



**Ohio Department of Job and Family Services
Request for Letterhead Bids (RLB)
RLB#: R-89-14-0005
Unemployment Compensation Court Reporting Services**

I. Purpose

The Ohio Department of Job and Family Services (ODJFS) is soliciting bids to identify a vendor who will provide court reporting services. This Request for Letterhead Bids (RLB) document is released by ODJFS, and the subsequent contract will be with ODJFS. The Office of Unemployment Compensation (UC), Bureau of Program Services will be responsible for daily contract management

Section 4141.283 of the Ohio Revised Code (ORC), states in part that, "Whenever the director of job and family services has reason to believe that the unemployment of twenty-five or more individuals relates to a labor dispute, the director shall schedule a hearing concerning the reason for unemployment." The above section of the law also requires that a transcript of the hearing be provided to the Unemployment Compensation Review Commission (UCRC) when an application of appeal is filed with the UCRC. Therefore, in order to comply with the ORC, ODJFS is seeking to contract with a vendor to perform court reporting services. The selected contractor will be required to travel to hearing sites around the State of Ohio, transcribe the hearing, and provide a transcript of the hearing within seventy-two hours (three days) of the hearing conclusion.

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 Standard Time on Friday, May 18, 2007**. Faxes will not be accepted. Proposals 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**

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 proposals received on the due date will be accepted at the ODJFS Bid Room, managed by the Office of Contracts & Acquisitions on the 31st Floor of the Rhodes Tower. **DAS WILL NOT ACCEPT PROPOSALS FOR THIS RLB PROJECT. ODJFS is not responsible for any proposals 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 proposals received can be provided

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

III. Anticipated Procurement and Project Timetable

April 20, 2007	ODJFS Releases RLB to Potential Vendors on the DAS and ODJFS Websites; Q & A Period Opens - Vendors may submit inquiries for RLB clarification
May 4, 2007	Vendor Q & A Period closes, 8 a.m. for inquiries for RLB clarification - No further inquiries for RLB clarification will be accepted
May 11, 2007	ODJFS posts Final Vendor Question & Answer Document on ODJFS website
May 18, 2007	Deadline for Vendors to Submit Proposals to ODJFS (3:00 P.M., Eastern time)
June 1, 2007	ODJFS Issues Contract Award Notification Letter (estimated)
July 1, 2007	Purchase Order approval – work may not begin until a state Purchase Order has been fully approved by OBM. (ESTIMATED DATE)
June 30, 2009	All project work must be completed.

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 ORC 126.07, ODJFS contracts are not valid and enforceable until the Office of Budget and Management (OBM) certifies the availability of appropriate funding, which is 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 ODJFS Contract Manager provides notice that the requirements of section 126.07 of the ORC have been met.

** Subject to approval by the Controlling Board, the contract period is expected to run from approximately July 1, 2007 through June 30, 2008 (SFY 08), with a renewal contract to be in effect, contingent upon satisfactory performance and continued availability of funding from July 1, 2008 through June 30, 2009 (SFY 09). Since state law prohibits ODJFS from making financial commitments beyond the fiscal biennium (e.g., 7/01/07 through 6/30/08), the contract with the selected vendor will be subject to renewal for the final one year period of the project. Renewal is contingent upon the availability of funds and satisfactory performance by the vendor, and is subject to approval by the Controlling Board.

VI. Internet Question & Answer Period; RLB Clarification Opportunity

Potential vendors may ask clarifying questions regarding this RLB via the Internet during the Question and Answer 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 Us” on the front page;
- * Select “Doing Business with ODJFS;”
- * Select “Requests for Proposals, Letterhead Solicitations, and Other Invitations;”
- * Select RLB Number [R-89-14-0005](#);
- * Select “R-89-14-0005@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 page number (if applicable) and/or section of the RLB 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 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 Question and Answer period closes.

ODJFS responses to all questions asked via the Internet* will be posted on the Internet web site dedicated to this RLB, for references 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 Question and Answer 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 XV., Communications Prohibited, will be honored. The posted time frames for ODJFS responses to Internet or faxed questions for RLB clarification do not apply to PRRs.

V. Qualifications

Vendors’ proposal must address all the following minimum qualifications as well as organizational, and staff experience and capabilities:

A. **Required Vendor Qualifications**

In order to be considered for the contract expected to result from this RLB, ODJFS requires that interested vendors **must** demonstrate in their proposals how they meet, at minimum, **all** the following qualification requirements:

1. A minimum of five (5) years experience in recording and transcription of public hearings and/or other legal proceedings. Vendor staffing of the proposed project

must be employees of the vendor and include persons certified and/or licensed as a recording stenographer and/or transcriber.

B. Organizational Experience and Capabilities

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

1. Background information on the vendor, indicating sufficient organizational experience and staffing to perform the required procured functions;
2. Descriptions of at least two (2) similar sized projects completed in the past (2) years that demonstrate expertise in providing stenographic and court reporting services; and
3. Names and contact information for at least two (2) entities, other than ODJFS, for which the vendor has performed substantially similar scale projects in the past (2) years.

C. Staff Experience and Capabilities

The vendor must demonstrate significant expertise by assigning qualified individuals for this project. The vendor must, at minimum:

1. Identify, at minimum, the individual(s) to be assigned for the duration of this project and key to the project's success has at least five (5) years experience recording & transcribing public hearings and/or other legal proceedings;
2. Include a resume or curriculum vitae for the assigned positions expected to work on the project;
3. Include information confirming the vendor will be responsible for furnishing all equipment and supplies to record and transcribe the hearing; and
4. Include a statement confirming all staff members can provide and/or secure reliable transportation to attend hearings in any county in Ohio.
5. Include a statement confirming all staff members have the ability to work anytime during ODJFS normal business day (8:00 A.M. to 8:00 P.M.).
6. Include a sample transcript typed on 20# bond paper with 25 numbered lines per page.

VI. Scope of Work

The selected vendor will be required under the contract to travel to any county in Ohio and provide stenographic and/or court reporting services to transcribe labor dispute hearings in accordance with section 4141.283 of the Ohio Revised Code. The vendor will be responsible for furnishing all equipment and supplies to record and transcribe the hearings. ODJFS will require one (1) original transcript and one (1) diskette of each hearing. The transcripts and diskette must be received by ODJFS within three (3)

working days of each labor dispute hearing. The documents can be mailed or delivered to: **ODJFS – UC Programs Services, 4020 E. Fifth Avenue, Columbus, Ohio 43219-1811.**

All transcripts shall be prepared using the same format used by the courts of general jurisdiction in Ohio. The transcripts shall be typed on 20# bond paper with 25 numbered lines per page. Labor dispute hearings are usually held in the late morning hours and last about four (4) or five (5) hours, however the selected vendor will be required to work anytime during our normal business day (8 a.m. to 8 p.m.). Historically, court reporting services have been required once a month. ODJFS will require that the stenographer/court reporter arrive one-half hour prior to the scheduled hearing start time and remain until the conclusion of the hearing. In the event that a hearing is begun but not concluded on the same business day, ODJFS will require that the same vendor staff be utilized for that hearing through its conclusion.

The contract expected to result from this RLB would be for the State Fiscal Year (SFY) 2008 with optional renewal for (SFY) 2009. Any renewal contract would be subject to the availability of necessary funds, continued programmatic need, satisfactory performance of the contractor, and would be at the sole discretion of ODJFS.

VI. Format of Submission

To be accepted and forwarded to the ODJFS Proposal Review Committee (PRT), the vendor's proposal must include one original and three (3) copies of the Technical Proposal labeled: "**TECHNICAL PROPOSAL ENCLOSED FOR RLB#: R-89-14-0005, U.C. COURT REPORTING SERVICES [YOUR COMPANY NAME],**" and one original and three (3) copies of the Cost Proposal, included in a separate sealed envelope labeled: "**BID COST ENCLOSED FOR RLB#: R-89-15-0005 U.C. COURT REPORTING SERVICES [YOUR COMPANY NAME].**" Vendors are also required to submit one additional CD-ROM copy of their entire proposal package in non-rewriteable CD format. The requested CD will be used by ODJFS for storage/archiving purposes only.

The Technical Proposal must contain all the information as specified and requested for each of the components listed below. A sample Technical Proposal Score Sheet is provided as **Attachment B** for vendors to check their proposals for quality and completeness. A proposal which is incomplete, vague, unjustifiably wordy, unclear, or poorly organized may not be successful. The following outline for the preparation of the Proposal in response to this RLB is intended to assist in the development of effectiveness and clarity.

The vendor's proposal must contain the following components (organized in five primary tabs) as described below. Any other information thought to be relevant, but not applicable to a specific RLB section number/letter such as charts, tables, timelines, excerpts of past related projects, etc., must be provided as an appendix to the proposal and so marked as an additional tab. However, the proposal will be scored based on the relevancy to the stated responsibilities as well as the conciseness, clarity, flow and neatness of the information presented. ODJFS reserves the right not to review submitted appendices which includes information or materials that was/were not required in the RLB. All pages shall be sequentially numbered.

Vendors must organize their technical proposals in the following order:

Tab 1: Required Vendor Information and Certifications Document (Vendors are to complete the document provided as **Attachment A** . to this RLB, sign the original in blue ink, and return it as their Tab 1.)

Tab 2: Vendor Qualifications

Tab 3: Scope of Work and Objectives

Tab 4: Request for Taxpayer Identification (W-9) Form (Vendors are to complete the document provided as **Attachment B** to this RLB, sign the original in blue ink, and return it as their Tab 4.)

Tab 5: Declaration Regarding Material Assistance/Nonassistance To A Terrorist Organization (DMA) Form (Vendors are to complete the document provided as **Attachment C** to this RLB, sign the original in blue ink, and return it as their Tab 5.)

NOTE: Vendors are required to submit **one additional CD-ROM copy** (using TWO CD-ROMs) of their entire proposal package in non-rewriteable CD format. One CD-ROM is to contain the complete Technical Proposal, including any required or voluntary attachments to it, and the other CD-ROM is to contain the Cost Proposal including any required or voluntary attachments to it. **The CD-ROM containing the Cost Proposal must be submitted in the sealed envelope containing the hardcopy Cost Proposal.** One document may, at vendor option, be excepted from the electronic technical proposal version: the "Request for Taxpayer Identification Number (W-9) Form" (**Attachment C**), which is to be signed by the vendor and submitted with the paper copies of the technical proposal. The requested CDs will be used by ODJFS for storage/archiving purposes only.

A. Technical Proposal

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 RLB requirements to which they correspond.

1. Required Vendor Information and Certifications (Tab 1)

Provided as **Attachment A.** to this RLB are descriptions of critical information and vendor certifications and affirmations, all of which are necessary either for ODJFS to consider vendors for this project, or which would be required of the selected vendor. Vendors submitting bids in response to this RLB are to carefully follow instructions given in **Attachment A.**, complete it, and return it as the opening pages of their proposals, or they may provide the required information and certifications (each fully re-stated from **Attachment A.**) on their letterhead as the opening pages of their proposals.

2. Vendor Qualifications (Tab 2)

In this section, the vendor must, at minimum, demonstrate and/or provide necessary evidence for the qualifications as specified in Section VI., Vendor Qualifications, the vendor may offer. Individuals involved must have the minimum qualification and work experience as described in Section V. Qualifications. Proposals lacking the appropriate education and experience shall be evaluated accordingly.

3. Scope of Work and Objectives (Tab 3)

In this section, the vendor must, at minimum, **describe in detail on company letterhead** how the vendor proposes to address the Scope of Work as specified in Section VI.

4. Request for Taxpayer Identification Number, W-9 Form (Tab 4)

The vendor must attach this form, which is provided as **Attachment B** to this RLB, completed with an original signature in blue ink.

7. Declaration Regarding Material Assistance/Nonassistance To A Terrorist Organization (DMA) Form (Tab 5)

The vendor must attach this form, which is provided as **Attachment C** to this RLB, completed with an original signature in blue ink.

B. Cost Proposal and Selected Contractor Compensation

A separate, sealed cost proposal (**labeled, “DO NOT OPEN, Cost Proposal from {vendor’s name} for U.C. Court Reporting Services, RLB # R-89-14-0005”**) must also be provided, containing the following cost break-down:

1. Cost per hour for appearance in each of the SFY listed (i.e., 08-09); Cost per page for transcript; and
2. Cost per / diskette.
3. Cost for document delivery
5. Travel to and from the appearance must be included in the hourly rates and **is not to be listed separately.**

VIII. Selection Process

ODJFS will contract with a vendor that best demonstrates the ability to meet requirements as specified in this RLB. 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 of Unemployment Compensation (U.C.). Vendors should not assume that the review members are familiar with their current 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. Final selection of the vendor will be based upon the criteria specified in Sections V., and VI., of this RLB. The PRT reserves the right to reject any and all proposals, in whole or in part, received in response to this request. The review committee may waive minor defects that are not material when no prejudice will result to the rights of any vendor or to the public. ODJFS reserves the right to require clarification of any information provided in vendors’ proposals. 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 submitted 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 Section II., of this RLB?

2. Did the vendor submit one (1) original, three (3) copies, and two (2) CD-ROM copies of their Technical Proposal along with their Cost Proposal (in a separate sealed envelope) labeled: “NOTE: DO NOT OPEN. COST PROPOSAL ENCLOSED FOR U.C. COURT REPORTING SERVICES RLB #: R-89-14-0005 FROM [VENDOR’S NAME]”?
3. Does the vendor’s proposal include all required affirmative statements and certifications, signed by the vendor’s responsible representative, as described in Attachment B to the RLB?
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. Does the vendor’s proposal state vendor’s staff for the proposed project are employees of the vendor and include persons certified and/or licensed as a recording stenographer and/or transcriber?

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

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

A maximum of 260 points will be awarded for the Technical Proposal. A technical proposal must achieve a total of at least 148 points (indicating that the vendor is capable of successfully performing contractual duties) out of the possible 260 points 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 neither be opened nor considered.

All Phase II technical proposal evaluation criteria items 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 RLB requirement was not addressed in the vendor’s proposal, **Score: 0**

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

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

“Exceeds Requirement”-Vendor proposal fulfills a particular RLB 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 RLB, vendors are strongly encouraged to use the Technical Proposal Score Sheet (**Attachment D**) 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. The grand total of each vendor’s Cost Proposal is divided by that vendor’s final Technical Proposal score. This compares the cost with the quality of the Technical Proposal, which will provide an average cost-per-quality point earned on the Technical Proposal.

If the cost proposals of all technically qualifying vendors (as determined by the scoring process described in this section and by the Technical Proposal Score Sheet, **Attachment E** to this RLB) are in excess of the available funding for this project, ODJFS may, at its sole discretion, negotiate with all technically qualifying vendors for a revised cost proposal. Vendors may then submit one last and best offer, or may request that ODJFS view its original cost proposal as its last and best offer, or may formally withdraw from further consideration, and shall formally indicate its choice according to directions provided by ODJFS at that time. Upon receipt of all last and best offers, and assuming that one or more have submitted a cost proposal that is within project budget, ODJFS will then consider those vendors’ revised cost proposals which are within the budget according to the cost-point assignment process described in this section, above, and in the Technical Proposal Score Sheet, **Attachment E**, for calculation of the winning score. 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 RLB is released.

D. Final Selection

The PRT will recommend for selection the technically qualified vendor which offers the lowest cost-per-quality point. Results from the Interview (if appropriate) will be scored and those scores will be considered as described in Section VIII., of this RLB.

At its sole discretion, ODJFS may choose to conduct interviews prior to final vendor selection. Interview question responses will then be considered according to a process

comparable to the Technical Proposal Scoring described in Section VIII., Selection Process of this RLB

IX. 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 CFR164.501 and any amendments thereto.

HIPAA compliance requires, at minimum, that the contractor:

- a. shall not use or disclose PHI except as specifically required under the terms of the contract with ODJFS, or as otherwise required under the HIPAA regulations or other applicable law.
- b. shall use appropriate safeguards to protect against use or disclosure not provided for by this Agreement.
- c. shall promptly report to ODJFS any knowledge of uses or disclosures of PHI that are not in accordance with the contract or applicable law. In addition, the CONTRACTOR shall mitigate any adverse effects of such a breach to the extent possible.
- d. shall ensure that all its agents and subcontractors that receive PHI from or on behalf of the contractor and/or ODJFS agree to the same restrictions and conditions that apply to contractor with respect to the use or disclosure of PHI.
- e. shall make available to ODJFS such information as ODJFS may require to fulfill its obligations to provide access to, provide a copy of, and account for disclosures with respect to PHI pursuant to HIPAA and related regulations.
- f. shall make PHI available to ODJFS in order for ODJFS to fulfill its obligations pursuant to HIPAA to amend the information and shall, as directed by ODJFS, incorporate any amendments into the information held by the contractor and ensure incorporation of any such amendments into information held by its agents or subcontractors.
- g. shall make available its internal practices, books and records relating to the use and disclosure of PHI received from ODJFS, or created and received by the contractor on behalf of ODJFS, to ODJFS and to the Secretary of the U.S. Department of Health and Human Services for the purpose of determining ODJFS compliance with HIPAA and the regulations promulgated by the United States Department of Health & Human Services and any amendment thereto.
- h. shall, upon termination of this Agreement, at the option of ODJFS, return to ODJFS, or destroy, all PHI in its possession, and keep no copies of the information except as requested by ODJFS or required by law. If the contractor or its agent or subcontractor destroy any PHI, then the contractor will provide ODJFS with documentation evidencing such destruction. Any PHI maintained by the contractor shall continue to be extended the same as required by HIPAA and ODJFS for as long as it is maintained.

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.

X. 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** (provided as **Attachment A**) and include the completed document in the vendor’s proposal as specified in this RLB.

XI. 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 Requests for Proposals (RFP), Requests for Letterhead Bids (RLB) or other procurement efforts. ODJFS shall consider all proposals voluntarily submitted in response to any ODJFS RFP 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 RFP, RLB, etc., shall become the property of ODJFS. After the selection of the vendor, any proposals submitted in response to an RFP are deemed to be public records pursuant to R.C. 149.43. The term “proposal” shall mean both the technical and the cost proposals, if opened, submitted by the vendor, any attachments, addenda, appendices, or sample products.

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

XII. 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 available upon request. Potential vendors are strongly encouraged to download and read a copy of the model contract to be fully aware of ODJFS contractual requirements.

XIII. Ethical and Conflict of Interest Requirements

1. No contractor or individual, company or organization seeking a contract shall promise or give to any ODJFS employee 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 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 conflicts of interest. Any contractor or potential contractor who violates the requirements and prohibitions defined here or of Section 102.04 of the Ohio Revised Code is subject to termination of the contract or refusal by ODJFS to enter into a contract.

4. ODJFS employees and contractors who violate Sections 102.03, 102.04 2921.42 or 2921.43 of the Ohio Revised Code may be prosecuted for criminal violations.

XIV. Other Requirements

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 with the project.

Costs incurred in the preparation of this proposal are to be borne by the bidder, and ODJFS will not contribute in any way to the costs of the preparation.

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.

Public release of any evaluation or monitoring reports funded under this agreement 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.

XV. Communications Prohibited

From the issuance date of the RLB, until an actual contract is awarded to a contractor, 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 decision regarding further procurement activities;
- 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 V. above; and
- E. Any Public Information Request (PIR) 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 (PIRs), and are not clarification questions regarding the present RLB. PIRs, submitted in accordance with directions provided in this Section XV, Communications Prohibited, will be honored. The posted time frames for ODJFS responses to Internet questions for RLB clarification do not apply to PIRs.

* Important Note: Amendments to the RLB or to any documents related to it will be accessible to interested vendors through the original DAS and/or ODJFS web pages established for the RLB. All interested vendors are strongly encouraged to refer to the appropriate website(s) 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 award of the contract. 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.

XVI. Protests

Any potential, or actual, vendor objecting to the award of a contract resulting from the issuance of this solicitation 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:

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 tenth (10th) 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

5. 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.
6. ODJFS' Office of Legal Services 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.

XVII. ATTACHMENTS

- A. Required Vendor Information And Certifications** *(Must be completed by vendor and returned, signed, as part of TAB 1 of Vendor Proposal)*
- B. Request for Taxpayer Identification Form W-9** *(Vendors are to complete, sign in BLUE ink, & return with their proposal as part of TAB 4 of Vendor Proposal)*
- C. Declaration Regarding Material Assistance/Nonassistance To A Terrorist Organization (DMA) Form** *(Vendors are to complete, sign, & return with their proposal as part of TAB 5 of Vendor Proposal)*
- D. ODJFS Model Contract** *(provided for vendor reference only - not to be completed or signed)*
- E. Technical Proposal Score Sheet** *(provided for vendor self-evaluation --not to be returned in bid)*
- F. Cost Proposal Form** *(Vendors are to complete and return)*

Thank you for your interest in this project.