Request for Proposals

Managed Print Services

Release Date: Wednesday November 18, 2020
Virtual Pre-Proposal Meeting (Required): Mon November 23, 2020 3:00pm CST
Proposal Deadline: Wednesday, December 2, 2020, 3 p.m. CST
Updated Proposal Deadline: December 9, 2020, 3 p.m. CST
## Contents

1.0 Introduction ........................................................................................................................................... 4
2.0 About the MPRB ...................................................................................................................................... 4
3.0 Project Vision ......................................................................................................................................... 6
4.0 Technology Environment ....................................................................................................................... 6
5.0 Scope of Services .................................................................................................................................. 7
6.0 Timeframe ........................................................................................................................................... 10
7.0 Budget .................................................................................................................................................. 10
8.0 Proposal Format and Requirements ................................................................................................... 10
9.0 Proposal Submission ............................................................................................................................ 13
10.0 Pre-Proposal Meeting ......................................................................................................................... 14
11.0 Proposal Selection ............................................................................................................................... 14
12.0 Schedule and Evaluation of Proposals ............................................................................................... 16
13.0 Board Rights ...................................................................................................................................... 16
14.0 Proposal Validity Period ...................................................................................................................... 16
15.0 Restricted Discussions/Submissions .................................................................................................. 16
16.0 Independent Parties ............................................................................................................................ 17
17.0 Performance Investigations .................................................................................................................. 17
18.0 Severability ....................................................................................................................................... 17
19.0 Notices .............................................................................................................................................. 17
20.0 Interest of Members of the Board ....................................................................................................... 17
21.0 Employee Involvement/Covenant Against Contingent Fees ........................................................... 17
22.0 Hold Harmless ................................................................................................................................... 18
23.0 Data Practices .................................................................................................................................... 18
24.0 Entire Agreement ................................................................................................................................. 18

Appendix A: Floor Plans MPRB Headquarters ......................................................................................... 18
Appendix B: Floor Plans Southside Service Center ................................................................................... 18
Appendix C: Printer/Fax/Copier/Scanner Inventory June 2014 ................................................................. 18
Appendix D: Proposed Solution Hardware Inventory and Cost Comparison ........................................... 18

Appendix E: Proposed Solution Cost Summary – Web & CMS Services .............................................. 18
Appendix F: Proposed Solution Operating Expenses ..............................................Error! Bookmark not defined.
Appendix G: Proposed Device Specifications......................................................Error! Bookmark not defined.
Appendix H: Locations by Phase ........................................................................Error! Bookmark not defined.
1.0 Introduction

The Minneapolis Park and Recreation Board (MPRB) is seeking proposals from qualified vendors interested in providing Managed Print Services as outlined in this Request for Proposals (RFP). Managed Print Services, at a high level, includes the provision and management of both single and multi-functional print and/or scan devices across MPRB facilities. The intended outcome of this RFP is to implement solutions that will minimize cost (both direct and indirect), promote the centralization of print devices, develop process efficiencies, and create a sustainable solution that minimizes MPRB’s footprint as it relates to overall resource consumption.

These services should at a minimum include:

- Fleet management of all devices
  - Fleet sizing and equipment recommendations
  - Maintenance and Repair
  - Replacement and Upgrade coordination
  - Supplies (excluding paper)
- Print Center Management
  - Software
  - Templates
- Education, Training and Advertising as necessary
- Invoicing and Reporting

This RFP is being submitted to vendors to obtain proposals regarding their solutions, features, functions, pricing and ability to meet these service requirements. Vendors must demonstrate a proven solution meeting the requirements contained in this request for proposal.

MPRB Preferences:

- A single provider meet all of the expectations outlined in this request for proposal.
- A sustainable solution that will reduce costs and provide an environmentally friendly solution that meets all of the expectations outlined in this request for proposal.
- A proposal that is already in place and operational in comparable governmental environments.

1.2. BACKGROUND INFORMATION

Fleet Makeup/Volume

MPRB has Managed Print Services through one strategic vendor (hereinafter referred to as the “Vendor”) relationship and has worked with the Vendor to ensure each department is right-sized according to its needs and actual output. Provided below are estimated figures with regards to the MPRB’s overall fleet makeup and annual clicks/prints for devices that are managed:
Estimated Single Function Multi-function B/W: 352,000
Estimated Managed Click/Print Totals B/W 800,000 Color 880,000

MPRB recognizes that an opportunity to further centralize its print fleet may exist and welcomes vendor recommendations to reach this potential.

High-Level Managed Print Services Operational Current State

The following provides a high level overview of what the operational framework looks like within the Managed Print space:

VENDOR provides equipment, delivery, installation, configuration, toner supplies and delivery, preventative maintenance, parts, repairs, and decommission and removal of devices

• Detailed reporting provided by VENDOR to document usage and fleet makeup by device, location, age, etc.
• Various Service Level Agreements related to operational and service efficiency provided by VENDOR to track success of program
• VENDOR orders and delivers toner to devices under management contracts
• MPRB provides hardware and software infrastructure support to include server support (server housing, OS management, troubleshooting)
• Routine collaboration between VENDOR and MPRB to discuss ongoing challenges and successes, and development of action plans for addressing key issues
• Billing for leased devices and click/print allowances occurs at the beginning of each contract year; overages are paid at end of each contract year
• Equipment is generally leased with varying click/print allowances per device type
• Leases are primarily five (5) years
• Quarterly and semi-annual reviews are conducted to review the financial and operational status of VENDOR, performance related to the VENDOR’s service level agreements and other KPIs.

2.0 About the MPRB

The MPRB is an independent, semi-autonomous governing body responsible for maintaining and developing the Minneapolis Park System to meet the needs of citizens of Minneapolis. This unique structure allows independent decision-making so that the MPRB can efficiently oversee a diverse system of land and water.

Nine Park Board Commissioners are elected every four years: one from each of the six park districts within the city and three who serve at large. The policy-making Board of Commissioners appoints a Superintendent to provide high-level oversight and leadership to this nationally renowned park system.

The Park Board staff consists of approximately 500 full-time and 1,200 part-time employees in the areas of administration, environmental stewardship, planning, and recreation.

The Minneapolis Park System consists of 197 park properties, including local and regional parks, playgrounds, triangles, golf courses, gardens, picnic areas, biking and walking paths, nature sanctuaries,
and the 55-mile Grand Rounds National Scenic Byway. Together, these properties total 6,744 acres of land and water. The backbone of the park system is its 47 full-service neighborhood recreation centers.

Approximately 18 million visits are made annually to the various parks in the Minneapolis Park System by residents and visitors from throughout the region, country, and world.

The Minneapolis Park and Recreation Board is an award winning, nationally acclaimed park system. The Trust for Public Land has currently ranked the Minneapolis Park System the #1 system in the nation.

2.1 Mission of the MPRB

The Minneapolis Park and Recreation Board shall permanently preserve, protect, maintain, improve, and enhance its natural resources, parkland, and recreational opportunities for current and future generations.

The Minneapolis Park and Recreation Board exists to provide places and recreation opportunities for all people to gather, celebrate, contemplate, and engage in activities that promote health, well-being, community, and the environment.

3.0 Project Vision

It is the intent of the MPRB to streamline the printing process to distribute capabilities, to reduce costs and provide better service. The Managed Print Services solution will support MPRB business processes and streamline the workflow for printing, scanning, copying and faxing. The MPRB requires a solution that is user-friendly, efficient, cost-effective, and environmentally sustainable. The solution should provide staff with consistent service across the organization and user accountability.

4.0 Technology Environment

The solution must be compatible with current MPRB infrastructure.

The MPRB Technology infrastructure consists of these key components:

**Internet and network connectivity**

The MPRB currently has a network consisting of three main locations (Headquarters, South Side Operations Center, and a Datacenter Colocation Facility. We have more than 70 other remote locations that connect back to the main sites via a point to point VPN Solution.

**Virtual Environment**

The MPRB runs a VMWare 6.7 virtualized environment. This environment is expanding as the MPRB’s goal is to virtualize all servers that meet the requirements.

**Physical Servers**
The primary server operating system at the MPRB is Microsoft Windows 2012R2. The MPRB is supported by a Microsoft Active Directory/Microsoft 365 based network. We are migrating to 2016. We utilize Microsoft SQL DBMS as our database standard.

**Workstation hardware & software**

MPRB workstations currently running Microsoft Windows 10 in a Microsoft 365 environment. We do have a few Apple Systems, and support more than 500 IOS based devices from iPhones to iPads. MPRB owns uniflow print scan and device management software.

### 5.0 Scope of Services

The Minneapolis Park and Recreation Board is soliciting proposals from qualified companies for a Managed Print Services solution that meets current requirements and is capable of expanding to meet future needs. The current needs of the MPRB include:

- Printing routine and special jobs
- Copying
- Scanning
- Fleet management of all devices
  - Fleet sizing and equipment recommendation
  - Maintenance and Repair
  - Replacement and Upgrades
  - Supplies (excluding paper)
- Print Center Management
  - Submission Software
  - Templates
- Education, Training and Advertising as necessary
- Invoicing and Reporting

In general, this includes the design, install, support and maintenance of a solution that meets MPRB’s requirements detailed in this section.

#### 5.1 General Requirements

The following general requirements are anticipated as part of the solution for each phase proposed for the Minneapolis Park and Recreation Board. Five phases are detailed following the general requirements. Each phase will have additional detailed services required.

##### 5.1.1 Routine Printing

Routine daily printing includes black and white or color printing on a standard letter sized sheet of paper.

##### 5.1.2 Copying

Copying includes the ability to copy and print an image up to a standard letter sized sheet of paper. The minimum resolution should be 300 dpi.

##### 5.1.3 Scanning to Network and email

Ability for staff to scan letter sized documents

- **Network**
Documents should scan directly to one or more network locations. The default resolution should be set to 300 dpi.

5.1.3.2 Email
The MPRB currently has the ability to scan directly to email from the devices.

5.1.3.3 Format
Documents should default to an archival pdf format, PDF.

5.1.4 Secure Print
Each facility needs to have a user secure print solution available. Additional formats available should be detailed.

5.1.5 Duplex Print
All devices should provide automated duplex printing. Duplex printing should be the default setting on all supplied devices.

5.1.6 Cost of Job
Prior to releasing the jobs, users should be notified of the cost of printing and pricing of different options if a cheaper option is possible.

5.1.7 Restrict Printing
Restrictions should be in place to prevent users from printing or using services on select devices based on location, print job size, cost of job or other recommended standards.

5.1.8 Fleet Management
The fleet of hardware provided by the vendor should include the following

5.1.8.1 Service Level Agreement
A service level agreement should be included in the response for all locations. The service delivery agreement should detail the response times for the fleet including maintenance, repair, replacement, upgrades, disposal and consumables.

5.1.8.2 Maintenance and Repair
The vendor should be responsible for all routine maintenance of the provided hardware and any required repair for equipment.

5.1.8.3 Replacement and Upgrades
All hardware should be kept current and replaced on a defined replacement schedule.

5.1.8.4 Disposal
Vendor should be responsible for the appropriate disposal of all existing hardware to be replaced. Vendor should be responsible for the appropriate disposal of all managed devices hardware and consumables. Disposal should include the proper destruction of any data stored on the device including hard drives. A certificate of indemnification should be provided for each printer hard drive. Disposal should also include recycling and reuse in order to be environmentally sensitive. If removing equipment that has a monetary resale value proceeds should be returned to MPRB in the form of a credit.

5.1.8.5 Consumables
All consumables with the exception of paper should be provided by the vendor. The consumables should be delivered to the MPRB Headquarters for all devices regardless of their location.

5.1.9 Education, Training and Advertising
5.1.9.1 Education
Provide a plan to educate the organization on any new or upgraded services/hardware that is being provided by the vendor.
5.1.9.2 Training
Provide a plan to teach the organization how to use the services to meet the vision of the project. Include training for each phase and ongoing training tools.

5.1.9.3 Advertising
Provide tools to remind the organization to continue to use the services provided to support the vision of the project.

5.1.10 Sustainability

5.1.10.1 Environmental
Demonstrate the overall environmental impact reduction through electricity impact, CO2 emissions and decrease in chemical use.

5.1.10.2 Economical
Demonstrate overall cost savings for each phase of the project based on the detailed information provided.

5.1.10.3 Equitable
Demonstrate equity by distributing services and capabilities throughout the organization based on metrics.

5.1.10.4 Invoicing
Provide a single central invoice for the services monthly that can be broken down by a department or location based on internal general ledger accounting codes.

5.1.10.5 Reporting
Provide central reporting to monitor the implementation and acceptance of the services provided. Detailed reports should indicate location, department and user activity. Detail examples of reports provided by phase.

5.3 Audit
The vendor would be required to complete a system wide audit of locations and devices and propose a recommendation of any necessary changes.

5.2 Additional Services
The MPRB has two additional printer types that are located across the organization.

5.3 Project Management
The successful proposer will use a structured and proven methodology for managing projects throughout the engagement. A Project Charter should be submitted within ten (10) business days of contract execution. The project charter should include the following elements:

- Project Scope - Defines each element to be included in the Project.
- Project Management - Ensures that project objectives and deliverables are being met and that the approach is refined whenever necessary. Project organization, resource matrix, roles and responsibilities, deliverable acceptance, and final acceptance will be outlined in this section.
- Project Standards and Procedures Plan - Defines the procedures and project governance regarding the day-to-day operations of the project team throughout the engagement. The plan should include documentation standards and templates, network directory structures, communication protocols, and risk and issues management, including the process for escalation. The plan should define a project change management process and supporting documentation, as well as the weekly cycle of project meetings, status updates, and communications to be
followed by the Project Team. The plan should define the process, standards, and templates used as part of the acceptance of deliverables.

In addition to the Project Charter, the successful proposer must provide an Implementation Plan, including schedule, timeline, and milestones, within 30 days of the project start date.

The successful proposer must provide a Project Manager who will be the main point of contact with the MPRB print team. The Project Manager or a designated representative must be available for periodic presentations and updates to MPRB staff and commissioners upon request.

6.0 Timeframe
The MPRB expects this project to begin in January 2021.

7.0 Budget
The MPRB is a public sector organization that needs to be very careful in its use of taxpayer funding.

Based on this the MPRB has chosen not to make the budget for this project publicly available. However, proposals will be will fairly evaluated based on the proposers’ estimates of the cost to complete the work outlined in this RFP, as well as their experience and expertise, proposed project plans, and references. See Section 13.0.

8.0 Proposal Format and Requirements
Proposers must include the following core elements in their proposals in the same sequence as they are presented below:

1. Letter of Transmittal

2. Company Overview
   A profile of the proposer’s organization, including size, structure, and history, as well as a comprehensive listing of all services. Include an organization chart illustrating the relationship of the key personnel and the project manager. Maximum 1 page.

3. Understanding of the Project
   A summary review of the proposer’s understanding of the project. Maximum 1 page.

4. Company Qualifications
   A description of the proposer’s qualifications to provide the services and deliverables described in this RFP, including a description of similar engagements performed by the proposer, with the following elements:
   - Project name (include URL of website if applicable)
   - Project start and end dates
   - Project summary – a description of the services provided, especially as they are relevant to the services described in this RFP.
   - Projects role(s) - a description of the proposer’s role(s) on the project, including participation
as it relates to project deliverables. The description should demonstrate the proposer’s experience, capability, and capacity to develop the deliverables and provide the services described in this RFP.

5. Company Lawsuit Disclosure
   A description, including the status and outcome, of any lawsuits brought against the proposer related to the delivery of consulting services in the past five years, including status and outcome, OR a statement that there have been no such lawsuits brought against the proposer.

6. Project Plan
   A description of how the proposer will fulfill the Scope of Services of this RFP, as outlined in Section 5. At a minimum, this should include:
   - A description of the project phases and associated tasks
   - A list of deliverables, including (at a minimum) those identified in this RFP
   - A project schedule
   - The project team members’ roles and responsibilities
   - The MPRB project team’s roles and responsibilities

7. Proposed Equipment and Pricing
   Use the indicated appendices to provide a detailed overview of the following:
   Appendix C: Current Estimated Costs based on Current Hardware
   Appendix D: Recommended hardware and cost comparison to current estimated costs
   Appendix E: Summary of proposed pricing
   Appendix F: Details of proposed pricing
   Appendix G: Device Specifications

8. Service Level Agreement
   A detailed service level agreement for the management and response times related to supporting the proposed solution.

9. Project Management and Reporting
   A description of the proposer’s approach to project management and client communications.

10. Proposed Team
    A list of the key project team members, including names, proposed project titles, proposed project service descriptions, and bios that include experience on projects of similar size and scope for which the team members played the same or a similar role as proposed for the MPRB project.

11. Company References
    At least three (3) references for whom the proposer has completed similar projects. For each reference, provide the following:
Proposals should be presented simply, clearly, and concisely. Elaborate covers and binding are discouraged.

8.1 Pricing

MPRB prefers a fixed fee arrangement. Proposers must break down the price structure by the nine main work areas described in Section 5, Scope of Services:

- Cost Center break out for multi-functional print/copy
- Billing per desktop device
- Monthly or quarterly invoicing

In addition to these areas, provide a cost for:

- Required Software
- Ongoing Support
- Ongoing Services

See Appendices B, C, D, and E for the format and detailed information worksheets for providing pricing information.

8.1 Device Selection

Please use Appendix F to provide detailed product specifications for all devices recommended as part of the proposed solution.

8.2 Subcontractor Information

If portions of the work are to be subcontracted to others, such subcontractors must be identified and their responsibilities detailed in the proposal.

Small & Underutilized Business Program (SUBP) Requirements

MPRB policy is to provide equal opportunities to all businesses, with an effort to redress discrimination in the marketplace and in public contracting against Minority-Owned Business Enterprises (MBEs) and Women-Owned Business Enterprises (WBEs). The SUBP requirements detailed in the Minneapolis Code of Ordinances Chapter 423 applies to any professional or technical service contract in excess of
$175,000. SUBP goals are set on contracts based on project scope, subcontracting opportunities and availability of qualified MBEs/WBEs.

There are no specific SUBP goals on this RFP. However, if there are subcontracting opportunities later identified, Consultant shall take action to afford MBEs and WBEs full and fair opportunities to compete on this contract and resulting subcontracts. Consultant shall inform the Contract Manager to obtain authorization to subcontract any work. To locate certified MBEs and WBEs under the Minnesota Uniform Certification Program (MnUCP), please visit http://mnucp.metc.state.mn.us/ or contact contractcompliance@minneapolismn.gov.

9.0 Proposal Submission

A proposer’s response to this RFP must be prepared in accordance with the requirements presented in Section 8, Proposal Format and Requirements. Proposals are due at the time and date specified in Section 12, Schedule and Evaluations of Proposals. Proposals must be emailed, delivered to faxed proposals will not be accepted. It is the proposer’s responsibility to allow sufficient time to ensure that the MPRB receives the proposal by the date and time specified.

Proposals will be accepted up to, and no proposals may be withdrawn after, the deadline for submission.

**Use the worksheets provided in Appendix C, D, E, F and G in your response.**

Proposals and estimates must be submitted with one (1) original emailed copy. Only the original copy of both the proposal and estimate needs to contain an original signature from the proposer’s authorized representative. The copy containing the original signature must be marked “ORIGINAL.”

Any communications and/or inquiries by a proposer during this RFP process must be submitted in writing to the individual and address stated below. See the schedule in Section 12. To the extent the MPRB determines, in its sole discretion, to respond to any communications and/or inquiries, such responses will be made in writing and mailed and/or transmitted by email to all bidders.

**Mail or deliver proposal and estimate to:**

PrintRFP@minneapolisparks.org

Attn: Jennifer Garrison, ITS Project Manager

RFP – Managed Print Services

For questions prior to the Pre-Proposal Meeting, contact Jennifer Garrison, ITS Project Manager.

Email: PrintRFP@minneapolisparks.org (reference “Managed Print Services” in the subject line).

NOTES:

- Upon submission, all proposals become the property of the MPRB, which retains the right to use any concept or idea presented in any proposal submitted, whether or not that proposal is accepted.
The MPRB expressly reserves the right to amend or withdraw this Request for Proposals at any time and to reject any or all proposals.

The MPRB is not bound to accept the lowest cost proposal.

Proposers are held legally responsible for their proposals and proposal budgets. Proposers are not to collude with other proposers and competitors or take any other action that will restrict competition. Evidence of such activity will result in rejection of the proposal.

The MPRB reserves the right to negotiate contract terms contemporaneously and/or subsequently with any number of proposers as the MPRB deems to be in its best interests.

The MPRB reserves the right to request any additional information at any stage of the Request for Proposals process. Compliance shall be at the proposer’s expense.

**10.0 Pre-Proposal Meeting**

A mandatory pre-proposal meeting will be held at via Zoom. See the schedule in Section 12. The purpose of this meeting is to discuss the RFP and its implementation with prospective proposers, and to answer questions concerning the RFP. All questions regarding this RFP should be addressed during the Pre-Proposal Meeting.

Any questions and answers furnished will not be official until verified in writing, and if appropriate an addendum to this RFP will be issued. Answers that change or substantially clarify the RFP will be affirmed in writing. Copies will be provided to all in attendance.

Proposers may not bring more than two persons to the pre-proposal meeting. It is strongly suggested that one of the two persons in attendance be the intended primary contact.

**11.0 Proposal Selection**

The initial screening of proposals will be based upon the proposal’s alignment with all of the elements outlined in this RFP. Proposals will be evaluated using the following point system to decide which proposer(s), if any, will be interviewed:
<table>
<thead>
<tr>
<th>20 Points</th>
<th>Qualifications and Experience with similar projects</th>
<th>Preference given to team experience and individual team member experience. Preference given to experience on projects for public sector and non-profit organizations. Verified by references.</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 Points</td>
<td>Ease of solution use, maintenance and support offering</td>
<td>Preference given to team experience and individual team member experience.</td>
</tr>
<tr>
<td>20 Points</td>
<td>Price</td>
<td></td>
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</tbody>
</table>

The MPRB reserves the right to not consider any proposal that it determines to be unresponsive and deficient in any of the information requested for evaluation. A proposal with all of the requested information does not guarantee the proposer will be a candidate for an interview. The MPRB may contact references to verify material submitted by proposers. The MPRB will determine whether the final scope of the project to be negotiated will be entirely as described in this RFP, a portion of the scope, or a revised scope.

### 11.1 Finalist Interviews and Demonstrations

On reviewing the proposals and identifying one or more finalists, the MPRB may then schedule interviews with the selected proposer(s). Those selected for interviews will be given the opportunity to discuss in more detail their qualifications, experience, and proposed work plan.

The interview will consist of a proposer presentation not to exceed sixty (60) minutes, led by the person who will be the project manager on this Contract, followed by up to thirty (30) minutes of questions and answers. Selected proposer(s) may use audiovisual aids during the presentation. The proposer(s) will be asked to demonstrate key features of their solution based on a list provided in advance of the meeting.

The proposer(s) will be re-evaluated after the interview and demonstration. After evaluation, further negotiation with the selected proposer will be pursued leading to an award of a contract, assuming the MPRB decides to proceed with the project as planned.

MPRB is not responsible for any costs incurred by the proposer to prepare or submit a proposal, participate in proposer interviews or demonstrations, or for any other costs incurred responding to this RFP.
12.0 Schedule and Evaluation of Proposals
Listed below are the anticipated proposal process milestones. If the MPRB determines that it is necessary to change any of these dates and times an Addendum to this RFP will be issued. All listed times are Central Daylight Time (CDT). – Updated 2020-11-30.

<table>
<thead>
<tr>
<th>Proposal Process Milestones</th>
<th>Dates</th>
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<tbody>
<tr>
<td>Request for Proposal Issued</td>
<td>Wednesday, November 18, 2020</td>
</tr>
<tr>
<td>Deadline to notify</td>
<td>Monday, November 23, 2020 11:00 AM CST</td>
</tr>
<tr>
<td><a href="mailto:PrintRFP@minneapolisparks.org">PrintRFP@minneapolisparks.org</a> of attendance at pre-proposal meeting</td>
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<tr>
<td>Pre-Proposal Meeting</td>
<td>Monday, November 23, 2020 3:00 PM CST</td>
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<tr>
<td>Closing Date for Written Questions</td>
<td>Tuesday, November 24, 2020</td>
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<tr>
<td>Responses to questions sent</td>
<td>Monday, November 30, 2020</td>
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<tr>
<td>Closing Date for additional Written Questions</td>
<td>Thursday, December 3, 2020 3:00 PM CST</td>
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<tr>
<td>Responses to additional questions sent</td>
<td>Monday, December 7, 2020</td>
</tr>
<tr>
<td>Proposals Due</td>
<td>Wednesday, December 2, 2020 3:00 PM CST</td>
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<tr>
<td>Updated: Proposals Due</td>
<td>Wednesday, December 9, 2020 3:00PM CST</td>
</tr>
<tr>
<td>Finalists Notified</td>
<td>Friday, December 4, 2020</td>
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<tr>
<td>Finalists Notified</td>
<td>Friday, December 11, 2020</td>
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<tr>
<td>Selected Proposer Demonstrations</td>
<td>Monday, December 3, 2020</td>
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<tr>
<td>Updated: Demonstrations</td>
<td>Monday December 14, 2020</td>
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<tr>
<td>Proposer Selection</td>
<td>Wednesday, December 9, 2020</td>
</tr>
<tr>
<td>Updated Proposer selection/Contract Negotiations.</td>
<td>Wednesday December 16, 2020</td>
</tr>
<tr>
<td>Contract Finalized (Signed)</td>
<td>Monday, December 21, 2020</td>
</tr>
<tr>
<td>Recommendation to the Board</td>
<td>Wednesday, January 6, 2021</td>
</tr>
<tr>
<td>Work Begins</td>
<td>Friday, January 15, 2021</td>
</tr>
</tbody>
</table>

13.0 Board Rights
The MPRB may reject any or all proposals, parts of proposals, accept part or all of proposals, and create a project of lesser or greater scope than described in this Request for Proposal, or the successful proposer’s proposal based on the financial components submitted. The MPRB also reserves the right to cancel the contract without penalty, if circumstances arise which prevent the Board from completing the project. On project completion, the MPRB will own all designs and have rights to reuse all visual design elements, including in print publications and email marketing.

14.0 Proposal Validity Period
Any submitted proposal shall, in its entirety, remain a valid proposal for six (6) months after the proposal submission date.

15.0 Restricted Discussions/Submissions
From the date of issuance of the RFP until the MPRB takes final action, the Proposer must not discuss the proposal or any part thereof with any employee, agent, or representative of the Minneapolis Park and Recreation Board except as expressly requested by ITS Project Manager, Jennifer Garrison, or
Customer Service Director, Annie Olson, in writing and as stipulated in this RFP. Violation of this restriction will result in REJECTION of the Proposer’s proposal.

16.0 Independent Parties
Except as expressly provided otherwise in the contract resulting from this RFP, if any, the MPRB and the selected proposer shall remain independent parties and neither shall be an officer, employee, agent, representative or co-partner of, or a joint venture with, the other.

17.0 Performance Investigations
As part of its evaluation process, the MPRB may make investigations to determine the ability of the proposer to perform under this RFP. The MPRB reserves the right to reject any proposal if the proposer fails to satisfy the Board that it is properly qualified to carry out the obligations under this RFP.

18.0 Severability
If any provision of any contract resulting from this RFP is contrary to, prohibited by, or deemed invalid by applicable laws or regulations of any jurisdiction in which it is sought to be enforced, then said provision shall be deemed inapplicable and omitted and shall not invalidate the remaining provisions of such contract.

19.0 Notices
All notices and other matters pertaining to the contract resulting from this RFP, if any, to a party shall be emailed.

20.0 Interest of Members of the Board
The proposer agrees that no member of the governing body, officer, employee or agent of the Board shall have any interest, financial or otherwise, direct or indirect, in the contract or results of the RFP process.

21.0 Employee Involvement/Covenant Against Contingent Fees
The proposer hereby certifies that, to the best of its knowledge and belief, no individual employed by the proposer or subcontracted by the proposer has an immediate relationship to any employee of the Board who was directly or indirectly involved in any way in the procurement of the contract, if any, resulting from this RFP or goods or services thereunder. Violation of this section by proposer shall be grounds for cancellation of such contract.

The proposer also warrants that no person or selling agency has been employed, engaged or retained to solicit or secure any contract resulting from this RFP or any advantage hereunder upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, or in exchange for any substantial consideration bargained for, excepting that which is provided to the proposer’s bona fide employees or to bona fide professional commercial or selling agencies or in the exercise of reasonable diligence should have been known by the Board to be maintained by the proposer for the purpose of securing business for proposer. In the event of the proposer’s breach or violation of this warranty, the Board shall, subject to proposer’s rights, have the right, at its option, to annul any contract resulting
from this RFP without liability, to deduct from the charges otherwise payable by the Board under such contract the full amount of such commission, percentage, brokerage, or contingent fee, and to pursue any other remedy available to the Board under such contract, at law or in equity.

22.0 Hold Harmless
The proposer agrees to defend, indemnify and hold harmless the MPRB, its officers and employees, from any liabilities, claims, damages, costs, judgments, and expenses, including attorney’s fees, resulting directly or indirectly from an act of omission of the proposer, its employees, agents or employees of subcontractors, in the performance of any contract resulting from this RFP by reason of the failure of the proposer to fully perform, in any respect, all of its obligations under this contract.

The Board agrees to defend and hold harmless insofar as the law allows the proposer, its officers and employees, from any liabilities, claims, damages, costs, judgments, and expenses, including attorney’s fees, resulting directly or indirectly from an act or omission of the Board or its employees in the performance of any contract resulting from this RFP or by reason of the failure of the Board to fully perform its obligations under this contract.

23.0 Data Practices
The proposer agrees to comply with the Minnesota Government Data Practices Act and all other applicable state and federal laws relating to data privacy or confidentiality. The proposer shall immediately report to the contract monitor any requests from third parties for information relating to this agreement. The MPRB agrees to promptly respond to inquiries from the proposer concerning data requests. The proposer agrees to hold the MPRB, its officers, department heads, and employees harmless from any claims resulting from the proposer's unlawful disclosure or use of data protected under state and federal laws.

24.0 Entire Agreement
The proposer’s written submission in response to this RFP shall be considered the proposer’s formal offer. The content of the RFP, the proposer’s submission in response to the RFP and the resulting contract, if any, shall be the entire agreement between the successful proposer and the Board. It is understood and agreed that nothing herein or in the resulting contract is intended or should be construed as in any way creating or establishing the relationship of co-partners between the parties hereto, or in any manner whatsoever. The Partner, if any, is, and shall remain, an independent proposer operating in accord with the terms and conditions of the rights granted as a result of this RFP.