

***Workforce Development  
Training and Technical Assistance  
Services***

**Ohio Department of Job and Family Services**

**Office of Workforce Development**

***March 25, 2009***

# OWD Training and Technical Assistance Services

RFP#: R-89-15-8015

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**ODJFS REQUEST FOR PROPOSALS (RFP):**  
**OWD Training and Technical Assistance**  
**RFP#: R-89-15-8015**

**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 obtaining training and technical assistance services needed by the Office of Workforce Development to execute its mission responsibilities to support the high performance of Ohio's public workforce development system. ODJFS is requesting proposals for the provision and/or the brokering of a broad range of training and technical assistance services needed to support continuous improvement and innovation in the delivery of workforce development services.

ODJFS is seeking vendors with demonstrated knowledge of the Workforce Investment Act and Ohio's public sector workforce development system and success providing training and technical assistance services to public sector workforce development organizations. The selected vendor will have successful experience in training program delivery, training needs assessment support, new training program acquisition and development, grant writing, conference planning, program evaluation, issue research, and focus group facilitation.

The specific details of all the work to be performed by the selected contractor cannot be known at the time of this writing, and will be significantly determined by project needs as they evolve over time. This RFP, therefore, identifies certain on-going functions that will be required of the successful vendor, as well as other services types or activities that MAY be required. Vendor proposals submitted in response to this RFP must demonstrate vendor qualifications and experience, their organizational strengths and capacities, and their administrative preparedness for responding to evolving or emergent needs. Vendor proposals must indicate the vendors' readiness to respond successfully by describing the strengths of the management structures, plans, resources, and problem-solving methods they would employ in order to fill a need expressed by ODJFS. This professional agility, a dedication to high quality services, and cost-effectiveness are all necessary characteristics for success in this ODJFS project, and will be key components used in the vendor selection process.

The contract expected to result from this RFP will be structured for the establishment of quarterly-based deliverables, know as a Quarterly Deliverables Agreement (QDA). This RFP expresses the most thorough description possible at this writing of the types of services that may be required under the contract, and through responding vendors' cost proposals, each vendor must use their best business expertise to assess the level of effort each would require, and offer their firm rates or prices accordingly.

**1.2    Issuing Office**

This RFP is released by and the subsequent contract will be with ODJFS. The Office of Workforce Development (OWD), which will administer the contract, will be responsible for state level supervision of all activities of the selected vendor.

If interested vendors have a need to communicate regarding this RFP, they must contact **ODJFS** using one of the mechanisms provided for in **Sections 1.7, Internet Question and Answer Period/RFP Clarification Opportunity**, or **1.9, Communication Prohibitions**, of this RFP. 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. Vendor proposals must be submitted to ODJFS in strict accordance with proposal submission instructions provided in **Section 5.1, Proposal Submission Information**.

### **1.3 Background**

Across Ohio, workers seeking their first, next or better jobs are accessing services that support their success gaining economic self-sufficiency. Also, employers of all kinds are accessing external service providers for the employee recruitment and training services they need to achieve their business goals. What they have in common are the wide range of services they are receiving through Ohio's network of local One-Stop centers, guided by Workforce Investment Boards (WIBs), and supported in part by the planning resources, technical assistance, and federal Workforce Investment Act funding provided through the Office of Workforce Development.

One of the oversight responsibilities of ODJFS through OWD is the provision of training, technical assistance, and capacity building services to facilitate the effective implementation of the Workforce Investment Act. Local areas determine how they choose to provide workforce development services in their communities. Services provided through One-Stop centers must meet specific requirements governing the participation of required partners, cost-sharing among the partners and mandated activities.

To support the highest level of One-Stop center service to workers and employers the Office of Workforce Development launched the Gold Standard Continuous Improvement Program. This program provides a high performance service model that individual One-Stop centers and their partners can use to gain information, anchor their continuous improvement efforts, and gauge their progress. This model identifies the following twelve characteristics of a high performing local One-Stop system related to business services, job seeker services, and One-Stop system management:

- Active business involvement in planning
- Repeat and new business customers
- Economic Development involvement
- A breadth of job seeker services
- Barrier removal integral to customer services
- High customer satisfaction
- Diverse public and private funding
- Partner integration and non-duplication
- Strategic and effective outreach
- Staff competency a high priority
- All partners attain performance measures
- Data- and demand-driven decision-making

The training and technical assistance services to be provided by the selected vendor will support continuous performance improvement of local One-Stop systems.

The large number of One-Stop centers and their geographic dispersion, when coupled with the lack of sufficient ODJFS staff with the necessary skill sets in all needed areas make it necessary to tap external expertise to meet training and technical assistance needs.

#### **1.4 Overview of the Project**

Under the contract resulting from this RFP, the vendor will deliver and/or broker training and technical assistance services to support the success of One-Stop system employees, local partners, and local governing board members. The project will focus on four primary areas:

- A. Meeting and exceeding the specific requirements for implementation of the Workforce Investment Act;
- B. Technical and skill-specific training identified through state and local assessment of One-Stop system need;
- C. Training identified by ODJFS Office of Workforce Development through oversight or monitoring functions as a part of corrective action planning; and
- D. Capacity building activities designed to improve services, quality, and program outcomes at all levels of the workforce development system.

The training and technical assistance services provided by the selected vendor will help ensure the success of Ohio's One-Stop system in delivering ever-improving value to customers and stakeholders, improving overall organizational effectiveness and efficiency, and increasing organizational learning about what matters most to performance success.

The ODJFS Contract Manager (CM) will identify the need for training and technical assistance and schedule a meeting with the selected vendor and others to discuss that need, its scope, and any deadlines or other specifications for the project. The contractor will identify and confirm with the CM the staff to complete the assignment. When the identified technical assistance or training need requires expertise beyond the current staffing of the contractor, it will contract with a service provider to provide the needed service under terms and conditions approved by the CM.

ODJFS will identify its training needs quarterly. Those identified needs will then be used by the contractor to develop a quarterly plan of activities (referred to as the "Quarterly Deliverables Plan"). The contractor will submit progress reports on the work being performed.

#### **1.5 Objectives of the Project**

The purpose of the Training and Technical Assistance Project is to enhance the capability of the Office of Workforce Development to:

1. Provide timely training opportunities for personnel in Ohio's public sector workforce development system supportive of their high performance.
2. Evaluate workforce development programs to inform decisions regarding program continuation, improvement, or replication.

3. Secure grant funding to support innovation and improvement of the workforce development system.
4. Identify, evaluate, and implement “best practices” of high performing workforce development systems and programs.
5. Inform workforce development stakeholders such as business, labor, government and community organizations about workforce development successes, challenges, trends, and opportunities to partner.
6. Fulfill its responsibilities for oversight of Ohio’s Workforce Development System.

**1.6 Anticipated Procurement Timetable**

<b>DATE</b>	<b>EVENT/ACTIVITY</b>
March 25, 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
April 8, 2009	Vendor Q&A Period Closes, 10 a.m. (for inquiries for RFP Clarification) - No further inquiries for RFP clarification will be accepted
April 15, 2009	ODJFS provides Final Vendor Question & Answer Document (estimated)
<b>April 30, 2009</b>	<b>Deadline for Vendors to Submit Proposals to ODJFS (3 p.m.)</b> - This is the proposal opening date, beginning the ODJFS process of proposal review
May 8, 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
June 15, 2009	Controlling Board Review of Contract (estimated—if applicable). -Contract with the selected vendor requires review and approval
July 1, 2009	Implementation* ( <u>estimated</u> —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.
June 30, 2011	Project Completion** - All work must be completed and approved by ODJFS Contract Manager

July 1, 2011 – June 30, 2013	Possible contract renewal period – contingent upon continuing program need, funding availability, funding and contract approvals, and satisfactory contractor performance.
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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 July 1, 2009 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, 2013. 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 renewal for the final two years of the project. Renewal may be subject to approval by the Controlling Board.

### **1.7 Internet Question & Answer Period; RFP Clarification Opportunity**

Potential vendors may ask clarifying questions regarding this RFP via the Internet during the Q&A Period as outlined in Section 1.6, 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 *R89158015*;**
- \* **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 for permissible communications in Section 1.9, 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 1.10, Time Frames and Funding Source, for related information.

There is an established time period for the Vendor Q&A process (see Section 1.6, 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 Contracts and Acquisitions, RFP/RLB Unit, at (614) 728-5693 for guidance.

## **1.8 Vendors' Library**

As previously noted, the purpose of this RFP is to secure training and technical assistance services to support the high performance of Ohio's public workforce development system. It is important that interested vendors be familiar with key documents describing the goals, strategies and operations of that system. The following is a list of some background information, all Internet accessible, that interested vendors may find useful in developing their responses.

### **Ohio's State Plan for Title I of the Workforce Investment Act of 1998**

[http://jfs.ohio.gov/workforce/workforceprof/Final\\_State\\_Plan\\_TOC.stm](http://jfs.ohio.gov/workforce/workforceprof/Final_State_Plan_TOC.stm)

The work of the Office of Workforce Development is guided by the State Plan. The training and technical assistance services provided by the successful vendor will support the successful implementation of this plan.

### **Gold Standard Continuous Improvement Program**

<http://jfs.ohio.gov/workforce/workforceprof/certification.stm>

This program supports continuous improvement in the operation and service delivery of local Ohio One – Stop Systems.

**Ohio's One Stop System**

<http://jfs.ohio.gov/workforce/jobseekers/onestopmap.stm>

This site identifies the locations of local One-Stop Centers.

**Turnaround Ohio:** The Strickland/Fisher plan to create and keep jobs in Ohio

[http://jfs.ohio.gov/workforce/docs/Attach\\_C\\_TurnaroundOhio-JFS.pdf](http://jfs.ohio.gov/workforce/docs/Attach_C_TurnaroundOhio-JFS.pdf)

The operation of Ohio's public workforce development system supports the Strickland/Fisher Administration's plan to create and keep jobs in Ohio.

**Ohio Department of Development Strategic Plan**

<http://development.ohio.gov/strategicplan/>

Workforce development is an important part of Ohio's strategic plan for economic development.

**University System of Ohio Strategic Plan**

<http://uso.edu/strategicplan/>

Ohio's workforce development system supports continuous education and training of the workforce.

Raising the educational attainment rate of Ohioans is the goal of the University System of Ohio.

**1.9 Communication Prohibitions**

From the issuance date of this RFP until an actual contract is awarded to a vendor, there may be no communications concerning the RFP between any vendor that 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 vendor.

The only exceptions to this prohibition are as follows:

1. Communications conducted pursuant to Section 1.7, Internet Q&A Period;
2. As necessary in any pre-existing or on-going business relationship between ODJFS and any vendor that could submit a proposal in response to this RFP;
3. As part of any vendor interview process or proposal clarification process initiated by ODJFS, which ODJFS deems necessary in order 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;\* and
5. Any Public Records Request (PRR) made through the ODJFS Office of Legal 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 may 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.

ODJFS is not responsible for the accuracy of any information regarding this RFP that was obtained or gathered through a source other than the Q&A process described in this RFP. Any attempts at prohibited communications by vendors may result in the disqualification of those vendors' proposals.

## **1.10 Time Frames & Funding Source**

ODJFS is seeking to contract with a vendor to perform training and technical assistance services from July 1, 2009 to June 30, 2011 with the option to renew for up to two additional years. Potential vendors are to be aware that ODJFS may, at its sole discretion, negotiate with all technically qualifying vendors for a revised cost proposal if the cost proposals of all technically qualifying vendors are in excess of the available funding for this project. Section 6.1 C. of this RFP establishes further information on ODJFS procedures to be implemented if this occurs.

## **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, ODJFS requires that interested vendors must meet, at minimum, all the following qualification requirements:

1. The vendor must include three (3) references for which the vendor has successfully provided services on projects of a size and scope that are comparable to this statewide project and that are comparable to the requirements in the RFP. These references must relate to work that was completed within the past five (5) years.
2. Key vendor staff (*e.g.*, Project Manager/Trainer) must have at least five (5) years workforce development and training experience and possess at least a bachelor's degree or equivalent experience in public administration, social work, or a related field.
3. The vendor's proposal must be received, complete, by the specified time and date deadline.
4. The vendor must submit a proposal comprised of a Technical Proposal and, in a separate, appropriately labeled, sealed envelope, a Cost Proposal.
5. The vendor's proposal (Proposal Tab 1.) must include all required affirmative statements and certifications, signed by the vendor's responsible representative, as described in Attachments A and C to the RFP.
6. The vendor may not be excluded from entering into a contract with ODJFS, due to restrictions related to the federal debarment list, unfair labor findings, or as established at O.R.C. § 9.24.

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

### **2.2 Organizational Experience and Capabilities**

ODJFS requires that interested vendor proposals provide documentation of the following, each of which will be evaluated for the quality of the experience and its applicability to this project:

1. A minimum of five cumulative years experience in effective statewide planning, delivering and brokering of staff training in a technical or regulated environment.
2. Demonstrated experience providing training on a wide range of workforce development topics.
3. Demonstrated experience conducting training in workforce development areas within the past 24 months.
4. Demonstrated vendor experience providing workforce development training, comparable to that described in this RFP, on a national level.
5. Demonstrated knowledge of Ohio's Workforce Development System and the laws and regulations impacting its operations.
6. Demonstrated experience training public workforce development system staff.

The vendor information provided for all of the above topics should include summary descriptions of projects in which the vendor gained the experience and knowledge, any notable accomplishments and outcomes, and contact information for the vendor customers receiving the services provided.

### **2.3 Staff Experience and Capabilities**

The vendor must demonstrate significant expertise and comprehension of the work described in this RFP by assigning qualified staff to the project, identifying in their proposal, by position and by name, those staff they consider key to the project's success. The vendor must, at minimum:

1. Identify, by position and by name, those staff they consider key to the project's success (at minimum, key staff identified must include a project manager); and
2. Include resume(s), education and pertinent experience of the Project Manager and all key personnel for this project (including any subcontractors), and should specifically list their qualifications and experience to produce the results described in Section III, Scope of Work and Specifications of Deliverables of this RFP, (see Sections 3.1 and 3.4).
3. Key staff must have at least a bachelor's degree in social work, public administration or related degree or equivalent experience. Vendor proposals must also demonstrate that key staff have a minimum of five (5) years of workforce development program experience. Proposals failing to demonstrate the appropriate education and experience shall be evaluated accordingly;
4. Discuss their ability to subcontract with other qualified service providers for training and technical assistance services as needed in a timely and cost effective manner.

The Contract Manager, if unsatisfied with job performance of any of the selected vendor's staff and/or sub-contractors, may ask for the replacements.

The selected vendor will be subject to a key personnel contractual requirement. ODJFS must be notified of any impending changes in key personnel and must approve any proposed replacement staff.

**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. **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**

Throughout the life of the contract expected to result from this RFP process (including any potential contract renewal period), the selected vendor will be responsible for meeting ODJFS needs as generally described in this RFP. Specific deliverables which will be established for the selected vendor are described in Section 3.4, Specification of Deliverables. The selected vendor will be required to perform all tasks and intervening steps necessary for the successful completion of all deliverables as assigned, whether specifically stated in this RFP or not.

The selected vendor must provide technical assistance services for employees, local partners, and local governing board members, either directly or through the brokering of the work. Through Quarterly Deliverables Agreement (QDA) negotiations (on occasion, the plan for up-coming work directives may be less or more frequent), the vendor may be required to provide services such as:

- A. Training in the specific requirements for implementation of the Workforce Investment Act.
- B. Technical and skill-specific training identified through state and local assessment of the One-Stop System needs.
- C. Training identified by ODJFS through its oversight or monitoring functions as a part of corrective action planning.
- D. Technical assistance activities to improve management, service quality and program outcomes at all levels of the workforce development system.

The above list of services is not all inclusive; additional services, support or subject matter expertise may be required and will be negotiated as part of the QDA process.

Where cost-effective attendance warrants, training will be provided regionally to minimize travel (Ohio's five primary regions are NE, NW, SE, SW, and Central). When an existing contract for conference facilities may be available in one of the regions, the contractor will be required investigate that facility's availability, any costs, and assess the overall situation to use the most advantageous training location options. However, most venues utilized by ODJFS are free of charge.

Training sessions will be limited, wherever possible, to a maximum of one and one-half days and may exceed two days only with the specific approval of the ODJFS contract manager. Ongoing or repetitive training sessions may be scheduled up to a year in advance but specific training schedules and corresponding budgetary requirements will be re-evaluated and modified quarterly to accommodate training needs identified through oversight and/or monitoring activities.

All costs of technical assistance and training, including, but not limited to, compensation and expenses of trainers, facility and supply costs, and costs for necessary equipment, as well as distribution of course descriptions and/or catalogs must be included in the QDA.

The selected contractor will be responsible for preparing any out-of-state training provider to address current Ohio system needs and to present information and instruction relevant to Ohio's specific situations. This does not preclude the discussion of service options or systems utilized in other states but does require training providers to consider the policy and regulatory climate of the state of Ohio in making recommendations for program design or corrective action. Program content for providers selected to provide required corrective action for compliance or audit issues must be approved in advance by the ODJFS Office of Workforce Development.

In carrying out its training delivery responsibilities, the selected vendor will be required to perform the following tasks under OWD direction and in accordance with OWD specifications:

- Determine method of assessing customer training/technical assistance needs
- Determine the most appropriate and cost effective training delivery approach.
- Identify target audience and locations
- Determine learning objectives and desired outcomes
- Identify the most appropriate trainer or technical assistance expert
- Complete all trainer/technical assistance expert negotiations
- Approve training materials
- Market training sessions and prepare materials
- Arrange for all necessary logistics
- Track registrations and attendance
- Develop and Distribute attendee certificates and customer surveys
- Prepare Evaluation Analysis
- Complete monthly and quarterly reports for the Contract Manager
- Support OWD coordination of meeting logistics
- Secure and manage appropriate training provider
- Facilitate and complete all trainer contractual and logistical needs
- Review and secure approval of all training curriculum prior to training delivery
- Establish and maintain the registration process and all registration materials
- Assist as required in communicating training session offerings and in the preparation of customer handouts
- Provide attendees with a certificate of completion upon course completion
- Issue vendor training payments

### **3.2 Number of Participants**

It is estimated that a minimum of 1200 persons will participate in 40 training and or technical assistance activities during a twelve month period.

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

Vendors are to discuss in detail the following administrative structures, at minimum, and to describe the technical approach for the proposed work plan. The vendor shall:

- A. State the key objectives of the proposed project. [NOTE: Vendors are advised to refrain from simply restating the objectives as identified in Section 1.5 of this RFP, but must present a discussion of them sufficient to convey to ODJFS the vendor's level of comprehension of, and commitment to them.];
- B. Provide a technical approach and work plan to be implemented. This includes a proposed methodology for completion of the project activities. As the details of the work will be developed throughout the term of the contract, the vendor proposal must discuss such administrative considerations as the needs assessment, task analysis and decision making processes, administrative methods and techniques for addressing the work, and resources it would employ to successfully accomplish the type of work and work projects this project will include.
- C. Provide a status reporting procedure for reporting work completed, and for resolution of unanticipated problems.
- D. Provide a current organizational chart (including any subcontractors) and specify the key management and administrative personnel who will be assigned to this project and the deliverables or functions that will be their responsibility; and
- E. Provide a timeline for the initial project implementation and to the extent possible, for the project overall. Where feasible, an expression of typical work initiation through completion times for significant work types (such as brokering for a trainer, finalizing that trainer's presentation content, completing logistical arrangements for the training, and submission of training session data and reports) should also be included. Additionally, a Table of Organization (including any subcontractors) and a chart showing the number of hours expected to be devoted to the project by vendor or sub-contractor staff, and a percentage of time each key management person will devote to the project should be included.

### **3.4 Specifications of Deliverables**

Throughout the life of the contract expected to result from this RFP process (including any contract renewal periods), the selected vendor will be responsible for meeting OWD needs as generally described in this RFP. The selected vendor will be required to perform all tasks and intervening steps necessary for the successful completion of all deliverables as assigned, whether specifically stated in this RFP or not.

Vendor proposals must describe in detail how each of the following program components would be approached and successfully achieved.

#### **A. Ongoing Service Planning:**

1. The vendor must develop a process for communications with designated ODJFS staff from the Office of Workforce Development to determine needed technical assistance both statewide and in specific local areas of the State.
2. The vendor must incorporate information garnered from participants' course evaluations to assist in identifying additional training requested by participants.

3. The vendor must develop processes for identifying training requested by local One-Stop staff, partners, governing boards, elected officials and others. Such systems must include provisions for the information gathered to be submitted to the ODJFS Office of Workforce Development, either concurrently or prior to receipt by the vendor to ensure the integrity of the process.
4. The vendor must develop a plan for designing progressive series of training modules intended to measure the achievement of generally acceptable skill standards for One-Stop staff.

**B. Ongoing Orientation and One-Stop System Overview:**

General overviews of WIA and One-Stop responsibilities for local workforce investment board members and new staff must be provided periodically on a schedule determined by surveys of local need conducted by ODJFS and incorporated into quarterly schedules of Contract deliverables throughout the State. The State requires a minimum of three orientation sessions per quarter. One of these orientation sessions in each district will be specifically designed for board members and elected officials.

**Additionally, Appendix A.** to this RFP is comprised of three hypothetical situations similar to some of those which the selected vendor may be required to address. Scenario #3 describes a possible need for Orientation and System Overview services; vendors are to describe in their proposals how they would approach meeting the needs expressed by this scenarios. The discussion should include such administrative considerations as a needs assessment, task analysis and decision making processes, administrative methods and techniques for addressing the work, and resources it would employ to successfully accomplish the work and to evaluate successes or any short-comings.

**C. Brokering of Training Services:**

Training services are provided to support improved performance of Ohio's One-Stop system. Some of the training is mandated by ODJFS in support of corrective action to address a performance issue. Training may be provided to State staff, staff of One-Stop Centers and their partner organizations, and Workforce Investment Boards.

When the needed training is in an area beyond the expertise of the selected contractor, the contractor will broker with other training providers to deliver the needed training services.

In the case of training to support corrective action, an overview of content and all materials to be used by the provider must be approved by ODJFS as consistent with state requirements prior to contracting for the individual training. ODJFS will require, at minimum, one full week for review of training content and materials. ODJFS will then issue a written approval or rejection of the course content and materials, and in the event of rejection, the notice will contain information regarding deficiencies. Specific costs for this type of training will be incorporated into quarterly schedules of deliverables prior to contracting.

**Additionally, Appendix A.** to this RFP is comprised of three hypothetical situations similar to some of those which the selected vendor may be required to address. Scenarios #1 and #2 describe two possible needs for training services; vendors are to describe in their proposals how they would approach meeting the needs expressed in each of these two scenarios,

separately. The discussion should include such administrative considerations as a needs assessment, task analysis and decision making processes, administrative methods and techniques for addressing the work, and resources it would employ to successfully accomplish the work and to evaluate successes or any short-comings.

**Trainer Requirements:** Trainers subcontracted by the contractor for the provision of any training services must be assignable to one of the following four levels according to the requirements of the specific training to be provided. OWD may designate training for this project as “mandated” or “non-mandated” training, indicative of whether it is to be implemented as part of a required corrective action.

1. **Level 1 Trainer** – This level of training requires an individual with 3.5 years specific experience and/or direct involvement in the topic of the specific training. It is desirable that the trainer have a bachelor's degree. Documented experience in the effective delivery of similar training is required. This level of trainer is selected for general overview or specific training on topics, which do not require a high degree of professional education or highly specialized skills or experience.
2. **Level 2 Trainer** – This level of trainer requires an individual with significant experience and specific education in topics, which are specialized in nature. These presenters are generally highly successful practitioners or have engaged in specific research related directly to the topic of the training.
3. **Level 3 Trainer** – This level of trainer requires extensive experience and advanced education and research related directly to the training topic. This level of trainer is often required for training requiring significant professional credentials or in areas which provide significant risk exposure for lack of adequate systems. Examples are auditors, accountants, attorneys, research professionals, etc.
4. **Level 4 Trainer** – This level of trainer represents a nationally-recognized expert in a specific area related to the direct objectives of the training. These trainers are usually appropriate for highly specialized topics where significant exposure may result from non-compliance or for broad strategic topics presented to key policymakers, which have significant impact on the overall design of workforce development systems around the state of Ohio.

#### **D. Brokering of Technical Assistance Services**

As is the case with training services, Technical Assistance Services support the improved performance of Ohio’s One-Stop system. The selected vendor will have a process in place for quickly and effectively subcontracting with service providers to deliver Technical Assistance services that go beyond their capability. That process will include confirmation of the specific ODJFS technical assistance needs, services delivery time frame, cost parameters as well as subcontractor identification, screening, selection, management, and evaluation. Should ODJFS actually utilize any of these services, they will only be payable up to a maximum number of hours per project. ODJFS will determine how many billable hours or days will be allowed for a specific technical assistance project. The contractor will provide or subcontract for the following services as needed:

1. **Grant Writing:** The contractor will write grant applications as requested for identified grant opportunities. The contractor will gather the information required, prepare review drafts and prepare the final proposal, and may also provide technical assistance as needed to prepare for grant implementation. It is projected that a minimum of three grant applications per year will be developed.
2. **Program Evaluation:** As needed, the contractor will collect and evaluate information about a program or some aspect of a program in order to support decisions about program continuation, improvement, or replication.
3. **Issue Research:** As needed, the vendor will gather and analyze data related to issues of importance to workforce development system performance. This will often involve identifying best practices in other states and identifying options for implementation in Ohio.
4. **Convene Customer/ Stakeholder Groups:** As needed, the contractor will convene customer or stakeholder groups to support the continuous improvement of the workforce development system. This function would typically involve meeting design, facilitation, and preparation of a report on the results.
5. **Mystery Shopping:** Conduct mystery shopping at local One-Stop sites. It is projected that ten mystery shopping visits will be conducted per quarter. The contractor would “shop” two or three sites on a given day and complete an online questionnaire about the experience.
6. **Third Party Evaluation and Consultation:** These services will be provided to help local systems improve service delivery and performance.
7. **Prepare Presentations, Newsletters, and Communications:** As needed, the contractor will develop electronic and print ready materials to inform stakeholders of the Workforce Development System. All materials will be produced in accordance with the ODJFS Office of Communications specifications.
8. **Conference Planning and Management:** As requested, the contractor will coordinate, facilitate, and handle all planning and logistics, including speaker recruitment, for statewide workforce development conferences. This may include one 3 to 3 ½ day conference with 800 attendees and one 1 ½ day conference with 100-200 attendees.
9. **Curriculum Development:** As needed, the selected vendor will develop curriculum supportive of training that promotes the improvement of the management, service quality and program outcomes at all levels of the workforce development system.

On the vendor’s cost proposal form, the vendor must offer per-hour rates for each of the above service types that would be in effect throughout the duration of the contract and any renewal term.

- E. Project Administration and Work Reports:** By the 15th of each month during the Contract period, the contractor will provide a progress and activity report summarizing the major activities conducted during the previous month, documenting accomplishments, specific

deliverables produced, management issues, summary of hours worked, assessment of progress toward completion of any deliverables due in the then-current QDA or subsequent QDA, and planned activity for the following month.

**NOTE:** Appendix A and Appendix B provide hypothetical training scenarios that could be required of the selected vendor, and a list of training topics that have been provided in the past. These documents are offered both as background information to assist interested vendors in understanding possible project needs, and as hypothetical situations through which interested vendors' proposals are to indicate to ODJFS the thoroughness, effectiveness, and quality of the vendors' approach to potential work under this project. ODJFS can make no guarantees about the amount, type or frequency of training services or other consultation-type services that will be needed, and vendors are to recognize that in making their decisions regarding whether and how to respond to this RFP.

### **3.5 The Quarterly Deliverable Agreement and Vendor Fee Structure**

The contractor will invoice for each specific deliverable as completed. If a deliverable requires a service to be completed on monthly, quarterly, or other cycle, payment can be billed upon completion and acceptance of each deliverable in that interval.

Quarterly Deliverable Agreement The QDA negotiated and approved by ODJFS and the vendor will contain the following information:

1. Goals and Objectives for the quarter;
2. Major tasks and services required of the contractor in order to assist ODJFS with the provision of general Workforce Investment Act (WIA) training for state and local staff, partner staff and local board members as well as providing specific technical assistance in response to local need or identified corrective action. This will include, but may not be limited to:
  - a. name, title and number of staff;
  - b. billing rate;
  - c. services to be performed; and
  - d. staff work hours with any known exceptions noted.
3. Major deliverables to be completed or partially completed during the quarter. This will include, but may not be limited to:
  - a. specific deliverable, task, or milestone to be completed
  - b. terms and conditions for payment / nonpayment
  - c. clear delineation of any responsibilities for ODJFS in the successful completion of the deliverable;
  - d. risks associated with delays and incomplete deliverables; and
  - e. fixed pricing for each deliverable based on staffing requirements and
  - f. billing rates.

And may include:

4. Staffing Issues
5. Required work related travel and training

It is the contractor's responsibility to provide qualified professionals to meet the goals, tasks, and objectives of each QDA. Should ODJFS be dissatisfied with the performance of any assigned staff, the contractor will be required to effect performance improvements to the satisfaction of ODJFS or to seek staff replacements, or both. ODJFS reserves the right to approve all such staff or subcontractors.

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

##### **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 project (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, 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 vendor, 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 vendor, 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 vendor, 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 vendor, and any subcontractor(s), must also agree to cooperate with ODJFS and any Ohio Child Support Enforcement Agency in ensuring that the vendor or employees of the vendor 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 vendor shall be required to comply with prevailing wage standards, as established in ORC 4115.03 to 4115.16.

#### **4.7 Travel Reimbursement**

Travel should be folded into the overhead, per diem, or the hourly rates which are built into the cost of the deliverables. Travel is not to be listed separately unless otherwise specified in Section 5.2 C. (Proposal Format and Submission – Cost Proposal) of 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, 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.

**There may be no dollar amounts of any kind included with the MBE information; inclusion of dollar amounts will result in the disqualification of the primary vendor's entire proposal.**

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 vendor 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, 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.

**There may be no dollar amounts of any kind included with sub-contractor information; inclusion of dollar amounts will result in the disqualification of the primary vendor's entire proposal.**

#### **4.10 Public Release of Records**

Public release of any evaluation or monitoring reports funded under this agreement will be made only by ODJFS. Should any such reports be planned as part of this work, ODJFS must have at least a 30-day period for review and comment. prior to public release of such reports,

#### **4.11 Confidentiality**

All contracts will require that the vendor 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 vendor 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 vendor or individual, company or organization seeking a contract shall solicit any ODJFS employee to violate any of the conduct requirements for employees;
- C. Any vendor acting on behalf of ODJFS shall refrain from activities which could result in violations of ethics and/or conflicts of interest. Any vendor or potential vendor 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 vendors 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 vendor, 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 vendor 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 vendor 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 vendor 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. This information would be included in the vendor's proposal, Tab 1. 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. This information would be included in the vendor's proposal, Tab 1. 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.

Vendors that can demonstrate in their proposals that they either currently have a physical presence in Ohio or have concrete plans for establishing a physical presence will be given additional scoring consideration.

In order to be acknowledged as a vendor with an Ohio presence, vendors must comply with instructions provided in this RFP, Section 5.2, Format for Organization of the Proposal, and provide information on the nature of the work and the number and type of vendor personnel at the Ohio location. Details of how an Ohio presence will be considered in the proposal scoring process are provided in Section 6.1, Scoring of Proposals.

## 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 (1) signed original and five (5) copies) and one CD-ROM copy of the Technical Proposal;**

**AND**

- **in a sealed, separate envelope, six (6) paper copies (one signed original and five (5) copies) and one CD-ROM copy of the Cost Proposal.**

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. on Thursday, April 30, 2009** Faxes or e-mailed submissions will not be accepted. **Proposals must be addressed to:**

**Office of Contracts & Acquisitions  
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 copies of ALL information, documents, and pages in the original proposal. Along with the Technical proposal, the vendor must submit the Cost Proposal in a separate, sealed envelope/package labeled: **"NOTE: DO NOT OPEN. COST PROPOSAL ENCLOSED FOR WORKFORCE DEVELOPMENT TRAINING AND TECHNICAL ASSISTANCE SERVICES, RFP#: R-89-15-8015 SUBMITTED BY [VENDOR'S NAME HERE]."**

The CD-ROM copy of the Technical Proposal must include all components of the technical proposal, including any required or voluntary attachments to it. The CD-ROM copy of the Cost Proposal must include all cost proposal components, including any required or voluntary attachments. **The CD-ROM containing the Cost Proposal must be submitted in the sealed envelope containing the hardcopy Cost Proposal.** Both CD-ROMs must be labeled with the vendor's name, the RFP number, and the proposal submission date or proposal due-date, at minimum. The requested CDs will be used by ODJFS for archiving purposes and for fulfillment of Public Records Requests, and failure to include them or to properly label them 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 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 downtown parking considerations, as well as for security checks at both the lobby of the Rhodes State Office Tower (address as stated above) and potentially again on the 31<sup>st</sup> Floor. All proposals received on the due date by the Office of Contracts & Acquisitions, on the 31<sup>st</sup> Floor of the Rhodes Tower. **ODJFS is not responsible for any proposals delivered to any address other than the address provided above.**

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 five (5) 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 & Qualifications

**Sub-Tab 2a.** Mandatory Vendor Qualifications (Section 2.1, 1 and 2)  
**Sub-Tab 2b.** Organizational Experience & Capabilities (Section 2.2, 1 through 6)  
**Sub-Tab 2c.** Staff Experience and Capabilities (Section 2.3, 1 through 4)

#### **Tab 3** Scope of Work and Specifications of Deliverables (Section 3.4 and 3.1)

**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.** Narrative discussion of the vendor's understanding of the general scope of work and its over-arching approach for program success.

**Tab 4** Administrative Structures—Proposed Work Plan (Section 3.3)

**Sub-Tab 4a.** Item A

**Sub-Tab 4b.** Item B

**Sub-Tab 4c.** Item C

**Sub-Tab 4d.** Item D

**Sub-Tab 4e.** Item E

**Tab 5** Vendor Appendices (such as excerpts from previous work products, copies of professional awards, etc., included as substantiation of information described or otherwise referenced in Tabs 2, 3, or 4 of the proposal.)

All pages in the Technical Proposal must be sequentially numbered, with the exception of Tab 1 contents.

**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. One document may, at vendor option, be excepted from the electronic technical proposal version: the "Request for Taxpayer Identification Number (W-9) Form" (**provided as RFP Attachment B.**), which is to be signed by the vendor and submitted with the paper copies of the technical proposal. **The CD-ROM containing the Cost Form must be submitted in the sealed envelope containing the hardcopy Cost Form.**

**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.

**IMPORTANT:** Any vendor Technical Proposals found to contain any prohibited cost information shall be disqualified from consideration. Prohibited cost information is defined as any dollar amounts which ODJFS might find indicative of the relative cost or economy of the proposed project. However, information on the assets, value, or historical business volume of the vendor is NOT considered to be such prohibited cost information, and MAY be included in any vendor's technical proposal. Any prohibited cost information must be submitted with the separate, sealed project budget/Cost Proposal. The Technical Proposal is defined as any part of the vendor's proposal (either as required by ODJFS or sent at vendor's discretion, such as work plan, resumes, letters of recommendation, letters of cooperation from any subcontractors, etc.) which is not specifically identified by ODJFS as a required component of the separate, sealed project budget/Cost Proposal. Should a vendor feel it is important to include any documents containing such prohibited cost information in the

technical proposal, the cost information in those documents must be made unreadable by the vendor before submission of the proposal to ODJFS.

**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.

In order to be acknowledged as a vendor with an Ohio presence (as described in RFP Section 4.24, Ohio Presence Consideration) for any potential scoring consideration, the vendor must demonstrate in this Tab1 section of its proposal either that it currently has a physical presence in Ohio or has concrete plans for establishing a physical presence. Information to be presented includes the actual or proposed location of the vendor's presence, a description of the work to be performed at that

location, and the number of its personnel to operate from the Ohio location. If the Ohio location is planned but not yet operational, an estimated implementation schedule should be provided.

**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. Organizational Experience and Capabilities (Sub-Tab 2 b.)

The vendor should include information on the relevant experience of the vendor including any subcontractors; and any prior experience relevant to this RFP, as described in **Section 2.2**, of this RFP.

c. Staff Experience and Capabilities (**Sub-Tab 2 c.**)

Under this section the vendor is required to include resumes, education, experience, and list of related published works of all key personnel for this project, and describe any appropriate supplemental and support staff (including any subcontractors) to be involved, as described in **Section 2.3**, of this RFP.

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

This section should describe in detail how the vendor proposes to address each task of the scope of work identified in **Section 3.1**, Scope of Work and in **Section 3.4**, Specifications of Deliverables, of this RFP. In the first four sub-tabs (3a through 3e) the vendor should describe its key processes and considerations to successfully perform those five deliverable categories given in Section 3.4, respectively. In Sub-tab 3f., the vendor is to discuss its understanding of the general scope of work described in Section 3.1, including the variables that will affect the periodic determination of upcoming work projects and assignments, and of its over-arching approach for achieving program success.

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

This section should describe in detail the vendor's administrative structures as specified in Section 3.3, A through E., Administrative Structures—Proposed Work Plan of this RFP.

**5. (Tab 5)  
Vendor Attachments or Appendices**

To be used for any excerpts from previous work products, copies of professional awards, etc., that may be included as substantiation of information described or otherwise referenced in Tabs 2, 3, or 4 of the proposal. All such attachments must be expressly labeled for the proposal components to which they correspond. ODJFS will not score these items separately but only as documentation of the vendor's claims to appropriate qualifications, experience and capability. ODJFS reserves the right not to consider optional attachments not properly linked to proposal content. Further, ODJFS reserves the right not to consider any optional attachments beyond a ten-page limit.

### C. **Cost Proposal**

**Three** (one signed original and two copies) copies of the Cost Proposal must be submitted in a separate, sealed envelope, and labeled: **“NOTE: DO NOT OPEN. COST PROPOSAL ENCLOSED FOR WORKFORCE DEVELOPMENT TRAINING AND TECHNICAL ASSISTANCE SERVICES, RFP#: R-89-15-8015 SUBMITTED BY [VENDOR'S NAME HERE].”**

This envelope/package must also contain the labeled Cost Proposal CD-ROM. The Proposal must include a statement that the prices quoted are firm.

Vendors are to complete the Cost Proposal Form, provided as **Attachment F**, to this RFP according to instructions, sign it, and submit it fully completed as the separate sealed cost proposal. The Cost Proposal Form requires interested vendors to provide a group of individual prices for those services described in Section 3.4 Specifications of Deliverables. Vendors are to use their professional comprehension of the effort required to perform those services and to offer to ODJFS its flat, all-inclusive fee for performing each. The prices offered in the vendor's Cost Proposal will be the prices in effect throughout the contract period, including any renewal contracts, as described in Section 1.10, Time Frames & Funding Source, of this RFP.

Vendors are to use the format in **Attachment F, Cost Proposal Form**, to submit their cost proposal for SFYs 2010, 2011, (etc.) At the vendor's discretion, additional documentation may also be included with the completed **Attachment F**, as explanatory information, but when making the vendor selections and when executing the contract, ODJFS will consider only the dollar amounts displayed on the Cost Proposal Form.

In calculating their proposed costs/rates vendors must consider any costs resulting from each deliverable listed in Section 3.4 of this RFP, as well as all program costs, primary and incidental, necessary to complete all program activities (whether explicitly identified by ODJFS in this RFP or not).

### D. **IMPORTANT –DISQUALIFIERS FOR PROPOSAL ERRORS:**

- Any vendor's Technical Proposal found to contain any cost information shall be disqualified from consideration. Cost information is defined as any dollar amounts which might be deemed to be indicative of the relative cost or economy of the proposed project. Information on the assets, value, or historical business volume of the vendor is NOT considered to be such prohibited cost information, and MAY be included in any vendor's technical proposal as information on business capacity and stability. All prohibited cost information must be

submitted with the separate, sealed Cost Proposal. The Technical Proposal is defined as any part of the vendor's proposal (either as required by ODJFS or sent at vendor's discretion), such as work plan, resumes, letters of recommendation, letters of cooperation from any subcontractors, etc., which is not specifically identified by ODJFS as a required component of the separate, sealed Cost Proposal. Should a vendor determine to include in the technical proposal any documents which contain such cost information, the cost information in those documents must be made unreadable by the vendor before submission of the proposal to ODJFS. Failure to follow these instructions will result in disqualification.

- Any trade secret, proprietary, or confidential information (as defined in Section XI., E. of this RLB) 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 of Workforce Development 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 vendor selection process.

Selection of the vendor will be based upon the criteria specified in Sections II., III., IV., and V. of this RFP. Any proposals not meeting the requirements contained in those sections of 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 submitted must pass the following Phase I. Review. **Any “no” for the listed Phase I. criteria will eliminate a proposal from further consideration.**

1. Did the vendor include three (3) references for successfully performed work completed within the past five (5) years on projects comparable in size and scope to this statewide project, and comparable to Item the requirements in the RFP?

2. Did the vendor propose key staff (*e.g.*, Project Manager/Trainer) with at least five (5) years workforce development and training experience and at least a bachelor's degree or equivalent experience in public administration, social work, or a related field?
3. Was the proposal received by the deadline as specified in Sections 1.6 and 5.1?
4. Did the vendor submit six (6) paper copies and one electronic copy of their Technical Proposal, as well as their Cost Proposal (in a separate sealed envelope labeled: **“NOTE: DO NOT OPEN. COST PROPOSAL ENCLOSED FOR WORKFORCE DEVELOPMENT TRAINING AND TECHNICAL ASSISTANCE SERVICES FOR RFP#: R-89-15-8015 SUBMITTED BY [VENDOR’S NAME HERE].”**)?
5. 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?
6. 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?
7. 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.)?

**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 II, III, IV, V, and VI. of 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 maximum of **574 points** will be awarded for the Technical Proposal. A technical proposal must achieve a total of at least **440 points** (a score which represents that the vendor can successfully perform the resulting contractual duties) out of the possible 574 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 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 requirement was not addressed in the vendor’s proposal, **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 fulfills a particular RFP requirement in all material respects, potentially with only minor, non-substantial deviation, **Score: 8**

**“Exceeds Requirement”**-Vendor proposal 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 Phase III, 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.

After establishing which vendor proposals are technically qualified to advance to Phase III for consideration of their corresponding cost proposals, ODJFS will add ten (10) points to the proposals of those vendors which have also demonstrated an Ohio presence as described in Sections 4.24 and 5.2 of this RFP. For those technically qualified vendors with an Ohio presence, their final technical score will be the sum of the score earned according to the Phase II review described above plus the additional ten points. That sum will be used for those vendors in Phase III, as described below.

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

The Cost Proposal will be reviewed by ODJFS. The grand total of each technically qualified 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. For this project, the “grand total amount” used in this comparison will be the sum of one unit of each service, however that unit is defined on the Cost Proposal Form, multiplied by the weight assigned to it on that form indicating the expected level of frequency that service may be needed (or other measure of programmatic importance). This ‘grand total’ amount has no practical meaning or utility beyond the vendor selection process. The actual value of the contract will be determined by

ODJFS based on the selected vendor's proposed and accepted prices for the work and on the best estimation possible by ODJFS for the level or volume of each of those services likely to be utilized. It is the express expectation of ODJFS that the State of Ohio Purchase Order to be established for the purchase of the selected vendor's services will be modified over the life of the contract based on the evolving work plan the contractor will be expected to complete.

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 RFP) are in excess of the available funding for this project, or are deemed excessive, 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.

## **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 1.9 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.

### **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 score in the technical proposal will prevail.

## **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 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 1.6, 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 eight (8<sup>th</sup>) 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 ODJFS' Office of Legal Services 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 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 that would have been awarded the contract shall be notified of the receipt of the protest.
- F. 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.

## 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., 1.)*
- B. Request for Taxpayer Identification Number (W-9) Form** - *(To be completed & included in proposal packet as specified in Sec. 5.2, B., 1.)*
- C. Declaration of Material Assistance Form** - *(To be completed & included in proposal packet as specified in Sec. 5.2, B., 1.)*
- 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, C.)*

## SECTION IX. APPENDICES AND THEIR USES

- A. Training Scenarios** *(To be addressed as instructed in Section 3.4 and included in Proposal Tab 3.)*
- B. Past Training Topics** *(For vendor reference purposes).*

Thank you for your interest in this important project.