

ADVERTISEMENT FOR REQUEST FOR PROPOSAL
COBB COUNTY PURCHASING DEPARTMENT

BID OPENING DATE: MAY 27, 2010

Cobb County will receive Sealed Bids before 12:00 NOON, May 27, 2010 in the Cobb County Purchasing Department, 1772 County Services Parkway, Marietta, GA 30008 for:

**SEALED BID # 10 – 5492
POLICE DEPARTMENT PROMOTIONAL PROCESS
COBB COUNTY HUMAN RESOURCES DEPARTMENT**

No bids will be accepted after the 12:00 noon deadline.

Proposals are opened at 2:00 p.m. at Cobb County Purchasing Department, 1772 County Services Parkway, 2nd Floor, Bid/Meeting Room, Marietta, GA 30008.

No proposal may be withdrawn for a period of ninety (90) days after date of bid opening, unless otherwise specified in the bid documents. Cobb County will consider the competency and responsibility of bidders in making the award. Cobb County reserves the right to reject any and all proposals, to waive informalities and technicalities, to reject portions of the proposals, and to award contracts in a manner consistent with the County and the laws governing the State of Georgia.

This solicitation and any addenda are available for download in PDF format on the Cobb County purchasing website. www.purchasing.cobbcountyga.gov

To request a copy of the proposal documents, **FAX** the following information to the Purchasing Department @ 770-528-1154 or **e-mail** requests to purchasing@cobbcounty.org:

Company name, contact name, company address, phone number and fax number.

Please reference the proposal number and the title of the proposal in the request

Advertise: MAY 14, 21, 2010



SUBMIT BID/PROPOSAL TO:
COBB COUNTY PURCHASING DEPARTMENT
1772 COUNTY SERVICES PARKWAY
MARIETTA, GA 30008-4012

BID/PROJECT NUMBER: 10-5492

REQUEST FOR PROPOSAL
POLICE DEPARTMENT PROMOTIONAL PROCESS
COBB COUNTY HUMAN RESOURCES DEPARTMENT

DELIVERY DEADLINE: MAY 27, 2010 BEFORE 12:00 (NOON) EST
(NO BIDS/PROPOSALS WILL BE ACCEPTED AFTER THIS DEADLINE).

OPENING DATE: MAY 27, 2010 @ 2:00 P.M. IN THE PURCHASING DEPARTMENT BID ROOM.

BUSINESS NAME AND ADDRESS INFORMATION:

COMPANY NAME: _____

CONTACT NAME: _____

COMPANY ADDRESS: _____

E-MAIL ADDRESS: _____

PHONE NUMBER: _____

FAX NUMBER: _____

NAME AND OFFICIAL TITLE OF OFFICER GUARANTEEING THIS QUOTATION:

(PLEASE PRINT/TYPE) NAME TITLE

SIGNATURE OF OFFICER ABOVE: _____
(SIGNATURE)

TELEPHONE: _____ FAX: _____

BIDDER WILL INDICATE TIME PAYMENT DISCOUNT: _____

BIDDER SHALL INDICATE MAXIMUM DELIVERY DATE: _____

BIDS RECEIVED AFTER THE DATE AND TIME INDICATED WILL NOT BE CONSIDERED. COBB COUNTY RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS, TO WAIVE INFORMALITIES, TO REJECT PORTIONS OF THE BID, TO WAIVE TECHNICALITIES AND TO AWARD CONTRACTS IN A MANNER CONSISTENT WITH THE COUNTY AND THE LAWS GOVERNING THE STATE OF GEORGIA.

THE ENCLOSED (OR ATTACHED) BID IS IN RESPONSE TO INVITATION NUMBER 10-5492; IS A FIRM OFFER, AS DEFINED BY SECTION O.C.G.A. (S) 11-2-205 OF THE CODE OF GEORGIA (GEORGIA LAWS 1962 PAGES 156-178), BY THE UNDERSIGNED BIDDER. THIS OFFER SHALL REMAIN OPEN FOR ACCEPTANCE FOR A PERIOD OF 90 CALENDAR DAYS FROM THE BID OPENING DATE, AS SET FORTH IN THIS INVITATION TO BID UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS.

NOTICE TO BIDDERS - - BID QUOTES MUST INCLUDE INSIDE DELIVERY CHARGES
ADVERTISE DATES: MAY 14, 21, 2010

BIDDING INSTRUCTIONS – TERMS AND CONDITIONS

1. PREPARATION OF BID:

- (A) Bidders are expected to examine the drawings, specifications, schedules, and all instructions. Failure to do so will be at the bidder's risk.
- (B) Each bidder shall furnish the information required by the bid form. The bidder shall sign and print or type his/her name where designated. The person signing the bid must initial erasures or other changes.
- (C) Unit price for each quotation shall be shown and such price shall include packing unless otherwise specified, along with a total and grand total where applicable. In case of discrepancy between a unit price and extended price, the unit price will be presumed correct.
- (D) Where not otherwise specified, bidders must definitely state DATE OF DELIVERY.

2. EXPLANATION TO BIDDERS:

Any explanation desired by a bidder regarding the meaning or interpretation of Invitation to Bids, Request for Proposals or Qualifications, drawings, specifications, etc., must be in writing. All questions must be received within seven (7) business days prior to the bid opening date for a response to be generated by the County to all bidders in the form of an addendum. If any statement in the bidding documents, specifications, etc., appears ambiguous to the bidder, the bidder is specifically instructed to make a written request to the Purchasing Department, unless otherwise outlined in the specifications. Any information given to a prospective bidder concerning an Invitation for Bid will be furnished to all prospective bidders, as an addendum to the invitation, if such information is necessary to bidders in submitting bids on the invitation or if the lack of such information would be prejudicial to uninformed bidders. Receipt of the addendum by a bidder must be acknowledged on the bid or by letter received before the date and time specified for the bid opening. **ORAL EXPLANATION OR INSTRUCTIONS GIVEN BEFORE THE AWARD OF THE CONTRACT WILL NOT BE BINDING.**

3. SUBMISSION OF BIDS: FACSIMILE BIDS WILL NOT BE CONSIDERED.

- (A) Any Bid Package and modifications thereof shall be enclosed in a sealed envelope, addressed to the office specified in the Invitation to Bid, with the name and address of the bidder, the date and hour of bid opening, and name of bid. A bid reply label will be included in most bid packages stating the above referenced information. Any bid package NOT having bid information on outside of package could be opened as regular mail, and bid could be disqualified.
- (B) Samples of items, when required, must be submitted within the time specified, unless otherwise specified by the County, and at no expense to the County
- (C) An item offered must at least meet specifications called for and must be of quality which will adequately service the purpose and use for which it was intended.
- (D) Full identification of each item bid upon, including brand name, make, model, and catalog number, must be furnished according to the bid specifications if requested to identify exactly what the bidder is proposing. Supporting literature may be furnished to further substantiate the proposal.
- (E) The bidder represents that the article(s) to be furnished under this Invitation to Bid is (are) new and that the quality has not deteriorated so as to impair its usefulness.
- (F) Bids cannot be withdrawn or corrected after the bid opening (except reductions or changes by the successful bidder which would be beneficial or advantageous to the County). The County as deemed necessary may reject changes.
- (G) Cobb County is exempt from Federal Excise Tax and Georgia Sales Tax.
- (H) Cobb County does not accept conditional bids.

4. DEFAULT:

The Award as a result of bids received under this invitation may be in part based on the delivery factor. Accordingly, should delivery fail to be performed within the time specified by the bidder, the bid may then be declared in default of the contract. In such event, the County may then proceed to purchase in the open market the items from another source.

5. F.O.B. POINT:

Unless otherwise stated in the Invitation to Bid and any resulting contract, all articles will be F.O.B. Destination. This means delivered, unloaded, and placed in the designated place.

6. AWARD OF CONTRACT:

The Contract will be awarded to the responsible bidder whose bid will be the most advantageous to the County, price, and other factors considered. The County will make the determination. The County reserves the right at any time to reject any and all bids, to waive informalities and technicalities, to award portions of the bid, and to award contracts consistent with the County and the laws governing the State of Georgia. Normal payment terms are net thirty (30) days after receipt of invoice by the Finance Department.



COBB COUNTY
PURCHASING DEPARTMENT
1772 County Services Parkway
Marietta, Georgia 30008-4012
(770) 528-8400/FAX (770) 528-1154
www.cobbcounty.org

IMPORTANT NOTICE – PLEASE READ CAREFULLY!!

All vendors are required to submit the ORIGINAL AND AT LEAST one (1) duplicated copy of any bid submitted to Cobb County. Please refer to your bid specifications to determine if more than one (1) copy is required. Non-submission of a duplicate copy may disqualify your bid/proposal.

A “**SEALED BID LABEL**” has been enclosed to affix to your bid. This label **MUST** be affixed to the outside of the envelope or package, **even if it is a “NO BID” response**. Failure to attach the label may result in your bid being opened in error or not being routed to the proper location for consideration. No bid will be accepted after the date and time specified. IT IS THE VENDOR’S RESPONSIBILITY TO ENSURE THAT EACH BID HAS BEEN RECEIVED IN A TIMELY MANNER.

BIDS MUST BE RECEIVED BEFORE 12:00 (NOON) ON BID OPENING DAY

Bids must be received at the Cobb County Purchasing Department. **Any bids received later than 12:00 (noon) will not be accepted.** The County accepts no responsibility for delays in the mail. Bids are to be mailed or hand delivered to:

COBB COUNTY PURCHASING DEPARTMENT
1772 COUNTY SERVICES PARKWAY
MARIETTA, GA 30008-4012

Bids will be opened at 2:00 P.M. in the Cobb County Purchasing Department, 1772 County Services Parkway, 2nd Floor, Conference/Bid Room, Marietta, GA 30008.

Thank you in advance for your cooperation.

SEALED BID LABEL

SEALED BID ENCLOSED

DELIVER TO:
COBB COUNTY PURCHASING
1772 County Services Parkway
Marietta, GA 30008-4012

SEALED BID # 10-5492 DATE: May 27, 2010

BIDS MUST BE RECEIVED BEFORE 12:00 NOON

DESCRIPTION: Request for Proposal
Police Department Promotional Process

PLEASE ATTACH LABEL TO OUTSIDE OF BID PACKAGE



Cobb County...Expect the Best!

REQUEST FOR PROPOSAL

**SEALED BID # 10 – 5492
POLICE DEPARTMENT PROMOTIONAL PROCESS
COBB COUNTY HUMAN RESOURCES DEPARTMENT**

BID OPENING DATE: MAY 27, 2010

BIDS ARE RECEIVED IN THE
COBB COUNTY PURCHASING DEPARTMENT
1772 COUNTY SERVICES PARKWAY
MARIETTA, GEORGIA 30008
BEFORE 12:00 (NOON) BY THE BID OPENING DATE

BIDS WILL BE OPENED IN THE COBB COUNTY PURCHASING DEPARTMENT
BID/MEETING ROOM AT 2:00 P.M.

VENDORS ARE REQUIRED TO SUBMIT THE ORIGINAL AND 5 COPIES OF BID
(UNLESS OTHERWISE SPECIFIED IN BID SPECIFICATIONS)

NAME: _____

ADDRESS: _____

REPRESENTATIVE: _____

PHONE: _____ FAX: _____

E-MAIL _____

NOTE: The Cobb County Purchasing Department will not be responsible for the accuracy or completeness of the content of any Cobb County Invitation to Bid or Request for Proposal or subsequent addenda thereto received from a source other than the Cobb County Purchasing Department.



Cobb County...Expect the Best!

"STATEMENT OF NO BID"

COBB COUNTY PURCHASING DEPARTMENT
1772 COUNTY SERVICES PARKWAY
MARIETTA, GA 30008

TO ALL PROSPECTIVE BIDDERS:

Because of the many requests to be placed on our vendors' list, we are continuously updating the list. While we want to include all bona fide vendors, we do not want to mail bids to those vendors who may no longer be interested in participating in our bidding process.

If you do not choose to respond to the attached Invitation to Bid/Request for Proposal, please fill out the form below indicating whether or not you want to be retained on our current vendor list.

Vendors who do not respond in any way (by either submitting a bid or by returning this form) over a period of one year may be removed from the current vendor list.

Vendors who do not wish to bid often return the entire bid package, sometimes at considerable postage expense. Returning the entire bid package is not necessary. Simply return this form.

Thank you for your cooperation.
Cobb County Purchasing Department

**"STATEMENT OF NO BID"
REQUEST FOR PROPOSAL
SEALED BID NUMBER 10-5492
POLICE DEPARTMENT PROMOTIONAL PROCESS**

If you do not wish to respond to the attached Invitation to Bid/Request for Proposal, please complete this form and mail/fax to: **Cobb County Purchasing Department, Attention: Sealed Bid Department, 1772 County Services Parkway, Marietta, GA. Fax # 770-528-1154**

I do not wish to submit a bid/proposal on this solicitation.

I wish to be retained on the vendor list for this commodity or service: Yes _____ No _____

Please PRINT the following:

Company

Representative

You are invited to list reasons for your decision not to bid: _____

REQUEST FOR PROPOSALS

POLICE DEPARTMENT PROMOTIONAL PROCESSES

COBB COUNTY HUMAN RESOURCES DEPARTMENT

SEALED BID #10-5492



May 2010

**REQUEST FOR PROPOSALS
POLICE DEPARTMENT PROMOTIONAL PROCESSES
COBB COUNTY HUMAN RESOURCES DEPARTMENT
SEALED BID #10-5492**

TABLE OF CONTENTS

<u>SUBJECT</u>	<u>PAGE</u>
Introduction.....	3
Background.....	3
Current Promotional Process.....	3
Purpose of Request for Proposals (RFP).....	3
Selection Criteria.....	4
Required Project Reports.....	4
Terms and Conditions.....	4
Scope of Services.....	6
Terms.....	6
Proposed RFP Schedule.....	7
Firm Information.....	8
Client Reference Information.....	9
Key Consultant's Qualifications and Availability.....	10
Staff Consultants' Qualifications and Availability.....	11
Conflict of Interest Statement.....	12
Insurance Requirements.....	13
General Terms and Conditions	14
Proposal Fee	32

Attachment 1: Number of sworn and civilian positions by division
Attachment 2 Cobb County Police Department Promotional Policy

**REQUEST FOR PROPOSALS
POLICE DEPARTMENT PROMOTIONAL PROCESSES
COBB COUNTY HUMAN RESOURCES DEPARTMENT**

INTRODUCTION

BACKGROUND

COBB COUNTY, GEORGIA, a political subdivision of the State of Georgia, provides services for the safety and general welfare of a population of over 650,000 residents. Such services are provided under the authority of the Board of Commissioners and the Constitutional Officers of the County.

The Cobb County Police Department currently has 590 full-time authorized sworn positions and 205 full-time and part-time civilian positions. The number of authorized positions for each rank includes: 454 Police Officers; 85 Sergeants; 35 Lieutenants; 4 Police Captains (appointed) 9 Majors (appointed); 2 Deputy Police Chiefs (appointed) and 1 Police Chief (appointed).

For the number of sworn and civilian positions by division please refer to Attachment 1.

CURRENT PROMOTIONAL PROCESS

Currently, an outside consultant designed the job knowledge written test and the assessment centers for the ranks of Sergeant and Lieutenant.

Upon implementation of the project described in this Request for Proposal (RFP), the Cobb County Human Resources Department will be solely responsible for all aspects of the promotional process. However, the Police Department will be responsible for ensuring that the focus of all study materials and testing materials is appropriate.

Attachment 2 describes the current promotional processes for Sergeant and Lieutenant, as given in Policy #2.05.

PURPOSE

This RFP is being issued to secure services in the following areas:

1. Use of the job analysis done in 2006 for Sergeant and Lieutenant for test development.
2. Review of bibliographies currently used as the basis for the job knowledge tests for Sergeant and Lieutenant; make recommendations for revisions.
3. Development of 100 new test items in multiple choice format for the Sergeant and Lieutenant job knowledge tests.
4. Development and administration of assessment centers for Sergeant and Lieutenant in order to establish a two year list used for promotional purposes.
5. Any required expert testimony in an administrative hearing, deposition, court proceeding, etc.

Both existing job analyses include relevant job tasks and knowledge, skills, abilities, and personal characteristics (KSAPs) related to the jobs as they exist in the Police Department. The procedure to review and update this data is to be comprehensive enough to design quality products that are in accord with the

requirements of the most recent *Guidelines and Ethical Considerations for Assessment Center Operations* and the *Uniform Guidelines on Employee Selection Procedures*.

The assessment centers developed should include a candidate orientation program that includes a simulation of exercises, an assessor training program and assessors' training manual, the assessment center exercises and scoring guides, all rating and documentation forms, and a candidate schedule for administration of the assessment centers.

Programs and exercises must be in accordance with the federal *Uniform Guidelines on Employee Selection Procedures* and must be reliable and predictive of success in the promotional position.

Although the RFP includes administration of the assessment centers by the firm selected for the project, the County has the option of deleting this phase as part of the services to be provided.

SELECTION CRITERIA

Criteria for selecting a consulting service:

- Qualifications of the firm and the consulting personnel who would be assigned to the project.
- Experience and past performance of the firm and the proposed personnel in the development of promotional written tests and assessment programs for police departments of similar or greater size and complexity, including such factors as quality of work, control of cost, and ability to meet schedule.
- Capacity of the firm to absorb the work while meeting quality standards using a realistic estimate of time requirements.
- The firm's record of quality work, as evidenced by client references.
- Proposed fee.
- The firm's understanding of the Police Department's promotional testing objectives and requirements, and the technical soundness of the proposed methodology to be used.

REQUIRED PROJECT REPORTS

1. Test Development and Test Results reports
2. Final project report that includes documentation to substantiate the validity of the testing and assessment center process for each job class. The report will be written according to standards described in the *Uniform Guidelines on Employee Selection Procedures*

TERMS AND CONDITIONS

1. An original and five (5) copies of the completed RFP response must be submitted to the Cobb County Purchasing Department, 1772 County Services Parkway, Marietta, Georgia 30008, **before 12:00 noon on Thursday, May 27, 2010**. No bids will be accepted after the 12:00 noon deadline.
2. Each respondent is to prepare a response that addresses each requirement listed in the RFP.
3. Cobb County reserves the right to reject any or all RFP responses submitted or any portions of a response, contact client references, require clarification or additional information, or require

interviews with respondents. All costs related to the preparation, submittal, or presentation to this RFP are the responsibility of the respondent and will not be assumed in full or in part by Cobb County.

4. All materials submitted in response to the RFP become the property of Cobb County and will be returned only at the option of the County. The County has the right to use any or all ideas presented in any response to the RFP whether amended or not, and selection or rejection of the proposal does not affect this right.
5. Bids will be opened at 2:00 p.m. on Thursday, May 27, 2010 in the Cobb County Purchasing Department, 1772 County Services Parkway, Marietta, Georgia 30008.
6. All RFP responses will be evaluated for completeness and clarity according to the criteria established in the RFP to determine the most qualified firms. Factors included in this evaluation will be past performance and experience with similar work, responsiveness to and understanding of the scope of the work, ability and experience of the professional personnel comprising the consulting team, willingness to meet time requirements, and such other factors that may be determined to be applicable to the scope of work being sought.
7. Responses will be rank-ordered and interviews (either by phone or in person) of the highest ranked firms will be held before or on Friday, June 4, 2010 to ensure and clarify a full understanding of services to be provided and/or to further examine firm qualifications. It is anticipated that the successful firm will be recommended to the Board of Commissioners for approval.
8. All questions regarding this RFP should be submitted in writing to:

Cobb County Purchasing Department
1772 County Services Parkway
Marietta, GA 30008
Fax: 770-528-1154
Email: purchasing@cobbcounty.org

Deadline for questions is Tuesday, May 18, 2010 at 5:00 pm

SCOPE OF SERVICES

Respondents must propose to provide services in the following areas for the ranks of Sergeant and Lieutenant:

1. Review of existing job analysis data
2. Review of current promotional policy and recommendation of changes to be made
3. Review of bibliographies currently used as the basis for the job knowledge tests and recommendation for revisions to them
4. Addition of new items and deletion of items to result in a final job knowledge test consisting of 100 multiple choice items
5. Scoring of written job knowledge tests
6. Development of assessment center exercises, rating system, and scoring guides
7. Administration of assessment centers
8. Candidate feedback (optional)

TERMS

Contract awarded as a result of proposals submitted under this RFP shall extend from the date of award for a period of twelve (12) full months.

Contract is renewable at the option of Cobb County Government and upon written agreement by the vendor. However, the total duration of this contract, including the exercise of any options, shall not exceed three (3) years (basic year and two (2) one (1) year options). Proposal will become part of the contract.

PROPOSED RFP SCHEDULE

RFP Advertised	Friday, May 14 and Friday, May 21, 2010
RFP Due Date and Time	Thursday, May 27, 2010 before noon
Bid Opening Date	Thursday, May 27, 2010 2:00 p.m.
Finalist(s) Notified	Before or on Wednesday, June 2, 2010
Finalist(s) Interview(s)	Before or on Friday, June 4, 2010
Recommendation of Selected Firm to Board of Commissioners	Wednesday, June 9, 2010
Project Start Date	Monday, June 21, 2010

FIRM INFORMATION

1. Firm Name:

Address:

Telephone #:

2. Name of Firm Contact:

Telephone #:

3. Who will serve as the firm's authorized representative and negotiator? The person cited will be empowered to make a binding commitment for the respondent. This person must be available for an interview (either by phone or in person) before or on Friday, June 4, 2010, if the firm is selected as a finalist.

Name:

Title:

Address:

Telephone #:

CLIENT REFERENCE INFORMATION

Following the format below, provide complete client reference information for **three (3)** firms/agencies for whom you have previously or are currently providing consulting services. Use additional pages as necessary.

Client:

Client Contact

Name:

Title:

Telephone #:

Date test/assessment centers available for client's use:

Number of client's full time sworn employees in the Police Department:

Narrative of services performed:

KEY CONSULTANT'S QUALIFICATIONS AND AVAILABILITY

Provide the name, telephone number, narrative of qualifications, and a narrative statement of the availability of the key consultant your firm designates to work with and assist the county in implementing the requested services.

This person must be available for an interview (either by phone or in person) on or before Friday, June 4, 2010, if the firm is selected as a finalist.

Name:

Title:

Telephone #:

Qualifications (education, years experience, area of specialty, licensed psychologist, etc.)

Statement of availability/commitment:

STAFF CONSULTANTS' QUALIFICATIONS AND AVAILABILITY

Provide the name, telephone number, narrative of qualifications, and a narrative statement of availability of all staff consultants your firm designates to work with the County in providing the requested services. Use additional pages as necessary.

Name:

Title:

Telephone #:

Qualifications (education, years of experience, area of specialty, number of similar assignments, licensures, certifications, etc.):

Statement of availability/commitment:

CONFLICT OF INTEREST STATEMENT

As a duly authorized representative of _____, I,
(Firm)

(Name)	(Title)
--------	---------

certify to the best of my knowledge that no circumstances exist which will cause a conflict of interest in performing services for the Cobb County Police Department; that no employee of Cobb County, nor any public agency officials or employee affected by this Request for Proposals, has a pecuniary interest in the business of this firm, associates, or consultants of this firm, or the firm's parent firm, subsidiary, or other legal entity of which this firm is a part; and that no person associated with or employed by this firm has any interest that would conflict in any manner or degree with the performance of services for the Cobb County Police Department. (The successful bidder will be required to execute this form no later than the time of contract negotiation.)

DATE: _____

COMPANY NAME: _____

AUTHORIZED REPRESENTATIVE NAME: _____

TITLE: _____

SIGNATURE: _____

INSURANCE REQUIREMENTS

The firm certifies that if it is selected to provide services according to the conditions of this RFP, it will provide the County with proof of professional liability insurance for malpractice of at least \$1,000,000 per occurrence. The insurance policy shall be written through an insurance company authorized to conduct business in the state of Georgia. Should insurance coverage cancel or changed, the firm will submit to the County a 60-day notice of cancellation.

The firm agrees to indemnify and save harmless the County, its officials, and employees from and against any loss or expense by reason of any liability arising from or out of the performance of services provided due to negligence of the firm and its staff, its agents, or employees.

A certified copy of proof of insurance must be delivered to and received by the Cobb County Finance Department, Risk Management Division, 100 Cherokee Street, Marietta, Georgia, 30090, upon notice of award. Final contract award is contingent upon Cobb County's acceptance of insurance documentation.

Signed

Officer Title

Date

Witness

Cobb County General Instructions for Proposers, Terms and Conditions

I. Preparation of Proposals

Each proposer shall examine the drawings, specifications, schedule and all instructions. Failure to do so will be at the proposer's risk, as the proposer will be held accountable for their proposal response.

Each proposer shall furnish all information required by the proposal form or document. Each proposer shall sign the proposal and print or type his or her name on the schedule. The person signing the proposal must initial erasures or other changes. An authorized agent of the company must sign proposals.

Requests for Proposals (RFP) issued by Cobb County are advertised on the Cobb County Internet site (www.purchasing.cobbcountyga.gov) and every Friday in the Cobb County legal organ, the Marietta Daily Journal.

II. Delivery

Each proposer should state time of proposed delivery of goods or services. Words such as "immediate", "as soon as possible", etc. shall not be used. The known earliest date or the minimum number of calendar days required after receipt of order (delivery A.R.O.) shall be stated (if calendar days are used, include Saturday, Sunday and holidays in the number).

III. Explanation to Proposers

Any explanation desired by a proposer regarding the meaning or interpretation of the Request for Proposal, drawings, specifications, etc. **must be received by 5:00 pm on Tuesday, May 18, 2010** for a reply to reach all proposers before the close of the bid. Any information concerning an RFP will be furnished to all prospective proposers as an addendum to the invitation if such information is necessary or if the lack of such information would be prejudicial to uninformed proposers.

The written proposal documents supersede any verbal or written communication between parties. Addenda are posted on the Purchasing web site: www.purchasing.cobbcountyga.gov. Receipt of addenda should be acknowledged in the submitted proposal. It is the proposer's ultimate responsibility to ensure that they have all applicable addenda prior to bid submittal.

IV. Submission of Proposals

Proposals shall be enclosed in a sealed package, addressed to the Cobb County Purchasing Department with the name and address of the proposer, the date and hour of opening, and the request for proposal number on the face of the package. Telegraphic/faxed proposals will not be considered. Any addenda should be enclosed in the sealed envelopes as well.

Unsigned proposals will not be considered.

Cobb County is exempt from federal excise tax and Georgia sales tax with regards to goods and services purchased directly by Cobb County. Suppliers and contractors are responsible for federal excise tax and sales tax, including taxes for materials incorporated in county construction projects. Suppliers and contractors should contact the State of Georgia Sales Tax Division for additional information.

Except as otherwise provided by law, information submitted by a proposer in the proposal process shall be subject to disclosure after proposal award in accordance with the Georgia Open Records Act. Proprietary information must be identified. Entire proposals may not be deemed proprietary.

V. Withdraw Proposal Due To Error

The proposer shall give notice in writing of his claim of right to withdraw his proposal without penalty due to an error within two (2) business days (48 hours) after the conclusion of the proposal opening. Proposals may be withdrawn from consideration if the price was substantially lower than the other proposals due solely to a mistake therein, provided the proposal was submitted in good faith, and the mistake was a clerical mistake as opposed to a judgment mistake, and was actually due to an unintentional arithmetic error or an unintentional omission of a quantity of work, labor or material made directly in the compilation of the proposal, which unintentional arithmetic or unintentional omission can be clearly shown by objective evidence drawn from inspection of original work papers, documents and materials used in the preparation of the proposal sought to be withdrawn. The proposer's original work papers shall be the sole acceptable evidence of error and mistake if he elects to withdraw his proposal. If a proposal is withdrawn under the authority of this provision, the lowest remaining responsive proposal shall be deemed to be low proposal. Proposal withdrawal is not automatically granted and will be allowed solely at the discretion of Cobb County.

No proposer who is permitted to withdraw a proposal shall, for compensation, supply any material or labor or perform any subcontract or other work agreement for the person or firm to whom the contract is awarded or otherwise benefit, directly or indirectly, from the performance of the project for which the withdrawn proposal was submitted.

VI. F.O.B. Point

Unless otherwise stated in the request for proposal and any resulting contract, or unless qualified by the proposer, items shall be shipped F.O.B. Destination. The seller shall retain title for the risk of transportation, including the filing for loss or damages. The invoice covering the items is not payable until the items are delivered and the contract of carriage has been completed. Unless the F.O.B. clause states otherwise, the seller assumes transportation and related charges either by payment or allowance.

VII. Patent Indemnity

The contractor guarantees to hold the County, its agents, officers or employees harmless from liability of any nature or kind for use of any copyrighted or uncopyrighted composition, secret process, patented or unpatented invention, articles or appliances

furnished or used in the performance of the contract, for which the contractor is not the patentee, assignee or licensee.

VIII. Award

Award will be made to the highest scoring responsive and responsible proposer according to the criteria stated in the proposal documents. The County may make such investigations as it deems necessary to determine the ability of the proposer to perform, and the proposer shall furnish to the County all such information and data for this purpose as the County may request. The County reserves the right to reject any proposal if the evidence submitted by, or investigations of such proposer fails to satisfy the County that such proposer is properly qualified to carry out the obligations of the contract.

The County reserves the right to reject or accept any or all proposals and to waive technicalities, informalities and minor irregularities in the proposals received. The County reserves the right to make an award as deemed in its best interest which may include awarding a proposal to a single proposer or multiple proposers; or to award the whole proposal, only part of the proposal, or none of the proposal to single or multiple proposers, based on its sole discretion of its best interest.

Time payment discounts will be considered in arriving at net prices and in award of proposal.

IX. County Furnished Property

The County will furnish no material, labor or facilities unless so provided in the RFP.

X. Rejection of Proposals

Failure to observe any of the instructions or conditions in this request for proposal may constitute grounds for rejection of proposal.

XI. Contract

Each proposal is received with the understanding that the acceptance in writing by the County of the offer to furnish any or all of the commodities or services described therein shall constitute a contract between the proposer and the County which shall bind the proposer on his part to furnish and deliver the articles quoted at the prices stated in accordance with the conditions of said accepted proposal. The County, on its part, may order from such contractor, except for cause beyond reasonable control, and to pay for, at the agreed prices, all articles specified and delivered.

Upon receipt of a proposal containing a Cobb County "Sample Contract" as part of the requirements, it is understood that the proposer has reviewed the documents with the understanding that Cobb County requires that all agreements between the parties must be entered into via these documents. If any exceptions are taken to any part, each exception must be stated in detail and submitted as part of the proposal document. If no exceptions are stated, it is assumed that the proposer fully agrees to the "Sample Contract" in its entirety. The County reserves the right to make changes to the "Sample Contract".

XII. Delivery Failures

Failure of a contractor to deliver within the time specified or within reasonable time as interpreted by the Purchasing Director, or failure to make replacements of rejected articles/services when so requested, immediately or as directed by the Purchasing Director, shall constitute authority for the Purchasing Director to purchase in the open market or rebid for articles/services of comparable grade to replace the articles/services rejected or not delivered. On all such purchases, the contractor shall reimburse the County within a reasonable time specified by the Purchasing Director for any expense incurred in excess of contract prices, or the County shall have the right to deduct such an amount from monies owed the defaulting contractor. Alternatively, the County may penalize the contractor one percent (1%) per day for a period of up to ten (10) days for each day that delivery or replacement is late. Should public necessity demand it, the County reserves the right to use or consume articles/services delivered which are substandard in quality, subject to an adjustment in price to be determined by the Purchasing Director.

XIII. Non-Collusion

By submission of a proposal, the proposer certifies, under penalty of perjury, that to the best of its knowledge and belief:

- (a) The prices in the proposal have been arrived at independently without collusion, consultation, communications, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other vendor or with any competitor.
- (b) Unless otherwise required by law, the prices which have been quoted in the proposal have not been knowingly disclosed by the proposer prior to opening, directly or indirectly, to any other proposer or to any competitor
- (c) No attempt has been made, or will be made, by the proposer to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

Collusion and fraud in bid preparation shall be reported to the State of Georgia Attorney General and the United States Justice Department.

XIV. Conflict Of Interest, Etc.

By submission of a proposal, the proposer certifies, under penalty of perjury, that to the best of its knowledge and belief:

- 1. No circumstances exist which cause a Conflict of Interest in performing the services required by this RFP, and
- 2. That no employee of the County, nor any member thereof, not any public agency or official affected by this RFP, has any pecuniary interest in the business of the responding firm or his sub-consultant(s) has any interest that would conflict in any manner or degree with the performance related to this RFP.

The responding firm also warrants that he and his sub-consultant(s) have not employed or retained any company or person other than a bona fide employee working solely for the responding firm or sub-consultant(s) to solicit or secure a contract agreement with Cobb

County, as related to this RFP, and that he and his sub-consultant(s) have not paid or agreed to pay any person, company, corporation, individual, or firm other than a bona fide employee working solely for the responding firm or his sub-consultant(s) any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award of this Agreement.

For any breach or violation of this provision, the County shall have the right to terminate any related contract or agreement without liability and at its discretion to deduct from the price, or otherwise recover, the full amount of such fee, commission, percentage, gift, payment or consideration.

The successful responding firm shall require each of its sub-consultant(s) to sign a statement certifying to and agreeing to comply with the terms of the subsections above.

XV. Default

The contract may be cancelled or annulled by the Purchasing Director in whole or in part by written notice of default to the contractor upon non-performance or violation of any contract term. An award may be made to the next highest rated responsive and responsible proposer, or articles specified may be purchased on the open market similar to those terminated or the County may issue a new Request for Proposal. In any event, the defaulting contractor (or his surety) shall be liable to the County for costs to the County in excess of the defaulted contract prices; provided, however, that the contractor shall continue the performance of this contract to the extent not terminated under the provisions of this clause. Failure of the contractor to deliver materials or services within the time stipulated on its proposal, unless extended in writing by the Purchasing Director, shall constitute contract default.

XVI. Disputes

Except as otherwise provided in the contract documents, any dispute concerning a question of fact arising under the contract which is not disposed of shall be decided after a hearing by the Purchasing Director who shall reduce his/her decision to writing and mail or otherwise furnish a copy thereof to the contractor. The decision of the Purchasing Director shall be final and binding, however, the contractor shall have the right to appeal said decision to a court of competent jurisdiction.

XVII. Substitutions

Proposers offering and quoting on substitutions or who are deviating from the attached specifications shall list such deviations on a separate sheet to be submitted with their proposal. The absence of such a substitution list shall indicate that the proposer has taken no exception to the specifications contained therein.

XVIII. Ineligible Proposers

The County may choose not to accept the proposal of one who is in default on the payment of taxes, licenses or other monies owed to the County. Failure to respond three (3) consecutive times for any given commodity may result in removal from the list under that commodity.

XIX. General Information

Sealed proposals, with original signatures, will be accepted by the County Purchasing Department at the time, place, and date specified. One (1) original and six (6) copies of the proposal must be submitted, complete with a cover letter signed by an official within the organization who has authority over project negotiation.

These proposals must be in accordance with the purposes, conditions, and instructions provided in this RFP. The Cobb County Board of Commissioners assumes no responsibility for proposals received after the submission time, whether due to mail delays or any other reason. Proposals received after the submission time will be filed unopened and considered non-responsive.

As previously stated under IV, unsigned proposals will not be considered.

Cobb County reserves the right to retain all proposals submitted, and to use any idea in any proposal regardless of whether that proposal is selected. All work performed by the successful respondent shall be performed in compliance with the Americans With Disabilities Act.

XXI. Uniformity of Proposal

To facilitate comparative analysis and evaluation of proposals it is desired that a uniform format be employed in structuring each proposal. The respondent's degree of compliance with the requirements of the RFP will be a factor in the subsequent point-based evaluation of the proposal. Proposals with major deviations or omissions may not be considered for detailed study. Proposals will become part of the contract with Cobb County should they be selected under the RFP.

XXII. Request Additional Information

Inquiries that must be answered in regards to the Proposal procedures or technical matters shall be submitted in writing via U.S. Mail or facsimile or email to:

Cobb County Purchasing Division
1772 County Services Parkway
Marietta, Georgia 30008-4021
Fax: (770) 528-1154
Email: purchasing@cobbcounty.org

Correspondence should be submitted only to the designated individual. All inquiries must be in writing. Cobb County will not orally or telephonically address any question or

clarification regarding specifications or procedures. Cobb County is not bound by any oral representations, clarifications, or changes made to the written specification by County employees, unless such clarification or change is provided to the respondent in written addendum from Cobb County.

XXIII. Firm Prices

Prices quoted by proposal shall be firm and best prices. Prices quoted must be valid for a minimum of ninety (90) days from the date of bid opening.

XXIV. Proposal/Presentation Costs

The cost for developing a proposal will be borne by the respondent. Cobb County is not liable for any costs incurred by the respondent in preparation and/or presentation of proposals in response to this RFP or for travel and other costs related to this RFP.

XXV. Proposal Format

Presentation of the relevant information is at the discretion of the respondent; however, the proposal must address all items identified in Section Titled, Proposal Requirements. To assist in the evaluation of proposals resulting from the RFP, it is recommended that each proposal be written in a concise and forthright manner and that unnecessary marketing statements and materials be avoided.

XXVI. Indemnification/Hold Harmless

By submission of a proposal, the selected responding firm agrees to indemnify Cobb County to the fullest extent permitted by law, protect, defend, indemnify and hold harmless Cobb County, its officers, officials, employees and volunteers from and against all claims, actions, liabilities, losses (including economic losses), or costs arising out of any actual or alleged a) bodily injury, sickness, disease, or death; or injury to or destruction of tangible property including the loss of use resulting there from; or any other damage or loss arising out of or resulting claims resulting in whole or part from any actual or alleged act or omission of the responding firm, sub-consultant, anyone directly or indirectly employed by any of them; or anyone for whose acts any of them may be liable in the performance of work; b) violation of any law, statute, ordinance, governmental administrative order, rule, regulation, or infringements of patent rights or other intellectual property rights by the responding firm in the performance of work; or c) liens, claims or actions made by the responding firm or other party performing the work, as approved by Cobb County.

The indemnification obligations herein shall not be limited to any limitation on the amount, type of damages, compensation, or benefits payable by or for the responding firm or its sub-consultant(s), as approved by the County, under workers' compensation acts, disability benefit acts, other employee benefit acts, or any statutory bar or insurance.

XXVII.Proposal Evaluation

The Evaluation process will address current requirements and consider possible future operation and maintenance needs. Both objective and subjective rationale will be involved in the decision process.

1. Evaluation Responsibility

A selection committee will coordinate the review of all proposals and will submit a recommendation to the County Manager and Board of Commissioners.

2. Presentations

During the evaluation process, the members of the selection committee may require that responding firms conduct a presentation. If required, these presentations will be scheduled in advance and limited in time. Location of the presentations will be pre-arranged.

3. Evaluation Criteria

The County will use a specific set of criteria for the qualitative evaluation of competitive proposals. The structure of the evaluation will be to assign points to each response in a number of categories. A non-response to a specific category will result in no points being awarded for that category. Final rankings will be based on a combination of price and qualitative factors.

The specific qualitative categories may include, but not be limited to, the following:

1. Staff qualifications
2. Performance/Experience of the firm on projects of similar nature, magnitude and complexity
3. Approach to providing services, including training and support, and scope of work
4. Financial Stability
5. Availability of the firm to conduct the work
6. Cost

All proposal requirements must be met, or capable of being met by the responding firm or the proposal will be disqualified as non-responsive. It is extremely important that project schedules are met. Only those firms or teams with the necessary resources and a commitment to complete all project work on schedule should submit a Proposal.

XXVIII.Multi-Year Contract Provisions

The successful respondent will be required to enter into a contract containing the provisions as required by Georgia law pertaining to multi-year contracts. The following is a sample of the provision and will be adjusted as to the term or as to the length of the contract.

This contract shall terminate absolutely and without further obligation on the part of Cobb County at the close of the calendar year in which it was executed, and at the close of each succeeding calendar year for which it may be renewed as provided in O.C.G.A. Section 36-60-13. The contract shall automatically renew for each of the remaining calendar years provided for in the contract, unless positive action is taken by Cobb County to terminate such contract, and the nature of such action shall be written notice provided to the consulting

firm within sixty (60) days before the end of the initial year of the contract or each succeeding remaining calendar year.

This contract shall terminate immediately and absolutely at such time as appropriated and otherwise unobligated funds are no longer available to satisfy the obligations of Cobb County under this contract.

XXIX. Proposal Requirements

The respondents must demonstrate competence and experience in the area of expertise outlined in this Request for Proposal.

If required, respondents must demonstrate competence and experience in public speaking and graphic presentations for the purpose of conveying project information to large and diverse community groups. Respondents should also be able to demonstrate the ability to build consensus among public and private interest groups related to this project.

XXX. Cover Letter/Executive Summary

Respondents shall provide a cover letter or letter of transmittal to briefly summarize the company's interest and relevant qualifications for the project. This letter shall not exceed two (2) pages, and shall be signed by an agent of the responding firm who is authorized to negotiate the details of the proposed services.

XXXI. Project Team

Respondents shall provide an organizational chart for the proposed project team, as well as the relevant background and experience for every proposed team member.

XXXII. Special Terms And Conditions

Should these General Terms and Conditions be in conflict with any attached Special Terms and Conditions, the Special Terms and Conditions will control.

XXXIII. Disadvantaged Business Enterprises (DBE): The following provisions should be carefully read to determine applicability to your business.

Cobb County Government encourages the participation of all businesses in offering their services and/or products. The Cobb County Government has the goal to fairly and competitively procure the best product at the most reasonable cost.

A Disadvantaged Business Enterprise (DBE) is generally defined as a Female, Black American, Hispanic American and any other minority owned business. The Federal Government has long had program in place to ensure participation of DBE vendors and suppliers. The State of Georgia has established a similar program whereby DBE firms are defined, certified and made known. This effort is managed by the Georgia Department of Transportation (GDOT). More information can be obtained from GDOT web site:

1. <http://www.dot.state.ga.us/eeo-div/index.shtml>

The Cobb County Government addresses DBE business participation (frequency and dollar value) in the following ways:

1. Cobb County wishes to identify all DBE participation; both at the contractor and sub-contractor levels in the following ways.
 - a. DBE businesses are requested to identify such status at the time they register as a vendor.
 - b. DBE businesses are requested to identify themselves at the time they propose to do business. Please complete **EXHIBIT B** if applicable and return with bid submittal.
 - c. All businesses will receive with each Purchase Order an instruction sheet for use of the furnished *Cobb County Government DBE Participation Report*, **EXHIBIT C**. Businesses are requested to complete this report and submit it with each invoice for the time period billed.
2. Cobb County has established a Disadvantaged Business Enterprise Plan in accordance with the regulations of the U.S. Department of Transportation (U. S. Department of Transportation (USDOT), 49 CFR Part 26.) The Cobb County Department of Transportation is the lead agency for implementing the USDOT DBE Program for the County.

The Plan applies only to projects which are clearly indicated by the County.

XXXIV. Compliance with Georgia Security and Immigration Compliance Act

Effective: 04/26/10 (Replaces all prior versions)

BACKGROUND

Pursuant to the “Georgia Security and Immigration Compliance Act,” Cobb County cannot enter into a contract for the physical performance of services unless the contractor registers and participates in the federal work authorization program to verify information of all new employees. Neither may any contractor or subcontractor enter a contract with the county in connection with the physical performance of services unless the contractor or subcontractor registers and participates in the federal work authorization program to verify information of all new employees. O.C.G.A. § 13-10-91.

Definitions:

Affidavit – a written statement made or taken under oath before an officer of the court or a notary public or other person who duly has been authorized so to act.

Affiant – the person who makes and subscribes to a statement made under oath (affidavit).

Additionally, before a bid for any such service is considered, the bid must include a signed, notarized affidavit from the contractor attesting to the following: (1) the affiant has registered with and is authorized to use the federal work authorization program; (2) the user ID number and date of authorization for the affiant; and (3) the affiant is using and will continue to use the federal work authorization program throughout the contract period. O.C.G.A. § 13-10-91 (b)(1).

Based upon the County’s experience, additional compliance certification shall be required of all contractors and their subcontractors at the time work is commenced under any contract for the physical performance of services.

PROCEDURE

1. Bid Documents: Bid documents should contain information regarding the contract language requirement below.
2. Responsive Bid Documents: Responsive bid documents must include a signed, notarized affidavit from the contractor in the form attached. If the affidavit is not submitted **at the time of the bid**, the applicant will be **disqualified**.

This affidavit must be signed, notarized and submitted with any bid requiring the performance of physical services. If the affidavit is not submitted at the time of the bid, bid will be determined non-responsive and will be disqualified.

3. Contract Language: Affirmative language shall be contained in contracts for the performance of services to cover all statutory and County requirements; such language shall require:
 - (a) Affidavits in the form attached be executed from a contractor (and any subcontractors, regardless of tier) showing compliance with the requirements of O.C.G.A. § 13-10-91 at the time a contract for the performance of physical services is executed. Such affidavits should be attached to the contract and/or subcontracts.

- (b) That the contractor will be responsible for securing affidavits, and submitting them to the County, for any subcontractors (or sub-subcontractors) employed or retained for work under the contract.
- (c) That the contractor will comply with the requirements for submitting Compliance Certification (as discussed below);
- (d) That failure to comply with any of the requirements and procedures of the County (i.e., failure to supply required affidavits or compliance certification documents; failure to utilize federal work authorization procedures; failure to permit or facilitate audits or reviews of records by County officials upon request; and/or failure to continue to meet any of the foregoing obligations during the life of the contract) shall constitute a material breach of the contract and shall constitute a material breach of the contract and shall entitle the County to dismiss any general contractor, subcontractor, or sub/subcontractor (irrespective of tier) for failing to fully comply with these requirements.
- (e) That upon notice of a material breach of these provisions, the contractor shall be entitled to cure the breach within ten (10) days and provide evidence of such cure. Should the breach not be cured, the County should be entitled to all available remedies, including termination of the contract and damages.

4. Compliance Certification: Prior to commencing work under any contract for the physical performance of services, the contractor shall complete the “EMPLOYER IMMIGRATION COMPLIANCE CERTIFICATION” form attached hereto and submit the same to the County.

After commencing work under any contract the physical performance of services, the contractor shall update the “EMPLOYER IMMIGRATION COMPLIANCE CERTIFICATION” form attached hereto whenever there is a change in personnel and every six (6) months during the term of the contract.

Prior to allowing any other subcontractor to perform work under the contract, the contractor shall obtain a completed “EMPLOYER IMMIGRATION COMPLIANCE CERTIFICATION” from each subcontractor and submit the same to the County.

FORM ATTACHMENTS:

1. CONTRACTOR AFFIDAVIT & AGREEMENT
2. SUBCONTRACTOR AFFIDAVIT & AGREEMENT
3. EMPLOYER IMMIGRATION COMPLIANCE CERTIFICATION

Effective: 04/26/10 (Replaces all prior versions)

CONTRACTOR AFFIDAVIT & AGREEMENT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is contracting with Cobb County, Georgia, has registered with, is authorized to use, and is participating in a federal work authorization program* (an electronic verification of work authorization program operated by the U.S. Department of Homeland Security or any equivalent federal work authorization program operated by the U.S. Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA)). The undersigned contractor further attests that it will continue to use the federal work authorization program throughout the contract period.

The undersigned further agrees that should it employ or contract with any subcontractor(s) or should its subcontractor(s) employ other subcontractor(s) for the physical performance of services pursuant to the contract with Cobb County, Georgia, the contractor or subcontractor will:

- (1) Secure from any subcontractor(s) and/or their subcontractor(s) verification of compliance with O.C.G.A. § 13-10-91 on the attached Subcontractor Affidavit. (EXHIBIT A);
- (2) Provide the subcontractor(s) with legal notice that Cobb County, Georgia, reserves the right to dismiss any contractor or subcontractor for failing to provide the affidavit and/or for failure to comply with the requirements referenced in the affidavit; and
- (3) Maintain records of such compliance and provide a copy of each such verification to Cobb County, Georgia, at the time the subcontractor(s) is retained to perform such services or upon any request from Cobb County, Georgia.

EEV/Basic Pilot Program User ID Number

BY: Authorized Officer or Agent
[Contractor Name]

Contractor Business Name

Printed Name

Date

SWORN AND SUBSCRIBED
BEFORE ME ON THIS THE
____ DAY OF _____, 201__

Notary Public Commission Expires: _____

**The applicable federal work authorization program as of the effective date of the statute is the EEV/Basic Pilot program operated by the U.S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).*

This affidavit must be signed, notarized and submitted with any bid requiring the performance of physical services. If the affidavit is not submitted at the time of the bid, bid will be determined non-responsive and will be disqualified.

Effective: 04/26/10 (Replaces all prior versions)

EXHIBIT A
SUBCONTRACTOR AFFIDAVIT & AGREEMENT

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of Cobb County, Georgia, has registered with, is authorized to use, and is participating in a federal work authorization program* (an electronic verification of work authorization program operated by the U.S. Department of Homeland Security or any equivalent federal work authorization program operated by the U.S. Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA)). The undersigned contractor further attests that it will continue to use the federal work authorization program throughout the contract period.

The undersigned further agrees that should it employ or contract with any subcontractor(s) or should its subcontractor(s) employ other subcontractor(s) for the physical performance of services pursuant to the contract with Cobb County, Georgia, the undersigned subcontractor will:

- (1) Secure from any subcontractor(s) and/or their subcontractor(s) verification of compliance with O.C.G.A. § 13-10-91 on the attached Subcontractor Affidavit. (EXHIBIT A);
- (2) Provide the subcontractor(s) with legal notice that Cobb County, Georgia, reserves the right to dismiss any contractor or subcontractor for failing to provide the affidavit and/or for failure to comply with the requirements referenced in the affidavit; and
- (3) Maintain records of such compliance and provide a copy of each such verification to Cobb County, Georgia, at the time the subcontractor(s) is retained to perform such services or upon any request from Cobb County, Georgia.

EEV/Basic Pilot Program User ID Number

BY: Authorized Officer or Agent
[Subcontractor Name]

Subcontractor Business Name

Printed Name

Date

SWORN AND SUBSCRIBED
BEFORE ME ON THIS THE
____ DAY OF _____, 201__

Notary Public Commission Expires: _____

**The applicable federal work authorization program as of the effective date of the statute is the EEV/Basic Pilot program operated by the U.S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).*

Effective: 04/26/10 (Replaces all prior versions)

EMPLOYER IMMIGRATION COMPLIANCE CERTIFICATION
*(To be completed by Contractors and all Subcontractors prior to contract initiation,
every 6 months after commencement of work, and at any time that
there is a change in personnel assigned to the project.)*

I certify to the Cobb County Board of Commissioners that the following employees will be assigned to:

_____ (Project Name/Description)		
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I further certify to Cobb County, Georgia the following:

- The E-Verify program was used to verify the employment eligibility of each of the above-listed employees;
- We have not received a Final Nonconfirmation response from E-Verify for any of the employees listed.
- If we receive a Final Nonconfirmation response from E-Verify for any of the employees listed above, we will immediately terminate that employee's involvement with the project.
- I have confirmed that we have an I-9 on file for every employee listed above and that to the best of my knowledge all the I-9's are accurate.
- To the best of my knowledge and belief, all of the employees on the above list are legally authorized to work in the United States.
- If any other employee is assigned to this Cobb County project, a certification will be provided for said employee prior to the employee commencing work on the project.

To the best of my knowledge and belief, the above certification is true, accurate and complete.

Sworn to by:

Contractor Name & Address:

Signature of Officer

Printed Name/Title

Date

SWORN AND SUBSCRIBED
BEFORE ME ON THIS THE
____ DAY OF _____, 201__

Notary Public
Commission Expires: _____

Effective: 04/26/10 (Replaces all prior versions)

EXHIBIT B

DISADVANTAGED BUSINESS ENTERPRISE (DBE) IDENTIFICATION FORM

A Disadvantaged Business Enterprise (DBE) is generally defined as a Female, Black American, Hispanic American and any other minority owned business. If your firm is classified as a Disadvantaged Business Enterprise (DBE), please complete this form and submit with bid response or send to:

Cobb County Purchasing Department
Attn: Mr. Rick Brun, Purchasing Director
1772 County Services Parkway
Marietta, GA 30008
Fax: 770-528-1154
Email: purchasing@cobbcounty.org

Name of Firm: _____

Address: _____

Telephone: _____

Fax: _____

Email: _____

MBE Certification Number: _____

Name of Organization Certification _____

**This information is acquired for informational purposes only and will
have no bearing on the award unless otherwise stated**

Instructions for Completing Exhibit C **Disadvantaged Business Enterprise (DBE)** **Participation Report**

All Cobb County Government contractors or vendors are requested to complete a report descriptive of any DBE subcontractor involvement in work for which the government is making payment. If otherwise specified in an RFP/ITB or contract, additional reporting forms may be required as well.

The objective of this request is to assist in the identification of Disadvantaged Business Enterprise (DBE) business participation with the Cobb County Government and to quantify that participation.

The Cobb County Government does not administer a DBE Certification Program. The principle certification agency for the State of Georgia is the Georgia Department of Transportation. As a Contractor/Vendor you are not responsible for verification of any DBE Certification information of your subcontractor.

***** Instructions *****

1. Contractor/Vendor is furnished the one-page ***DBE Participation Report*** form with each Cobb County Government-issued Purchase Order.
2. Contractor/Vendor completes this form for each billing period and attaches it to the invoice to then be sent to the Cobb County Government.
3. Upon receipt of a Contractor/Vendor invoice, County staff should simply separate the completed DBE form and transmit to:

Cobb County Purchasing Department,
Attn.: DBE Report

A Disadvantaged Business Enterprise (DBE) is a firm that is under the control of someone in an ownership position (at least 51%) that:

1. Has membership in one or more of the following groups: Female, Black American, Hispanic American, Native American, Subcontinent Asian American and Asian-Pacific America. There may be other groups that may be eligible to be certified as DBE;
2. Is a U.S. citizen or lawfully admitted permanent resident of the U.S.;
3. Has a personal net worth which does not exceed \$750,000; and,
4. The business meets the Small Business Administration's size standard for a small business and does not exceed \$17.42 million in gross annual receipts;
5. The business is organized as a for-profit business.
6. The business may also be DBE eligible as a certified U.S. Small Business Administration 8(a) program.

EXHIBIT C
Cobb County Government Disadvantaged
Business Enterprise Participation Report

→ *PLEASE keep this blank form to make copies for actual use as needed. Also, please print or type in the form.* ←

Submitted by: _____ Period Invoiced: _____
Name of Prime Contractor/Vendor **From/To:**

Cobb County Project Name: _____ Bid or P.O. Number: _____
Cobb County Department or Agency receiving service or product: _____
Description of Purchased Service/Product: _____

Full Contracted Amount: \$ _____ Payment amount requested at this time: \$ _____

1. Are YOU, the Prime Contractor or Vendor a DBE business? YES _____ NO _____
2. Please provide the following information for each subcontractor participating during this reporting period:

Subcontractor Business Name	Type Service or Product Supplied	Subcontractor Business/Contact Tel. Number	Actual Dollar Value of Subcontractor Participation this Reporting Period
			\$
			\$
			\$
			\$
			\$
			\$
			\$

Submitted by: _____
Printed Name

Title or position: _____

Date Completed: _____

Signature of Authorized Representative

County Departments: Please send this completed form to the Cobb County Purchasing Department, ATTN: DBE Report

PROPOSAL FORM

**REQUEST FOR PROPOSAL
COBB COUNTY POLICE DEPARTMENT PROMOTIONAL PROCESSES
COBB COUNTY HUMAN RESOURCES DEPARTMENT
SEALED BID #10-5492**

PROPOSED FEE

LIST YOUR PROPOSED FEE FOR THIS SERVICE: \$ _____

PLEASE ATTACHED BREAKDOWN OF COST ASSOCIATED WITH THIS PROJECT.

ATTACHMENT 1

	Authorized Positions	Vacant
Public Safety Training Center 3900:		
Academy Director	1	
Administrative Specialist II	2	
Police Officer II	1	
Police Officer III	2	
Police Sergeant	3	
Police Lieutenant	1	
Physical Fitness Coordinator	1	
Total Positions:	11	

	Authorized Positions	Vacant
Public Safety Administration 4010:		
Department Personnel Coordinator	1	
Fiscal Technician III	6	
Public Safety Services Coordinator	1	
Administrative Specialist I	1	
Department Personnel Representative	2	
Maintenance Technician III	1	
Public Safety Director	1	
Agency Administrative Assistant	1	
Clerk (part-time)	1	
Administrative Division Manager	1	
Warehouse Worker I	1	
Public Safety Supply Supervisor	1	
Total Positions:	18	
Public Safety Internal Affairs Administration- 4016		
Administrative Specialist III	2	1
Total Positions:	2	
Public Safety Internal Affairs Police - 4017		
Police Officer II	2	
Police Officer III	4	
Police Sergeant	2	
Police Lieutenant	1	
Police Major	1	
Total Positions:	10	
Public Safety Internal Affairs Fire- 4018		
Firefighter II	1	
Employment Facilitator	1	
Total Positions:	2	
Public Safety Internal Affairs E911- 4019		
EC Operations Supervisor	1	
Total Positions:	1	
Safety Village 1090		
Safety Village Coordinator	1	

	Total Authorized:	Vacant
Police Detached to Director's Office 2115:		
Police Officer II	19	
Police Officer III	3	
Police Sergeant	5	
Police Lieutenant	2	
Police Major	2	
Total Sworn:	31	
Criminal Intelligence Analyst	2	
Administrative Specialist II	1	
RMS Coordinator	1	
Total Civilian:	4	
Total Positions:	35	
Police False Alarm Unit 2120:		
Police Officer II	1	
Total Sworn:	1	
Technician (Part-time)	1	
Total Civilian:	1	
Total Posiitons:	2	

Police Administration Chief's Office 2210:		
Police Officer II	6	
Police Sergeant	1	
Police Lieutenant	1	
Police Captain	1	
Police Major	1	
Assistant Police Chief	2	
Chief of Police	1	
Total Sworn:	13	
Clerk (part-time)	18	3
Public Services Technician II	5	
Administrative Supervisor	4	
Police Records Technician I	9	
Police Records Technician II	3	
Administrative Specialist III	3	
Criminal Intelligence Analyst	1	
Total Civilian:	43	3
Total Positions:	56	

Police Administration-Detective Bureau 2310:		
Police Officer II (one underfilled as Sr. Crime Scene Tech)	71	
Police Officer III (one underfilled as Police Officer II)	3	
Police Sergeant	18	
Police Lieutenant	9	
Police Major(one underfilled as a Captain)	2	
Total Sworn:	103	
Administrative Specialist II	9	
Property/Evidence Technician	7	
Senior Crime Scene Technician	1	
AFIS Services Specialist	1	
Part-time Clerk	1	1
Total Civilian:	19	
Total Positions:	122	
Police Administration- Uniform Bureau 2510:		
Police Officer I and II (includes 4 Police Officers that are on roster, but not budgeted for)	74	
Police Officer III (one is underfilled as a Police Officer II)	4	
Police Sergeant (includes 1 Police Sergeant that is on roster, but not budgeted for)	15	
Police Lieutenant	5	
Police Major	1	
Total Sworn:	99	
Administrative Specialist II	4	
Total Civilian:	4	0
Total Positions:	103	

Police Precinct One 2521:		
Police Officer I and II	55	
Police Officer III (two are underfilled as Police Officer II)	5	
Police Sergeant	7	
Police Lieutenant	3	
Police Captain	1	
Total Sworn:	71	
Administrative Specialist I	2	
Total Civilian:	2	0
Total Positions:	73	
Police Precinct Two 2522:		
Police Officer I and II	71	
Police Sergeant	10	
Police Lieutenant	3	
Police Captain	1	
Total Sworn:	85	
Administrative Specialist I	2	1
Total Civilian:	2	1
Total Positions:	87	
Police Precinct Three 2523:		
Police Officer I and II	62	
Police Officer III	2	
Police Sergeant	9	
Police Lieutenant	3	
Police Major (underfilled as a Police Captain)	1	
Total Sworn:	77	
Administrative Specialist I	2	1
Total Civilian:	2	1
Total Positions:	79	
Police Precinct Four 2524:		
Police Officer I and II	44	
Police Officer III (Three underfilled as Police Officer II)	5	
Police Sergeant	9	
Police Lieutenant	4	
Police Major (underfilled as a Police Captain)	1	
Total Sworn:	63	
Administrative Specialist I	2	
Total Civilians:	2	0
Total Positions:	65	

Police Precinct Five 2525:		
Police Officer I and II	36	
Police Officer III	4	
Police Sergeant	6	
Police Lieutenant	3	
Police Captain	1	
Total Sworn:	50	
Administrative Specialist I	2	
Total Civilian:	2	0
Total Positions:	52	
School Patrol 2542:		
School Patrol Officer	91	
School Patrol Supervisor	9	
Total Civilian Positions:	100	0
Total Sworn Positions	592	0
Total Civilian Positions:(including all part-time)	180	4
Total Police Department Positions (including P/T):	772	4
As of 12/11/09		

ATTACHMENT 2

George B. Hatfield
Chief of Police

Bill L. Mull
Ronald D. Storey
Deputy Chiefs of Police



140 North Marietta Parkway
Marietta, Georgia 30060-1454
770-499-3900

MEMORANDUM

To: SGT A.M. Marchetta

From: G.B. Hatfield Jr. Chief of Police 

Thru: G.M. Lloyd, Director of Public Safety 
Anthony B. Hagler, Director, Cobb County Human Resources 
Deborah L. Dance, Assistant Cobb County Attorney 

Date: July 14, 2006

Ref: Cobb County Police Promotional Policy 2.05

The revised promotional policy has been reviewed by representatives of the Cobb County Attorney's Office, the Cobb County Human Resources Department, and the Director of Public Safety. All parties believe that the promotional policy meets legal standards, accreditation standards, and the managerial needs of the Department.

I would like for the policy to be effective on Sunday July 16, 2006. Please ensure that the policy is distributed to all personnel electronically, and ensure that the Policy Manual is updated on the Resource Site.

Thank you for your assistance in this matter.

Cobb County Police Department

Policy 2.05

**PROMOTIONAL AND COMMAND STAFF APPOINTMENT
PROCEDURES**

Effective Date: July 17, 2006	
Rescinds: Policy 2.05 (June 2, 2006)	
Related Orders: None	
Issued By: George B. Hatfield, Jr.	Page 1 of 11
The words "he, his, him," which may appear in this policy, are used generically for clarity and ease of reading. These terms are not meant to imply gender and relate to all employees of the Department.	

The purpose of this policy is to establish policies and procedures pertaining to the Department's promotional system for Police Sergeant and Police Lieutenant and Command Staff Appointments.

I. APPLICABILITY

These procedures apply to qualified sworn personnel who wish to participate in the promotional process for the ranks of Police Sergeant and Police Lieutenant, and who are eligible for Command Staff Appointments.

II. DEFINITIONS

As used in this policy, the following words and terms shall have the meaning ascribed:

- A. Continuous Service:** Uninterrupted employment by the Cobb County Police Department as a sworn officer (breaks in service for military duty, medical purposes, family emergencies, or kindred purposes authorized by the Department, shall not be construed as interruptions of continuous service).
- B. Department:** The Cobb County Police Department.
- C. Department Test Coordinator:** An identified person/position within the Police Department who assists Human Resources with the administration of the promotional process. This task is normally assigned to the commander of the Cobb County Public Safety Training Center.
- D. Formal Disciplinary Action:** Any Code of Conduct or Policy Manual procedure violation which results in a loss of rank or a suspension without pay for more than three days, or a pattern of three or more incidents which results in a formal reprimand or suspension.

- E. Human Resources:** The Cobb County Department of Human Resources (not the Department of Public Safety Personnel Unit).
- F. Sworn Police Officer:** An officer of the Cobb County Police Department designated as a Police Officer II or Police Officer III (Corporal).
- G. Ranked Personnel:** An employee holding a rank, excluding the designation of PO III (Corporal), to which an employee has been promoted or appointed.
- H. Test Consultant:** A service provider contracted by the county to provide job-related, non-discriminatory test(s) and scoring used for the evaluation of promotional candidates.

III. PRE-EXAMINATION PROCEDURES FOR SERGEANTS AND LIEUTENANTS

A. Notification of Promotional Exam

Announcements of an upcoming promotional process will be made electronically to all officers of the Department. Additionally, unit commanders shall post printed copies of the notification announcement in prominent places (such as bulletin boards).

1. At least 60 days prior to the date of the written Job Knowledge Test, Human Resources will announce the opening and closing dates for registering for the promotional exam.
2. The announcement will contain other pertinent facts related to the exam, to include:
 - a. A list of all test resource materials and recommended study materials;
 - b. Registration process requirements;
 - c. Weights assigned to test components; and
 - d. The projected number of participants in the Assessment Center.

B. Qualification of Applicants

Human Resources shall be responsible for qualifying applicants who meet the minimum requirements for an announced promotional exam. A waiver of qualifications for eligibility is not granted to applicants erroneously permitted to participate in the promotional exam process.

The following minimum qualifications must be met to compete in the promotional process:

1. Police Sergeant

To compete for the rank of Police Sergeant, candidates must meet the following minimum requirements prior to the effective date of the promotional roster:

- a. Have a minimum of five years of total service with the Department, prior to the effective date of the promotional roster. Three of the above five years must be of continuous service with the Department immediately prior to the effective date of the promotional roster.
- b. Have completed the Georgia POST Field Training Officer (FTO) course.

2. Police Lieutenant

To compete for the rank of Police Lieutenant, candidates must have three years Continuous Service as a Police Sergeant with the Cobb County Police Department immediately prior to the effective date of the promotional roster.

C. Registration for Promotional Exam

1. Candidates must register for a promotional exam through the Cobb County Human Resources Department
2. Candidates on active military duty will be accommodated for registration on a case by case basis by the Department Test Coordinator and Human Resources.

D. Administration of Promotional Exams

1. Promotional exams for Police Sergeant and Police Lieutenant shall be administered by, or under the direction of, Human Resources, with the assistance of the Department Test Coordinator.
2. The Department Test Coordinator will ensure that the Cobb County Superior Court, the Cobb County State Court, the Cobb County Magistrate Court, the Cobb County District Attorney's Office and the Cobb County Solicitor General's Office are notified of the testing dates and times as they become available.

3. Should a candidate receive a subpoena which requires his appearance in court at the time of the Job Knowledge Test or the Assessment Center, he should immediately contact the Department Test Coordinator. The Department Test Coordinator will assist in resolving the conflict by:
 - a. Determining the feasibility of re-scheduling the candidate's appearance in court;
 - b. Determining the feasibility of re-scheduling the candidate's time for taking the Job Knowledge Test or Assessment Center; or
 - c. Any other reasonable means for ensuring that the candidate is able to fully participate in the promotional process.
4. A candidate who is on active military duty and who will not be able to take the Job Knowledge Test and/or participate in the Assessment Center when offered by the Department, will be accommodated on a case by case basis upon the candidate's return from active duty.

IV. EXAMINATION PROCEDURES FOR SERGEANTS AND LIEUTENANTS

The Police Sergeant and Police Lieutenant promotional processes are normally administered every even-numbered year between August and October, with the resulting lists of eligible candidates being effective on January 1st of the following odd-numbered year. The previous lists of eligible candidates for Police Sergeant and Police Lieutenant will remain in effect until that date or until exhausted. If a previous list of eligible candidates is exhausted prior to January 1st, the new list may, at the discretion of the Chief of Police, become effective at any time after it is forwarded to the Chief of Police.

A. Promotional Exam Components

The Police Sergeant and Police Lieutenant promotional exams are comprised of the Job Knowledge Test and the Assessment Center.

1. Job Knowledge Test
 - a. The Job Knowledge Test will consist of a battery of 80 to 120 multiple choice questions, based on a 100 point scale. These questions will be developed from the resource materials and reading list provided to the candidates.
 - b. Police Sergeant and Police Lieutenant Candidates will receive their Job Knowledge Test results prior to the commencement of the Assessment Center.

- c. The exact number of candidates who will continue on to the Assessment Center will be determined prior to the test and announced at the time the test date is announced.

2. Assessment Center

The Assessment Center is comprised of job-related exercises during and/or after which each participant's performance is evaluated by two or more trained assessors.

a. Qualifications for Advancement to the Assessment Center

1. Candidates will be ordered from the highest to the lowest score according to the Job Knowledge Test scores. No list of names will be provided to any Police Department personnel by Human Resources.
2. Three candidates per projected vacancy will participate in the Assessment Center.

Projected vacancies are determined by:

- a. The Chief of Police consulting with the Human Resources Department to determine retirement and attrition trends;
- b. The Chief of Police reviewing planning, management and budget documents for creation of new positions;

Projected vacancies may be modified at the discretion of the Chief of Police based upon supervisory and management needs of the Department.

3. Starting at the top of the ordered list, the appropriate number of candidates will be identified as participants in the Assessment Center.
4. Only candidates who score 70% or above on the Job Knowledge Test will proceed to the Assessment Center, even if the projected vacancies exceed the number of applicants who scored 70% or above (Example: If the projected vacancies are for seven Sergeants, 21 candidates will proceed to the Assessment Center. If only 19 candidates scored 70% or above, and the remainder of candidates scored 69% and below, only 19 candidates will proceed to the Assessment Center).

5. If there is a tying cut off score among the candidates, all candidates with the tying score will proceed to the Assessment Center. (Example: If the projected vacancies are for seven Sergeants, 21 candidates are eligible proceed to the Assessment Center. If 20 candidates scored 75% [or above] and three candidates scored 74%, then the cut off score would be 74%, and 23 candidates will proceed to the Assessment Center.

b. Administration of Assessment Center

1. Use of Assessors

Multiple assessors will be used in each exercise of the Assessment Center. All assessors will be selected from police departments other than the Cobb County Police Department. Should an assessor have to withdraw during the Assessment Center, the process will continue with the remaining assessors.

2. Qualifications of Assessors

Assessors for the Assessment Center must be at least equal in rank and responsibility to the rank being evaluated. Assessors will be trained by the test consultant for their duties in the promotional process.

3. Examination of Candidates

Assessment Center candidates shall be presented to the assessor panel in an order determined necessary to maintain adequate staffing of the Police Department. Final grading by the assessor panel shall be accomplished outside the presence of the candidate.

Each candidate will receive performance feedback based on assessor comments and scores.

4. Receipt of Results

Candidates will receive Assessment Center results by or through the Human Resources Department.

B. List of Eligible Candidates

1. Final Score

The final score is determined by the sum of:

- a. The Job Knowledge Test score (by weight) and the Assessment Center score (by weight).
 - b. Generally, the Assessment Center is weighted more heavily than the written test. The Human Resources Department will include the weights of each test component in the test announcement.
 - c. For a candidate to be placed on the list of eligible candidates, the final score must be 70% or above.
- 2. Candidates will be placed on the list of eligible candidates in alphabetical order.**

C. Grounds for Applicant Disqualification

Any applicant disqualified from the promotional process will not be entitled to continue in the promotional exam process, which includes the establishment of any subsequent list of eligible candidates from remaining candidates when a current list of eligible candidates is exhausted. Grounds for disqualification are, but are not limited to:

1. Failure to participate in any phase of a promotional exam;
2. Achieving a score less than 70% on the written exam, or a score less than 70% on the Assessment Center.;
3. Arriving at a test site after the appointed starting time for any part of an exam; or
4. Cheating on any part of the promotional exam.

V. POST-EXAMINATION PROCEDURES FOR SERGEANTS & LIEUTENANTS

A. Notification to Candidates of Testing Results

Each candidate for Police Sergeant and Police Lieutenant will be notified of the results of his promotional exams by the Human Resources Department.

B. Appeal Procedures

A candidate has four different opportunities to appeal:

1. Immediately following the administration of the written test

A candidate can appeal written test items because the candidate believed that there was no correct answer or there was more than one correct answer to an item. Before turning in the exam, the candidates may complete the provided appeals form listing any problematic questions. Additionally, the candidate will have the right to appeal any item(s) by 5:00 PM the following day of the exam, but must use his recollection on the item(s) due to the prohibition against removing test materials or appeals forms from the examination area. If the candidate chooses to appeal the following day, the candidate must submit the appeal in writing by written letter or by e-mail to the Director of Human Resources.

2. After the written test notices have been sent:

A candidate can appeal the written test process to include improper testing conditions and miscalculated scores. A candidate may file an appeal in writing to the Director of Human Resources in writing by written letter or by e-mail. The appeal must be received by the Director of Human Resources within 10 calendar days from the date that notices were post marked or sent electronically. The Director of Human Resources, or his designee, will notify the candidate of his receipt of the appeal.

3. Immediately following the administration of the assessment center

A candidate can appeal the assessment center because the candidate believed that there were unfair or improper testing conditions; or if the candidate had concerns about the administration or how the Assessment Center process was conducted. Before leaving the assessment center, the candidate may complete the provided appeals form listing any concerns that the candidate had about the process. Additionally, the candidate will have the right to appeal by 5:00 PM the following day of the exam, but must use his recollection on the assessment center due to the prohibition against removing test materials or appeals from the examination area. If the candidate chooses to appeal the following day, the candidate must submit the appeal by written letter or by e-mail to the Director of Human Resources.

4. After the final test notices have been sent

A candidate can appeal the assessment center and final score if the candidate believes that the final score has been miscalculated. A candidate may file an appeal to the Director of Human Resources by written letter or by e-mail. The appeal must be received by the Director of Human Resources within 10 calendar days from the date that notices were post marked or sent electronically. The Director of Human Resources, or his designee, will notify the candidate of his receipt of the appeal.

5. The Director of Human Resources is the final decision maker regarding the granting or denial of an appeal. The Director of Human Resources, or his designee, will work with appropriate parties as necessary to resolve the appeal and will notify the candidate in writing or electronically of the results of the appeal for each of the appeal periods. The final list of candidates for promotions will not be provided to the Chief of Police until all appeals to Human Resources have been resolved.

C. Location of Promotional Exam Records

All records pertinent to any promotional exam process shall be maintained by Human Resources, and as specified by any applicable laws.

VI. FILLING POSITION VACANCIES FROM LIST OF ELIGIBLE CANDIDATES

A. Selection of Most Suited Applicant

1. In selecting the most suited applicant for a vacancy, the Chief of Police should consider the following factors:
 - a. Candidate annual evaluations;
 - b. Candidate disciplinary history;
 - c. Candidate training history/experience;
 - d. Candidate Education;
 - e. Candidate resumes (when requested by the Chief of Police); and
 - f. Counsel and advice of the Deputy Chiefs and the Command Staff.

The Chief of Police is not under any obligation to select a promotional candidate in order of test ranking.

2. Prior to appointment to probationary status, the Chief shall conduct a final interview with the candidate.
3. Written documentation regarding the Chief of Police's reasons for a selection shall be submitted to Human Resources, along with the return of the completed, signed and dated certification list of eligible candidates.

B. Election to Establish Subsequent List of Eligible Candidates

If a list of eligible candidates for Police Sergeant or Police Lieutenant is exhausted prior to the next regularly scheduled exam process, and if the list of eligible candidates resulting from the next regularly scheduled exam process will

not be approved for more than six months, the Police Chief may elect to establish subsequent list(s) of eligible candidates from the candidates who scored 70% or above on the most recent Job Knowledge Test.

C. Test Results for List of Eligible Candidates

Job Knowledge Test and Assessment Center scores from the current promotional process will have no bearing on candidates who are on a current list of eligible candidates established from a previous promotional process.

D. Candidate Who Receives Formal Disciplinary Action

1. A candidate eligible for promotion who receives Formal Disciplinary Action after becoming eligible may become ineligible for promotion, and the Chief may remove his name from the promotional roster.
2. A candidate removed from the list for cause will be eligible to test and participate in the next promotional cycle without prejudice resulting from a decision to remove his name from the prior promotional roster.

VII. PROHIBITED CONDUCT AND SECURITY PROCEDURES

A. Applicability to All Personnel

This section applies to all Department personnel, whether or not such persons are participating in any part of a promotional process.

B. Security of Job Knowledge Test and Assessment Center Materials

1. Upon receipt from the Test Consultant, promotional materials will be secured in accordance with Human Resources written procedures.
2. The Department's promotional examinations are considered proprietary and highly confidential. Therefore, personnel participating in any aspect of a promotional examination may be required to sign a confidentiality agreement, which requires that the contents of that examination not be disclosed to anyone, except as provided for by law or policy regarding formal testimony or inquiry. Failure to sign a confidentiality agreement will render a candidate ineligible to continue in any promotional process. Failure to uphold the confidentiality agreement may result in disciplinary action up to, and including, termination.
3. During the course of the promotional testing process, no candidate or subject matter expert with knowledge of the test material shall give or receive assistance, insight, or information of any kind regarding any aspect of that promotional process.

4. Personnel will not alter or change, or cause to be altered or changed, any device, apparatus, equipment, or material being used in a promotional exam process without prior approval from appropriate supervisory personnel.
5. Any employee who has knowledge of any violation of this policy is mandated to promptly report this information to the Department Test Coordinator, bypassing the chain of command. Any violation of this policy may result in disciplinary action, up to and including termination.

VIII. COMMAND STAFF APPOINTMENTS

Appointment to a rank above Lieutenant shall be made by the Chief of Police, who will be the appointing authority. Appointments will be made in accordance with the Rules and Regulations of the Cobb County Civil Service System. The Chief of Police shall conduct an oral interview with the candidate prior to the appointment.