



Ohio Public Employees Retirement System
Request for Proposal

For:
NetApp Backup Storage Array Replacement

Date:
July 28, 2023

277 East Town Street
Columbus, Ohio 43215
1-800-222-PERS (7377)
www.opers.org

PLEASE NOTE: NO RESPONDENT SHALL ATTEMPT TO COMMUNICATE WITH OPERS CONCERNING THIS RFP IN ANY MANNER OTHER THAN AS SPECIFICALLY PROVIDED IN THE “RFP COMMUNICATION PROTOCOLS” SET FORTH IN ATTACHMENT 1 HERETO.

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A. BACKGROUND

1. Retirement Board

In 1935, the Ohio Public Employees Retirement System (OPERS) began a tradition of providing excellent retirement benefits for state employees. With approximately \$127.0 billion in net assets, the System provides retirement, disability, and survivor benefit programs for public employees throughout the state who are not covered by another state or local retirement system. OPERS serves over 1,210,000 members of approximately 3,700 public employers including 219,000 retirees, disability recipients and surviving beneficiaries who receive monthly benefits.

2. Financial Information

The most recent OPERS Annual Financial Comprehensive Report is available on the OPERS website at: <https://www.opers.org/financial/reports.shtml>

B. OVERVIEW

The Ohio Public Employees Retirement System is seeking proposals for the purchase of of new NetApp hardware, software, licensing and support.

C. SCOPE OF ENGAGEMENT

The Ohio Public Employees Retirement System is seeking to purchase the hardware, software, licensing and support listed in D.2 – Requirements. All support services must be directly provided by NetApp. All hardware and support quoted must be supplied by a registered Netapp Partner/Reseller. No third party support quotes will be accepted.

D. PROPOSAL CONTENT

At a minimum, the proposal must include the following information. For ease of review, each requirement should be addressed in a separate section preceded by an index tab to identify the subject of the section. The proposal should be formatted on consecutively numbered pages and include a table of contents.

1. Certification of Proposal Requirements

The Vendor must include a certification statement in the form attached hereto as **Attachment 2 – Certification of Proposal Requirements**, which must be signed by an individual who is authorized to bind the Vendor contractually.

2. Requirements

2.1 Vendor will provide the hardware, licensing and support for the following products.

Part Number	Description	Quantity
E5700A-64GB-FC-EC	E5700A,64GB Cntrlr,No HIC,16Gb FC,2-pt,-C	4
X-56030-00-0E-C	HIC,E5700/EF570,32Gb FC,4-ports,0E,-C	4
X6603A-C	SFP+ Optical,32Gb FCShortwave,-C	16
X-48895-00-0E-R6-C	SFP,10Gb iSCSI/16Gb FC,Unified,E-Series,0E,-C	8
X-00061-00-0E-C	Battery,E2800,E5700,0E,-C	4
DOCDE460C-SYSC	Install Documents,System,DE460C,-C	2

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X-50619-00-0E-C	Jumper Crd,In-Cab,2m,BIS C20-C19,4U Enc,0E,-C	2
E-X5720B-0EC	IOM12B,SAS,12Gb,E-Series,0E,-C	4
X-26004-00-0E-C	Cable,miniSAS HD-miniSAS HD,SAS3,1m,0E,-C	8
X-50619-00-0E-C	Jumper Crd,In-Cab,2m,BIS C20-C19,4U Enc,0E,-C	2
E-X5720B-0EC	IOM12B,SAS,12Gb,E-Series,0E,-C	4
X-26004-00-0E-C	Cable,miniSAS HD-miniSAS HD,SAS3,1m,0E,-C	8
X-50619-00-0E-C	Jumper Crd,In-Cab,2m,BIS C20-C19,4U Enc,0E,-C	2
X-26010-00	Cable,Host,Optical,LC/LC,OM4,2m	8
X-26011-00	Cable,Host,Optical,LC/LC,OM4,5m	16
X6561-R6	Cable,Ethernet,2m RJ45 CAT6	4
E-X5730B-0EC	Enclosure,4U-60,DE460C,Empty,2PSU,2325W,0E,-C	2
E-X4128B-0EC	DSK DRV,8TB,7.2k,12Gb,Non-FDE,DE460C,0E,-C	120
E-X5730BDM-0E-C	Encl,4U-60,DE460C,Empty,2PSU,2325W,DM,0E,-C	2
E-X4128B-0EC	DSK DRV,8TB,7.2k,12Gb,Non-FDE,DE460C,0E,-C	120
E-X5730BDM-0E-C	Encl,4U-60,DE460C,Empty,2PSU,2325W,DM,0E,-C	2
E-X4128B-0EC	DSK DRV,8TB,7.2k,12Gb,Non-FDE,DE460C,0E,-C	60
TI-ESERIESD-BASE	Trade-in Credit,D,ESeries,Platform Base	2
TI-ESERIESD-STG	Trade-in Credit,D,ESeries,Storage Returns	2
OSSANTRICITY1-CAP1-0E-C	OS Enable,Per-0.1TB,SANTRCTY,Cap-Stor,0E,-C	9600
OSSANTRICITY1-CAP1-0E-C	OS Enable,Per-0.1TB,SANTRCTY,Cap-Stor,0E,-C	9600
OSSANTRICITY1-CAP1-0E-C	OS Enable,Per-0.1TB,SANTRCTY,Cap-Stor,0E,-C	4800
CSSUPPORT-MANAGEMENT	Supplemental Support Management, E5760	2
CS-WARRANTY-EXTENSION	Warranty Extension	2
CS-WARRANTY-EXTENSION	Warranty Extension	2
CS-WARRANTY-EXTENSION	Warranty Extension	2
CS-O2-4HR	SupportEdge Premium 4hr Onsite	2
CS-O2-4HR	SupportEdge Premium 4hr Onsite	2
CS-O2-4HR	SupportEdge Premium 4hr Onsite	2

2.2 Vendors must provide information regarding the products timeline, including but not limited to when the product was first released, the expected support lifetime (i.e. when the product is expected to reach “end-of-life”) and whether the product has had any major technical problems, required either a recall, emergency hardware upgrades or deployment of technical support resources to customer’s sites to resolve a pattern of consistent problems in the use of these products.

2.3 Vendors must provide detailed information of any limitations with the capacity and scalability of the products being quoted.

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3. Cost

- 3.1 Please provide an itemized fixed fee price quote and manufacturer's identification for all hardware modules listed, and an explanation of any exclusions, modifications or any substitutions. All quotes and discount levels must be valid for thirty (30) days from after the RFP close date.
- 3.2 State whether Vendor will negotiate its proposed fee if OPERS decides negotiation is appropriate as to any aspect of the proposals, including the fee, with the finalist(s). In no case, however, will the negotiated fee be higher than the fee submitted in the proposal.

4. Sample Contract

- 4.1 Please provide a sample contract for the purchase of the hardware and software support, if any, as well as any master services agreement or end user agreement applicable to the purchase with your proposal for consideration if you are selected for this engagement. The contract should reflect the specific scope and deliverables of this engagement.

E. SELECTION CRITERIA

Proposals will be evaluated, and OPERS will make any final decision to award the contract.

Proposals will be evaluated based on the following criteria:

1. Cost

After evaluation of the proposals, OPERS may determine a list of finalists not to exceed three (3) and may commence sequential negotiations on any aspects of the proposals OPERS deems appropriate beginning with the highest scoring finalist. If OPERS does not reach agreement with the highest scoring finalist within seven (7) calendar days, or if in the opinion of OPERS negotiations with that finalist reach an impasse, OPERS may decide not to award the contract or may begin negotiations with the second highest scoring finalist. OPERS may choose to continue such negotiations with subsequent finalists on the same basis until a contract is negotiated, no other finalists remain, or OPERS decides not to award the contract pursuant to this RFP.

F. GENERAL TERMS AND CONDITIONS FOR SUBMITTING PROPOSALS

1. Vendor acknowledges that OPERS is subject to the Ohio Public Records Act, and the documents submitted pursuant to this RFP may be subject to a public records request. Accordingly, Vendor should submit, along with its response to this RFP, a copy of its response in which any information that is trade secret or is otherwise exempt from disclosure under the Ohio Public Records Act is redacted, along with a reference to the statutory basis upon which Vendor is relying for the redaction. For example, the Ohio Public Records Act is ORC Section 149.43 and allows protection of trade secret information as set for in ORC 1333.61(D) or any federal statutes that might apply. If at any time after submitting the redacted copy of its response pursuant to the previous sentence Vendor should identify information in its redacted copy that (a) was not redacted in its submission but it later determines has become trade secret information or otherwise exempt from disclosure under the Ohio Public Records Act, or (b) was redacted in its original submission but it later determines is no longer trade secret or otherwise exempt from disclosure under the Ohio Public Records Act, Vendor shall send OPERS an updated redacted copy reflecting such change, along with a reference to the statutory basis upon which Vendor is relying for any additional redaction. If a request for records is made that includes information Vendor has submitted pursuant to this RFP, OPERS will provide the requestor with the redacted version of Vendor's response provided pursuant to this section, or updated pursuant to the preceding sentence, if applicable. If the position taken by Vendor in its redactions hereunder results in OPERS suffering any damages, fees or other losses of any kind, Vendor shall indemnify OPERS for such losses. If no documents or materials are identified and marked by Vendor as confidential, Vendor will be deemed to have consented to the release of the document or material, and to have waived any cause of action against OPERS resulting from the release of the documents or materials.
2. **Regardless of cause, late proposals, in whole or in part, will not be accepted by OPERS and will automatically be disqualified from further consideration.** It shall be the Vendor's sole risk to ensure delivery

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of its proposal at the designated office by the designated time. Late proposals will not be opened and may be returned to the Vendor at the expense of the Vendor, or destroyed by OPERS if so requested.

3. OPERS reserves the right, in its sole discretion, to reject any or all proposals submitted, and to waive as to any vendor or as to all vendors, any informality or irregularity in a proposal or proposals or any failure to conform to the instructions in this RFP.
4. OPERS reserves the right to modify any dates stated in this RFP at its sole discretion and accepts no liability to the extent the actual schedule differs from the dates set forth herein. In the event a change is made to the RFP Schedule, a revised schedule will be posted on the OPERS website.
5. This Request for Proposal is not a contract, not meant to serve as a contract, and does not constitute a promise to enter into a contract.
6. OPERS shall not have any responsibility or liability whatsoever with respect to any costs incurred by any Vendor in preparing a proposal or responding to this RFP.
7. OPERS does not make any representation or warranty regarding the accuracy or completeness of any information contained in this RFP, its Attachments, or any statements by representatives of OPERS during the RFP process. Each Vendor is responsible for making its own evaluation of the information and data contained in this RFP and in preparing and submitting responses to this RFP. OPERS' issuance of this RFP and receipt of information in response to this RFP will not, in any way, cause OPERS to incur any liability (whether contractual, financial, or otherwise) to any Vendor participating in the RFP process.
8. All documents, proposals and other materials submitted in response to this RFP will become the property of OPERS and will not be returned to Vendor.
9. Vendor agrees to comply with all terms, conditions and requirements described in this RFP. Any failure by any responding Vendor to so comply shall be grounds for rejection of that Vendor's proposal, as determined by OPERS in its sole discretion.
10. If a contract results from this RFP, neither the successful responding Vendor, nor anyone on its behalf (including its agents, affiliates, subcontractors and/or vendors), shall publish, distribute or otherwise disseminate any press release, advertising and/or publicity matter of any type or kind (collectively "Advertising Material") having any reference to OPERS, this RFP or the resulting contract, unless and until such Advertising Material first shall have been submitted to and approved in writing by OPERS.

G. INSTRUCTIONS FOR SUBMITTING PROPOSALS

1. **Please provide two (2) electronic copies of your proposal via email** (including one (1) redacted electronic copy for public records requests as described in Section F.1. of this RFP) **by 2:00 PM Eastern Time on August 9, 2023 to:**

Nicole Novak
Procurement Agent
Ohio Public Employees Retirement System
nnovak@opers.org

Please note that certain submissions made via email may be blocked due to file size limitations on either Vendor's or OPERS' email servers. Please submit your proposals with enough time in advance of the deadline to ensure the transmission goes through in its entirety, and to re-submit by the deadline if necessary. If submissions are not received by OPERS by the deadline for whatever reason, including due to non-transmittal due to size limitations, they will be rejected.

2. Questions concerning this Request for Proposal must be submitted via e-mail to Nicole Novak (nnovak@opers.org). **The question and answer period will be July 28th – August 2nd.** Questions must be submitted by 4:00 PM on August 2nd. Q & A will be posted on the OPERS website.

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3. **All communications with OPERS concerning this Request for Proposal must be conducted in compliance with Attachment 1, “RFP Communication Protocols” attached hereto.**
4. This Request for Proposal is issued on July 28, 2023. OPERS reserves the right, in its sole discretion, to amend or cancel this RFP.

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ATTACHMENT 1 – RFP COMMUNICATIONS PROTOCOLS

This RFP includes and imposes certain restrictions on communications between OPERS and vendors responding to the RFP (“Vendors”).

Vendors are restricted from communicating with OPERS in any manner, whether oral, written, electronic or otherwise, that a reasonable person would infer constitutes an attempt to unduly influence the award, denial, or amendment of a contract, from the time this RFP is issued through the final award and approval of the contract or termination of this RFP. **Any communications with OPERS in violation of this Attachment 1 may result in immediate disqualification of such Vendor.**

The following communications channels are permissible for Vendors to communicate with OPERS to ensure that no violations of these Communication Protocols occur:

- **Question and Answer Period:** See Section G.2 of the RFP.
- **Supplemental Questions:** OPERS may, after an RFP has been posted, post to the OPERS website supplemental RFP questions for Vendors to answer. If such supplemental questions are posted by OPERS, Vendors shall respond to such questions according to the instructions included with the supplemental questions.
- **Additional Information:** OPERS may, but is not obligated to, request additional information and materials from any Vendor for evaluation of its proposal. Information submitted by a Vendor absent a request by OPERS that is not in the nature of a correction or clarification to the proposal will not be considered. A Vendor must immediately notify OPERS if any information in a proposal becomes invalid or untrue prior to the completion of the RFP process. OPERS may disqualify a Vendor from further consideration if the Vendor fails to immediately notify OPERS of invalid or untrue information, or fails to respond to OPERS’ request for additional information and materials. OPERS shall have no obligation to inform any Vendor of any deficiency in its proposal.

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ATTACHMENT 2 – CERTIFICATION OF PROPOSAL REQUIREMENTS

The undersigned Vendor hereby certifies the following:

1. This proposal meets all of the requirements as set forth in this RFP.
2. The Vendor acknowledges and agrees that any communication with OPERS concerning this RFP shall be in compliance with **Attachment 1– RFP Communication Protocols**.
3. The Vendor has not submitted this proposal with the assumption that there will be an opportunity to negotiate any aspect of its proposal.
4. The Vendor acknowledges that all documents submitted to OPERS pursuant to this RFP may be subject to disclosure by OPERS under the Ohio Public Records Act, and it has submitted a copy of its response in which any information that is trade secret or is otherwise exempt from disclosure under the Ohio Public Records Act is redacted (see Section F(1) of this RFP). The Vendor acknowledges and agrees that if at any time after submitting the redacted copy of its response it should identify information in its redacted copy that (a) was not redacted in its submission but it later determines has become trade secret information or otherwise exempt from disclosure under the Ohio Public Records Act, or (b) was redacted in its original submission but it later determines is no longer trade secret or otherwise exempt from disclosure under the Ohio Public Records Act, Vendor shall send OPERS an updated redacted copy reflecting such change, along with a reference to the statutory basis upon which Vendor is relying for any additional redaction.
5. The Vendor acknowledges that OPERS shall possess full ownership and all rights and interests, including copyright interests, in all deliverables (the “Project Deliverables”) under its contract with the Vendor, including in all software, documentation, and other project-related work, as applicable.
6. The Vendor acknowledges that the Vendor will ensure that the Vendor’s subcontractors shall assign to OPERS all ownership, rights, and interests in any Project Deliverables, as applicable.
7. The Vendor agrees to comply with all terms, conditions and requirements described in this RFP, and that any failure by Vendor to so comply may be grounds for rejection of Vendor’s proposal, as determined by OPERS in its sole discretion.
8. Vendor’s primary contact on this RFP, who has the authority to answer any questions regarding the proposal is as follows:
 - Firm Name:
 - Contact’s Name:
 - Additional Contacts:
 - Contact’s Address:
 - Contact’s Phone / Fax Number:
 - Contact’s E-mail Address:

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I, the undersigned, as an authorized representative of the Vendor that is legally authorized to bind the Vendor contractually, hereby certify the above statements on behalf of the Vendor:

Vendor: _____

By (Print Name): _____

Signature: _____

Title: _____

Date: _____