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| **STATE OF NORTH CAROLINA** | **REQUEST FOR BEST AND FINAL OFFER NO.** Enter solicitation/BAFO number. |
| Enter ISSUING Agency.  Enter Division, if applicable. | **Offers will be received until:** Enter date. |
| **Issue Date:** Enter issue date. |
| ***Refer ALL inquiries regarding this BAFO to:***  Enter Purchaser’s name.  Enter Purchaser’s email address.  Enter Purchaser’s telephone number. | **Commodity Number:** Enter commodity code. |
| **Description:** Enter description. |
| **Using Agency:** Enter using agency. |
| **See page 2 for mailing instructions.** | **Requisition No.:** Enter requisition number. |

**NOTICE TO VENDOR**

Offers, subject to the conditions made a part hereof, will be received at this office, *[enter address, city, state, zip]* until *[enter time of opening]* on the day of opening and then opened, for furnishing and delivering the goods and services as described herein. Refer to page 2 for proper mailing instructions. Bids submitted via facsimile (fax) machine in response to this Best and Final Offer (BAFO) will not be accepted. Bids are subject to rejection unless submitted on this form.

**EXECUTION**

In compliance with this Request for Best and Final Offer (BAFO), and subject to all the conditions herein, the undersigned offers and agrees to furnish any or all goods and services which are offered, at the prices agreed upon and within the time specified herein. Pursuant to N.C.G.S. §143B-1354 and under penalty of perjury, the undersigned Vendor certifies that this offer has not been arrived at collusively or otherwise in violation of Federal or North Carolina law and this offer is made without prior understanding, agreement, or connection with any firm, corporation, or person submitting an offer for the same commodity, and is in all respects fair and without collusion of fraud.

**Failure to execute/sign offer prior to submittal shall render offer invalid. Late offers are not acceptable.**

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| OFFEROR: | | | |
| STREET ADDRESS: | | P.O. BOX: | ZIP: |
| CITY & STATE & ZIP: | | TELEPHONE NUMBER: | TOLL FREE TEL. NO |
| PRINT NAME & TITLE OF PERSON SIGNING: | | FAX NUMBER: | |
| AUTHORIZED SIGNATURE: | DATE: | E-MAIL: | |

Offer valid for , days from date of offer opening unless otherwise stated here: \_\_\_\_ days

**ACCEPTANCE OF OFFER**

If the State accepts any or all parts of this offer, an authorized representative of Enter Purchasing Agency. shall affix his/her signature to the Vendor’s response to this Request for BAFO. The acceptance shall include the response to this BAFO, any provisions and requirements of the original IFB/RFQ/RFP which have not been superseded by this BAFO and the Department of Information Technology Terms and Conditions. These documents shall then constitute the written agreement between the parties. A copy of this acceptance will be forwarded to the successful vendor(s).

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| **FOR STATE** **USE ONLY** |
| *Offer accepted and contract awarded this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, as indicated on attached certification,* |
| *by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* (Authorized representative of Enter Purchasing Agency.). |

**DELIVERY INSTRUCTIONS:**

Deliver and of its offer on a USB Flash Drive(s). The files must not be password-protected and must be capable of being copied to other media. Offers submitted via facsimile (FAX) machine, telephone or electronically in response to this be accepted.

It is the responsibility of the Vendor to deliver the offer in this office by the specified time and date of opening, regardless of the method of delivery. Address envelope and include IFB/RFQ/RFP number as shown above. Vendors are cautioned that offers sent via U.S. Mail, including Express, Certified, Priority, Overnight, etc., may not be delivered in time to meet the deadline.

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| **DELIVER TO:** |
| Enter solicitation/BAFO number.  Enter Agency name.  Attn: Enter Purchasing Lead.  Enter address.  Enter city, state, zip. |

*[If this is not needed, delete it.]* Vendor may submit their BAFO response via email instead of US Mail or other delivery service. Responses may be emailed to [XXXX.XXXX@nc.gov](mailto:XXXX.XXXX@nc.gov), no later than the specified time and date of opening. Please include the BAFO number in the email subject line.

**SOLICITATION REQUEST FOR BEST AND FINAL OFFER (BAFO)**

This request is to acquire a best and final offer from Vendor for *[insert goods or services to be procured]*. The offer should integrate the previous response to the IFB/RFQ/RFP and any changes listed below. Any individual vendor can receive a different number of requests for BAFOs than other offerors.

**NOTE:** This bid is still in the evaluation period. During this period and prior to award, possession of the BAFO, original bid response and accompanying information is limited to personnel of the Department of Information Technology (DIT) Statewide IT Procurement Office, and to agencies responsible for participating in the evaluation. Bidders who attempt to gain this privileged information, or to influence the evaluation process (i.e. assist in evaluation) will be in violation of purchasing rules and their offer will not be further evaluated or considered.

In accordance IFB/RFQ/RFP number, the order of precedence will be as follows: Best and Final Offers, special terms and conditions specific to this IFB/RFQ/RFP, Specifications of the IFB/RFQ/RFP, the Department of Information Technology Terms and Conditions, and the agreed portion of the awarded Vendor’s offer. *[Modify this order of precedence List as needed.]*

*[List negotiated items.]*

*:*

*[If Terms and Conditions have been negotiated and changed, here is a suggested outline; otherwise, delete it.]*

1. The following terms of the IFB/RFQ/RFP shall have precedence over the terms of the Name of Vendor’s document:
2. The following terms of the Name of Vendor’s document shall have precedence over the terms of the IFB/RFQ/RFP:
3. The following terms of the Name of Vendor’s document shall be deleted:
4. The following terms of the Name of Vendor’s document shall have no force or effect:

*[Include this paragraph if requesting for lower prices; otherwise, delete it.]* The State encourages the vendor to supply more competitive prices. Vendor should submit its most competitive prices on page *[3]* of this request for BAFO.

*[Include this paragraph if requesting additional technical specifications or information as stated below; otherwise, delete it.]* Please note that the Vendor is to provide architectural diagrams/drawings of all hardware and software proposed in response to this BAFO. All proposed hardware and software must be described and defined in detail. Descriptions must include installation and configuration documentation of said hardware and software and any impacts to existing DIT infrastructure. Vendor must document all items (port settings/restrictions, services, protocols, etc.) necessary to be turned on or running in order for their proposed products to function properly.

**BAFO COST:**

*[Agency: List cost requirements and any other information required in response to this BAFO.]*

*(If Vendor has additional options that it wants to offer and are not listed, provide them on a separate sheet with applicable costs.)*