

**AREA AGENCY ON AGING
FOR NORTH FLORIDA, INC.
d/b/a
ADVANTAGE AGING SOLUTIONS**

AGING AND DISABILITY RESOURCE CENTER

Invitation to Bid (ITB)

For

Roofing Contract

January 5, 2024

INVITATION TO BID
ROOFING CONTRACT

Tallahassee – Florida



INTRODUCTION

Qualified firms are invited to submit bids to Area Agency on Aging for North Florida, Inc. (AAANF) for roof replacement services set forth herein, such construction to be in accordance with all bidding requirements and applicable specifications. AAANF's objective in issuing this Invitation to Bid (ITB) is to obtain competitive bids from which it will select one Contractor to provide roofing construction in accordance with contract requirements and applicable laws.

PROJECT OBJECTIVE

The objective and goal for this project is to replace the roof and any other aspects that are required along with this task.

PROJECT SCOPE AND SPECIFICATIONS

1. Remove all shingles, underlayment, modified bitumen roofing, gutters on upper roof only, eave drip, flashings and plumbing boots.
2. Haul off and discard shingles in an approved landfill.
3. Inspect the entire roof deck for damage. Include 10 sheets of ½" cdx plywood with the bids and a per sheet price for additional sheets.
4. Re-nail roof decking to code.
5. Install 2 layers of synthetic underlayment according to code.
6. Install 12" wide sheet of ice and water shield, around the perimeter of lower roof eave.
7. Install an 18" piece of ice and water shield around the edge of the upper roof wall, installed over the last row of shingles and under the new metal flashing.
8. Install 24-gauge metal flashing, color matched to shingles, around the perimeter of upper roof wall. This flashing should extend approx. 12" over the last row of shingles. This will be exposed to catch the water, dripping from the upper roof.
9. Install ice and water shield around all roof top protrusions.
10. Install a 3-ply modified bitumen roof system on upper roof, according to manufacturer's installation instructions and all local building codes. provide a 15-year manufacturer's warranty. Install pourable sealant around the electrical supply conduits.
11. Install architectural shingles according to manufacturer's installation instructions and all local building codes provide a manufacturer's 40-year material warranty with 20-year workmanship warranty.
12. Replace all plumbing boots, eave drip, flashings and gooseneck vents.
13. Install matching shingles on upper roof wall.
14. Reuse the fan and attic vent.
15. Complete clean-up of construction site.
16. Provide completion certificate from the governing building code. Price additional items – plywood above 10 sheets, repair of one truss top chord and repair of one truss web that are broken.

SELECTION TIMELINE, CRITERIA AND EVALUATION

The ITB shall be released and considered on the following schedule:

ITB Issued by the Agency	January 5, 2024 5:00PM EST	Electronically Posted: www.advantageaging.org
Inspection Availability	January 8, 2024 8:00AM EST until February 5, 2024 4:00PM EST Monday – Friday only	2414 Mahan Drive, Tallahassee, FL 32308
Bidder ITB Questions	Accepted January 8, 2024 to February 5, 2024 at 5:00PM EST	kristenc@aanf.org or Area Agency on Aging for North Florida, Inc., Attn: Kristen Cloud 2414 Mahan Drive Tallahassee, Florida 32308
Answers to Submitted Questions	February 7, 2024 at 5:00 PM EST	Electronically Posted: www.advantageaging.org
Bids Due to the Agency	One Original and Two Copies received no later than February 26, 2024 3:00PM EST	Area Agency on Aging for North Florida, Inc., Attn: Kristen Cloud 2414 Mahan Drive Tallahassee, Florida 32308
Bids Opened at Public Meeting	February 26, 2024 3:01PM EST in Person	In Person: 2414 Mahan Drive, Tallahassee, Florida 32308
Public Meeting to Open Review Committee Evaluator’s Scores	March 22, 2024 4:30PM EST In Person	In Person: 2414 Mahan Drive, Tallahassee, Florida 32308
Board of Directors Meeting: Bid Review Committee Recommendations	March 28, 2024 10:30AM EST	Area Agency on Aging for North Florida, Inc. 2414 Mahan Drive Tallahassee, Florida 32308
Anticipated Posting of Notice of Intent to Award	March 29, 2024 12:00PM EST	Electronically Posted: www.advantageaging.org
Notice of Intent to Protest Due (72 Hours after Notice of Intent to Award is Posted)	April 3, 2024 12:00PM EST	Area Agency on Aging for North Florida, Inc., Attn: Kristen Cloud 2414 Mahan Drive Tallahassee, Florida 32308
Deadline to File Written Appeals	April 15, 2024 5:00PM EST	Area Agency on Aging for North Florida, Inc., Attn: Kristen Cloud 2414 Mahan Drive Tallahassee, Florida 32308
Appeals Resolved	Estimated no later than April 24, 2024 5:00PM EST dependent on any receipt of appeals.	N/A
Contract Finalization with Awarded Bidder	Pending appeals resolution (if applicable) estimated to be May 3, 2024 12:00PM EST	N/A
AAS Desired Roof Project Start Date	No later than May 20, 2024 5:00PM EST	N/A

Inspection Availability

Interested bidders are invited to come to AAANF to inspect the current roof as is from January 8, 2024 until February 5, 2024. The office is open from 8:00AM to 4:00PM EST Monday through Friday only.

PROJECT MANAGER CONTACT INFORMATION

Name: Kristen Cloud

Bidder Questions and AAANF Responses

Interested bidders are welcome to send any questions they may have about the ITB from January 8, 2024 until February 5, 2024 at 5:00PM EST. Questions may be emailed to either kristenc@aaanf.org or mailed to Area Agency on Aging for North Florida, Inc., 2414 Mahan Drive, Tallahassee, Florida 32308, Attn: Kristen Cloud. Responses to questions will be posted on the AAANF website, www.advanteaging.org, on February 7, 2024 at 5:00PM EST.

SUBMISSION DEADLINE AND BID REQUIREMENTS

The date and time for receipt of Bids is no later than:

February 26, 2024 at 3:00PM EST

Inquires. All inquiries concerning this ITB, or a pre-bid onsite review of the project should be directed to:

Kristen Cloud at 850-488-0055 or kristenc@AAANF.org

No changes, modifications, or additions to the bids submitted will be accepted after the submission deadline. However, AAANF may seek clarifications from bidders.

Bids not received at either the specified place or by the specified date and time by AAANF's clock, or both, will be rejected and returned unopened to the bidder.

Number of Copies Required and Submission Procedure

Bidders are required to submit one (1) hardcopy of their bid that includes an original signature signed in blue ink of an official of the potential provider agency authorized to bind the provider to the agency's bid, and two (2) additional hard copies of their bid. The original hardcopy of the bid and two (2) additional copies of the bid must be submitted **in a sealed envelope or container**, which must be clearly marked on the outside to read:

Bid for Roof Replacement
Submitted by: *(name of bidder)*

The original bid must contain, where required, the signature (in blue ink) of an agency official authorized to do so on behalf of the bidder. If there are any discrepancies between the copies, the original copy is the controlling bid and any discrepancy found in a hard copy or electronic copy (if a thumb drive is attached along with the original and copies) will be disregarded.

Bids may be forwarded through certified mailed (return receipt requested), or hand delivered to:

Area Agency on Aging for North Florida, Inc., **Attn: Kristen Cloud, 2414 Mahan Drive, Tallahassee, Florida 32308 on or before 3:00PM EST, on February 26, 2024.**

After this time, no further bids may be submitted under this solicitation process.

Bids will be date and time stamped immediately upon receipt. Bids will be opened at a public meeting which will be in person at 2414 Mahan Drive, Tallahassee, Florida 32308. AAANF staff will open the first bid at exactly **3:01PM EST, on February 26, 2024.**

BIDDING REQUIREMENTS

BID SELECTION CRITERIA

Only those bids received by the stated deadline will be considered. All bids, submitted by the deadline, will be reviewed upon information provided in the submitted bid. Furthermore, the following must be met:

1. Bids received by the stipulated deadline must be in the correct format including all requested information.
2. Bidder must sufficiently allege the performance effectiveness of their bid's solution.
3. Bidder must provide proof of satisfactory performance history and alleged ability to timely deliver services.
4. Bidder must sufficiently provide proof of qualified personnel having the knowledge and skills required to effectively and efficiently execute services.

AAANF reserves the right to cancel, suspend, and/or discontinue any bid at any time, without obligation or notice to the proposing bidder.

BID SUBMISSION FORMAT

The following is a list of information that the Bidder should include in their bid submission:

1. Bidder's Name(s)
2. Bidder's Address
3. Bidder's Contact Information (and preferred method of communication)
4. Date Bidder's Company was Formed.
5. Bidders must have at least 4 years of roofing experience.
6. Organizational chart or list of key personnel that would provide services to Advantage Aging Solutions or list of key personnel.

7. Bidder's Federal Employee Identification Number (FEIN), copy of **W-9** (see blank copy in **Appendix II**)
8. Evidence of legal authority to conduct business in Florida (e.g., business license number).
9. Provide copy of roofing contracting license that is up to date with the Department of Business and Professional Regulation (DBPR). Provide details of licenses and bonds (if any) for any services that the bidder/contractor may plan on providing for this project.
10. Proof of up-to-date General liability and workers compensation insurance.
11. **ITB Award Terms and Conditions Affidavit:** A signed statement indicating the bidder's acceptance of all terms and conditions. This Affidavit form is included as **Appendix I** of the ITB.
12. **References:** All bidders must include at least two (2) references (in **Appendix II**), for which the references are for similar clients (services of similar nature, size, and scope to this ITB). Bidders will provide information in this section that will clearly outline why their experience and qualifications separate them from other bidders. Contact information is required for each reference given. By submitting a bid, Bidder agrees that AAANF may contact all submitted references to obtain all information regarding Bidder's performance.
13. State whether the Bidder or its parent company (if any) has ever filed for bankruptcy or any form of reorganization under the bankruptcy code.
14. State whether the Bidder or its parent company (if any) has ever received any sanctions or is currently under investigation by any regulatory or governmental body.
15. Summary of timeline and work to be completed.
16. List all equipment or services required for this project and the number of each.
17. Detailed estimated cost for each piece of equipment or service.
18. List any equipment or services required of a subcontractor, along with a brief explanation.
19. List any accommodation, services, or space required from Advantage Aging Solutions, along with a brief explanation.
20. Summary and explanation of any other contributing expenses to the total cost.
21. A detailed list of all expected costs or expenses related to the project and summary of the total cost of the bid.
22. Bidders must meet requirements of bid requests.
23. Provide the completed Bid Scoring Checklist which is provided in **Appendix III**.

Trade Secrets and Other Confidential Information

- The Bidder shall clearly identify all portions of their proposal that they consider to be trade secrets. Such identification shall be made in a conspicuous manner, clearly delineating the trade secret material and providing a brief explanation as to why such material qualifies as a trade secret. AAANF assumes no liability for disclosure or use of unmarked material containing trade secrets or other confidential material and may use or disclose the data for any purpose and may consider that the bid was not submitted in confidence.
- The AAANF is not obligated to agree with a bidder's claim of trade secret for marked materials and, by submitting a bid, the bidder agrees to be responsible for defending its claim that each portion marked as trade secret is exempt from disclosure. Failure to timely defend its claim that each identified trade secret information will constitute a waiver of such claim. Each bidder agrees that it shall protect, defend, and indemnify, including attorney fees and costs, including any appellate costs and attorney fees, the AAANF, its officers, employees, agents, and legal counsel

from all claims and litigation arising from or relating to bidder's claim that the marked portions of its bid are confidential, proprietary, trade secret.

Safety Standards

- Unless otherwise specified in the bid, all manufactured items and fabricated assemblies shall comply with applicable requirements and standards of the Occupational Safety and Health Act.

Errors and Omissions

- Bidders are expected to examine the specifications, delivery schedules, bid prices, and all instructions pertaining to supplies and services. Failure to do so will be at the bidder's risk.

Costs of Preparation of Bid

- All expenses involved in the preparation and submission of bids in connection with this solicitation process shall be borne by the bidder(s). The AAANF assumes no liability for any cost incurred by the bidder in responding to this ITB nor for any other pre-contract costs.

Permits

- Project will require permitting at the expense of the approved contractor. Contractor shall be responsible for obtaining all necessary local development permits for construction of the roof replacement.

Warranty

- Include full warranty terms on materials and labor provided.

Payment

- Payment for all services will be rendered upon completion of services. AAANF does not pay federal excise and state sales taxes. AAANF's tax exemption number is 85-8012528825-4.

Hold Harmless

- The Contractor shall hold harmless the AAANF and its respective officers, agents, employees from any claim or demand including the cost of legal defense.

Contract Terms and Conditions

All bidders are instructed to read this document carefully to determine their agency's ability to meet the requirements of this ITB. Bids must include a signed and dated Contract Terms and Conditions Affidavit (**Appendix I**) that certifies each bidder's intention of abiding by all terms, conditions, and deadlines of the contract.

Bidder Evaluation and Scoring Sheet

All bids will be considered using a bid evaluation and scoring sheet which will be based on whether all items were received on the checklist that was provided within the ITB.

Award and Notice of Contract Award

The AAANF expects to award a contract to the bidder who conforms to all of the material terms and conditions of this ITB and has the lowest price. AAANF reserves the right to waive any minor irregularity in any bid. AAANF reserves the right to reject any one or all bids, or any part of any bid, to re-advertise this ITB; to postpone or cancel the solicitation process; to waive any informality in any bid, and to award the contract in the best interest of AAANF. AAANF, likewise, reserves the right to reject the bid of any proposer who has previously failed to perform properly or to complete on time, contracts of similar nature, or who is not able to perform the contract.

Written notice of the contract award will be sent by certified mail, return receipt requested, to all bidders who responded in writing to the Notice of Intent to Submit a Bid and any other interested persons or groups who have requested information concerning the Invitation to Bid in writing. AAANF intends to issue a notice of contract award on February 23, 2024 at 12:00PM EST.

Bid Dispute and Appeal Hearing Procedure

Written protest of the AAANF's Intent to Award Contract must be addressed to:

Lisa Bretz
Area Agency on Aging for North Florida, Inc.
2414 Mahan Drive
Tallahassee, FL 32308

Please see **Appendix IV** for Service Provider/Bid Dispute Appeals Procedures.

Bid Scoring Checklist

The bid scoring checklist is provided in **Appendix III**. Please complete the checklist and supply as All bids will be considered using a bid evaluation and scoring sheet which will be based on whether all items were received on the checklist that was provided within the ITB.

END OF DOCUMENT

APPENDIX I

ITB Award Terms and Conditions Affidavit

Intention to Bid (ITB) Award Terms and Conditions Affidavit

In the event _____,
(Name of Agency)

should be awarded a contract for the provision of services based on this ITB for Roof Replacement,

(Name of Agency)

agrees to abide by the terms and conditions of the ITB contracts and its respective attachments.

Signature of Authorized Representative

Date

APPENDIX II

W-9

References

Request for Taxpayer Identification Number and Certification

**Give Form to the
 requester. Do not
 send to the IRS.**

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
	<input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate	Exempt payee code (if any) _____
	<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.	Exemption from FATCA reporting code (if any) _____
	<input type="checkbox"/> Other (see instructions) ▶ _____	<i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
6 City, state, and ZIP code		
7 List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 2%; border: none;">-</td> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 2%; border: none;">-</td> <td style="width: 46%; border: 1px solid black; height: 20px;"></td> </tr> </table>		-		-	
	-		-		
or					
Employer identification number					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 2%; border: none;">-</td> <td style="width: 73%; border: 1px solid black; height: 20px;"></td> </tr> </table>		-			
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Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or “doing business as” (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity’s name as shown on the entity’s tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a “disregarded entity.” See Regulations section 301.7701-2(c)(2)(iii). Enter the owner’s name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner’s name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity’s name on line 2, “Business name/disregarded entity name.” If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys’ fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.

You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.

You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions.

You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

*Note: The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

REFERENCES

All bidders must include at least one (1) but no more than three (3) references, for which the references are for similar clients (services of similar nature, size, and scope to this ITB). Bidders will provide information in this section that will clearly outline why their experience and qualifications separate them from other respondents. Contact information is required for each reference given. By submitting a bid, Bidder agrees that Advantage Aging Solutions may contact all submitted references to obtain all information regarding Bidder's performance.

REGARDING PROPOSER / BIDDER: _____

Name:	Name:
Contact:	Contact:
Address:	Address:
Telephone:	Telephone:
Email:	Email:
Name:	Name:
Contact:	Contact:
Address:	Address:
Telephone:	Telephone:
Email:	Email:

APPENDIX III

Bid Scoring Checklist

**Area Agency on Aging for North Florida, Inc.
Roofing Contract ITB
Bid Scoring Checklist**

✓	Item #	ORGANIZATIONAL CAPABILITY ITEM	COMMENTS
	1	Bidder's Information	
		Bidder submitted copies of its organizational chart and all job descriptions. Bidder has been in roofing for over 4 years.	
	2	Legal Authority	
		Bidder submitted copy of Federal Employee Identification Number (FEIN), copy of W-9 and evidence of legal authority to conduct business in Florida (business license number).	
	3	Licensure	
		Bidder submitted a copy of their roofing contracting license that is up-to-date with the Department of Professional Regulation (DBPR) as well as any licenses and bonds for proposed services that they will be providing for the project. Bidder provided up-to-date General liability and workers compensation insurance for their company.	
	4	ITB Award Terms and Conditions Affidavit	
		Bidder included signed statement entitled "ITB Award Terms and Conditions Affidavit."	
	5	References	
		Bidder included references sheet completed with one but no more than three references of similar clientele and clearly outlined why their experience and qualifications separated them from other respondents. Contact information was given for each reference.	
	6	Legalities	
		Bidder stated whether their company had ever filed bankruptcy or reorganization under bankruptcy code. Bidder stated whether their company has ever received sanctions or is currently under investigation by any regulatory or governmental body.	
	7	Summary	
		Bidder listed a timeline and the work to be completed. Bidder listed all equipment or services required and the number of each. Bidder listed the estimated cost for each piece of equipment or service.	
	8	Subcontractor	
		Bidder listed any equipment or services that are required for this project of a subcontractor, along with an explanation.	
	9	Accommodations	
		Bidder listed accommodations, services, or space that was required.	
	10	Costs and Expenses	
		Bidder gave a detailed list of all expected costs or expenses related to the bid as well as a summary and explanation of other contributing expenses and summary of the total cost of the bid.	
	11	Bid Scoring Checklist	
		Bidder completed and provided the Bid Scoring Checklist that was provided to them.	

APPENDIX IV

Service Provider/Bid Dispute Appeals Procedures

**AREA AGENCY ON AGING FOR NORTH
FLORIDA, INC. AGING AND DISABILITY
RESOURCE CENTER**

**SERVICE PROVIDER/BID DISPUTE APPEALS
PROCEDURES**

The Area Agency on Aging for North Florida, Inc. ("AAANF") is the responsible authority on the settlement and satisfaction of all contractual and administrative issues, including both mid- contract enforcement sanctions and issues arising from contract awards entered into and in support of any Request for Proposal ("RFP") or Invitation to Bid ("ITB") let by the AAANF.

This policy sets for the process to contest or appeal a decision of the AAANF in matters related to either mid-contract enforcement and issues that arise in the process of competitive solicitation contract award.

I. BID DISPUTE AND APPEAL HEARING PROCEDURES

This Appeal Hearing is created pursuant to procurement policies of the AAANF. The Appeal Hearing offers the Appellant an opportunity to present its formal objections in a quasi-judicial setting to an impartial decision-maker appointed by AAANF. The Appeal Hearing format provides a formal forum through which both Appellant(s) and AAANF are afforded the opportunity to introduce specific evidence in the form of exhibits and to present officially recorded testimony relevant to the competitive solicitation.

In the event of a request for an Appeal Hearing, the following procedure will be employed:

1. Appointment of an Appeals Committee

The President of the Board of Directors of AAANF shall call for an independent Appeals Committee to hear RFP/ITB appeals. The Committee shall be comprised of 3-5 members. No members shall have served on the Review or Selection Committee related to the decision/award being protested. The Board President shall designate one member of the Appeals Committee as Presiding Officer. The decision of this Committee is final and binding.

2. Right to Protest

Any entity who is adversely affected by the AAANF's decision or intended decision to make award under a competitive solicitation shall file with the agency a notice of protest in writing within 72 hours after the posting of the notice of decision or intended decision.

- In the event of litigation, venue will be Leon County, Florida.

- If any designated protest timeline should fall on a Saturday, Sunday, or holiday, the date of the designated timeline shall be the next business day.

3. Burden of Proof/Standard of Proof

The Protester carries the burden of proof of establishing that the AAANF's proposed action is contrary to the solicitations specifications. The standard of proof shall be whether the intended action was clearly erroneous, contrary to competition, arbitrary, or capricious.

4. Filing the Protest

- a. Any person or entity affected adversely by an AAANF decision or intended decision or intended decision concerning a notice of contract or actual contract award must:
 - i. Advise the contact person listed in the RFP/ITB in writing, by the date and time specified in the RFP/ITB after the posting of the intended or actual contract award.
 - ii. The written intent to file a protest must be accompanied by a bond in the form of a cashier's check or money order made payable to AAANF in the amount of \$5,000 or 1% of the Appellant's proposed contract value, whichever is less.
 - iii. The AAANF must immediately file the Notice of Intent to Protest in the same manner as the Notice of Intent to Award was noticed.
 - iv. Appellant must present a formal written protest to the AAANF Contact Person designated in the RFP/ITB, within 10 calendar days after the date the notice of protest is filed, unless the 10th day falls on a weekend or state holiday, in which case the deadline shall be the next business day.
- b. Failure to file a notice of protest or file a formal written protest shall constitute a waiver of proceedings.

5. Content of the Formal Written Protest

The formal written protest must be printed, typewritten or otherwise duplicated in a legible form. The content of the formal written protest must contain:

- a. The name and address of the AAANF contact person listed in the RFP/ITB.
- b. The name and address of the duly authorized person of the entity filing the pro- test.

- c. An explanation of how the protesting entity's substantial interests have been affected by the notice of intent or actual contract award.
 - d. A statement of all issues of disputed material fact. If there are none, the protest must so indicate.
 - e. A concise statement of facts alleged as well as the rules and statutes which entitle the entity filing the protest to relief.
 - f. The demand for relief to which the entity deems themselves entitled.
 - g. Affirmation that the Protester or authorized representative will be available at the time and place designated in the RFP/ITB for appeals to be heard.
 - h. Any other relevant, helpful information.
6. Procedures for Protest
- a. Upon receipt of a timely filed written protest, as prescribed above, the formal execution of the contract shall be halted until the resolution of the protest.
 - b. The AAANF will post the notice of the protest in the same manner as it posted the notice of the intended award.
 - c. If any substantially affected party decides to participate in the protest proceedings, that party must give notice within 3 business days of the posting of the initial Notice of Intent to Protest. Failure to provide such notice will bar the affected party from participation in the appeal process and waive any claim against the results of the appeal process, including settlement.
 - d. The AAANF will select an impartial decisionmaker, from the AAANF impartial decisionmaker registry, to serve as a hearing officer to preside over the protest.
 - a. If the Protester objects to the selection of the impartial decisionmaker, they must raise the objection in writing within 48 hours, excluding weekends and state holidays, or the objection is deemed waived. Upon receipt of a timely objection, the AAANF will randomly select another impartial decisionmaker from its registry.

- e. The AAANF Board of Directors may, if it is deemed necessary, set forth in writing the continuance of client services on an emergency basis without interruption. The purpose of the continuance would be the avoidance of immediate and serious danger to health, safety and welfare of functionally impaired elderly persons served by a firm or agency receiving funding from AAANF. This written determination will specifically detail underlying facts determining the Board's decision and will constitute the final Board action.

7. Resolution of the Protest

Upon receipt of the Formal Written Protest, the RFP/ITB AAANF Contact Person must attempt to resolve the protest in an informal manner through mutual agreement within 7 days, excluding weekends and state holidays. If the protest is not resolved in an informal manner through mutual agreement, the following procedures will take place:

- a. The impartial decisionmaker will commence a hearing within 30 calendar days after the filing of the formal protest.
- b. A notice indicating the date, time, and location of the hearing will be issued to the parties by the impartial decisionmaker.
- c. The service of discovery may begin immediately upon filing the formal protest. All responses to discovery are due 5 days from the receipt of the request. All discovery must be completed at least 48 hours prior to the formal hearing. The impartial decisionmaker shall have the authority to issue subpoenas. All depositions must have at least 3 days' notice. If any party fails to comply with the discovery rules provided herein, the decisionmaker must exclude the evidence from hearing, unless just cause is shown. Should any party be prejudiced by another party's failure to provide discovery, the decisionmaker may continue the hearing for a period not to exceed 5 business days. Upon consideration by the decisionmaker, if it is determined that the non-complying party must comply with the requested discovery, it must be done within 48 hours after the decision to continue hearing.
- d. All parties may represent themselves or be represented by an attorney or designated alternate at the hearing.
- e. All parties will be provided the opportunity to present witnesses, evidence, and argument.

- f. The AAANF will preserve an official and complete record of the proceedings from a tape recording. If a party desires a court reporter to transcribe the proceedings, they may do so at their own expense.
- g. The decisionmaker must render a written recommendation decision within 30 calendar days after the hearing. If the 30th day falls on a weekend or state holiday, the deadline shall be the next business day. The provisions of this paragraph may be waived only upon stipulation by all parties. The written decision must include findings of fact and conclusions of law. Based on these findings and conclusions, the decisionmaker may recommend affirming or rejecting the AAANF's intended award.
- h. The recommendation by the impartial decisionmaker will be presented to the Appeals Committee for its review. The Appeals Committee may elect to accept the recommendation, amend the recommendation, or reject the recommendation. The decision of the Appeals Committee is final and binding.
- i. Notice of Award will be finalized and re-posted following the posting of the decision of the Appeals Committee.
- J. If, after completion of the administrative hearing process the AAANF prevails, the AAANF shall recover all costs and charges relative to the bonded protest, including any attorney's fees, which will be incorporated in the final order or judgment. Upon payment of such costs and charges by the bonded protester, any balance of the bond shall be returned to the protester.