



**Ohio Department of Job and Family Services
Request for Letterhead Bids (RLB)
Free National Access to Job Opportunity Data
RLB#: R-89-10-0893**

I. Purpose

The Ohio Department of Job and Family Services (ODJFS) is soliciting bids to identify a vendor who will provide free national access to job opportunity data. This Request for Letterhead Bids (RLB) document is released by ODJFS, and the subsequent contract expected to result from this RLB process will be a contract between the vendor and ODJFS.

The ODJFS Office of Management and Information Systems (MIS), Bureau of Employment Services Support (BESS) will designate a staff member as the ODJFS Contract Manager to provide on-going supervision of the contractor selected through this RLB. The contract period for this project is expected to run from approximately January, 2008 to June 2009. Fiscal biennium extensions or renewals are planned for the contract expected to result from this RLB to be in effect, contingent upon satisfactory performance, and all required approvals for the subsequent fiscal biennium year (e.g., from July 2009 through June 2011).

ODJFS will only accept proposals from vendors that demonstrate their capability of providing services as described in this RLB. This RLB document is released by, and the subsequent contract will be with, ODJFS; the ODJFS Office of Management and Information Systems will be responsible for on-going supervision of the selected vendor's services, activities, and performance. For the purpose of this RLB, the term "vendor" shall be defined as an (organization/individual) interested in this opportunity. The term "contractor" is used in reference to the successful vendor selected through this RLB.

ODJFS is under no obligation to enter into a contract with any vendor as a result of this solicitation, if, in the opinion of ODJFS, 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 RLB of a material nature will be provided on the agency website. All vendors are responsible for obtaining any such changes without further notice by ODJFS.

II. Time and Date of Submission

Organizations, companies, firms, or individuals who are interested in submitting letterhead bids must make their submission not later than **3:00 p.m. Eastern (local) Time on December 21, 2007**. Faxes will not be accepted. Bids must be addressed to:

**Office of Contracts & Acquisitions
Ohio Department of Job and Family Services
30 East Broad Street, 31st Floor
Columbus, Ohio 43215-3414**

ATTN: RLB/RLB Unit

For hand delivery on the due date, vendors are to allow sufficient time for downtown parking considerations, as well as for security checks at both the lobby of the Rhodes State Office Tower (address as stated above) and again on the 31st Floor. All bids received on the due date will be accepted by the Office of Contracts and Acquisitions on the 31st Floor of the Rhodes Tower. **ODJFS is not responsible for any bids delivered to any address other than the address provided above.**

All submissions must be received, complete, by mail or hand delivery by the above date and time. Materials received after the submission deadline date will not be added to previous submissions, nor be considered. No confirmations of mailed bids received can be provided.

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

III. Anticipated Procurement and Project Timetable

12/04/2007	ODJFS Releases RLB to Potential Vendors on the DAS and ODJFS Websites; Q & A Period Opens - Vendors may submit inquiries for RLB clarification
12/12/2007	Vendor Q & A Period closes, 8 a.m. for inquiries for RLB clarification - No further inquiries for RLB clarification will be accepted
12/14/2007	ODJFS posts Final Vendor Question & Answer Document on ODJFS website
12/21/2007	Deadline for Vendors to Submit Proposals to ODJFS (3:00 P.M., local time)
12/28/2007	ODJFS Issues Vendor Selection Notification Letter (estimated)
2/1/2007	Project Initiation Date
<i>NOTE: Fiscal biennium extensions or renewals are planned for the contract expected to result from this RLB to be in effect, contingent upon satisfactory performance and all required approvals for the subsequent fiscal biennium year.</i>	

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 selected vendor 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 January 2008 through June 2009, with a renewal contract to be in effect, contingent upon satisfactory performance, continued availability of funding, and all required approvals, *for the subsequent fiscal biennium year*. Since state law prohibits ODJFS from making financial commitments beyond the fiscal biennium (e.g., 7/01/07 through 6/30/09), the contract with the selected vendor will be subject to renewal for *subsequent fiscal biennium years*. Renewal may be subject to approval by the Controlling Board.

IV. Internet Question & Answer Period; RLB Clarification Opportunity

Potential vendors may ask clarifying questions regarding this RLB via the Internet during the Question and Answer (Q & A) Period as outlined in Section III. 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 ODJFS" on the front page;
- * Select "Doing Business with ODJFS" listed on the left column of the page;
- * Select "Requests for Proposals, Letterhead Solicitations, and Other Invitations;"
- * Select RLB Number ***R-89-10-0893***;
- * Select the R89100893@odjfs.state.oh.us link; and
- * Follow the instructions and guidelines as follows to send an e-mail question.

Questions to this RLB must reference the relevant part of this RLB, the heading for the provision under question, and the number and/or section of the RLB where the provision can be found. The potential vendor must also include his or her name, the company name, and business phone number. ODJFS may, at its option, disregard any questions which do not appropriately reference an RLB 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 that the Q & A period closes.

ODJFS responses to all questions asked via the Internet will be posted on the Internet web site dedicated to this RLB, 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 Question and Answer Document" for this RLB; when possible, ODJFS may post an interim Q & A Document as well as the final version. Vendor proposals in response to this RLB are to take into account any information communicated by ODJFS in the Final Q & A Document for the RLB. **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 any RLB.**

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

IMPORTANT: Requests from potential vendors for copies of previous RLBs, 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 RLB. PRRs, submitted in accordance with directions provided in Section XIV. Communication Prohibitions, will be honored. The posted time frames for ODJFS responses to Internet or faxed questions for RLB clarification do not apply to PRRs.

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 RLB; therefore, vendors are to base their RLB responses, and the details and costs of their proposed projects, on the requirements and performance

expectations established in the RLB and, if applicable, in the Q&A document, NOT on details of a current or past related contract. 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.

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

V. Qualifications

In order to be considered for the project described in this RLB, ODJFS requires that interested vendors **must** meet, at minimum, **all** the following qualification requirements:

A. Mandatory Vendor Qualifications

ODJFS will consider proposals from vendors who only have more than 50,000 Ohio job opportunities, as well as a national job opportunity data bank.

- **Must** allow **free** access to Ohio job opportunities in addition to a national job opportunities data bank. Proposals from vendors who do NOT have more than 50,000 Ohio job opportunities, as well as a national job opportunity data bank, will not be accepted.
- Must have a minimum of two years experience providing access to centrally captured electronic job opportunity data.
- Must have the ability to provide data feeds for national job opportunity data.
- Must have the ability to accept data feeds from ODJFS, and present / display data in their national job opportunity data system.
- Must have the ability to allow an “Ohio brand” banner to be displayed while viewing job opportunity data via web interface. This banner will be active with drop downs that will link back to ODJFS functionality.
- Must have the ability to conduct basic and advanced searches of Ohio and national job opportunity data.
- All services must be provided to ODJFS at no cost. Any vendor submitting a bid on this project must include a statement to that effect.

Vendors which do not meet all the above experience and qualifications will be disqualified from further consideration for award.

B. Organizational Experience and Capabilities

In order to be considered for the project expected to result from this RLB, ODJFS requires that interested vendors provide the following:

1. Vendor must provide examples (to include name of organization and website) of three organizations where the vendor has provided similar services of the same size and scope.
2. Vendor must provide a Technical Point of Contact (POC) who will be accountable for this interface.

VI. Scope of Work

The objective of this RLB is to provide ODJFS with free national access to job opportunity data. Qualified vendors will be fully capable of providing the below listed services, characterized by the following mandatory features and capabilities, and be willing to do so at no cost to ODJFS (the following items are not listed in priority order):

1. Display an “Ohio brand” banner while viewing the vendor’s national job opportunity data. This banner will be active with drop downs that will link back to ODJFS functionality.
2. Provide at a minimum the following searches to the national job opportunity data, but not limited to:
 - a. A basic search:
 1. Job name/description
 2. Desired location
 - b. An advanced search:
 1. Company name
 2. Mile radius
 3. Exact words, at least one word, none of the words, all of the words
 4. Job type
3. Provide all employers, commercial job board sites, associations, education institutions, and government a simple and efficient way to include their job opportunities in the national job opportunity data source with no/minimal effort. **NOTE:** Important that the vendor describe the anticipated timeframe from request to job posting/request to have the job opportunity be part of their national on-line listing at no cost.
4. Display relevant salary and trend data based upon a particular job title and location.
5. Ability to quickly search the national job opportunity data by:
 - a. Relevance factor
 - b. Date (most current)
 - c. Company with the most listings
 - d. Job type (some examples: full-time, part-time, temporary, internship, contractor)
 - e. Further location breakdown
6. Display job opportunity data that comes from the ODJFS self-service job posting system first when merged with all the national job opportunity/listings.
7. Accept a data feed from our self-service system of job title (the “what”) and location (the “where”) in order to display the national job opportunity data. The location information will also contain a further breakdown based upon Ohio’s Economic Regions, Workforce Areas or WIRED Region. This data feed will need to be accepted and present back to the user for the search criteria selected. **NOTE:** ODJFS will define the relevant zip codes/counties/cities to be part of the Economic Regions and/or Workforce and/or WIRED areas.
8. Allow the system user, based upon the search criteria selected, to review all national job opportunities meeting that search criteria and after making a selection, immediately and directly link the user to the exact location where the user can apply for that particular job opportunity.
9. Filter out and reject job opportunity data based upon certain keywords, to conduct such filtering on a routine and daily basis, and within two days of notification by ODJFS, to filter out and reject particular employers, websites and/or a particular job opportunity.

All interested vendors **MUST** describe how it could achieve the work described in this RLB, and must address and/or acknowledge the following as part of their formal response to this RLB, or risk disqualification:

- What type of Backup, Recovery and Disaster Recovery plans are currently in place?
- What are your current performance metrics (number of hits, response time, etc)?
- Do you support secure sessions (https)?
- At no time while displaying job opportunity data will any advertisement and/or sponsorship be viewable. The only allowable will be some acknowledgement (via logo or phrase) of the vendor's partnership with ODJFS in this initiative.
- ADA compliance.
- Quality of job opportunity data (refresh, duplications, etc)
- Provide number of Ohio job opportunities currently in your job opportunity data source. This figure needs to come from the site that you will list as your main site in the following bullet. **Vendors not currently containing over 50,000 Ohio job opportunities in their job bank will be deemed non-responsive and rejected from any consideration.**
- Need to get at a minimum two (one of which needs to be the main vendor's site where the data for the number of Ohio job opportunities was counted from as well as the location for the free posting for national presence) URLs where the vendor has partnered with a public entity in a similar size and scope to what is being requested within the RLB.
- The job opportunity data source must have described proven abilities to gather job data via authorized means and generally accepted practices from the internet.
- Additionally, vendors may describe other features that would be available at no additional charge should they be selected.

VII. Specifications of Deliverables

The contracted services shall include, but may not be limited to, the following areas:

- A. Provide ODJFS **free access** with a national presence to job opportunity data and posting, including:
 1. Provide an "Ohio brand" banner to be displayed while viewing the vendor's national job opportunity data. This banner will be active with drop downs that will link back to ODJFS functionality.
 2. Provide at a minimum the following searches to the national job opportunity data, but not limited to:
 3. Provide a basic search:
 - a. Job name/description
 - b. Desired location
 4. Provide an advanced search:

- a. Company name
 - b. Mile radius
 - c. Exact words, at least one word, none of the words, all of the words
 - d. Job type
5. Provide all employers, commercial job board sites, associations, education institutions, and government a simple and efficient way to include their job opportunities in the national job opportunity data source with no/minimal effort. **NOTE:** Important that the vendor describe the anticipated timeframe from request to job posting/request to have the job opportunity be part of their national on-line listing at no cost.
 6. Provide the ability to display relevant salary and trend data based upon a particular job title and location.
 7. Provide the ability to quickly search the national job opportunity data by:
 - a. Relevance factor
 - b. Date (most current)
 - c. Company with the most listings
 - d. Job type (some examples: full-time, part-time, temporary, internship, contractor)
 - e. Further location breakdown
 8. Provide the ability to display job opportunity data that comes from the ODJFS self-service job posting system first when merged with all the national job opportunity/listings (on search criteria for free).
 9. Provide the ability to accept a data feed from our self-service system of job title (the “what”) and location (the “where”) in order to display the national job opportunity data. The location information will also contain a further breakdown based upon Ohio’s Economic Regions, Workforce Areas or WIRED Region. This data feed will need to be accepted and present back to the user the search criteria selected. **NOTE:** ODJFS will define the relevant zip codes/counties/cities to be part of the Economic Regions and/or Workforce and/or WIRED areas.
 10. Provide the ability to allow the system user, based upon the search criteria selected, to review all national job opportunities meeting that search criteria and after making a selection, immediately and directly link the user to the exact location where the user can apply for that particular job opportunity.
 11. Provide the ability to filter out and reject job opportunity data based upon certain keywords, to conduct such filtering on a routine and daily basis, and within two days of notification by ODJFS, to filter out and reject particular employers, websites and/or a particular job opportunity.

B. Provide technical support for the project’s success for interface integration.

VIII. Format of Submission

To be accepted and forwarded to the ODJFS Proposal Review Team (PRT), the vendor’s proposal must include a signed original and five (5) copies of a technical proposal, and a non-rewritable CD-ROM copy of the entire original technical proposal, according to the format and composition details provided below.

- Technical Proposal. One original and five (5) copies of the Technical Proposal labeled: **“TECHNICAL PROPOSAL ENCLOSED FOR THE FREE NATIONAL ACCESS TO JOB OPPORTUNITY DATA PROJECT, RLB#: R-89-10-0893 SUBMITTED BY (VENDOR NAME AND DATE OF SUBMISSION).”**
- One non-rewritable CD-ROM containing a copy of the entire Technical Proposal labeled: **“CD-ROM FOR FREE NATIONAL ACCESS TO JOB OPPORTUNITY DATA PROJECT, RLB#: R-89-10-**

0893 SUBMITTED BY (VENDOR NAME AND DATE OF SUBMISSION). The requested CD will be used by ODJFS for storage/archiving purposes and for Public Records Requests only.

NOTE: The Vendor must provide an electronic copy of everything contained within its response on CD-ROM in Microsoft Word 2002, Microsoft Excel 2002, Microsoft Project 2003, and PDF format, as appropriate. If there is any discrepancy between the paper copy and the electronic copy of the Proposal, the paper copy will control, and the Department will base its evaluation of the Vendor's Proposal on the paper copy.

The vendor's Technical Proposal shall contain all the information as specified for each component listed below. It is mandatory that vendor proposals be organized in the following order. Any other information thought to be relevant, but not applicable to a specific RLB 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 include information or materials that were not required in the RLB. However, the proposal will be scored on the relevancy to the stated responsibilities as well as the conciseness, clarity, flow, and neatness of the information presented. A proposal which is incomplete, vague, unjustifiably wordy, unclear, or poorly organized may not be successful. All pages in The Technical Proposal shall be sequentially numbered either per tab or for the document as a whole.

Tab 1: Forms and Certifications: The vendor must provide an Executive Summary of its proposal. The summary should explain how selection of the vendor would benefit ODJFS. Not to exceed three pages of 12-point font.

Tab 2: Vendor Qualifications. The vendor proposal must include all documents and information as outlined in **Section V, Qualifications**, demonstrating how the vendor and its staff meet the requirements, specifically:

- Sub-Tab 2a.** Mandatory Vendor Qualifications (Section V. Paragraph A.)
- Sub-Tab 2b.** Organizational Experience & Capabilities (Section V. Paragraph B.)

Additionally, the vendor must provide a synopsis (not to exceed one page per project) of projects performed during the past three years which are similar in size, scope, and effort to that described in this RLB. These synopses must include the following information:

- Customer name and current address;
- Current contact names, telephone numbers and email address;
- URLs of publicly accessible sites allowing free access to job opportunities by the Offeror for these customers. A URL for an Intranet site should be given only if arrangements have been made for the State to gain access to it from the State's workstations.

All pages in the Technical Proposal must be sequentially numbered, with the exception of Tab 4.

Tab 3: Scope of Work and Specifications of Deliverables (Section VI and VII.)

- Sub-Tab 3a.** Deliverable A Free access with a national presence to job opportunity data and posting.
- Sub-Tab 3b.** Deliverable B Staff support for the project's success for interface integration.

Additionally, the vendor must demonstrate their understanding of ODJFS' requirements and deliverables; problems to be resolved; and the approach for providing support across all task areas; and the feasibility of the proposed approach. Vendor's approach must include a detailed description of how the Statement of Work will be met and ability to meet the 2/1/2008 deadline to begin to provide free national access to job opportunity data. Additionally, the vendor is responsible to provide a Technical

Point of Contact (POC) who will be accountable for this interface. Provide a one-page narrative that identifies the Technical POC and their experience on projects similar to this one.

Tab 4: Vendor Attachments or Appendices: Vendors submitting proposals must include a completed “Required Vendor Information and Certifications” form (provided as Attachment A to this RLB), a completed “Request for Taxpayer Identification Form W-9” (provided as Attachment B to this RLB) and the Declaration Regarding Material Assistance/Non-assistance to a Terrorist Organization A form (provided as Attachment C). The vendor must provide originals of these three documents, signed in blue ink by a qualified vendor representative, in this part of the technical proposal packet.

Vendors are required to provide a declaration regarding material assistance to terrorist organizations or organizations that support terrorism as identified by the U.S. Department of State Terrorist Exclusion List, and as described in the DMA Form, **Attachment C**. 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>.

IX. Selection Process

All proposals will be reviewed and scored by a Proposal Review Team (PRT) comprised of ODJFS staff. 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 self-promotional claims will be evaluated accordingly. PRT members are 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. The PRT reserves the right to reject any and all proposals, in whole or in part, received in response to this request. The PRT 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 two phases: Phase I—Initial Qualifying Criteria and Phase II—Scoring of the Technical Proposal. In addition, the PRT may, at its option, elect to conduct interviews as part of the process. All score criteria are presented in the Technical Proposal Score Sheet, which is provided as Attachment E to this RLB.

During the Phase I evaluation, the Department will rate the Initial Qualifying Criteria based on pass/fail. Any vendor failing to pass any of the Phase I Criteria will be disqualified from any further consideration.

During the Phase II evaluation, the Department will rate the merits of the proposals based upon the responses and acknowledgements from the Scope of Work section of this RLB as well as reviews from the URLs the vendor offered as examples of similar size and scope. Attachment E contains the Scoring Sheet that will be used for the evaluation of the proposals for this RLB. The evaluation factors and their order of importance are as follows:

The features and capabilities will be evaluated in terms of the vendor’s understanding of the ODJFS requirements, problems to be resolved, and the timeliness, realism, feasibility, and likely success of the proposed approach. Experience and success with efforts of similar size and scope will be considered.

Experience in similar size and scope engagements for job opportunities and real-time salary and trend data along with the past/current job opportunities in Ohio.

X. RLB Process Information and Other Contractual Requirements:

A. State Contracts

Responses 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 percent 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 VIII, Instructions for Format of Submissions**, of this RLB.

B. Interview

Vendors submitting proposals may be requested to participate in an in-depth interview as part of the evaluation process. The interview, if necessary, may include participants from ODJFS and any representatives it may appoint. 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.

C. 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 & Management. The selected vendor will be notified by the ODJFS contract manager when work may begin. **Any work begun by a contractor prior to this notification will NOT be reimbursable by ODJFS.**

D. 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.

E. Trade Secrets Prohibition; Public Information Disclaimer

Vendors are prohibited from including any trade secret information as defined in Ohio Revised Code (ORC) 1333.61 in their proposals in response to any ODJFS RLB, Requests for Letterhead Bids (RLB) or other procurement efforts. ODJFS shall consider all proposals or similar responses voluntarily submitted in response to any ODJFS RLB, RFA, RLB, or other procurement document, 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 any RLB, RLB, etc., shall become the property of ODJFS. This RLB and, after the selection of a vendor for award, any proposals submitted in response to an RLB/RLB are deemed to be public records pursuant to R.C. 149.43. For purposes of this section, the term "proposal" shall mean both the technical proposal (or application or other response documentation) and the cost proposal, if opened, submitted by the selected vendor/applicant, and any attachments, addenda, appendices, or sample products.

Any proposals submitted in response to any ODJFS RLB, RLB, etc. which make claims of trade secret information shall be disqualified from consideration immediately upon the discovery of such unallowable claim.

F. Contractual 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 RLB. Potential vendors are strongly encouraged to read the model contract to be fully aware of all ODJFS contractual requirements.

G. Travel and Parking Expense Reimbursement

No travel or parking expenses, nor any other expenses, will be covered.

H. Public Release of Records

Public release of any evaluation or monitoring reports funded under this contract will be made only by ODJFS. Prior to public release of such reports, ODJFS must have at least a 30-day period for review and comment.

I. Confidentiality

All contracts or other business agreements 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.

J. Ethical & Conflict of Interest Requirements

1. No contractor or individual, company or organization seeking a contract or other business agreement 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;
2. No contractor or individual, company or organization seeking a contract or other business agreement shall solicit any ODJFS employee to violate any of the conduct requirements for employees;
3. Any contractor acting on behalf of ODJFS shall refrain from activities which could result in violations of ethics and/or in 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 other agreement or refusal by ODJFS to enter into a one; and
4. 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.

K. Unresolved Findings for Recovery (R.C. 9.24)

Ohio Revised Code 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 or business agreement arising out of this RLB, without notifying ODJFS of such finding. ODJFS will review the Auditor of State’s website prior to the evaluations of any proposal submitted pursuant to this RLB. 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.

L. 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 described in this RLB, 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 that the behavior that led to the claims could negatively impact vendor's performance of the work, and the best interests of ODJFS.

M. 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 RLB. 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.

N. Vendor Selection Restriction

Any vendor deemed not responsible, or submitting a proposal deemed not to be responsive to the terms of this RLB, shall not be selected for this project.

O. Waiver of Minor Proposal Errors

ODJFS may, at its sole discretion, waive minor errors or omissions in proposals, bids, and/or forms when those errors do not unreasonably obscure the meaning of the content. Additionally, ODJFS reserves the right to request clarifications or completions from vendors to any information in their proposals, bids, and/or forms, and may request such clarification as it deems necessary at any point in the proposal/bid review process.

XI. Health Insurance Portability & Accessibility Act (HIPAA) Requirements

As a condition of doing business with 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 CFR164.501 and any amendments thereto.

In the event of a material breach of vendor obligations under this section, ODJFS may at its option terminate the contract.

XII. State Contracts

Proposals must list any current contracts the vendor has with State of Ohio agencies and universities/colleges. The list must indicate the purpose of the contract, the amount of the contract, the time period covered by the contract, and the percent of the project completed. Vendors must complete the “**Required Vendor Information and Certifications**” (provided as **Attachment A**) and include the completed document in the vendor’s proposal as specified in Section VIII, Format of Submissions.

XIII. Caveat

ODJFS is under no obligation to select a vendor 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 with the project.

XIV. Communications Prohibitions

From the issuance date of the RLB, until a contract is in effect, there may be no communications concerning the RLB between any interested potential vendor 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 RLB or the decision with a formal procurement.

The only exceptions to this prohibition are as follows:

- A. As necessary in the case of any pre-existing business relationship between ODJFS and a vendor which could potentially respond to this RLB, in order to conduct that business;
- B. As part of an interview necessary for ODJFS to make a vendor selection decision;
- C. If it becomes necessary to revise any part of this RLB, revisions will be posted on the ODJFS web page established for this RLB; and
- D. If it becomes necessary to revise any part of this RLB, revisions will be posted on the ODJFS web page: <http://www.state.oh.us/odjfs> and notices of such will be sent to vendors on the original mailing list and to anyone participating in the clarification process conducted pursuant to Section IV, Internet Q & A Period, and
- E. Any Public Records Request (PRR) made through the ODJFS Office of Legal Services:

Requests from potential vendors or contractors for copies of previous RLBs, past vendor proposals, score sheets or contracts for this or similar past projects, are Public Information Requests (PRRs), and are not clarification questions regarding the present RLB. PRRs, submitted in accordance with directions provided in this Section XIV, Communications Prohibited, will be honored. The posted time frames for ODJFS responses to Internet questions for RLB clarification do not apply to PRRs.

* Important Note: Amendments to the RLB or to any documents related to it will be accessible to interested vendors through the original ODJFS website established for the RLB. All interested vendors are strongly

encouraged to refer to the appropriate website regularly for amendments or other announcements. Failure on the part of ODJFS to notify any vendors of any possible changes or announcements related to this RLB does not absolve the vendors from their responsibility to look for updated information through the web page.

Proposals submitted by a vendor who attempts any communications prohibited by this Section may be disqualified by ODJFS from consideration for this project. ODJFS is not responsible for the accuracy of any information regarding this RLB that was obtained or gathered through a source other than the Question and Answer process described in this RLB.

XV. Protests

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

1. A protest may be filed by a prospective or actual bidder objecting to the award of a contract resulting from this solicitation. The protest shall be in writing and shall contain the following information:
 - a. The name, address, and telephone number of the protestor;
 - b. The name and number of the solicitation being protested;
 - c. A detailed statement of the legal and factual grounds for the protest, including copies of any relevant documents;
 - d. A request for a ruling by ODJFS;
 - e. A statement as to the form of relief requested from ODJFS; and
 - f. Any other information the protestor believes to be essential to the determination of the factual and legal questions at issue in the written protest.
2. A timely protest shall be considered by ODJFS, if it is received by ODJFS' Office of Legal Services, within the following periods:
 - a. A protest based on alleged improprieties in the issuance of the RLB 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. of the closing date for receipt of proposals as specified in Section II., Time and Date of Submission.
 - b. 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 *seventh (7th) calendar day* after the issuance of the Letter of Intent to Award the contract.
3. 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 ODJFS' Office of Legal Services after the time periods set forth in Item #2 of this section.
4. All protests must be filed at the following location:

Chief Legal Counsel, Office of Legal Services
Ohio Department of Job and Family Services
30 East Broad Street, 31st Floor
Columbus, Ohio 43215-3414

