined by 28 CFR Part 22 or for research as defined by 28 CFR Part 46.

O. Acknowledge that DOJ Office of Justice Programs reserves a royalty-free non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes the copyright in any work developed under a Federal grant award and any rights of copyright to which a sub-grant recipient or sub-recipient purchases ownership with support funded under a Federal grant award. DOJ Office of Justice Programs reserves the right to (1) obtain, reproduce, publish, or otherwise use the data produced pursuant to any contract for services entered into with FDLE; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.227-14 (Rights in Data – General).

P. Comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities pursuant to any contract for services entered into with FDLE.

SECTION 5 - PROPOSAL FORMAT INSTRUCTIONS

5.0 ITB PACKAGING AND SUBMISSION REQUIREMENTS

Bids shall be submitted **FOUR (4)** printed copies, one of which must contain an original signature of a company official with the power to bind the company. Additionally, **one (1)** electronic copy of the technical proposal will be supplied in Microsoft Office 2010, 2007 or 2003.

Bidders shall submit a separately bound and SEALED cost proposal envelope containing the completed Cost Proposal Sheet (Attachment A).

Prior to evaluation of the required documentation for vendor qualification, the Bidder's cost proposals will remain unopened in the Department's Purchasing Office. During this period, any discussion by the Bidder with any employee or representative of the Department involving cost information will result in rejection of said bidder's proposal.

Cost Proposals shall be submitted in the format specified on the Cost Proposal Sheet (Attachment A).

IMPORTANT NOTE: Respondents should refer to Section 1. State of Florida Form PUR 1001, General Instructions to Respondents, sub-section 19. Public Records for instructions on marking, indicating and/or segregating any portion of their proposals that they consider to be exempt from public records disclosure.

Suggestion: Prepare one (1) printed copy and one (1) electronic copy of proposal with claimed exemptions removed and in their place Respondent should provide justification and cite statute for said exemption. Clearly mark as "Public Record Copy".

Respondents shall submit hard copy written proposals that address each of the requirements specified in this ITB. Respondent shall provide sufficient information to enable FDLE to make a fully informed decision.

The ITB package must be clearly marked **"BID TITLE"** and addressed as follows:

FDLE / Office of General Services
ATTN: Keith Milton – ITB 1273
2331 Phillips Road
Tallahassee, FL 32308

RE: ITB 1273, TITLE / Date & Time

NOTE: If ITB package is not addressed as required above FDLE cannot assure its timely delivery.

ALL RESPONSES MUST CLEARLY IDENTIFY THE ITB NUMBER, TITLE AND OPENING DATE
PROPOSALS TRANSMITTED BY FACSIMILE OR EMAIL WILL NOT BE CONSIDERED.

FAILURE TO INCLUDE ANY INFORMATION OR DOCUMENTATION REQUESTED WITHIN THIS ITB MAY LEAD TO REJECTION OF THE ITB FOR NON-RESPONSIVENESS. IF YOU ARE UNSURE OF THE REQUIRED INFORMATION OR DOCUMENTATION, ASK FDLE. DO NOT MAKE ASSUMPTIONS.

5.1 BID EVALUATION AND AWARD

The Bidder must bid on all items as specified in the specifications and as listed on "ATTACHMENT A – COST PROPOSAL SHEET." Bids which do not meet the requirements specified in the ITB will not be considered for selection. **BASIS OF AWARD**: The procedure for awarding this bid will be a two-step process. The first step will consist of responding to the Statement of Work, Section 4.1, required documentation for vendor qualifications letters A-J. These qualifications must be met before going forward to the second step. The second step will be awarded based on pricing for "**Amplification with Results**." Please note that FDLE reserves the right to award this bid to an additional vendor or vendors if it serves the best interest of the State of Florida. Bids will remain firm for a period of 60 days after bid opening.

ATTACHMENT A
COST PROPOSAL SHEET

BASIS OF AWARD The procedure for awarding this bid will be a two-step process with two postings on the VBS system.

The first step will consist of responding to Statement of Work, Section II, required Documentation for Vendor Qualifications, Letters A-J. These qualifications must be met before going forward to the second step.

The second step will be awarded based on pricing on the "Amplification with Results."

Please note that FDLE reserves the right to award this bid to an additional vendor or vendors if it serves the best interest of the State of Florida.

Bidders shall submit a separately bound and SEALED cost proposal envelope containing the completed Cost Proposal(s) (Attachment A).

For biological screening, sample shall refer to a single swab type (e.g. oral swabs or vaginal swabs) or a single item of evidence (e.g. shirt or gun).

For STR-DNA analysis, sample shall refer to an individual sample tube (e.g. cutting from front of shirt and cutting from back of shirt).

Costs for levels of testing per sample:

Amplification with results: $_____

Amplification with no results: $_____

Quantification with no STR amplification: $_____

Biological Screening with results: $_____

Biological Screening with no results: $_____

Estimated turn-around time for amplification with results: _____

Expert Witness Testimony:

Expert witness fee: $_____ **/Day**

ATTACHMENT A, PAGE 2
COST PROPOSAL SHEET

Optional

Three (3) year renewal costs

Costs for levels of testing per sample

Amplification with results: **$**_____

Amplification with no results: **$**_____

Quantification with no STR amplification: **$**_____

Biological Screening with results: **$**_____

Biological Screening with no results: **$**_____

Expert witness fee: **$**_____**/Day**

BY AFFIXING MY SIGNATURE ON THIS ITB, I HEREBY STATE THAT I HAVE READ ALL BID TERMS, CONDITIONS AND SPECIFICATIONS AND AGREE TO ALL TERMS, AND CONDITIONS, PROVISIONS, AND SPECIFICATIONS; AND I CERTIFY THAT I WILL PROVIDE, AND DELIVER TO THE LOCATIONS SPECIFIED IN THE PROPOSAL.

AUTHORIZED REPRESENTATIVE:_____
(Signature)

NAME AND TITLE:_____
(Print or Type)

COMPANY:_____

ADDRESS: _____

CITY, STATE AND ZIP:_____

PHONE: _____

E-MAIL ADDRESS: _____

FEDERAL EMPLOYER IDENTIFICATION NUMBER: _____

ATTACHMENT B
RESPONDENT REFERENCES

Respondent's Name: _____

Respondents are required to submit with their proposal/reply, three (3) references that have been provided for services of a similar size and parameters of those requested in this solicitation. Respondents will use this form to provide the required reference information. The department reserves the right to contact any and all references in the course of this solicitation evaluation and make a determination, not subject to review or challenge.

1.) Name of Company/Agency: _____

Contact Person: _____

Phone Number: _____

Address: _____

Email Address: _____

2.) Name of Company/Agency: _____

Contact Person: _____

Phone Number: _____

Address: _____

Email Address: _____

3.) Name of Company/Agency: _____

Contact Person: _____

Phone Number: _____

Address: _____

Email Address: _____

ATTACHMENT C
DRUG FREE WORKPLACE CERTIFICATE

IDENTICAL TIE PROPOSALS - Preference will be given to businesses with drug free workplace programs. Whenever two or more proposals which are equal with respect to price, quality, and services are received by the State or by any political subdivision for the procurement of commodities or contractual services, a proposal received from a business that certifies that it has implemented a drug-free workplace program will be given preference in the award process. Established procedures for processing tie proposals will be followed if none of the tied Respondents have a drug-free workplace program. In order to have a drug-free workplace program, a business must:

1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

2) Inform employees about the dangers of drug abuse in the workplace, business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties, that may be imposed upon employees for drug abuse violations.

3) Give each employee engaged in providing the commodities or contractual services that are under proposal a copy of the statement specified in subsection (1).

4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893, Florida Statutes or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than (5) five days after such conviction.

5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.

6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section. As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

_____

RESPONDENT'S SIGNATURE

_____

Name (typed or printed)

_____

Title

_____

Date

ATTACHMENT D
ITB CHECKLIST

For your convenience, we offer the following checklist of items that must be returned by the response deadline listed in the ITB timeline. **FAILURE TO INCLUDE ANY INFORMATION OR DOCUMENTATION REQUESTED WITHIN THIS CHECKLIST MAY LEAD TO REJECTION OF THE BID FOR NON-RESPONSIVENESS.**

_____1. A copy of the responding laboratory's most recent (within last 2 years) external audit. If this external audit was not conducted by auditors representing ASCLD/LAB, NFSTC or FQS, the last such external audit must also be included. These external audits must include the FBI's Quality Assurance Standards for Forensic DNA Testing Laboratories.

_____2. A copy of the laboratory's response to the audit, the resolution of any quality assurance issues identified during the audit and the laboratory table of organization at the time of the audit must also be included.

_____3. A copy of the most current accreditation certificate(s) from ASCLD/LAB or FQS.

_____4. A copy of the responding laboratory's current organization chart (table of organization), and if different, the organization chart (or table of organization) that was in effect at the time of the most recent external audit, including in both cases all laboratory personnel, noting the technical leader, the quality manager, and the number of analysts and technicians performing the following analyses: Forensic biology analysis and Forensic DNA STR case analysis.

_____5. Percentage of time an analyst spends performing the following duties in his assigned area of responsibility: forensic biology testing, forensic STR case analysis, and/or database analysis.

_____6. Percentage of time the technical leader spends performing the following duties in his assigned area of responsibility: forensic biology testing, forensic STR case analysis, database analysis and technical leader responsibilities.

_____7. CV/SOQ, including documentation of the required DNA courses, for all analysts performing DNA analysis.

_____8. Documentation describing the responding laboratory's maximum capacity per month to perform DNA testing and biological screening casework following the responding laboratory's standard operating procedure.

_____9. Documentation showing responding laboratory has worked at least 1300 **forensic cases** with a **minimum** of one-quarter (of the 1300) requiring differential extractions within the last 2 years.

_____10. Throughput history noting the average number of DNA cases and biological screening cases the laboratory has analyzed in the last twelve months.

_____11. A copy of the Responding laboratory's current procedure manual(s) for serological screening and DNA testing including guidelines for DNA STR interpretation and the interpretation of mixtures, and the quality assurance technical review procedure.

_____12. Summary report outlining the number of extraneous DNA and/or DNA case contamination occurrences and follow-up in the laboratory for the past 12 months.

_____13. A list of all state and/or local crime laboratories located within the United States that use or have used the responding laboratory services.

_____14. A sample of the responding laboratory's chain-of-custody documentation.

_____15. A sample report and STR summary sheet.

_____16. A copy of the current accreditation certificate(s).

_____17. Addendum Acknowledgment form(s), signed (if applicable).

ATTACHMENT D, PAGE 2
ITB Checklist

_____18. Any other applicable information

_____19. Acknowledgement and Certification of Respondent's bid to FDLE's ITB #1273

_____20. Attachment B – Bidder References

_____21. Attachment C – Drug Free Workplace Certificate

_____22. Attachment A – Cost Proposal Sheet sealed in separate envelope.

_____23. Applicable Publications

_____24. Other applicable information

_____25. Public Records version of Respondent's Proposal, if applicable.

FAILURE TO INCLUDE ANY INFORMATION REQUESTED WITHIN THIS ITB MAY LEAD TO REJECTION OF THE ITB PROPOSAL FOR NON-RESPONSIVENESS.