

**Ohio Department of Job and Family Services**

**REQUEST FOR PROPOSALS**

**Ohio Adoption Loan Program**

**RFP#: R-1011-06-8030**

**ODJFS  
Office for Families and Children**

*November 23, 2009*

**Ohio Department of Job and Family Services**

**Ohio Adoption Loan Program RFP**

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Ohio Department of Job and Family Services

**REQUEST FOR PROPOSALS (RFP):  
Ohio Adoption Loan Program**

**RFP#: R-1011-06-8030**

**SECTION I. GENERAL PURPOSE & VENDOR INFORMATION**

**1.1 Purpose**

The Ohio Department of Job and Family Services (ODJFS) releases this Request for Proposals (RFP) for the purpose of identifying one licensed and FDIC-insured financial institution to hold and manage all monies appropriated for the state adoption assistance loan fund. Under section 3107.018 of the Ohio Revised Code (ORC), this fund was created so that adoption assistance loans could be made available to assist qualifying prospective adoptive parents with some of the expense involved in the adoption process. The fund shall consist of all money appropriated or transferred and all loan repayments or other money, including interest and penalties, derived from state adoption assistance loans. ODJFS is seeking proposals from vendors who are licensed financial institutions to administer this state adoption assistance loan fund.

**1.2 Issuing Office**

This RFP is released by and the subsequent contract will be with ODJFS. The Office for Families and Children, which will administer the contract, is responsible for state level supervision. The mission of this office is to work for children, adults and families by mutually educating and engaging communities and systems to jointly provide services to achieve safety, permanency, self-sufficiency and well-being.

The contract expected to result from this RFP process will be an agreement between ODJFS and the selected financial institution (also referred to as 'the contractor'). The Ohio Department of Administrative Services (DAS) involvement is limited to providing support by publishing this RFP and its related documents on the State of Ohio procurement opportunities web site, which it manages. This consolidated web site is intended to provide vendors with the convenience of a single web site from which to search all procurement opportunities offered by any State of Ohio governmental agency.

If interested vendors have a need to communicate regarding this RFP, they must contact **ODJFS** using one of the mechanisms provided for in **Sections 1.6, Internet Question and Answer Period/RFP Clarification Opportunity**, or **1.8, Communications Prohibited**, of this RFP. Vendor proposals must be submitted to ODJFS in strict accordance with proposal submission instructions provided in **Section 5.1, Proposal Submission**. Vendors are cautioned that communication attempts which do not comply with these instructions will not be answered, and that ODJFS will not consider any proposals submitted to any address other than the one provided in Section 5.1 of this RFP.

### 1.3 Background

The Adoption Assistance Loan Program was created under 3107.018 and 5101.143 of the Ohio Revised Code (ORC). During the SFY 2010 and 2011 budget process, language was added to the law to allow ODJFS to use up to 10% of the funds available for administrative or contracting purposes.

The purpose of the adoption loan program is to assist families approved for adoption in obtaining funds to defray some of the upfront costs of the adoption process.

### 1.4 Overview of the Project

Individuals and families who are approved by a child welfare agency to adopt a child and who have been matched to a child available for adoption may seek a loan from the financial institution to defray some of the upfront costs of the adoption process. The selected financial institution will determine the financial eligibility of the loan applicant in accord with eligibility criteria established in rule. Based on the applicant's financial and programmatic eligibility, the selected financial institution will provide the loan, using funding provided by the State, collect repayment to include interest and penalties, and provide monthly/quarterly/annual reports to ODJFS.

### 1.5 Anticipated Procurement Timetable

DATE	EVENT/ACTIVITY
November 23, 2009	ODJFS Releases RFP to Potential Vendors on ODJFS Web Site; Q&A Period Opens - RFP becomes active - Vendors may submit inquiries for RFP clarification
December 11, 2009	Vendor Q&A Period Closes, 10 a.m. (for inquiries for RFP Clarification) - No further inquiries for RFP clarification will be accepted
December 18, 2009	ODJFS provides Final Vendor Question & Answer Document (estimated)
<b>3:00 p.m., local time Tuesday, January 5, 2009</b>	<b>Vendor proposals must be received by ODJFS, Office of Legal and Acquisition Services by this deadline.</b> - This is the proposal opening date, beginning the ODJFS process of proposal review. <b>LATE PROPOSALS WILL NOT BE CONSIDERED. THERE WILL BE NO EXCEPTIONS MADE.</b>
January 20, 2009	ODJFS Issues Contract Award Notification Letter (estimated) - Vendors that submitted proposals in response to this RFP will be sent letters stating whether their proposal was accepted for award of the contract

<p>Feb. 22, 2010</p>	<p>Controlling Board Review of Contract (estimated—if applicable). -Contract with the selected vendor requires review and approval</p>
<p>approximately February 26, 2010</p>	<p>Implementation* (estimated—following notification of all contractual and funding approvals) - ODJFS contracts are not valid and effective until the state Office of Budget Management approves the purchase order.</p>
<p>June 30, 2020</p>	<p>Project Completion** - All work must be completed and approved by ODJFS Contract Manager</p>

ODJFS reserves the right to revise this schedule in the best interest of the State of Ohio and/or to comply with the State of Ohio procurement procedures and regulations and after providing reasonable notice.

**\* According to requirements of Ohio Revised Code (ORC) 126.07, ODJFS contracts are not valid and enforceable until the Office of Budget and Management (OBM) certifies the availability of appropriate funding, as indicated by the approval of the Purchase Order (P.O.). The contractor may neither perform work nor submit an invoice for payment for work performed for this project for any time period prior to the P.O. approval date. The ODJFS Contract Manager will notify the selected vendor when the requirements of ORC Section 126.07 have been met.**

**\* \* Subject to approval by the Controlling Board, the contract period is expected to run from approximately mid-February, 2010 through June 30, 2011, with a renewal contract to be in effect, contingent upon satisfactory performance, continued availability of funding, and all required approvals, from July 1, 2011 through June 30, 2020. Since state law prohibits ODJFS from making financial commitments beyond the fiscal biennium (e.g., 7/01/09 through 6/30/11), the contract with the selected vendor will be subject to multiple renewals. All renewals are subject to approval by the Controlling Board.**

**1.6 Internet Question & Answer Period; RFP Clarification Opportunity**

Potential vendors or other interested parties may ask clarifying questions regarding this RFP via the Internet during the Q&A Period as outlined in Section 1.5, Anticipated Procurement Timetable. To ask a question, potential vendors must use the following Internet process:

- \* Access the ODJFS Web Page at <http://jfs.ohio.gov//>
- \* Select “About Us” on the front page;
- \* Select “Doing Business with ODJFS;”
- \* Select “Requests for Proposals, Letterhead Solicitations, and Other Invitations;”
- \* RFP Number [R1011068030](#);
- \* Select “Ask a Question about this RFP” function; and
- \* Follow the instructions to send an e-mail question.

Questions about this RFP must reference the relevant part of this RFP, the heading for the provision under question, and the page number of the RFP where the provision can be found. The potential vendor must also include the name of a representative of the potential vendor, the company name and business phone number. ODJFS may, at its option, disregard any questions which do not appropriately reference an RFP

provision or location, or which do not include an identification for the originator of the question. ODJFS will not respond to any questions submitted after **10:00 a.m.** on the date the Q&A period closes.

ODJFS responses to all questions asked via the Internet will be posted on the Internet website dedicated to this RFP, for reference by all potential vendors. Potential vendors will not receive personalized or individual e-mail responses. Clarifying questions asked and ODJFS responses to them comprise the "ODJFS Q&A Document" for this RFP. If possible, ODJFS will post an interim Q&A Document, without identifying the vendors asking questions, as well as the final version (in which all vendors that posed questions will be identified). ODJFS strongly encourages vendors to ask questions as early as possible in the Q&A period so that interim answers can be posted with sufficient time for the possibility of vendors' follow-up questions.

Vendor proposals in response to this RFP are to take into account any information communicated by ODJFS in the Final Q&A Document for the RFP. **It is the responsibility of all potential vendors to check this site on a regular basis for responses to questions, as well as for any amendments or other pertinent information regarding this RFP.**

Accessibility to the ODJFS Q&A Document will be clearly identified on the website dedicated to this RFP, once that document is made available.

**IMPORTANT:** Requests from potential vendors for copies of previous RFPs, past vendor proposals, score sheets or contracts for this or similar past projects, are Public Records Requests (PRRs), and are not clarification questions regarding the present RFP. PRRs submitted in accordance with directions provided in Section 1.8, Communication Prohibitions, will be honored. The posted time frames for ODJFS responses to Internet questions for RFP clarification do not apply to PRRs.

Vendors are to base their RFP responses, and the details and costs of their proposed projects, on the requirements and performance expectations established in this RFP for the future contract, NOT on details of any current or past related contract. Requirements under a current project may or may not be required by ODJFS under any future contract, and so may not be useful information for vendors who choose to respond to the RFP. If vendors ask questions about existing or past contracts using the Internet Q&A process, ODJFS will use its discretion in deciding whether to provide answers. Interested vendors should also refer to RFP Section 1.9, Time Frames and Funding Source, for related information.

There is an established time period for the Vendor Q&A process (see Section 1.5, Anticipated Procurement Timetable, above). ODJFS will only answer those questions submitted within the stated time frame for submission of vendor questions, and which pertain to issues of RFP clarity, and which are not requests for public information. ODJFS is under no obligation to acknowledge questions submitted through the Q&A process if those questions are not in accordance with these instructions.

\* Should vendors experience technical difficulties accessing either the ODJFS website where the RFP and its related documents are published, they may contact the ODJFS Office of Legal and Acquisition Services, RFP/RLB Unit, at (614) 728-5693 for guidance.

## **1.7 Vendors' Library**

Interested vendors may find additional information related to this project, such as information accessible from the following Ohio Revised Code links, helpful in preparing a response to this competitive opportunity.

1. **Ohio Revised Code 5101.143** – <http://codes.ohio.gov/orc/5101.143>
2. **Ohio Revised Code 3107.018** - <http://codes.ohio.gov/orc/3107.018>
3. **Ohio Revised Code 3107.055** - <http://codes.ohio.gov/orc/3107.055>

## **1.8 Communications Prohibited**

From the issuance date of this RFP, until the contract award has been formally announced by the ODJFS Director, there may be no communications concerning the RFP between any vendor which expects to submit a proposal and any employee of ODJFS in the issuing office, or any other ODJFS employee, or any other individual regardless of their employment status, who is in any way involved in the development of the RFP or the selection of the contractor.

The only exceptions to this prohibition are as follows:

1. Communications conducted pursuant to Section 1.6, Internet Question and Answer Period;
2. As necessary in any pre-existing or on-going business relationship between ODJFS and any vendor which could submit a proposal in response to this RFP;
3. As part of an interview necessary for ODJFS to make a final selection;
4. If it becomes necessary to revise any part of this RFP, ODJFS will post those revisions, amendments, etc., to the website dedicated to this RFP;\*
5. Any Public Records Request (PRR) made through the ODJFS Office of Legal and Acquisition Services.

\* **Important Note:** Amendments to the RFP or to any documents related to it will be accessible to interested vendors through the original web page established for the RFP. All interested vendors must refer to that web page regularly for amendments or other announcements. ODJFS will not specifically notify any vendor of changes or announcements related to this RFP except through the website posting. It is the affirmative responsibility of interested vendors to be aware of and to fully respond to all updated information posted on this web page.

## **1.9 Time Frames & Funding Source**

ODJFS is seeking to contract with a vendor to perform services as described in section 1.5 of this RFP. The contract period is expected to be from approximately mid-February, 2010 to June 30, 2011, subject to approval by the Controlling Board.

The contract resulting from this RFP may be renewed, contingent upon satisfactory contractor performance, continuing programmatic need, and continued availability of funding from July 1, 2010 through June 30, 2020. As state law prohibits ODJFS from making financial commitments beyond any fiscal biennium (e.g., 7/01/09 through 6/30/11), the contract with the selected vendor will be subject to renewal each biennium (July 1, 2012 through June 30, 2014 and July 1, 2014 through June 30, 2016 and July 1, 2016 through June 30, 2018 and July 1, 2018 through June 30, 2020). The contract resulting from this RFP is intended to be renewed for this entire time period, and the renewal contracts may be entered into by the parties, at their discretion, without any intervening competitive opportunity. However, ODJFS

may, at its sole discretion, choose not to renew the contract at any time, due to such factors as poor contractor performance, significant programmatic change, funding changes, or due to changes in applicable law, and offer the contract to qualified vendors through another competitive opportunity.

## **SECTION II. VENDOR EXPERIENCE AND QUALIFICATIONS**

Vendors' proposals must address all the following minimum qualifications as well as organizational and staff experience and capabilities:

### **2.1 Mandatory Vendor Qualifications**

In order to be considered for the contract expected to result from this RFP, an interested vendor must submit to ODJFS a proposal that demonstrates how, and to what degree, the vendor meets, at minimum, **all** the following qualification requirements. If a proposal fails to adequately address how the vendor at minimum meets all the following mandatory criteria, that proposal will be disqualified from any consideration. Proposals must demonstrate that the vendor:

- A. Has at least five (5) years experience in the field of financial management;
- B. Has at least (5) years experience processing loan applications and tracking repayment to include providing written reports;
- C. Has at least (5) years experience performing activities to include creating loan application forms, reviewing, granting, denying loan applications, loan repayment terms, procedures for collection of loan arrearages and any monetary penalties for loan arrearages or improper use of loan funds;
- D. Currently holds deposit insurance approval from the Federal Deposit Insurance Corporation (FDIC) as demonstrated by a photocopy of that certification;
- E. Has physical customer service locations operating in, at minimum, all Ohio major metropolitan areas (i.e., Cleveland, Columbus, Cincinnati, Toledo, Dayton, Youngstown), and in, at minimum, four non-contiguous rural counties; and,
- F. Has an internal underwriting process in operation. This process must be described in detail in the proposal

Additionally, vendors will be disqualified if they fail to meet either of the following requirements:

- G. The proposal must be submitted to the specified ODJFS location by the deadline for proposal submission established in Section 1.5, Anticipated Procurement Time Frames.
- H. The vendor may not be listed on the Auditor of State's website as a party excluded from contracting with ODJFS by O. R.C. § 9.24 for an unresolved finding for recovery.

**Any vendor whose proposal fails to demonstrate that the vendor meets all the above experience and qualifications requirements will be disqualified from any further consideration for contract award. Vendors that meet these requirements will be evaluated for how well or to what degree the requirements are met, and for the clarity and thoroughness of the response.**

## 2.2 Vendor Experience, Characteristics, and Capabilities

Statewide accessibility and customer service for potential adoption loan program applicants will be vital for the program's effectiveness. Proposals must document:

- A. The extent of the vendor's geographic coverage by identifying, by county and local community (city, township, etc.), each currently operating customer service outlet where potential applicants could obtain information on the adoption loan process and submit a loan application;
- B. The general hours (days and times) of operation for customer service to potential loan applicants; and,
- C. The average processing time for non-business loan applications.

The vendor must also demonstrate significant expertise by assigning staff to key leadership roles for this project. Proposals must include resumes (or curriculum vitae) for persons the vendor would place in key positions in the project. The vendor proposal must, at minimum:

- D. Identify, by position and by name, those staff members considered key to the project's success (at minimum, key staff identified must include one specified project manager who would oversee the adoption loan program operations);
- E. Include resume(s) describing the education, experience, and list of applicable professional accomplishments of the Project Manager and any other key personnel for this project (including any subcontractors), and should specifically list the qualifications and experience (particularly those applicable to the areas described in Section II, Scope of Work and Specifications of Deliverables of this RFP--see Sections 2.3 and 2.5) of key staff expected to work on the project; and
- F. Key staff must have at least a Bachelors degree in business, finance, or a related field. Proposals failing to adequately demonstrate appropriate education and experience for key staff shall be evaluated accordingly.

**Important:** It is the affirmative responsibility of the vendor submitting a proposal to remove all personal confidential information (such as home addresses and social security numbers) of vendor staff and/or of any subcontractor and subcontractor staff from resumes or any other part of the proposal package. Following submission to ODJFS, all proposals submitted become part of the public record and are therefore open to the public. **ODJFS reserves the right to disqualify any vendor whose proposal is found to contain such prohibited personal information.**

## SECTION III. SCOPE OF WORK & SPECIFICATIONS OF DELIVERABLES

### 3.1 Scope of Work and Specification of Deliverables

ODJFS intends enter into a contract with one financial institution for the processing of loan applications made by eligible prospective adoptive parents. The selected vendor will be required to, at minimum:

- A. Determine the prospective adoptive parents' programmatic eligibility to receive a loan. Prospective adoptive parents would be eligible to apply for an Adoption Assistance Loan if they meet the following three requirements:
1. Have one of the following approved home-studies:
    - a. A JFS 01673 "Assessment for Child Placement (Home Study)" (rev. 08/2005) or equivalent for children adopted from another state; or
    - b. A JFS 01692 "Application for Adoption of a Foster Child" (rev. 06/2009), or
    - c. A copy of a home study narrative report in the case of an international adoption.
  2. Have been matched with an identified child who is legally free for adoption and who will be adopted prior to their eighteenth birthday. Proof of this will be documented by the adoption agency via a form or letter provided to the adoptive parent. (ODJFS will provide examples of such documentation to the selected vendor after contract execution.)
  3. In addition to the programmatic requirements outlined in paragraph A. (items 1. and 2., above), a prospective adoptive parent must also meet the loan-worthiness requirements of the financial institution which administers the state adoption assistance loan fund.
- B. Process the loan and loan payment to the prospective adoptive parent.
- C. Collect the repayment for the loan.
- D. Track all loan program accounting activities, including, but not limited to, arrearages, monetary penalties and interest.
- E. Deposit any loan repayment, interest, penalties or any other funds received into the loan fund.
- F. Provide monthly, quarterly, and annual written reports (in both paper and electronic format such as via CD-ROM, or other electronic medium as agreed to by ODJFS) to identify the number of applicants, the number of applicants approved, the number of applicants denied and why, the amount of each approved loan, the amount of repayments and fund balance, and any other reports requested by ODJFS.
- G. Provide a representative to attend all Advisory Board meetings, serving as liaison between the financial institution and the board. ODJFS will establish this Advisory Board to assist the selected financial institution in the review and prioritization of adoption loans for Ohio's special needs children, but applicant-specific lending decisions will be the responsibility of the selected financial institution. The board's function will be to assist the financial institution in its work by creating protocols for prioritizing applications, and the financial institution would apply those protocols and prioritization standards. The board will be comprised of public and private adoption agency staff, appointed by **ODJFS**. The financial institution's representative must attend all board meetings, which will occur periodically (monthly or bi-monthly). Board members will, at minimum: review strategies of prioritization of applications; discuss impact of the Adoption Loan Program on Ohio's special needs children; discuss recommendations for program enhancement; discuss reporting strategies, etc. Advisory Board meeting locations may be determined at the preference of the selected financial institution.

The information above is a summary of the duties and responsibilities that would be contractually required of the selected financial institution. In order to receive consideration for contract award, all aspects of the requirements described in this section must be addressed in **Tab 2** of the vendor's technical proposal. **The financial institution should have and demonstrate extensive knowledge of financial management and the loan application and repayment process.**

**Proposals submitted in response to this RFP must reflect the financial institution's understanding of, and commitment to, perform this Scope of Work fully. The financial institution will be responsible for the deliverables as described above, including all preparatory and intervening steps, whether or not ODJFS has explicitly specified or delineated them within the RFP. In developing their proposals, all interested financial institutions must fully and appropriately plan and cost out their proposed projects, including all necessary preparatory and intervening steps.**

### **3.2 Number of Participants**

**Based on the available funds appropriated by the legislature, the maximum number of applicants approved for the loan in the first two years is expected not to exceed five hundred. As loans and interest are repaid, the increase in the funding pool may make it possible for additional eligible applicants to successfully apply for this loan program.**

### **3.3 Administrative Structures—Proposed Work Plan**

Proposals are to include, at minimum, the following administrative structures and technical approach for the proposed work plan. The proposal shall:

- A. Provide a proposed timeline for the project;
- B. Provide a status reporting procedure for reporting work completed, and resolution of unanticipated problems;
- C. Provide a current organizational chart (including any subcontractors) of vendor staff that would be directly involved in this program, specifying the key management and administrative personnel who will be assigned to this project, and their roles; and,
- D. Provide a table showing loan terms that will be offered to adoption program applicants who are granted a two-year fixed rate loan under this program. This table should present, at minimum, the loan amount, the APR, and the minimum monthly repayment required according to the applicant's FICA credit score. A sample table showing this information is provided as Appendix A. to this RFP, but other formats will be considered, provided the minimum required information is presented.

### **3.4 Compensation Structure**

Compensation for the contractor's services under this contract may NOT EXCEED \$50.00 (Fifty dollars) per application processed (regardless of the decision to approve or deny the loan), up to \$25,000 per year, plus an amount equal to no more than ten percent (10%) of the monthly loan repayments actually collected, up to \$25,000 per year.

Vendors are to propose their compensation rates using the Cost Proposal Form provided as Attachment F. to this RFP. Vendors may propose rates below these stated maximums, however, vendors seeking rates in excess of these limits will be disqualified from consideration. All proposals for compensation must be presented in the format and categories as prescribed on that form. No other categories of costs will be considered by ODJFS. No additional fees or costs of any sort will be paid under this contract.

## **SECTION IV. CONDITIONS AND OTHER REQUIREMENTS**

Through this section of the RFP, ODJFS notifies vendors seeking award of a contract of certain conditions and requirements which may affect their eligibility or willingness to participate in any procurement (RFP, RLB, etc.) process; or their eligibility to be awarded a contract; and of requirements that would be in effect should they be awarded a contract.

### **4.1 State Contracts**

Proposals must list any current contracts the vendor has with State of Ohio agencies. The list must indicate the purpose of the contract, the amount of the contract, the time period covered by the contract, and the percentage of the project completed. Vendors must complete a copy of the Required Vendor Information and Certifications Document (provided as **Attachment A.**) to report this information and include the completed document in the vendor's proposal as specified in **Section 5.2 B., 1** of this RFP.

### **4.2 Interview**

Vendors submitting proposals may be required to participate in an in-depth interview as part of the evaluation process. The interview, if necessary, may include participants from ODJFS and/or other state or county agency staff or other representatives it may appoint, as appropriate. ODJFS reserves the right to select from responding vendors for interviews and may not interview all vendors submitting proposals. The vendor shall bear all costs of any scheduled interview.

### **4.3 Start Work Date**

The selected vendor must be able to begin work no later than seven (7) working days after the time funds are encumbered and approved by the Office of Budget and Management. The selected vendor will be notified by the ODJFS contract manager when work may begin. **The vendor will NOT be compensated by ODJFS for any work begun prior to this notification.**

### **4.4 Proposal Costs**

Costs incurred in the preparation of this proposal are to be borne by the vendor, and ODJFS will not contribute in any way to the costs of the preparation. Any costs associated with interviews will be borne by the vendor and will not be ODJFS' responsibility (see Section 4.2, above).

### **4.5 Trade Secrets Prohibition; Public Information Disclaimer**

**Vendors are prohibited from including any trade secret information** as defined in ORC 1333.61 in their proposals in response to any ODJFS RFP, RLB or other procurement efforts. ODJFS shall consider all proposals voluntarily submitted in response to any ODJFS RFP (or etc.) to be free of trade secrets and such proposals shall, in their entirety, be made a part of the public record.

All proposals and any other documents submitted to ODJFS in response to this RFP shall become the property of ODJFS. This RFP and, after formal announcement by ODJFS of the results of this RFP process (e.g., notices provided to responding vendors regarding vendor selection, notice of project cancellation, etc.), any proposals submitted in response to the RFP are deemed to be public records pursuant to R.C. 149.43. For purposes of this section, “proposal” shall mean both the technical and the cost proposals (if opened by ODJFS) submitted by the vendor, cover letters, any attachments, addenda, appendices, or sample products.

Any proposals submitted in response to this or any ODJFS RFP which make claims of trade secret information shall be disqualified from consideration immediately upon determination that such unallowable claim has been made.

#### **4.6 Contractual Requirements**

- A. Any contract resulting from the issuance of this RFP is subject to the terms and conditions as provided in the model contract, which is included as **Attachment D.** of this RFP;
- B. Many of the terms and conditions contained in the model contract (See **Attachment D.**) are required by state and federal law; however, the vendor may propose changes to the model contract by annotating the model, and returning it with the vendor’s proposal submission. Any changes are subject to ODJFS review and approval;
- C. Payments for any and all services provided pursuant to the contract are contingent upon the availability of state and federal funds;
- D. All aspects of the contract apply equally to work performed by any and all subcontractors;
- E. The contractor, and any subcontractor(s), will not use or disclose any information made available to them for any purpose other than to fulfill the contractual duties specified in the RFP. The contractor, and any subcontractor(s), agrees to be bound by the same standards of confidentiality that apply to the employees of ODJFS and the State of Ohio. Any violation of confidentiality will result in an immediate termination of the contract, and may result in legal action;
- F. As a condition of receiving a contract from ODJFS, the contractor, and any subcontractor(s), shall certify compliance with any court order for the withholding of child support which is issued pursuant to Section 3113.217 of the ORC. The contractor, and any subcontractor(s), must also agree to cooperate with ODJFS and any Ohio Child Support Enforcement Agency in ensuring that the contractor or employees of the contractor meet child support obligations established under state law;
- G. By signing a contract with ODJFS, a vendor agrees that all necessary insurance is in effect; and
- H. The selected contractor shall be required to comply with prevailing wage standards, as established in ORC 4115.03 to 4115.16.

#### **4.7 Travel Expense Compensation**

ODJFS will not compensate the contractor for any travel expenses related to work that may be performed under the contract expected to result from this RFP.

#### **4.8 Minority Business Enterprise**

ODJFS is required by Section 125.081(B) and 123.151 of the ORC to award fifteen percent (15%) of its total procurements to vendors certified as Minority Business Enterprises (MBE). Ohio certified MBE is defined in ORC Section 122.71. If the proposal is not submitted by a certified MBE, the vendor is strongly encouraged to subcontract a minimum of fifteen percent (15%) of the total contract price to an Ohio certified MBE.

The proposal must clearly indicate the name of the proposed Ohio MBE vendor and the exact nature of the work to be performed under the proposed subcontract. The proposal must include a letter from the proposed MBE, signed by a person authorized to legally bind the subcontractor, indicating the following:

1. The subcontractor's legal status, federal tax ID number, and principle business address;
2. The name, phone number, and fax number of a person who is authorized to legally bind the subcontractor to contractual obligations;
3. A complete description of the work the subcontractor will do;
4. A commitment to do the work, if the vendor is selected;
5. A statement that the subcontractor has and understands the RFP, the nature of the work, and the requirements of the RFP; and
6. A copy of the Ohio MBE certificate.

A listing of Ohio certified MBEs can be accessed through the Ohio Department of Administrative Services (DAS) Web Site at: <http://das.ohio.gov/Eod/MBESearch/index.asp>.

While ODJFS strongly encourages the use of MBE subcontractors, the vendor's use of an MBE subcontractor will have no effect on vendors' technical scores or on final contractor selection for this RFP, unless Section VI, Criteria for Proposal Evaluation and Selection of this RFP (and/or the Technical Proposal Score Sheet for this RFP) affirmatively establish an MBE participation criterion.

#### **4.9 Subcontractor Identification and Participation Information**

Any vendors proposing to use a subcontractor for any part of the work described in this RFP must clearly identify the subcontractor(s) and their tasks in their proposals. The proposal must include a letter from the proposed subcontractor(s), signed by a person authorized to legally bind the subcontractor, indicating the following:

1. The subcontractor's legal status, federal tax ID number, and principle business address;
2. The name, phone number, and fax number of a person who is authorized to legally bind the subcontractor to contractual obligations;
3. A complete description of the work the subcontractor will do;
4. A commitment to do the work, if the vendor is selected;
5. A statement that the subcontractor has read and understands the RFP, the nature of the work, and the requirements of the RFP.

#### **4.10 (Deleted)**

(Not Applicable to this RFP.)

#### **4.11 Confidentiality**

All contracts will require that the contractor maintain the confidentiality of information and records which state and federal laws, rules, and regulations require to be kept confidential.

#### **4.12 Key Personnel**

ODJFS will require a clause in the resulting contract regarding key personnel in that any person identified as critical to the success of the project may not be removed without reasonable notice to ODJFS, and replacements will not be made without ODJFS approval.

#### **4.13 Ethical & Conflict of Interest Requirements**

- A. No contractor or individual, company or organization seeking a contract shall promise or give to any ODJFS employee anything of value that is of such character as to manifest a substantial and improper influence upon the employee with respect to his or her duties;
- B. No contractor or individual, company or organization seeking a contract shall solicit any ODJFS employee to violate any of the conduct requirements for employees;
- C. Any contractor acting on behalf of ODJFS shall refrain from activities which could result in violations of ethics and/or conflicts of interest. Any contractor or potential contractor who violates the requirements and prohibitions defined here or of Section 102.04 of the ORC is subject to termination of the contract or refusal by ODJFS to enter into a contract; and
- D. ODJFS employees and contractors who violate Sections 102.03, 102.04 2921.42 or 2921.43 of the ORC may be prosecuted for criminal violations.

#### **4.14 Health Insurance Portability & Accessibility Act (HIPAA) Requirements**

As a condition of receiving a contract from ODJFS, the contractor, and any subcontractor(s), will be required to comply with 42 U.S.C. Sections 1320d through 1320d-8, and to implement regulations at 45 C.F.R. Section 164.502 (e) and Sections 164.504 (e) regarding disclosure of protected health information under the Health Insurance Portability and Accountability Act (HIPAA) of 1996. Protected Health Information (PHI) is information received by the contractor from or on behalf of ODJFS that meets the definition of PHI as defined by HIPAA and the regulations promulgated by the United States Department of Health & Human Services, specifically 45 CFR 164.501 and any amendments thereto. The selected vendor can reasonably anticipate HIPAA language in the contract that results from this RFP.

In the event of a material breach of contractor obligations under this section, ODJFS may at its option terminate the contract according to provisions within the contract for termination.

#### **4.15 Waiver of Minor Proposal Errors**

ODJFS may, at its sole discretion, waive minor errors or omissions in vendors' Technical and/or Cost proposals/forms when those errors do not unreasonably obscure the meaning of the content.

#### **4.16 Proposal Clarifications**

ODJFS reserves the right to request clarifications from vendors of any information in their Technical and/or Cost proposals/forms, and may request such clarification as it deems necessary at any point in the proposal review process.

#### **4.17 Contractual Requirements and Prevailing Wage Requirements**

Any contract resulting from the issuance of this solicitation is subject to the terms and conditions as provided in the model contract, which is provided as **Attachment D**. to this RFP. Potential vendors are strongly encouraged to read the model contract and to be fully aware of ODJFS' contractual requirements. Additionally, the selected contractor will be required to comply with prevailing wage standards, as established in ORC 4115.03-4115.16.

#### **4.18 Unresolved Findings for Recovery (R.C. 9.24)**

ORC Section 9.24 prohibits ODJFS from awarding a contract to any entity against whom the Auditor of State has issued a finding for recovery, if the finding for recovery is "unresolved" at the time of award. By submitting a proposal, the vendor warrants that it is not now, and will not become, subject to an "unresolved" finding for recovery under R.C. 9.24 prior to the award of any contract arising out of this RFP, without notifying ODJFS of such finding. ODJFS will review the Auditor of State's website prior to completion of evaluations of proposals submitted pursuant to this RFP. ODJFS will not evaluate a proposal from any vendor whose name, or the name of any of the subcontractors proposed by the vendor, appears on the website of the Auditor of the State of Ohio as having an "unresolved" finding for recovery.

#### **4.19 Mandatory Contract Performance Disclosure**

Each proposal must disclose whether the vendor's performance, or the performance of any of the proposed subcontractor(s), under contracts for the provision of services that are the same or similar to those to be provided for the project which is the subject of this RFP has resulted in any "formal claims" for breach of those contracts. For purposes of this disclosure, "formal claims" means any claims for breach that have been filed as a lawsuit in any court, submitted for arbitration (whether voluntary or involuntary, binding or not), or assigned to mediation. If any such claims are disclosed, vendor shall fully explain the details of those claims, including the allegations regarding all alleged breaches, any written or legal action resulting from those allegations, and the results of any litigation, arbitration or mediation regarding those claims, including terms of any settlement. While disclosure of any formal claims in response to this section will not automatically disqualify a vendor from consideration, at the sole discretion of ODJFS, such claims and a review of the background details may result in a rejection of the vendor's proposal. ODJFS will make this decision based on its determination of the seriousness of the claims, the potential impact that the behavior that led to the claims could have on the vendor's performance of the work, and the best interests of ODJFS.

#### **4.20 Mandatory Disclosures of Governmental Investigations**

Each proposal must indicate whether the vendor and any of the proposed subcontractor(s) has been the subject of any adverse regulatory or adverse administrative governmental action (federal, state, or local) with respect to vendor's performance of services similar to those described in this RFP. If any such instances are disclosed, vendor must fully explain, in detail, the nature of the governmental action, the allegations that led to the governmental action, and the results of the governmental action including any legal action that was taken against vendor by the governmental agency. While disclosure of any governmental action in response to this section will not automatically disqualify a vendor from consideration, such governmental action and a review of the background details may result in a rejection of the vendor's proposal at the sole discretion of ODJFS. The decision by ODJFS on this issue will be based on a determination of the seriousness of the matter, the matter's potential impact on the vendor's performance of the work, and the best interests of ODJFS.

#### **4.21 Mandatory Disclosures of Work Location**

Proposals must explicitly state the location(s) (city, state/province, country) where work described in this RFP would be performed, whether by the vendor or by any subcontractors.

#### **4.22 Vendor Selection Restriction**

Any vendor deemed not responsible, or submitting a proposal deemed not to be responsive to the terms of this RFP, shall not be awarded the resulting contract.

#### **4.23 Declaration of Material Assistance Requirements**

Any vendor responding to any ODJFS RFP, RLB, or any other procurement opportunity is required to provide certification that the vendor has not provided material support or resources to any organization listed on the "Terrorist Exclusion List" (TEL) maintained by the U.S. Department of State. The Declaration of Material Assistance Form, provided as **Attachment C** to this RFP, must be printed, completed, and signed by the interested vendor's authorized representative, and returned to ODJFS as a component of the vendor technical proposal/bid. Failure to properly complete the form or to provide it as part of the proposal submitted to ODJFS may result in the disqualification of the vendor's proposal from consideration.

Vendors may access the TEL from the Ohio Homeland Security Office website, located at [www.homelandsecurity.ohio.gov.dma.asp](http://www.homelandsecurity.ohio.gov.dma.asp) or via e-mail to [dma-info@dps.state.oh.us](mailto:dma-info@dps.state.oh.us) for the current list of excluded organizations and additional information.

#### **4.24 Ohio Presence Consideration**

The vendor that is awarded the contract resulting from this RFP is required to maintain a physical presence in Ohio throughout the term of the contract, including all renewal periods. Therefore, each vendor must either demonstrate in its proposal that it currently has a physical presence in Ohio or demonstrate concrete plans for establishing a physical presence, to include the actual or proposed location of the vendor's presence. Vendor proposals must identify the work to be performed for this project at that location and identify vendor personnel, either by staff name or function, that will operate from the Ohio location. ODJFS reserves the right, at its sole discretion to reject any proposals which fail to comply with this requirement.

## **SECTION V. PROPOSAL FORMAT & SUBMISSION**

### **5.1 Proposal Submission Information**

ODJFS requires proposal submissions in both paper and electronic format. The proposal must be prepared and submitted in accordance with instructions found in this Section. The proposal submission must be comprised of:

- **six (6) paper copies (one signed original and five copies) and one CD-ROM copy** of the Technical Proposal (including the vendor's completed Cost Proposal Form, which is provided as Attachment F. to this RFP). It is the vendor's affirmative responsibility to ensure that all copies and all formats of the proposal are identical. Any pages or documents omitted from any or all copies can negatively affect the vendor's score and possibly result in the vendor's disqualification. In the event of any discrepancies or variations between copies, ODJFS is under no obligation to resolve the inconsistencies and may make its scoring and vendor selection decisions accordingly, including the decision to disqualify the vendor.

The vendors' total proposal submissions (both the technical and cost proposals in all required copies) must be received by ODJFS complete no later than **3:00 p.m. (local time) on Tuesday, January 5, 2009** Faxes or e-mailed submissions will not be accepted. **Proposals must be addressed to:**

**Office of Legal and Acquisition Services  
Ohio Department of Job and Family Services  
30 East Broad Street, 31<sup>st</sup> Floor  
Columbus, Ohio 43215-3414  
ATTN: RFP/RLB Unit**

Vendors' original technical and cost proposals must contain all the information and documents specified in Section 5.2, "Format for Organization of the Proposal."

All copies (both paper and CD-ROM) of the original proposal must include identical copies of ALL information, documents, and pages in the original proposal. The entire vendor proposal should be converted into one single secure PDF document saved to the CD-ROM submitted to ODJFS. If the proposal's size necessitates more than a single PDF document to contain the entire proposal, vendors must still send the CD-ROM copy of the proposal, but use the fewest separate .pdf documents possible. The hard-copies and the CD-ROM must be clearly labeled with the vendor's name, submission date, and the name and RFP number for this project.

The requested CD may be used in the formal proposal review processes, and will be used by ODJFS for archiving purposes and for fulfillment of Public Records Requests, and failure to include or to properly label it may, at ODJFS discretion, result in the rejection of the vendor from any consideration.

All proposal submissions must be received, complete, at the above address, via mail, delivery service, or hand delivery by the above date and time. Materials received separately from a vendor's proposal submission (*e.g.*, letters of recommendation from past customers of the vendor's services) will not be added to the proposal nor considered in the review and scoring process. Materials received after the date and time as stated above will not be included in any previous submissions, nor will they be considered. ODJFS is not responsible for proposals incorrectly addressed or for proposals delivered to any ODJFS location other than the address specified above. No confirmation of mailed proposals can be provided.

For hand delivery on the due date, vendors are to allow sufficient time for traffic incidents, downtown parking considerations, as well as for possible security checks at both the lobby of the Rhodes State Office Tower (address as stated above) and again on the 31<sup>st</sup> Floor. All proposals must be received **no later than the specified deadline, both time and date**, by the Office of Legal and Acquisition Services (OLAS), on the 31<sup>st</sup> Floor of the Rhodes Tower. Proposals may be submitted at any time prior to that deadline, during normal working hours, excluding weekends and state holidays. **ODJFS is not responsible for proposals delivered to any address other than the address provided above. No late proposals will be considered.**

Submission of a proposal indicates acceptance by the vendor of the conditions contained in this RFP, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between ODJFS and the vendor selected.

## **5.2 Format for Organization of the Proposal**

### **A. Overall Proposal Organization**

A sample Technical Proposal Score Sheet is provided as **Attachment E**. of this RFP. **Vendors are strongly encouraged to use the Score Sheet to check their proposals for quality, compliance, and completeness prior to submission.**

The vendor's Technical Proposal must contain the following components (organized in six (6) primary tabs and divided into sub-tabs) as described below. Any other information thought to be relevant, but not applicable to a specific RFP section number/letter must be provided as an appendix to the proposal and so marked as an additional tab. ODJFS reserves the right not to review submitted appendices which includes information/materials not required in the RFP. All pages beyond Tab 1 shall be sequentially numbered.

Vendors must organize their Technical Proposals in the following order:

**Tab 1** Required Vendor Information and Certifications Document

Request for Taxpayer Identification Number (W-9) Form

Declaration Regarding Material Assistance/Non-Assistance to a Terrorist Org.

**Tab 2** Vendor Experience, Characteristics and Capabilities

**Sub-Tab 2a.** Mandatory Vendor Qualifications (Section 2.1, items A through F)

**Sub-Tab 2b.** Vendor Experience, Characteristics, and Capabilities (Section 2.2, items A through F)

**Tab 3** Scope of Work and Specifications of Deliverables

**Sub-Tab 3a.** Deliverable A

**Sub-Tab 3b.** Deliverable B

**Sub-Tab 3c.** Deliverable C

**Sub-Tab 3d.** Deliverable D

**Sub-Tab 3e.** Deliverable E

**Sub-Tab 3f.** Deliverable F

**Sub-Tab 3g.** Deliverable G.

**Tab 4** Administrative Structures—Proposed Work Plan**Sub-Tab 4a.** Project Time Table**Sub-Tab 4b.** Status Reporting Procedure**Sub-Tab 4c.** Organizational Chart**Sub-Tab 4d.** Table of Loan Terms**Tab 5** Cost Proposal**Tab 6** Vendor Attachments or Appendices (*for example, for possible excerpts/samples of work products*)

All pages in the Technical Proposal must be sequentially numbered, with the exception of Tab 1 contents. In the interest of efficiency and economy, vendors may present information for more than one sub-tab per page, but must provide clear indications of the breaks on the page between the different sub-tab contents.

**NOTE:** Vendors are required to submit one CD-ROM copy of their entire proposal packages in non-rewriteable CD format.

**B. Technical Proposal Details**

The vendor's Technical Proposal must contain the following components, at minimum. It is mandatory that vendor proposals be organized in the following order, and that wherever appropriate, sections/portions of the vendor proposal make reference by section number/letter to those RFP requirements to which they correspond.

**1. (Tab 1)****Required Vendor Information & Certifications****Request for Taxpayer Identification Number (W-9) Form****Declaration Regarding Material Assistance / Non-Assistance to a Terrorist Organization**

In this section, the vendor is required to provide required information and certifications of eligibility for state contract awards, as described in **Attachment A.** to this RFP, entitled "Required Vendor Information & Certifications Document." Vendors may, at their discretion, either print **Attachment A.**, complete and sign it (in blue ink), and return it as the content of their Proposal Tab 1; or they may provide all the required information and certifications (each fully re-stated from **Attachment A.**) on their own letterhead, properly signed (in blue ink), and use that document as the content of their Proposal Tab 1. Vendors who fail to provide all information and certifications as described in **Attachment A.** in their Proposal Tab 1 risk disqualification.

The vendor must attach the **Request for Taxpayer Identification Number (W-9) Form**, which is provided as **Attachment B.** to this RFP, completed with an original signature in blue ink.

Vendors are required to provide a declaration regarding material assistance to a terrorist organization or an organization that supports terrorism as identified by the U.S. Department of State Terrorist Exclusion List and described in **Attachment C, Declaration Regarding Material Assistance/Non-Assistance to a Terrorist Organization**. Vendors MUST print **Attachment C**, complete and sign it (in blue ink), and return it as the content of their Proposal Tab 1. Vendors who fail to provide a signed and completed **Attachment C** risk disqualification. This form may also be accessed and printed at the Ohio Department of Public Safety, Division of Homeland Security's Website at <http://www.homelandsecurity.ohio.gov>.

The signed originals of the above referenced forms (**RFP Attachments A., B., and C.**) are to be provided in the vendor's original proposal; photocopies of the completed and signed forms must also be provided with each of the required copies.

In the event that the vendor proposes the use of any subcontractors, information on the subcontractor(s) and letters of commitment as required by Section 4.8, Minority Business Enterprise or 4.9, Subcontractor Identification and Participation Information should also be provided in Tab 1.

**2. (Tab 2)  
Vendor Experience & Qualifications**

a. Mandatory Vendor Qualifications (**Sub-Tab 2 a.**)

The vendor must include information on the mandatory experience of the vendor, as described in **Section 2.1**, of this RFP.

b. Vendor Experience, Characteristics, and Capabilities (**Sub-Tab 2 b.**)

Under this section the vendor is required to describe its accessibility and customer service standards, including, at minimum, its geographic coverage, operating hours, and loan processing times, and must include resumes, education, and experience, for all key personnel for this project (including any subcontractors to be involved), as described in **Section 2.2**, of this RFP.

**3. (Tab 3)  
Scope of Work & Specifications of Deliverables**

This section should describe in detail how the vendor proposes to perform each tasks of the scope of work identified in Sections 3.1, Scope of Work and Specifications of Deliverables of this RFP. The responses must address each element separately. Vendors should place their responses for each Deliverable identified in Section 3.1 behind separate sub-tabs as described above.

**4. (Tab 4)  
Administrative Structures—Proposed Work Plan**

This section should describe in detail (in the order as outlined) the vendor's administrative structures as specified in Section 3.3, Administrative Structures—Proposed Work Plan of this RFP.

**5. (Tab 5)  
Cost Proposal**

Vendors are to complete a Cost Proposal Form (provided as Attachment F.) with their proposed prices for services that would be provided. Vendors may ONLY propose payment in the format provided; no other fees, costs, or expenses will be considered. All proposals for compensation must be presented in the format and categories as prescribed on that form. This form must be completed and submitted as the vendor's proposal Tab 5.

Costs proposed may NOT EXCEED \$50.00 (Fifty dollars) per application processed (regardless of the decision to approve or deny the loan), up to \$25,000 per year, plus an amount equal to no more than ten percent (10%) of the monthly loan repayments actually collected, up to \$25,000 per year. Vendors may, at their discretion, propose rates below these stated maximums, and may propose NO compensation for either or both categories. However, vendors seeking rates in excess of these limits will be disqualified from consideration.

**6. (Tab 6)  
Vendor Attachments or Appendices**

This section may be used to include excerpts/samples of work products or methods comparable to those described in this RFP.

**C. IMPORTANT –DISQUALIFIERS FOR PROPOSAL ERRORS:**

- Any trade secret, proprietary, or confidential information (as defined in Section XI., E. of this RFP) found anywhere in a vendor's proposal shall result in immediate disqualification of that vendor's proposal.
- Any sensitive personal information on vendor *or* sub-contract staff (e.g., social security numbers, addresses) must be omitted from vendor proposals, or rendered fully unreadable, or ODJFS may at its option disqualify the vendor from any consideration.

**SECTION VI. CRITERIA FOR PROPOSAL EVALUATION & SELECTION**

**6.1 Scoring of Proposals**

ODJFS will contract with a vendor that best demonstrates the ability to meet requirements as specified in this RFP. Vendors submitting a response will be evaluated based on the capacity and experience demonstrated in their Technical and Cost Proposal. All proposals will be reviewed and scored by a Proposal Review Team (PRT), comprised of staff from ODJFS, Office for Families and Children and their designees. Vendors should not assume that the review team members are familiar with any current or past

work activities with ODJFS. Proposals containing assumptions, lack of sufficient detail, poor organization, lack of proofreading and unnecessary use of self-promotional claims will be evaluated accordingly. PRT members will be required to sign disclosure forms to establish that they have no personal or financial interest in the outcome of the proposal review and contractor selection process.

Selection of the vendor will be based upon the criteria specified in this RFP. Any proposals not meeting the requirements contained in this RFP will not be scored or may be held pending receipt of required clarifications. The PRT reserves the right to reject any and all proposals, in whole or in part, received in response to this request. The review team may waive minor defects that are not material when no prejudice will result to the rights of any vendor or to the public. In scoring the proposals, ODJFS will score in three phases:

**A. Phase I. Review—Initial Qualifying Criteria:**

In order to be fully reviewed and scored, proposals must pass the following **Phase I. Review**. Any “no” for the listed **Phase I. criteria will eliminate a proposal from further consideration**.

1. Was the proposal received by the deadline as specified in Sections 1.5 and 5.1?
2. Did the vendor submit six (6) paper copies and one electronic copy of their Technical Proposal?
3. Does the vendor’s proposal include all required affirmative statements and certifications, signed by the vendor’s responsible representative, as described in **Attachments A., and C.** to the RFP?
4. According to those certifications, does the vendor affirmatively indicate that it is not on the federal debarment list; that there are no unfair labor findings against it; and it is not in violation of ORC Section 9.24, and therefore may enter into a contract with ODJFS?
5. Does ODJFS’ review of the Auditor of State website verify that the vendor is not excluded from contracting with ODJFS by ORC Section 9.24 for an unresolved finding for recovery (*i.e.*, the proposal of any vendor whose name appears on the Auditor’s website as having an unresolved finding for recovery will be eliminated from further consideration.)?
6. Has the vendor’s proposal met all other mandatory requirements as established in Section 2.1, Mandatory Vendor Qualifications ?

**B. Phase II. Review—Criteria for Scoring the Technical Proposal:**

The PRT will score those proposals, not eliminated in **Phase I. Review** by assessing how well the vendor meets the requirements as specified in this RFP. Using the score sheet for **Phase II** scoring (see **Attachment E.** of this RFP for specific evaluation criteria), the PRT will read, review, discuss and reach consensus on the final technical score for each qualifying technical proposal.

A technical proposal must achieve at least a minimum total score as established on the Technical Proposal Score Sheet (Attachment E. to this RFP), a score which represents that the vendor can successfully perform the resulting contractual duties. Proposals must earn at least that minimum point value to qualify for continued consideration. Any proposal which does not meet the minimum required technical proposal points will be disqualified from any further consideration and its cost proposal will not be considered.

All **Phase II** technical proposal evaluation criteria will be scored according to the following scale, based on a proposed plan’s ability to meet ODJFS needs. The Technical Proposal Score Sheet (see **Attachment E.**) uses the following point values for rating each requirement.

0	6	8	10
Does Not Meet Requirement	Partially Meets	Meets Requirement	Exceeds Requirement

**Technical Performance Scoring Definitions:**

**“Does Not Meet Requirement”**- A particular RFP criteria or requirement was not addressed in the vendor’s proposal in any way adequate for ODJFS to assess that the vendor could adequately meet program needs corresponding to that criteria, **Score: 0**

**“Partially Meets Requirement”**-Vendor proposal demonstrates some attempt at meeting a particular RFP requirement, but that attempt falls below acceptable level, **Score: 6**

**“Meets Requirement”**-Vendor proposal essentially fulfills a particular RFP requirement in all material respects, potentially with only minor, non-substantial deviation, **Score: 8**

**“Exceeds Requirement”**-Vendor proposal essentially fulfills a particular RFP requirement in all material respects, and offers some additional level of quality in excess of ODJFS expectations, **Score: 10**

**IMPORTANT:** Before submitting a proposal to ODJFS in response to this RFP, vendors are strongly encouraged to use the Technical Proposal Score Sheet (**Attachment E.**) and the above technical performance scoring information to review their proposals for completeness, compliance and quality.

All the remaining qualified Technical Proposals will proceed to the next level of review, which is consideration of the Cost Proposal. Any other proposals will be disqualified from further consideration, and the corresponding Cost Proposals will neither be opened nor will be scored.

**C. Phase III.—Criteria for Considering the Cost Proposal**

The Cost Proposal will be reviewed by ODJFS, and any vendor failing to comply with Cost Proposal format requirements or pricing limits as stated in this RFP will be disqualified at that point. The grand total of each technically qualified vendor’s Cost Proposal (the sum total of the vendor’s proposed rates for compensation, even if the vendor’s proposed total is \$0.00) will be used in the vendor selection process. The sum total of each qualifying

vendor will be ranked by ODJFS from lowest cost to highest. The vendor proposing the lowest cost will be awarded a designated number of points (as specified on the Technical Proposal Score Sheet, Attachment E.) The vendors proposing the second and third lowest costs will earn successively fewer points, and any proposals offering costs higher than the third lowest will earn NO points for their cost proposals. In the event of identical proposed costs (*e.g.*, two or more vendors are tied for offering the lowest costs), all vendors proposing the same rates will be awarded the same number of points. Each vendor's grand total score will be the sum of its technical quality score and its cost proposal score (see Attachment E., Technical Proposal Score Sheet). The vendor earning the highest grand total score will be recommended for award of the contract.

## **6.2 Review Process Caveats**

ODJFS may, at its sole discretion, waive minor errors or omissions in vendors' Technical and/or Cost proposals/forms when those errors do not unreasonably obscure the meaning of the content.

ODJFS reserves the right to request clarifications from vendors to any information in their Technical and/or Cost proposals/forms, and may request such clarification as it deems necessary at any point in the proposal review process. Any such requests for proposal clarification when initiated by ODJFS, and vendors' verbal or written response to those requests, shall not be considered a violation of the communication prohibitions contained in Section 1.8 of this RFP. Such communications are expressly permitted when initiated by ODJFS, but are at the sole discretion of ODJFS.

Should ODJFS determine a need for interviewing vendors prior to making a final selection, results to interview questions shall be scored in a manner similar to the process described in Section 6.1, Scoring of Proposals, above. Such scored results may be either added to those vendors' proposal scores, or will replace certain criteria scores, at the discretion of ODJFS. The standards for scoring the interviews and the method used for considering the results of the interviews shall be applied consistently for all vendors participating in the interview process for that RFP.

ODJFS reserves the right to negotiate with vendors for adjustments to their proposals should ODJFS determine, for any reason, to adjust the scope of the project for which this RFP is released. Such communications are not violations of any communications prohibition, and are expressly permitted when initiated by ODJFS, but are at the sole discretion of ODJFS.

Any vendor deemed not responsible, or any submitting a proposal deemed not to be responsive to the terms of this RFP, shall not be awarded the contract.

## **6.3 Final Vendor Recommendation**

The PRT will recommend to the Director of ODJFS the technically qualified vendor offering the proposal most advantageous to ODJFS, as determined by the processes and requirements established in this RFP. This will be determined by comparing each vendor's grand total score; the vendor earning the highest score will be recommended for award of the contract.

## **6.4 Tie Breaker**

In the event that two or more of the proposals have a score which is tied after final calculation of both the technical proposal and the cost proposal, the proposal with the higher technical proposal

score will prevail. Should that process still result in a tied score, the vendor earning the highest score for the quality of geographic coverage, Phase II, item 1. on the Technical Proposal Score Sheet (Attachment E. to this RFP) will be deemed the technically qualified vendor offering the proposal most advantageous to ODJFS, and recommended for award of the contract.

## **SECTION VII. PROTEST PROCEDURE**

### **7.1 Protests**

Any potential, or actual, vendor objecting to the award of a contract resulting from the issuance of this RFP may file a protest of the award of the contract, or any other matter relating to the process of soliciting the proposals. Such a protest must comply with the following guidelines:

- A. A protest may be filed by a prospective or actual bidder objecting to the award of a contract resulting from this RFP. The protest shall be in writing and shall contain the following information:
  1. The name, address, and telephone number of the protestor;
  2. The name and number of the RFP being protested;
  3. A detailed statement of the legal and factual grounds for the protest, including copies of any relevant documents;
  4. A request for a ruling by ODJFS;
  5. A statement as to the form of relief requested from ODJFS; and
  6. Any other information the protestor believes to be essential to the determination of the factual and legal questions at issue in the written protest.
  
- B. A timely protest shall be considered by ODJFS, if it is received by ODJFS' Office of Legal and Acquisition Services, within the following periods:
  1. A protest based on alleged improprieties in the issuance of the RFP or any other event preceding the closing date for receipt of proposals which are apparent or should be apparent prior to the closing date for receipt of proposals shall be filed no later than 3:00 p.m. the closing date for receipt of proposals, as specified in Section 1.5, Anticipated Procurement Time Table, of this RFP.
  2. If the protest relates to the announced intent to award a contract, the protest shall be filed no later than 3:00 p.m. of the **eighth (8th)** calendar day after the issuance of formal letters sent to all responding vendors regarding the State's intent to make the award. The date on these ODJFS letters to responding vendors is the date used to determine if a protest regarding the intent to award is submitted by the end of the protest period.
  
- C. An untimely protest may be considered by ODJFS if ODJFS determines that the protest raises issues significant to the department's procurement system. An untimely protest is one received by OLAS after the time periods set forth in Item B. of this section.

- D. All protests must be filed at the following location:

Chief Legal Counsel  
ODJFS Office of Legal and Acquisition Services  
30 East Broad Street, 31st Floor  
Columbus, Ohio 43215-0423

- E. When a timely protest is filed, a contract award shall not proceed until a decision on the protest is issued or the matter is otherwise resolved, unless the Director of ODJFS determines that a delay will severely disadvantage the Department. The vendor(s) who would have been awarded the contract shall be notified of the receipt of the protest.
- F. OLAS shall issue written decisions on all timely protests and shall notify any vendor who filed an untimely protest as to whether or not the protest will be considered.

## 7.2 Caveats

**ODJFS is under no obligation to issue a contract as a result of this solicitation if, in the opinion of ODJFS and the proposal review team, none of the proposals are responsive to the objectives and needs of the Department. ODJFS reserves the right to not select any vendor should ODJFS decide not to proceed. Changes in this RFP of a material nature will be provided via the agency website. All vendors are responsible for obtaining any such changes without further notice by ODJFS.**

## SECTION VIII. ATTACHMENTS AND THEIR USES

- A. **Required Vendor Information and Certifications** (*To be completed & included in proposal packet as specified in Sec. 5.2*)
- B. **Request for Taxpayer Identification Number (W-9) Form** (*To be completed & included in proposal packet as specified in Sec. 5.2*)
- C. **Declaration of Material Assistance Form** (*To be completed & included in proposal packet as specified in Sec. 5.2.*)
- D. **ODJFS Model Contract** (*For vendor reference purposes*)
- E. **Technical Proposal Score Sheet** (*For vendor self-evaluation purposes...do not submit*)
- F. **Cost Proposal Form** (*To be completed & included in cost proposal packet as specified in Sec. 5.2.*)

## SECTION IX. APPENDICES AND THEIR USES

- A. **Sample Loan Terms Table**

Thank you for your interest in this project.