

### 3.0 FORM C: EXCEPTIONS TO PROPOSAL, TERMS, CONDITIONS AND SOLUTIONS REQUEST

Form C



#### EXCEPTIONS TO PROPOSAL, TERMS, CONDITIONS, AND SOLUTIONS REQUEST

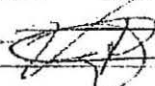
Company Name: Convergent Technologies LLC

Any exceptions to the terms, conditions, specifications, or proposal forms contained in this RFP must be noted in writing and included with the Proposer's response. The Proposer acknowledges that the exceptions listed may or may not be accepted by NJPA or included in the final contract. NJPA will make reasonable efforts to accommodate the listed exceptions and may clarify the exceptions in the appropriate section below.

Section/Page	Term, Condition, or Specification	Exception	NJPA ACCEPTS
8.7 (New Added)	Mutual consequential damages waiver	NOTWITHSTANDING ANYTHING IN THE AGREEMENT TO THE CONTRARY, IN NO EVENT SHALL EITHER VENDOR, NJPA, OR NJPA MEMBERS BE LIABLE TO ANY OTHER PARTIES, FOR SPECIAL, INDIRECT, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, INCLUDING COMMERCIAL LOSS, LOSS OF USE, OR LOST PROFITS, EVEN IF EITHER PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.	Clarification
8.1	Patent Indemnity clarification	This indemnification shall not apply to the extent the infringement is due to any special designs provided by the NJPA or any NJPA Members, or changes, modifications or unique uses by the NJPA or any NJPA Members. The NJPA or any NJPA Members agree upon receiving a request from Vendor after being put on notice of such claims, to allow Vendor to defend or settle any suit or controversy, and Vendor agrees to satisfy any judgment or settlement of such claims. If a court prohibits future use of any products or services because of an infringement, then Vendor shall have the option to procure the rights to use said products or services for the NJPA or any NJPA Members from the complaining party, or replace said products or services with non-	Accepted

		<p>Infringing goods, or to refund the purchase price of said products or services to the NJPA or any NJPA Members. The foregoing expresses Vendor's entire and exclusive warranty and liability and the NJPA or any NJPA Members' exclusive remedy as to infringement, and Vendor will not be liable for any damages whatsoever suffered by reason of any infringement claimed, except as provided herein.</p>	
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Proposer's Signature:



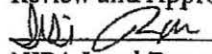
Date: 3-09-2017

NJPA's clarification on exceptions listed above:

8.7 (New Added) - Can be negotiated in the individual contract with members.

✓ 7/19/17

Review and Approved:

 6/27/17  
NJPA Legal Department

#### 4.0 FORM D: FORMAL OFFERING OF PROPOSAL

Form D


Contract Award  
RFP #031517



**Formal Offering of Proposal**  
(To be completed only by the Proposer)

**FACILITY SECURITY EQUIPMENT, SYSTEMS, AND SERVICES WITH RELATED EQUIPMENT AND SUPPLIES**

In compliance with the Request for Proposal (RFP) for FACILITY SECURITY EQUIPMENT, SYSTEMS, AND SERVICES WITH RELATED EQUIPMENT AND SUPPLIES, the undersigned warrants that the Proposer has examined this RFP and, being familiar with all of the instructions, terms and conditions, general and technical specifications, sales and service expectations, and any special terms, agrees to furnish the defined products and related services in full compliance with all terms and conditions of this RFP, any applicable amendments of this RFP, and all Proposer's response documentation. The Proposer further understands that it accepts the full responsibility as the sole source of solutions proposed in this RFP response and that the Proposer accepts responsibility for any subcontractors used to fulfill this proposal.

Company Name: Convergent Technologies		Date: 3/09/2017	
Company Address: 4395 Nicole Drive			
City: Lanham		State: MD	Zip: 20706
Contact Person: Vincent Piau		Title: General Manager	
Authorized Signature: 		Printed Name: Vincent Piau	

**FORM E**  
**CONTRACT ACCEPTANCE AND AWARD**



(Top portion of this form will be completed by NJPA if the vendor is awarded a contract. The vendor should complete the vendor authorized signatures as part of the RFP response.)

NJPA Contract #: 031517-CTL

Proposer's full legal name: Convergent Technologies LLC

**Based on NJPA's evaluation of your proposal, you have been awarded a contract. As an awarded vendor, you agree to provide the products and services contained in your proposal and to meet all of the terms and conditions set forth in this RFP, in any amendments to this RFP, and in any exceptions that are accepted by NJPA.**

The effective date of the Contract will be June 30, 2017 and will expire on June 30, 2021 (no later than the later of four years from the expiration date of the currently awarded contract or four years from the date that the NJPA Chief Procurement Officer awards the Contract). This Contract may be extended for a fifth year at NJPA's discretion.

**NJPA Authorized Signatures:**

  
\_\_\_\_\_  
NJPA DIRECTOR OF COOPERATIVE CONTRACTS  
AND PROCUREMENT/CPO SIGNATURE

Jeremy Schwartz  
(NAME PRINTED OR TYPED)

  
\_\_\_\_\_  
NJPA EXECUTIVE DIRECTOR/CEO SIGNATURE

Chad Coquette  
(NAME PRINTED OR TYPED)

Awarded on June 29, 2017

NJPA Contract # 031517-CTL

**Vendor Authorized Signatures:**

The Vendor hereby accepts this Contract award, including all accepted exceptions and amendments.

**Vendor Name** Convergent Technologies LLC

**Authorized Signatory's Title** General Manager

  
\_\_\_\_\_  
VENDOR AUTHORIZED SIGNATURE

Vincent Piau  
(NAME PRINTED OR TYPED)

Executed on 19th July, 2017

NJPA Contract # 031517-CTL



## 5.0 FORM F: PROPOSER ASSURANCE OF COMPLIANCE

Form F

### PROPOSER ASSURANCE OF COMPLIANCE



Proposal Affidavit Signature Page

#### PROPOSER'S AFFIDAVIT

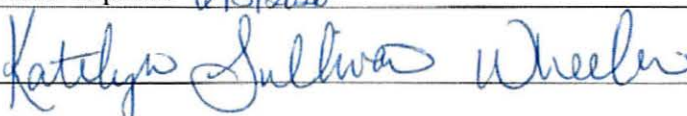
The undersigned, authorized representative of the entity submitting the foregoing proposal (the "Proposer"), swears that the following statements are true to the best of his or her knowledge.

1. The Proposer is submitting its proposal under its true and correct name, the Proposer has been properly originated and legally exists in good standing in its state of residence, the Proposer possesses, or will possess before delivering any products and related services, all applicable licenses necessary for such delivery to NJPA members agencies. The undersigned affirms that he or she is authorized to act on behalf of, and to legally bind the Proposer to the terms in this Contract.
  2. The Proposer, or any person representing the Proposer, has not directly or indirectly entered into any agreement or arrangement with any other vendor or supplier, any official or employee of NJPA, or any person, firm, or corporation under contract with NJPA, in an effort to influence the pricing, terms, or conditions relating to this RFP in any way that adversely affects the free and open competition for a Contract award under this RFP.
  3. The Proposer has examined and understands the terms, conditions, scope, contract opportunity, specifications request, and other documents in this solicitation and affirms that any and all exceptions have been noted in writing and have been included with the Proposer's RFP response.
  4. The Proposer will, if awarded a Contract, provide to NJPA Members the /products and services in accordance with the terms, conditions, and scope of this RFP, with the Proposer-offered specifications, and with the other documents in this solicitation.
  5. The Proposer agrees to deliver products and services through valid contracts, purchase orders, or means that are acceptable to NJPA Members. Unless otherwise agreed to, the Proposer must provide only new and first-quality products and related services to NJPA Members under an awarded Contract.
  6. The Proposer will comply with all applicable provisions of federal, state, and local laws, regulations, rules, and orders.
  7. The Proposer understands that NJPA will reject RFP proposals that are marked "confidential" (or "nonpublic," etc.), either substantially or in their entirety. Under Minnesota Statute §13.591, Subd. 4, all proposals are considered nonpublic data until the evaluation is complete and a Contract is awarded. At that point, proposals generally become public data. Minnesota Statute §13.37 permits only certain narrowly defined data to be considered a "trade secret," and thus nonpublic data under Minnesota's Data Practices Act.
  8. The Proposer understands that it is the Proposer's duty to protect information that it considers nonpublic, and it agrees to defend and indemnify NJPA for reasonable measures that NJPA takes to uphold such a data designation.
- [The rest of this page has been left intentionally blank. Signature page below]**

By signing below, Proposer is acknowledging that he or she has read, understands, and agrees to comply with the terms and conditions specified above.

Company Name: <u>Convergint Technologies</u>
Address: <u>4395 Nicole Drive</u>
City/State/Zip: <u>Lanham, MD 20706</u>
Telephone Number: <u>301-459-8730</u>
E-mail Address: <u>Vincent.Piau@convergint.com</u>
Authorized Signature: 
Authorized Name (printed): <u>Vincent Piau</u>
Title: <u>General Manager</u>
Date: <u>3/9/2017</u>

### Notarized

Subscribed and sworn to before me this <u>9</u> day of <u>March</u> , 2017
Notary Public in and for the County of <u>Anne Arundel</u> State of <u>Maryland</u>
My commission expires: <u>6/3/2020</u>
Signature: 





## 6.0 FORM P: PROPOSER QUESTIONNAIRE

### Form P



### PROPOSER QUESTIONNAIRE Payment Terms, Warranty, Products and Services, Pricing and Delivery, and Industry-Specific Questions

Proposer Name: Convergent Technologies LLC
Questionnaire Completed by: Rachel Wyatt - Swanson

#### Payment Terms and Financing Options

1) What are your payment terms (e.g., net 10, net 30)?

Net 30

2) Do you provide leasing or financing options, especially those options that schools and governmental entities may need to use in order to make certain acquisitions?

Generally, Convergent does not provide leasing options, however, for a specific customer need Convergent may be willing to discuss financing options with the end customer.

3) Briefly describe your proposed order process. Please include enough detail to support your ability to report quarterly sales to NJPA. For example, indicate whether your dealer network is included in your response and whether each dealer (or some other entity) will process the NJPA Members' purchase orders.

Convergent currently reports on numerous contracts monthly including TX DIR, TCPN, and numerous other Multiple Ordering Schedules. The reporting for this contract will reside with the other contract reporting deliverables held by our Contracts and Proposal Manager, Ms. Melissa Bulluck. Convergent has the ability to structure reports the way NJPA and their customers prefer.

4) Do you accept the P-card procurement and payment process? If so, is there any additional cost to NJPA Members for using this process?

Convergent does not accept the P-Card currently but is willing to discuss that option for this contract.

#### Warranty

5) Describe in detail your manufacturer warranty program, including conditions and requirements to qualify, claims procedure, and overall structure. You may include in your response a copy of your warranties, but at a minimum please also answer the following questions.

The Convergent team will provide the warranty service for the security system in accordance with the requirements of the technical proposal. This support will be an on-call service for one year starting at the customer's acceptance of the installed system and will be accomplished as described in the following subsections. The Convergent service organization provides onsite service support of the system and all furnished and installed components proposed for one year from the date of system acceptance.

The implementation of this warranty service takes into consideration the original equipment manufacturers' warranties that are in effect for one year. Items removed during service that are determined to be faulty or defective, while still covered under warranty, will be returned to the manufacturer for repair and/or replacement.

- Do your warranties cover all products, parts, and labor?

Convergent warranties all products, parts, and labor.

- Do your warranties impose usage restrictions or other limitations that adversely affect coverage?

Our warranty does not impose usage restrictions or other limitations on work that we procure and install.

- Do your warranties cover the expense of technicians' travel time and mileage to perform warranty repairs?

In the first year after system acceptance our warranty includes technicians travel time and mileage.

- Are there any geographic regions of the United States for which you cannot provide a certified technician to perform warranty repairs? How will NJPA Members in these regions be provided service for warranty repair?

Convergent can cover all regions it is proposing too. We would not be able to service Alaska, Hawaii, or any outlying territories or regions however we are not proposing to work in those regions currently.

- Will you cover warranty service for items made by other manufacturers that are part of your proposal, or are these warranties issues typically passed on to the original equipment manufacturer?

Warranties issues for equipment installed and not working within the first year are sent back to the manufacturer for replacement. Once Convergent receives a new or the fixed part we would install the new or refurbished item back at the service location.

- What are your proposed exchange and return programs and policies?

All exchanges or returns must be completed in the warranty period for no cost to the customer to occur.

- 6) Describe any service contract options for the items included in your proposal.

Convergent is pleased to provide maintenance and service for the installation of our systems. We can offer an annual or multi-year agreement.

#### **Pricing, Delivery, Audits, and Administrative Fee**

- 7) Provide a general narrative description of the equipment/products and related services you are offering in your proposal.



Convergint Technologies designs, installs and services seamlessly integrated electronic security solutions for commercial, industrial and government clients. Serving single-site customers, as well as those with a global multi-site footprint, Convergint will design a solution to meet both current needs as well as future growth plans. Most importantly, Convergint provides a wide-array of professional services to ensure the investment is protected and continues to operate as originally designed.

### **Access Control**

Convergint Technologies is an authorized Value Added Reseller (VAR) for several industry leading card access manufacturers. At Convergint, we specialize in more complex enterprise card access applications, especially those involving the integration of IP-based video, intrusion systems, smartcards, human resource databases, etc. Convergint has the right solution and technical support needed to complete projects that on-time and on-budget.

### **Identity Management**

Convergint Technologies provides comprehensive identity solutions ranging from basic proximity card technology to “smart-cards” with integrated chips. Budget, convenience, standards compliance, data security, performance and/or identification requirements play a big role in determining the best identity solution for our customers. Convergint will work with our customer to develop an identity management strategy that fits both their needs and budget

### **IP Video & Video Management**

With thousands of IP cameras already installed, Convergint is the systems integration leader in designing, installing, and servicing IP-based video solutions. Having established strong industry leading manufacturing relationships, Convergint is able to provide the very best IP-based technologies to our customers. At Convergint, it does not stop with simply installing the best technology. Convergint also has network certified personnel to ensure IP-based video solutions are installed adhering to established IT industry standards and practices

### **Intrusion Detection**

Intrusion Detection systems continue to be an important aspect of a comprehensive security solution. Convergint goes well beyond simply designing, installing, and servicing traditional alarm intrusion systems. Convergint can seamlessly integrate alarm intrusion systems with card access, IP video, and other important building systems. This integrated approach increases security and makes the entire system easier to manage and maintain.

### **Communication Solutions**

Selecting the right communication systems for specific needs can be a challenging task. Convergint Technologies has experience with some of the most advanced VoIP communication systems on the market today. Speed, reliability, and system integration capability are just some of the critical elements in selecting the right communication system. Whether it's a control room intercom solution or a campus-wide mass notification system, Convergint has the experience to design, install, and service the right solution.



## Wireless Technology

IP-based video surveillance has quickly become a powerful tool for public safety and security and the demand is growing exponentially. The ability to connect digital video cameras to the internet and networks has increased the flexibility and accessibility for both the collection and distribution of video data. While this enables cameras to be installed in more locations, the availability of data ports and cabling remain limiting factors when deploying video. The proper wireless technology can eliminate most, if not all, of the issues associated with areas that are too difficult or expensive to wire.

## Physical Security Information Management

One of the fastest growing areas in the electronic security is in Physical Security Information Management (PSIM). As more security platforms migrate to IP-based technology, customers are seeking innovative ways to integrate these different technologies, become more proactive with policy-based system decisions, and at the same time drive down the cost of ownership associated with the systems they manage. Managing disparate platforms and operating systems is becoming increasingly complex and most companies simply do not have the budget for a "rip and replace" strategy. A PSIM allows customers to leverage the various systems they already have in place and "normalize" the user interface.

## Mass Notification

In simple terms, a mass notification system is an emergency management tool used to provide detailed pre-recorded or live instruction and information to building occupants (or wide area) in an emergency through a wide array of technologies. This capability is intended for the protection of life by indicating the existence of an emergency and instructing people of the necessary and appropriate response and action. Convergent Technologies has the design-build skills to design a mass notification system including the key aspects of system integration.

8) Describe your pricing model (e.g., line-item discounts or product-category discounts). Provide detailed pricing data (including standard or list pricing and the NJPA discounted price) on all of the items that you want NJPA to consider as part of your RFP response. Provide a SKU for each item in your proposal. (Keep in mind that reasonable price and product adjustments can be made during the term of an awarded Contract. See the body of the RFP and the Price and Product Change Request Form for more detail.)

Convergent Technologies will be offering NJPA and the members of NJPA a discount off of MSRP for each line item. Detailed pricing data can found in Appendix C.

9) Please quantify the discount range presented in this response. For example, indicate that the pricing in your response represents is a 50% percent discount from the MSRP or your published list.

Our discounts range from 5-36% off MSRP.

10) The pricing offered in this proposal is

\_\_\_\_\_ a. the same as the Proposer typically offers to an individual municipality, university, or school district.

\_\_\_\_\_ b. the same as the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.



X      c. better than the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.

     d. other than what the Proposer typically offers (please describe).

11) Describe any quantity or volume discounts or rebate programs that you offer.

Convergent does not offer quantity or volume discounts.

12) Propose a method of facilitating “sourced” products or related services, which may be referred to as “open market” items or “nonstandard options”. For example, you may supply such items “at cost” or “at cost plus a percentage,” or you may supply a quote for each such request.

Convergent will provide a quote consistent with our pricing approach with discount off of MSRP.

Convergent will supply a quote for each request. Pricing will be consistent with discount approach described above in Question 9.

13) Identify any total cost of acquisition costs that are **NOT** included in the pricing submitted with your response. This cost includes all additional charges that are not directly identified as freight or shipping charges. For example, list costs for items like installation, set up, mandatory training, or initial inspection. Identify any parties that impose such costs and their relationship to the Proposer.

Convergent has included all cost that are associated with an electronic security project.

14) If delivery or shipping is an additional cost to the NJPA Member, describe in detail the complete shipping and delivery program.

Convergent calculates shipping at the quote level. Convergent uses the dimensions and weight of an item and the shipping destination to determine shipping cost. Convergent uses the cheapest shipping method for delivery, but there are some cases when the customer prefers next day or second day shipping options, and in those cases, we will use the shipping method of choice to calculate shipping cost.

15) Specifically describe those shipping and delivery programs for Alaska, Hawaii, Canada, or any offshore delivery.

Not applicable for Alaska, Hawaii, or offshore delivery. However, Canada follows our typical shipping and delivery process for North America.

16) Describe any unique distribution and/or delivery methods or options offered in your proposal.

Convergent is a very large company covering most geographies that will use this contract. In part, because of our local presence we will be able to coordinate with customers, special kit systems for delivery, and be on site for delivery and installation. This allows for greater customer intimacy and well as satisfaction for the overall contract.

17) Please specifically describe any self-audit process or program that you plan to employ to verify compliance with your proposed Contract with NJPA. This process includes ensuring that NJPA Members



obtain the proper pricing, that the Vendor reports all sales under the Contract each quarter, and that the Vendor remits the proper administrative fee to NJPA.

Convergent will perform an internal audit to ensure compliance with our contract for NJPA. Melissa Bulluck, our Contracts Manager, is responsible for all reporting. She will verify all correct sales totals and ensure compliance with our quarterly reporting.

18) Identify a proposed administrative fee that you will pay to NJPA for facilitating, managing, and promoting the NJPA Contract in the event that you are awarded a Contract. This fee is typically calculated as a percentage of Vendor's sales under the Contract or as a per-unit fee; it is not a line-item addition to the Member's cost of goods. (See RFP Section 6.29 and following for details.)

Convergent will pay the 2% as listed in the RFP.

#### **Industry-Specific Questions**

**NOTE: You may have addressed some of the following questions elsewhere in your response. If so, please also answer these industry questions completely. Do not leave them blank.**

19) Describe any background checks that you require of employees and prospective employees. How do you vet those personnel that might have access to sensitive NJPA member information?

Protecting our customer's information, confidentiality, and privacy is a priority. As part of our hiring, all colleagues undergo a criminal background check along with signing an Employment Agreement which protects both the customer and Convergent from release of confidential information. In addition, Convergent has an Anti-Corruption Compliance Policy and a Cyber Security Policy with specific eLearning courses on these policies as part of our compliance training. These two courses are an annual requirement to be taken by all colleagues globally.

20) Articulate your process for screening and hiring contractor candidates.

Convergent's overarching philosophy is to ensure we select the right person for each role on the program. Before an employee joins the Convergent team, the PM and staffing manager clearly and openly discuss the job requirements and nature of the work with the proposed candidate to set their expectations, and makes sure they wish to perform the responsibilities of the proposed position. Once assigned to the program, the PM, and team lead conduct ongoing communication and assessment of personnel to gauge job satisfaction and provide feedback on job performance.

Our procedure to ensure continuity and quality of personnel begins with our recruiting, screening (including reference checks) and selection processes, which focuses on identifying the qualified personnel with relevant experience and training, and a long-term commitment to program success. Our recruiting process is well under way and continues throughout the life of the contract as we continue to build our pool of qualified candidates. When identifying candidates for the NJPA program we look for personnel who:

- Are fully cleared and have previous experience working within federal government organizations requiring FICAM/FIPS complaint systems



- Have a passion for the area they are supporting, whether that be security service, information technology, or hardware integration
- Have a long term interest in supporting the IHS on the Physical Access and Surveillance Project
- Are NJPA-service-oriented, flexible, communicative, and dedicated to doing their best and always looking for a way to do it better

Convergent recruiters have access to a number of sources for finding candidates readily available for reassignment or hire. These resources include referrals, a database of current Team employees seeking reassignment, Social Networking sites, professional organizations and associations, and a recruiting database of cleared personnel seeking employment. Our in-house resources and robust recruiting capabilities ensure a large quality pool of candidates for the INJPA program.

Convergent strives to provide the highest level of service for NJPA Customers. We accomplish this by finding and hiring talented colleagues, providing them with challenging opportunities and encouraging their innovation and initiative. Our team has a 97% retention rate and is well above industry averages. We evaluate employee exits as a learning experience and use those lessons to develop methods for reducing future losses. Convergent views retention as a strategic business issue and one with total management commitment. In this regard, all team members have invested heavily in retention programs and building a strong culture that attracts employees.

21) What term better describes your company: national or regional? Please explain.

Convergent is a national installation and service provider with over 70+ offices world-wide.

22) Describe the methods that you use to monitor and conform to prevailing wage rate requirements throughout the U.S.

Convergent strictly follows all rules and regulations in regards to paying employees above SCA rates which allows us to confirm to all prevailing wage requirements throughout the U.S. and Canada.

23) What reporting methods will you use to provide NJPA details on the service provided to our member agencies?

Convergent will provide monthly reports on sales and contracts through NJPA. We will also allow iCare access so NJPA and its users have full access to information like work order history, drawings and blueprints, times for when a technician is dispatched and when the job completes along with numerous other reports that function from our iCare system.

24) What is your average response time for both routine and urgent agency requests?

Typical response time varies depending on the customer and contract expectations. For many customers Convergent must provide a 4-hour response, but for others with less demanding requirements we often service them next day.



25) How do you remain ahead of current trends regarding products and technology?

Our Quad 4 Team is comprised of subject matter experts with industry specific backgrounds, enabling the team to develop innovative solutions to meet our customer's goals. This team sees the industry from a broad perspective, looking for trends in technology, government regulation, partnerships, and threats. By utilizing the Quad 4 team, Convergent is better able to be a future-focused partner while understanding trends that can affect operations on a day-to-day basis on multiple levels.

26) Clearly describe your rate structure, and demonstrate how NJPA members can effectively determine their cost for your proposed solutions

Convergent submits a quote that outlines our understanding of the project as well as the associated cost (i.e. equipment, labor, other cost, etc.) The quote will show the quantity and unit price for the equipment and labor. This will allow NJPA members to easily determine their cost for the proposed solution. NJPA members will work closely with a Convergent Account Executive to determine specific needs and requirements needed for the proposed solution.

27) How do you ensure that your prices are competitive?

Convergent Technologies specializes in providing customers with leading Security, Fire Alarm, Life Safety technologies, and application expertise and services. By assembling a project team with vast industry experience and technical competence, Convergent works with their clients to deliver compliant, non-proprietary solutions which avoid sole-source dependency and assures long term cost competitiveness. From system retrofit to new construction and equipment only to turnkey system installation, Convergent provides the very best value regardless of size and complexity of the project.

Signature:



Date: 3/09/2017