SUBJECT: ONLINE AUCTION MANAGEMENT SYSTEM

BID #: ESC-0438-21

OPEN DATE: 2021-09-22

COMPETITIVE SEALED PROPOSAL EVALUATION COMMITTEE

KIND AND BASIS OF CONTRACT: COMPETITIVE SEALED PROPOSAL SUPPLY CONTRACT – PERIOD OF SERVICE WILL BE THIRTY-SIX (36) MONTHS UPON DATE OF EXECUTED CONTRACT, WITH THREE (3) ONE (1) YEAR RENEWAL OPTIONS

AGENCY: CLERK OF THE CIRCUIT & COUNTY COURTS

BASIS OF AWARD: HIGHEST SCORING RESPONSIVE, RESPONSIBLE BIDDER BASED ON THE EVALUATION CRITERIA

NUMBER OF BIDS INVITED: 22 **NUMBER RECEIVED:** 1 **OTHER:** 0

SUMMARY OF BIDS AND RECOMMENDED ACTIONS:
Recommend approval of award to the sole highest scoring responsive, responsible contractor RealAuction.com, LLC, with total evaluated score of 299.25 points. Period of service will be thirty-six (36) months upon date of executed contract, with three (3) one (1) year renewal options. There is no cost to the City as the fee(s) for electronic sales is collected, and deposited into the appropriate clerk account prior to the auction (Tax Deed, or Foreclosure). Estimated expenditure value of the contract is $259,557.00.

The funding is not available through 1Cloud. Purchase Order will be issued internally through the Clerk's Office.

Attachments: Recommendation Memo, Bid Tabulation Sheet, Scoring Matrix, Terms and Conditions, Description of Services

Analyst: _____ RUBEN OLA

RESPECTFULLY SUBMITTED: _____ GREGORY PEASE, CHIEF PROCUREMENT DIVISION

CONCURRENCE BY: Allison Luker, Chief Executive Officer, Clerk of the Circuit & County Courts,

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(ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS)
ACTION OF CSPEC COMMITTEE ON RECOMMENDATIONS ABOVE

MEMBERS APPROVING _____ MEMBERS DISAPPROVING _____ DATE: _____

_____ _____ OTHER: _____

_____ _____

_____ _____

_____ _____

_____ _____

ACTION OF AWARDING AUTHORITY DATE _____

APPROVED _____ DISAPPROVED _____

OTHER _____

SIGNATURE OF AUTHENTICATION _____

Clerk of the Circuit & County Courts
Jody Phillips
DUVAL COUNTY
501 WEST ADAMS STREET
JACKSONVILLE, FLORIDA 32202
TELEPHONE: (904) 255-2084 FAX: (904)255-2160

November 29, 2021

To: Gregory Pease
Chief of Procurement
Competitive Sealed Proposal Evaluation Committee

Thru: Allison Luker
Chief Executive Officer

From: Angel Van Sickle
Senior Manager to the Clerk

Subject: ESC-0438-21
Request for Contract Award
Online Auction Management

The sub-committee comprised of representatives of the Clerk of the Circuit and County Courts, responsible for evaluating responses, has completed the evaluation process through written proposal, and on-site demonstration. Based on the combinative scoring, the scores are as follows:

Respondent	Scoring Matrix B – Evaluation Criteria	Scoring Matrix B – On-Site Demonstration	Total Combined Score (225 Maximum)	Final Rank
RealAuction.com, LLC	107.58	191.67	299.25	1

RealAuction.com, LLC is the only responsive bidder, and has provided sufficient documentation during the proposal and demonstration in its ability to meet the requirements set forth in the RFP. The clerk's office is requesting a contract award for RealAuction.com, LLC for the terms outlined in the RFP; thirty-six (36) months upon executed contract, with three (3) one-year renewal options.

The maximum indebtedness is $0.00, as the fee(s) for electronic sales is collected, and deposited into the appropriate clerk account prior to the auction (Tax Deed, or Foreclosure). After the auction is complete, the supplier invoices the clerk for payment.

Based on previous data, the combined estimate value of this contract (36 months) is $259,557.00.

BID TABULATION SHEET

TITLE: ONLINE AUCTION MANAGEMENT SYSTEM
BID NO: ESC-0438-21
OPEN DATE: 09/22/2021
PURCHASING ANALYST: RUBEN OLA
NO. INVITED: (22) No. Received: (1) No Bids: (0)
RECORDED BY: M. PIERCE, BID ANNOUNCER: C. SPITLER

			RealAuction.com, LLC			
Item #1 - ONLINE AUCTION MANAGEMENT SYSTEM			$59.00/case			
		TOTAL PRICE	$59.00/case			
ITEM NO.	DESCRIPTION (Attachment B-Evaluation Criteria)	POINTS				
1	REQUIREMENTS: ABILITY TO MEET THE PROJECT REQUIREMENTS. (Forms 4-6)	100	88.29			
2	PRICING: QUOTATION OF RATES, FEES OR CHARGES AND OTHER DETAILED COST PROPOSAL OR COST BREAKDOWN INFORMATION. (Form 1)	10	9.57			
3	REFERENCES: PAST AND PRESENT RECORD OF PROFESSIONAL ACCOMPLISHMENTS WITH COMPARABLE AGENCIES. (Form 7) 7.1.1	5	4.86			
4	PERSONNEL: RESUMES FOR MEMBERS OF THE PROJECT MANAGEMENT TEAM. (Form 7) 7.1.2	5	4.86			
	Total Points	120	107.58			
ITEM NO.	DESCRIPTION (Attachment B-Continuation-On-Site or Virtual Vendor Demonstration Evaluation Criteria)	POINTS				
1	PRESENTER	10	9.50			
2	CLERK PROCESS	50	47.83			
3	SALE PROCESS (BIDDER SIDE)	40	38.83			
4	SALE PROCESS (PLAINTIFF SIDE)	40	39.17			
5	REPORT AND DOCUMENTS	50	47.67			
6	OVERALL EASE OF USE	10	8.67			
	Total Points	200	191.67			
	GRAND TOTAL POINTS	320	299.25			
	Minimum Requirements:					
	Proposal Bond:		✓			
	Conflict of Interest:		✓			
	Addendums (1):		✓			
	COMMENTS:					

SCORING MATRIX - (B) (EVALUATION CRITERIA)

ESC-0439-21 ONLINE AUCTION MANAGEMENT SYSTEM

TOTAL POINTS	100 Points	10 Points	5 Points	5 Points	OVERALL	Rank
CRITERIA	REQUIREMENTS: ABILITY TO MEET THE PROJECT REQUIREMENTS. (Forms 4-6)	PRICING: QUOTATION OF RATES, FEES OR CHARGES AND OTHER DETAILED COST PROPOSAL OR COST BREAKDOWN INFORMATION. (Form 1)	REFERENCES: PAST AND PRESENT RECORD OF PROFESSIONAL ACCOMPLISHMENTS WITH COMPARABLE AGENCIES. (Form 7) 7.1.1	PERSONNEL: RESUMES FOR MEMBERS OF THE PROJECT MANAGEMENT TEAM. (Form 7) 7.1.2	TOTAL POINTS (120)	
RealAuction.com, LLC						
Reviewer 1: Justin Portlock	100.00	9.00	5.00	5.00	119.00	
Reviewer 2: Jana Swanson	80.00	10.00	5.00	5.00	100.00	
Reviewer 3: Chris Douglas	90.00	10.00	5.00	5.00	110.00	
Reviewer 4: Kiwana Griffin	97.00	10.00	5.00	5.00	117.00	
Reviewer 5: Jennifer Spinelli	90.00	10.00	4.00	4.00	108.00	
Reviewer 6: Marina Eisenmenger	96.00	10.00	5.00	5.00	116.00	
Reviewer 7: Gerald Cates	65.00	8.00	5.00	5.00	83.00	
Average	88.29	9.57	4.86	4.86	107.57	1

SCORING MATRIX - (B-Continuation) (ON-SITE VENDOR DEMONSTRATION EVALUATION CRITERIA)

ESC-0439-21 ONLINE AUCTION MANAGEMENT SYSTEM

Total Points	10 Points	50 Points	40 Points	40 Points	50 Points	10 Points	OVERALL	Rank
Criteria	PRESENTER	CLERK PROCESS	SALE PROCESS (BIDDER SIDE)	SALE PROCESS (PLAINTIFF SIDE)	REPORT AND DOCUMENTS	OVERALL EASE OF USE	Total Points (200)	
RealAuction.com, LLC								
Reviewer 1 (Justin Portlock)	10.00	50.00	40.00	40.00	50.00	10.00	200.00	
Reviewer 2 (Jana Swanson)	9.00	50.00	40.00	40.00	45.00	9.00	193.00	
Reviewer 3 (Chris Douglas)	9.00	45.00	35.00	35.00	50.00	10.00	184.00	
Reviewer 4 (Jennifer Spinelli)	9.00	47.00	40.00	40.00	46.00	8.00	190.00	
Reviewer 5 (Marina Eisenmenger)	1.00	45.00	40.00	40.00	45.00	8.00	188.00	
Reviewer 6 (Gerald Cates)	10.00	50.00	38.00	40.00	50.00	7.00	195.00	
Average	9.50	47.83	38.83	39.17	47.67	8.67	191.67	1.00

REQUEST FOR PROPOSAL

ONLINE AUCTION MANAGEMENT SYSTEM
for
Duval County Clerk of the Circuit and County Courts
City of Jacksonville, Florida

SECTION 1
(Specific Information Regarding this RFP)

1.1 Introduction

The City of Jacksonville ("**Buyer**") on behalf of the Duval County Clerk of the Circuit and County Courts ("**DCCC**" or "**Clerk**") intends to hire an individual or firm ("Proposer") to provide the services described in Section 1.2 of this Request for Proposal ("**RFP**").

In accordance with Chapter 126 of the City of Jacksonville's Ordinance Code, the Clerk is submitting this Request for Proposal (RFP) to establish a contract for two separate online auction management systems for tax deed sales and foreclosure sales.

Persons interested in submitting a response to this RFP (a "**Response**") should carefully review this RFP for instructions on how to respond and for the applicable contractual terms. This RFP is divided into the following sections:

Section 1	Specific Information Regarding This RFP
Section 2	General Instructions
Section 3	General Terms and Conditions of Agreement
Section 4	Description of Services (if referenced in Section 1.2 below)
Attachment A	Response Format
Attachment B	Evaluation & Demonstration Criteria
Attachment C	Equal Business Opportunity Program Requirements
Attachment D	Contract
Attachment E	Disqualified/Probationary Vendors List
Attachment F	Indemnification
Attachment G	Insurance
Attachment H	Protest Procedures
Attachment I	Proposal Bond
Form 1	Price Sheet
Form 2	Conflict of Interest Certificate
Form 3	Response to Minimum Requirements
Form 4	Response and Application Requirements
Form 5	Response to Reporting and Documents Requirements
Form 6	Response to Onboarding and Support Processes
Form 7	Response to Supplier Information and References
Form 8	No Bid Form

In the event of conflicting provisions, the following sections of this RFP will have priority in the order listed: Section 1, Section 4, Section 2, Section 3, the Attachments, and the Forms.

1.2 Scope of Services.

The Awarded Contractor will develop, host, and administer two online auction management systems to maintain complete tax deed and foreclosure required documentation, recording of sales of properties, and processing of financial transactions.

Please see section 4 for a full description of the services and deliverables required under this RFP.

1.3 **Term of Agreement.**

The initial term shall be thirty-six (36) months upon date of executed contract, with three (3) one-year renewal options at the mutual agreement between the DCCC, and the Contractor. Either Party shall have the right to cancel, terminate or suspend this contract in whole or in part, by providing the other party thirty (30) days written notice. **Services must continue until all sales in progress are complete.**

1.4 **Minimum Contractor Requirements.**

Proposer must satisfy the following mandatory minimum requirements in order to have their Responses evaluated. By submitting a Response, Proposer warrants and represents that it satisfies these requirements. **Failure to meet these requirements and present written documentation at the time of bid opening will result in the Response not being evaluated and being rejected as non-responsive:**

1. Proposer shall provide current proof of all business licenses required by local, state, and federal law as applicable.
2. Proposer must provide a detailed list of all office locations and hours of operations.
3. Proposer must provide current financial statement. Proposer must have sufficient financial capacity, working capital, and other financial, technical, and management resources to perform the contract including software modifications, and complete user training.
4. Proposer must provide certification as publisher or sole, certified supplier of the software proposed for implementation.
5. Proposer must provide a list of a minimum of three (3) counties currently utilizing proposer's online auction management system. (counties of comparable size of sales see 4.1.4)
6. Proposer shall provide an example, within the past two years, of a government agency utilizing the system for Tax Deed auctions.
7. Proposer shall provide an example, within the past two years, of a government agency utilizing the system for Foreclosure auctions.

1.5 **Equal Business Opportunity Program**

It is an official policy of the City of Jacksonville to encourage the maximum participation of Jacksonville Small and Emerging Businesses (JSEBs) in its contract awards based upon availability. To participate as a JSEB on Buyer projects, a company must be certified as a JSEB with the City's Equal Business Opportunity Office.

This RFP and the resulting Contract are subject to requirements of the "Encouragement Plan," which is fully described on Attachment C to this RFP.

Proposers may contact Buyer's Equal Business Opportunity Office at 904-255-8840 or find the JSEB directory on Buyer's website. Please contact the Contact Person identified in Section 1.12 if you are uncertain of Buyer's website address or if you experience problems accessing it.

1.6 **Documents Available for Inspection**

There are no documents available for inspection.

1.7 **Federal Funds.**

Federal funds will not be used as part of this solicitation.

1.8 **Pre-Proposal Conference.**

There will be a mandatory pre-proposal conference scheduled for this RFP on **Sept. 10, 2021 at 10:00 a.m.**, No Physical location and via Zoom Meeting. Meeting ID: 871 7266 0633, Passcode: 676483
One tap mobile +16465588656,,87172660633# US (New York) 13017158592,,87172660633# US +(Washington DC)

1.9 **Response Due Date.**

The deadline for submitting responses to this RFP is **Sept. 22, 2021** at **2:00 p.m.** Please see Sections 2.3 and 2.4 for more details.

All copies are to be placed in a sealed package. The outside must be marked with (i) the RFP title and number, and (ii) Proposer's name, address, contact person, and telephone number.

It is the sole responsibility of each Contractor to assure all copies are EXACT duplicates of the original Response. Photocopies or CD/flash drive copies will be used for the purpose of evaluating the Responses. Any information contained in the original Response which has not been transferred to the CD/flash drive or photocopies will NOT be considered. The original document will be used solely for official record keeping and auditing purposes.

2.5 **Evaluation of Responses.**

A. Buyer will determine the qualifications, interest and availability of Proposers by reviewing all Responses and, when deemed necessary in the sole discretion of Buyer, by conducting formal interviews of selected Proposers.

B. The determination of which Proposers are "best qualified" will be based on the criteria set forth in this RFP, employing the following steps in the evaluation process:

1. CSPEC subcommittee members will review each Proposal using the evaluating criteria outlined in the table below and in Attachment B, Evaluation Matrix.

Response Evaluation Category	Maximum Score
Project Requirements	100
Price	10
References	5
Personnel	5
Total Points	120

2. Based on the scoring of the Responses, Buyer will short-list no fewer than three (3) but no more than five (5) Responses for software demonstrations. If Buyer receives fewer than three (3) responses to this RFP, Buyer reserves the right to proceed to demonstrations with the number of responses received at its sole discretion. Software demonstrations will be conducted on-site or virtually, and such demonstrations will be evaluated based on the criteria in **Attachment B.**

3. Buyer will evaluate software demonstrations using the evaluation criteria set forth in the following table.

Live Demonstration Evaluation Category	Maximum Score
Presenter	10
Clerk Processes	50
Sale Process (Bidder Side)	40
Sale Process (Plaintiff Side)	40
Reports and Documents	50
Overall Ease of Use	10
Total Points	200

4. Based on the combined scores of the Responses and the live demonstrations, Buyer will select the highest scoring Proposer and submit for award the "best

qualified".

C. Before making an award, Buyer reserves the right to seek clarifications, revisions, and information it deems necessary for the proper evaluation of Responses. Failure to provide any requested clarifications, revisions or information may result in rejection of the Response.

D. Buyer reserves the right to accept or reject any and all Responses, or separable portions thereof, and to waive any minor irregularity, technicality, or omission if Buyer determines that doing so will serve Buyer's best interests. Buyer may reject any Response not submitted in the manner specified by the RFP.

2.6 **Award of Contract.**

A. The process for contract award is set forth in Jacksonville Ordinance Code Sections 126.204. Generally, Buyer will award the Contract to the responsible and responsive proposer whose Response is determined in writing to be the most advantageous to the City of Jacksonville, based solely on the relative importance assigned to price and of the criteria set forth in Attachment B. The award may be contingent on the outcome of direct negotiations under Section 126.201(d)(4) and 126.201(n), *Ordinance Code.* If an agreement cannot be reached with the highest ranked Contractor, Buyer reserves the right to make an award to the next highest ranked Contractor or subsequent Contractor(s) until an agreement is reached.

B. Buyer may make an award within sixty (60) days after the date of the Responses are due, during which period the Responses shall remain firm and shall not be withdrawn. Any Response that expresses a shorter duration may, in Buyer's sole discretion, be accepted or rejected. If award is not made within sixty (60) days, the Response shall remain firm until either the Contract is awarded or Buyer receives from Contractor written notice that the Response is withdrawn. [Note: Withdrawal of a Response may be requested within 72 hours (excluding State holidays, Saturdays and Sundays) after the date and time Responses are due. Buyer will not accept an amended Response after the date and time Responses are due.]

C. Except as may otherwise be expressly set forth in the RFP, Buyer intends to award one contract, but reserves the right to enter into a contract with multiple Contractors or to reject all Responses.

D. Based on the evaluation results, Buyer shall electronically post a notice of intended award at Buyer's website. Please contact the Contact Person if you are uncertain of Buyer's website address or if you experience problems accessing it. Any person who is adversely affected by the decision shall file with Buyer a notice of protest in accordance with the Protest provisions of the RFP. Buyer does not intend to provide tabulations or notices of award by telephone.

2.7 **Terms of Agreement.** After award to the successful Contractor, Buyer and Contractor will promptly enter into a written agreement (the "Contract") incorporating the terms of the RFP, the successful Response, and other terms and conditions as may be agreed to between the parties. To the extent the Response contains exceptions to or modifications of the RFP, such exceptions or modifications are stricken unless Buyer affirmatively accepts the exceptions or modifications in the Contract. The Contract will be substantially in the form set forth in an attachment to the RFP. Buyer will not be obligated to pay Contractor for the RFP services until the Contract is signed by both parties. Buyer retains the right to reject all bids and/or amend its notice of award at any time prior to the full execution of the Contract.

If the successful Contractor fails to perform the Services as agreed, Buyer reserves the right to (i) issue a new solicitation for the Services; (ii) reopen the RFP for the purpose of awarding a second contract to another Contractor in accordance with the criteria and processes set forth herein; and/or (iii) take such other actions permitted by law.

2.8 **Public Meetings and Special Accommodations.** Any meetings of the RFP evaluation committee (i.e., the Competitive Sealed Proposal Evaluation Committee), shall be noticed on Buyer's website and shall comply with Florida's Open Meetings Laws. Please contact the Contact Person if you are uncertain of Buyer's website address or if you experience problems accessing it. Persons requiring a special

SECTION 4

DESCRIPTION OF SERVICES AND DELIVERABLES

4.1 Overview

1. The proposer shall provide two, separate, online systems capable of accepting and processing competitive bids from individuals and organizations on real property being offered for sale by the Duval County Clerk of Courts (hereby reference as "DCCC" or "Clerk"). One system will be used for Tax Deed sales, and the other, separate system will be used for Foreclosure sales.

2. The Tax Deed process must comply with Florida Statutes Section 197.542(4)(a)-(c) as interpreted by the Clerk:

    a. A clerk may conduct electronic tax deed sales in lieu of public outcry. The clerk must comply with the procedures provided in this chapter, except that electronic proxy bidding shall be allowed, and the clerk may require bidders to advance sufficient funds to pay the deposit required by subsection (2). The clerk shall provide access to the electronic sale by computer terminals open to the public at a designated location. A clerk who conducts such electronic sales may receive electronic deposits and payments related to the sale. The portion of an advance deposit from a winning bidder required by subsection (2) shall, upon acceptance of the winning bid, be subject to the fee under s. 28.24(10).

    b. This subsection does not restrict or limit the authority of a charter county to conduct electronic tax deed sales. In a charter county where the clerk of the circuit court does not conduct all electronic sales, the charter county shall be permitted to receive electronic deposits and payments related to sales it conducts, as well as to subject the winning bidder to a fee, consistent with the schedule in s. 28.24(10).

    c. The costs of electronic tax deed sales shall be added to the charges for the costs of sale under subsection (1) and paid by the certificate holder when filing an application for a tax deed.

3. The Foreclosure process must comply with Florida Statutes Section 45.031 as interpreted by the Clerk, including but not limited to (10), as follows:

    a. The clerk may conduct the sale of real or personal property under an order or judgment pursuant to this section by electronic means. Such electronic sales shall comply with the procedures provided in this chapter, except that electronic proxy bidding shall be allowed, and the clerk may require bidders to advance sufficient funds to pay the deposit required by subsection (3). The clerk shall provide access to the electronic sale by computer terminals open to the public at a designated location and shall accept an advance credit proxy bid from the plaintiff of any amount up to the maximum allowable credit bid of the plaintiff. A clerk who conducts such electronic sales may receive electronic deposits and payments related to the sale.

4. DCCC anticipates an annual volume of tax deed applications to be approximately 500 to 1,000 per year. DCCC anticipates an annual volume of foreclosure notices to be approximately 4,800 to 6,000 per year. No guarantee can be made for either department's total volume during a given year.

4.2 General Website Requirements

1. Tax Deed and Foreclosure auction commerce sites shall be separate websites. The actual domain names will be agreed upon by proposer and DCCC pending the availability of such name. Domain names shall be relevant to DCCC and each department such as taxauction.duval.com. **This is only used as an example.**

2. The websites shall provide access to a variety of information about each parcel being auctioned. Such information should include at a minimum a link to the Duval County Property Appraiser, Duval County Tax Collector, and Duval County Clerk of Courts sites as related to the specific parcel. Any links added to the site shall be at the discretion of the Clerk.

3. The websites shall be ADA compliant.

4. The websites must be responsive and compatible with all major internet browsers on desktops, tablets, laptops, and all major mobile operating systems.

5. The response should identify any browsers with issues rendering the websites.

6. The websites must not include any 3rd party advertising, nor trigger the display of advertising via 'pop-ups' or other means.

7. The websites, once established, will be submitted by the awarded supplier to Search Engine Optimization sites to assist members of the public in finding the sites using relevant search terms such as "Duval", "foreclosure", "tax", "deed", and "auction" as key term fragments.

8. The websites must include user password resetting functions to minimize assistance by DCCC workers in resetting user/bidder credentials. Proposer is encouraged to provide options such as security questions or other means of account protection.

9. The websites must not require registration, nor charge a fee to members of the public to view properties for sale.

10. The websites must be easy to use and navigate. User guides, FAQs, "How-To's", and other elements to assist members of the public with navigation of the site, registration as a user/bidder, participating in auctions, and completing transactions are encouraged.

11. Users/bidders must be able to search a wide variety of criteria including zip code, address, parcel number, appraised value, auction date, party name, case/file numbers and other variables relevant or pertinent to the sale.

12. The websites are to be hosted in the United States only.

13. The proposer is responsible for all state and/or property tax related to the hosting of the websites.

14. Any state mandated or legislative changes related to either the Tax Deed or Foreclosure sale processes after the implementation of the websites shall be provided by the proposer at no additional charge to DCCC.

15. The DCCC seal shall appear on each page of the websites.

16. The websites must have ability to post notifications for DCCC purpose and require acknowledgement from bidders.

4.3 Hardware, Data, and Security Requirements

1. The proposer must provide a detailed description of the security procedures in place within the hosted sale site. DCCC will evaluate the security features of the proposer's solution.

2. The proposer must provide evidence that the hosted site has sufficient processing resources and bandwidth within their solution to handle more than the estimated quantities of auctions/sales and can

scale as needed should demand necessitate an increase. Solution must not be negatively impacted by high volume of users/bidders or bids placed during an auction.

3. Service availability of the sites should meet the standard of 99.5% availability, 24 hours a day, and 365 days per year. DCCC and public shall be given at a minimum one week notice of any maintenance windows.

4. All data will remain the property of DCCC. The proposer shall ensure that DCCC retains access and download capability for purposes of retrieving its data for research, investigation, transfer or migration to other systems.

5. The proposer must not sell or otherwise transfer any data related to the sales or provided by DCCC. Any transfer must be approved by the Clerk at no cost.

6. The websites and hosting software must be compliant with all applicable State and industry standard Security and Privacy Standards. Proposer must show understanding of and provide proof of PCI compliance.

7. The proposer shall provide proof of security policies to protect the DCCC data. Antivirus software, mobile device security, encryption protocols, patching/updates, and periodic testing of security strength should be detailed.

8. In the case of a security breach that may have compromised DCCC's data, the proposer must notify DCCC in writing within 24 hours of the proposer becoming aware of the breach.

9. The proposer shall provide a plan for returning all DCCC provided data and information upon completion of the contract.

10. Any third party software licensing, as well as any hardware, DCCC will need to procure must be explicitly stated and priced as part of the proposer's response.

11. The proposer shall provide a detailed response as to how they will create and store data backups.

12. The proposer shall ensure business continuity and continued operations in the event of a disaster at their solutions primary hosting location. A disaster recovery plan is required.

13. The proposer is encouraged to provide additional detail of security features not included in this section.

14. The proposer must be able to send and receive data files to update or modify cases/files.

4.4 <u>User Levels</u>

1. The proposer shall create separate user levels with different access and permissions at each level.

    a. Viewer – non-registered member of the public who is able to view the website, live auctions, and information available.

    b. Bidder – registered member of the public. Shall be required to provide personal information and create login credentials. Will be provided a unique bidder ID that will be the only information displayed publicly and will then be permitted to participate in auctions.
    Proposer must prevent, discourage, or limit the number of accounts a bidder creates maliciously.

    c. Plaintiff – registered member of the public that has the ability to set the starting price of the bid, set maximum bids, manage and modify their names on certificates.
    (ie. Financial Institutions)

d. Clerk User – DCCC employee who will be required to create login credentials. Will be permitted to pull reports, view, pull, modify, postpone auctions/sales, modify bidder account balances, process payments or deposits, etc.

i. Multi-level account privileges preferred. Proposer is encouraged to show a Clerk user account as well as an Administrative user account. Permissions of admin role would include, but not be limited to: view Clerk user activity, log out inactive Clerk users, have direct access to support, to request changes to form templates, etc.

ii. Designated Clerk Admin users will be able to provide authorization of adding, modifying, or removing Clerk users from the system. If Admin users are unable to process changes manually, then requests sent to the proposer by Admin users must be completed within 24 hours.

4.5 Funding and Collections Requirements

1. Individuals and organizations desiring to bid on the properties being auctioned need to pre-register for the auction. They must deposit with the DCCC in advance an adequate sum of 5% of their high bid for each property on which they intend to bid. Proposer will prohibit non-registered bidders or accounts with insufficient funds to submit bids.

2. The proposer must provide a means for ACH deposits and wire transfers from registered bidders to DCCC's bank account(s) for deposits, fees, and final payments for individuals' and organizations' successful bids. Registered bidders, however, will not be permitted to initiate ACH debits on the DCCC's bank account.

3. The proposer will not be permitted to temporarily hold deposits in a separate bank account before transferring payments to DCCC. All payments from registered bidders will be made directly to the DCCC's bank account.

4. Collection Processing Specifications

   a. All funds collected, transferred or processed in the sale auction process shall be deposited into a qualified public depository, and cannot be deposited into a corporate or personal account.

   b. DCCC will maintain a bank account into which all sale auction funds will be deposited. The proposer's system must coordinate with the DCCC's bank.

   c. All systems associated with the collection of online auction funds shall be compatible with the DCCC's bank account.

   d. All online collections shall be processed without any penalties, or convenience fees.

5. The proposer will provide access to DCCC of a detailed daily report of all deposits made to the bank account.

6. The proposer shall allow DCCC users access to modify user/bidder accounts to reflect changes to account balances not made via ACH.

7. The proposer must provide a cashiering system that allows DCCC to track payments, receive payments, generate customizable receipts, add notes to transactions, and allow for the bidder to initiate a payment.

8. The proposer shall provide DCCC the ability to ban or prevent a bidder account from participating in auctions after instances where the bidder wins an auction but fails to finalize payment within the required timeframe set forth by the Clerk. DCCC must also be able to reactivate banned accounts.

9. Bidder shall be able to request a refund through proposer's sites.

10. The system will generate a report detailing refunds requested and have the ability for DCCC to approve or reject refunds resulting in DCCC issued checks or ACH payments to bidders through the auction sites. The system should have the ability to provide a reason if a refund is rejected.

4.6 Auctions

1. DCCC will typically provide proposer with a date scheduled for each property sale at least 20 days prior to sale date, however the proposer must be able to populate and/or modify the sale in real time upon receipt of a pushed file from DCCC. DCCC will provide proposer with all information concerning the properties being offered in an .xml format.

2. The proposer will use file to process and display bid information, property information, and links to appropriate external sites referenced in, but not limited to, Section 4.2.

3. The proposer shall be able to perform the sales in the specific order as determined by the departments. Departments will inform proposer how sequential order will be determined during the onboarding process.

4. The proposer shall provide the users/bidders with means to view all properties for sale and create custom watch lists.

5. Users shall be permitted to both place and withdraw bids prior to the start of each individual sale.

6. Users shall have access to a proxy bidding system, whereby they will submit the maximum bid that they are willing to pay for the property. The proposer's system will then act on behalf of the bidder, submitting incrementally the bid necessary to win the property, but in no event more than the maximum the bidder entered they are willing to pay.

7. All pertinent details required by law shall be displayed in their entirety upon completion of the sale. All users shall be able to view sale results and these details after completion of the sale.

8. The proposer must email an invoice immediately after the sale to the winning bidder and deduct the 5% of the bid from the bidder account. Invoice must contain all statutorily required information. See section 4.8.6.

9. The proposer must provide a data entry field for winning bidders to supply the name to be placed on the title prior to the winning bid and retention of the 5% deposit.

10. If funding is not settled within the required timeframe, the proposer must provide DCCC the ability to default the sale.

11. The proposer must provide DCCC a method for canceling, rescheduling, and restarting a case/file manually at any point during or after the sale process. A drop-down list or comment box is required to annotate the reasoning for modifying the sale.

12. Auctions/Sales shall only last for an allotted amount of time as decided by DCCC. The timer shall be reset upon input of a bid. The reset amount of time will be determined by DCCC. Timer and reset timer shall be modifiable upon request.

13. Auction results will be provided by the proposer in a format agreed upon by DCCC that can be picked up from the proposer's FTP server.

4.7 Reporting

1. The proposer shall provide the DCCC the ability to pull various, comprehensive data about all facets of the sale process. These reports are to be searchable by multiple criteria. The following are meant as examples of minimal information to be provided:

    a. Bidders: A list of all bidders, including the assigned bidder number, name, company name, address, country (if foreign), email address, phone number, balance.

    b. Transactions: Detailed funding and transactional activity.

    c. Sales: A list of all winning and cancelled bids, the bid amounts, the bidder name and address, the sale number, the bidder number and the time and date.

    d. Cases: A list of sales searchable by case number, party names, final judgement amount, parcel ID, address, assessed value, legal description.

    e. Refunds: A list of bidders who are requesting a refund, the refund amount, bidder ID, refund type (ie. ACH or check), name(s), address, refund status, status date, and request date.

    f. Searchable Audit Log: List all activity within the application.

    Bidder Ledger: List balance activity of deposits and payments.
    i. DCCC: view/access all bidder accounts and balances
    ii. Bidder: view/access only their account and balances

2. Proposer shall provide the ability to print reports from within the website formatted properly on standard letter size paper.

3. Proposer shall provide the ability to pull, print, and export reports in a variety of formats (.xml, .rpt, .pdf, .xls, .csv, etc.)

4. Proposer shall provide DCCC with the ability to modify existing reports without proposer's support.

5. Proposer must update all reportable data upon completion of auction batches instantly.

4.8 <u>Documents</u>

1. Per Florida Statute 45.031(4) -(7b), the proposer shall, at the closing of each foreclosure auction, create the following forms:

    a. Certificate of Sale
    b. Certificate of Title
    c. Certificate of Disbursements

2. The proposer shall produce a Certificate of Incomplete Sale should the highest bidder fail to pay the full sale price.

3. The proposer shall produce a Fee calculation form that shows the case number, highest bidder, date of bid, bid amount, fee amounts, and the date.

4. The proposer shall produce a document for Incomplete Sales or Bidder Defaults that shows the case number, fee calculation, bidder number, and sale date.

5. The proposer shall produce a bid log showing bidder name, number, bid amount, date/time, IP address, distinguish between manual bid or proxy bid, sale date, case number, and any other information deemed necessary as determined by DCCC.

6. The proposer shall produce an invoice to the successful bidder of each auction. The invoice should contain a clear and concise breakdown of all fees and costs due, a summary of balance, payment instructions including amount and due dates, bidder number, case number, sale date.

7. The proposer must create an itemized receipt based off of the invoice system while allowing DCCC to annotate, modify, and print. Receipt needs to meet DCCC standard of approval.

8. All documents must be formatted properly and printed on standard letter size paper, 8.5"x11".

4.9 Support

1. The proposer needs to be available, at a minimum, during the normal business hours of 7:00 a.m. to 5:00 p.m. (EST) on weekdays, with provisions for extended on-call services at other times.

2. The proposer shall provide additional monitoring of network performance while auctions are in progress.

3. The proposer shall provide personal and telephonic support during normal business hours for the handling of bidder and DCCC questions relating to the general operation of the Web Site.

4. The proposer shall provide telephone, internet-based webinars, and on-site training sessions for Clerk personnel of the transactions to be consummated through the use of the websites at times to be mutually determined. On-site support may also be provided at the DCCC's request. Such on-site support shall be reasonable and at times mutually agreed upon by DCCC and Proposer.

5. The proposer shall provide technical support to resolve questions related to hardware, software or network problems encountered by the Clerk or third-party users.

4.10 Onboarding and Migration

1. The proposer should provide an outline for the onboarding process. Include anticipated timeframe, training schedule, necessary access to DCCC data, integration plan for existing data, any third party hardware/software requirements need to be explained why they are necessary.

2. The proposer should provide an outline of data migration process should the contract not be renewed or reach the end term. Include how data will be stored, transferred to the Clerk, and delete data/purge redundant records.

4.11 Supplier Information

1. Provide a list of any clients located in all states, including Florida, currently using the online auction management system.

2. Provide resumes for members of the Project Management Team implementing and supporting the application.

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