

Date & Time: December 05, 2023 1:00 PM to 1:30 PM

AGENDA

1. Welcome & Roll Call of all Attendees - Stacey
2. Review and approval of Meeting Minutes for October 06, 2023 - Stacey
3. Discussion & Approval to Accept Responses for Central Not-for-Profit Agency RFP
4. Other Discussions
5. Adjourn

Purchasing from People with Disabilities Advisory Board

Notice Date & Time: 10/6/2023 3:00 PM - 10/6/2023 3:07 PM

Meeting Minutes

1. Welcome & Roll Call of all Attendees:

Stacey opened the meeting by inviting all attendees to give a brief introduction. The attendees of the meetings were as follows:

- **Board Attendees:** Stacey Cummings - Office of Rehabilitation, Windy Aphayrath – Utah Division of Purchasing, Alana Parslow – TaffyTown
- **Other Attendees:** Cherilyn Hess, Glenna Nelson – Utah Division of Purchasing; Kate McConaughy – UtahWorks; Brian Swan – Utah Attorney General Office; Michael Waters – Utah National Guard; Jason Goudy – Columbus Community Center

2. Review and approval of Meeting Minutes from June 20, 2023

Stacey noted she reviewed the meeting minutes, and did not see any necessary changes.

Windy moved to approve the meeting minutes from June 20, 2023 as written. Alana seconded the motion, and the motion passed with all board members in favor.

3. Discussion & Approval for Contract Amendment - Utah Works

a. Approval of Amendment to Terminate Contract 206354

i. Draper Headquarters – Utah National Guard serviced by Columbus Community Center

Stacey began the discussions regarding the amendment request to terminate Contract 206354. The Utah National Guard sent the 30-day notice of termination to Columbus Community Center on September 25, 2023. As noted this request is in response to budgetary constraints.

Michael explained that the overall budget for contracts has been reduced. Federal funding will allow the agency to instead hire two full-time employees to internally take on these roles and responsibilities.

The board noted that because the job is being internally sourced, this request is permitted. Should the agency decide in the future to have someone outside of the agency perform these services, it will need to follow the 63G-6a-805(7), and enter into a set-aside contract if possible.

Stacey asked for a roll call vote to approve Contract 206354 Amendment 1, which will terminate the contract on October 25, 2023. Stacey, Windy, and Alana voted aye, and the motion to approve the amendment was passed.

4. Other Discussions

No additional items discussed

5. Adjourn

Stacey called for a motion to adjourn.

Windy moved to adjourn the meeting at 10:45AM. Alana seconded the motion, and the motion passed with all board members in favor.

Next meeting schedule for November 21, 2023 at 3:00PM.

Event Summary - Central Not-For-Profit Agency

| | | | |
|---------------|--------------------------------------|-----------------|-------------|
| Type | Request for Proposal No Line Item | Number | GN24-9 |
| Stage Title | - | Organization | StateOfUtah |
| Currency | US Dollar | Event Status | Open |
| Work Group | Division of Purchasing | Exported on | 11/30/2023 |
| Exported by | Glenna Nelson | Estimated Value | - |
| Payment Terms | - | | |

Bid and Evaluation

| | | | |
|------------------|-------|-------------------------|----|
| Respond by Proxy | Allow | Use Panel Questionnaire | No |
| Sealed Bid | Yes | Auto Score | No |
| | | Cost Analysis | No |
| Alternate Items | No | | |

Visibility and Communication

Visible to Public Yes

Enter a short description for this public event

The Purchasing from Persons with Disabilities Board (PPDAB) is seeking a Central Not-for-Profit Association (CNA) to assist with functions as stated in 63G-6a-805.

Commodity Codes

| Commodity Code | Description |
|----------------|--|
| 80100 | Management advisory services and consulting including project management and industrial management and construction management and quality assurance |
| 80160 | Business administration services including management and operations services and inventory management and facilities oversight |

Event Dates

| | |
|--------------|--|
| Time Zone | MDT/MST - Mountain Standard Time (US/Mountain) |
| Released | - |
| Open | 11/3/2023 4:00 PM MDT |
| Close | 12/4/2023 4:00 PM MST |
| Sealed Until | 12/4/2023 4:00 PM |
| | Show Sealed Bid Open Date to Vendor |
| Q&A Close | 11/17/2023 4:00 PM MST |

Event Users

Event Creator

Glenna Nelson
gnelson@utah.gov

Event Owners

Glenna Nelson
gnelson@utah.gov

SciQuest Admin
sciquestadmin@utah.gov

Contacts

Glenna Nelson
gnelson@utah.gov

Stakeholders

Tiffany Rydalch
trydalch@utah.gov

Tara Eutsler
teutsler@utah.gov

Purchasing Records Officer
purchgrama@gmail.com

Description

Issuing Procurement Unit
Conducting Procurement Unit

State of Utah Division of Purchasing
State of Utah Division of Purchasing

REQUEST FOR PROPOSALS

Central Not-For-Profit Agency SOLICITATION #GN24-9

This Request for Proposals ("RFP") is issued in accordance with the Utah Procurement Code and applicable administrative rules of the Utah Administrative Code. If any provision of this RFP conflicts with the Utah Procurement Code or Utah Administrative Code, then the Utah Procurement Code or Utah Administrative Code will take precedence.

Purpose of this Solicitation

The purpose of this RFP is to enter into a contract to provide services assisting the Purchasing from Persons with Disabilities Advisory Board as defined in 63G-6a-805.

This RFP and resulting contract award(s) is a solutions-based solicitation; meaning the State of Utah is seeking equipment, products, and/or services that meet the requirements of this RFP and that are commonly desired or are required by law or industry standards. Offerors may include related equipment, accessories, and services to the extent that these solutions are complementary to the equipment, products, and/or services identified in this RFP.

Given the cooperative nature of this RFP, it is expected that offerors shall propose a wide array of equipment, products, and/or services at lower prices and with better value than what they would ordinarily offer to the public or to a single government entity.

Closing date and time

The closing date and time for this sourcing event is as provided in this posting. If your time is different from that shown, your profile may be set to a different time zone. Please see the attachment titled "Changing Your Time Zone" in the Buyer Attachments section for directions on how to update your profile. It is your responsibility to make sure you submit your response by the date and time indicated above.

Single Contract Award Anticipated

It is anticipated that this RFP will result in single contract award.

Future Procurements

The State of Utah reserves the right and may reopen this solicitation, or create a new solicitation if it determines there may be more competition for the procurement item than when the original solicitation was posted.

Length of the Contract

The contract resulting from this RFP will be for FIVE (5) years.

Background

Utah's State Use laws were revised through SB59 in the 2006 legislative general session. The State of Utah can set aside up to \$5 million in contracts to be awarded to qualified nonprofit agencies that provide training and employment services to persons with disabilities. The State Use law established the 'Purchasing from Persons with Disabilities Advisory Board' to implement the program. The Board has elected to designate a CNA through this procurement process to facilitate the program. The statute applicable is 63G-6-425 Purchase from community rehabilitation programs, Utah State Legislature

Issuing Procurement Unit, Conducting Procurement Unit, and Solicitation Number

The State of Utah Division of Purchasing is the issuing procurement unit and conducting procurement unit for this RFP (referred to as "the State"). The reference number for this RFP is Solicitation #GN24-9. This solicitation number must be referred to on all proposals, correspondence, and documentation submitted to the State relating to this RFP.

Additional Information

Offerors are prohibited from communications regarding this RFP with the conducting procurement unit staff, evaluation committee members, or other associated individuals EXCEPT the State of Utah Division of Purchasing procurement officer overseeing this RFP.

Wherever in this RFP an item is defined by using a trade name, brand name, or a manufacturer and/or model number, it is intended that the words, “or equivalent” apply; and invites the submission of equivalent products by the Offerors.

Offerors may be required to submit product samples to assist the chief procurement officer or head of a procurement unit with independent procurement authority in evaluating whether a procurement item meets the specifications and other requirements set forth in the request for proposals. Product samples must be furnished free of charge unless otherwise stated in the request for proposals, and if not destroyed by testing, will upon written request within any deadline stated in the request for proposals, be returned at the Offeror's expense. Samples must be labeled or otherwise identified as specified in the request for proposals by the procurement unit.

The issuing procurement unit may not accept a proposal after the time for submission of a proposal has expired.

The State reserves the right to conduct discussions with the Offerors who submit proposals determined to be reasonably susceptible of being selected for award, but proposals may be accepted without discussions.

New Technology

Pursuant to Utah Administrative Rule R33-12-502 the awarded contract(s) may be modified to incorporate new technology or technological upgrades associated with the procurement item being solicited, including new or upgraded: (i) systems; (ii) apparatuses; (iii) modules; (iv) components; and (v) other supplementary items. Further, a maintenance or service agreement associated with the procurement item under the resulting contract(s) may be modified to include any new technology or technological upgrades. Any contract modification incorporating new technology or technological upgrades will be specific to the procurement item being solicited and substantially within the scope of the original procurement or contract.

Any solutions that include cloud services, IaaS, PaaS, SaaS, MaaS, CaaS & XaaS, etc. must be implemented using the existing State of Utah DTS accounts for those hosted services, where possible. DTS has accounts with most major cloud producers (AWS, GCP, Azure, etc.).

It is expected that State of Utah data reside on the DTS managed accounts for these and all providers. If applicable, please ensure that the solicitation response incorporates the use of these DTS accounts and that the pricing quoted does not include vendor hosting costs as costs would be paid directly to the hosting providers through DTS's existing accounts.

If it is not possible to utilize the DTS cloud services accounts, please provide the reasoning why to the solicitation's Q&A board so as to allow the State to amend this solicitation requirement if appropriate.

If the State of Utah Division of Technology Services is conducting this solicitation then the Division of Technology Services has the authority to allow any and all State of Utah Executive Branch Agencies to participate in any contract resulting from this solicitation in the event a procurement need arises. Allowing additional Executive Branch Agencies to participate in a contract resulting from this solicitation will require a contract amendment and participation will be limited to the procurement items or scope of work identified in this solicitation. All technology contract amendments will be issued in accordance with State of Utah Technology Governance Act § 63F-1-205, Utah Procurement Code, and Utah Administrative Rule R33-12-502.

Additionally, IT procurements may be subject to third party review and additional reference checks as a matter of course.

Evaluation Administrative and Mandatory Minimum Requirement Compliance

Each proposal received shall be evaluated as outlined in this RFP and the Utah Procurement Code.

To be responsive and responsible Offerors must review and respond to the following sections of this RFP: Prerequisites, Buyer Attachments, Questions, and Items.

- The Prerequisites section includes the objective and subjective criteria that will be used to evaluate the proposals, which include the mandatory minimum requirements, technical criteria, and other prerequisites that Offerors must read and agree to in order to respond to this RFP.
- The Buyer Attachments Section contains the standard contractual terms and conditions required by the State and any other required documents associated with this RFP.
- The Questions Section contains the questions that Offerors are required to answer in order to submit a proposal.

Offerors must review each section carefully.

Right to Open For Competition

The State of Utah reserves the right and may reopen this solicitation, or create a new solicitation if it determines there may be more competition for the procurement item than when the original solicitation was posted.

Stage Description

No description available.

Prerequisites

★ Required to Enter Bid

1 ★ Instructions To Vendor :

If received, a solicitation award does not constitute a binding contract.

Certification

I certify that I have read and agree that if I receive a solicitation award it does not constitute a binding contract until a signed PO or fully executed contract is received.

Vendor Must Also Upload a File:

No

Prerequisite Content:

A solicitation award does not constitute a contract. Any award made through U3P, notifications received from U3P, email notifications received directly from the Procurement Unit, documents received by the vendor, or documents posted in U3P, do not constitute or create a contract. Only a fully executed PO or a fully executed contract constitutes a binding contract.

Between the notification of award and the receipt of a fully executed PO or a fully executed contract, the Procurement Unit may cancel the award and/or the solicitation in full, or in part in accordance with 63G-6a-902 and 63G-6a-120.

If awarded, vendor(s) may not to begin work, purchase materials, or enter into subcontracts relating to this solicitation until they receive a fully executed contract or PO.

2 ★ **Instructions To Vendor :**

Offerors are encouraged to review this RFP prior to the deadline to submit a proposal, even if a proposal has been submitted, in case an addendum has been issued by the issuing procurement unit.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

Addenda shall be published within a reasonable time prior to the deadline that proposals are due, to allow prospective offerors to consider the addenda in preparing proposals. Publication at least 5 calendar days prior to the deadline that proposals are due shall be deemed a reasonable time. Minor addenda and urgent circumstances may require a shorter period of time. After the due date and time for submitting a proposal to this RFP, at the discretion of issuing procurement unit, addenda to this RFP may be limited to Offerors that have submitted proposals, provided the addenda does not make a substantial change to this RFP.

3 ★ **Instructions To Vendor :**

All questions must be submitted through SciQuest during the Question and Answer period.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

The Question and Answer period closes on date and time specified on SciQuest. All questions must be submitted through SciQuest during the Question and Answer period. Answers from the State will be posted on SciQuest. Questions may include notifying the State of any ambiguity, inconsistency, scope exception, excessively restrictive requirement, or other errors in this RFP. Questions are encouraged.

Questions may be answered individually or may be compiled into one document.

Questions may also be answered via an addendum. An answered question or an addendum may modify the specification or requirements of this RFP. Answered questions and addenda will be posted on SciQuest. Offerors should periodically check SciQuest for answered questions and addenda before the closing date. It is the responsibility of the Offerors to submit their proposals as required by this RFP, including any requirements contained in an answered question and/or addenda.

4 ★ **Instructions To Vendor :**

Pursuant to the Utah Procurement Code the following entities are Eligible Users and are allowed to use the awarded contracts.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

This State of Utah Cooperative Contract will be for the benefit of all Utah public entities, nonprofit organizations, and agencies of the federal government, i.e. State of Utah departments, agencies, and institutions, political subdivisions (colleges, universities, school districts, special service districts, cities and counties, etc.).

The following Eligible Users are allowed to use the awarded contract: State of Utah's government departments, institutions, agencies, political subdivisions (i.e., colleges, school districts, counties, cities, etc.), and, as applicable, nonprofit organizations, agencies of the federal government, or any other entity authorized by the laws of the State of Utah to participate in State Cooperative Contracts will be allowed to use this Contract.

Each Eligible User is considered an individual customer. Each Eligible User will be responsible to follow the terms and conditions of this RFP. Eligible Users will be responsible for their own charges, fees, and liabilities. Contractor shall apply the charges to each Eligible User individually. The State is not responsible for any unpaid invoice.

5 ★ **Instructions To Vendor :**

The State of Utah Division of Purchasing does not guarantee any purchase amount under an awarded contract.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

The State of Utah Division of Purchasing does not guarantee any purchase amount under the awarded contract. Estimated quantities are for solicitation purposes only and are not to be construed as a guarantee.

6 ★ **Instructions To Vendor :**

Offeror must guarantee its pricing for the period described in this RFP.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

Offeror must guarantee its pricing for a period of five years.

If allowable under this RFP, a request for price adjustment must be made at least thirty (30) days prior to the effective date. A request for price adjustment must include sufficient documentation (market analysis) supporting the request. Any price adjustment will not be effective unless approved by the Director of the Division of Purchasing. A price adjustment will be guaranteed for the same length of time as the original price guarantee. The conducting procurement unit will be given the immediate benefit of any decrease in the market, or allowable discount.

7 ★ **Instructions To Vendor :**

If an Offeror is awarded a contract from this RFP then it is required to provide a quarterly administrative fee and report.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

The Contract Administrative Fee and Quarterly Report Requirements are specific for this contract. These are both stated in Attachment B – Scope of Work.

Quarterly Administrative Fee: Offeror will collect a quarterly administrative fee as determined and stated in Attachment B - Scope of Work and will apply to all purchases (net of any returns, credits, or adjustments) made under the awarded contract.

Quarterly Utilization Report: Offeror agrees to provide a quarterly utilization report, reflecting net sales to the State during the associated fee period. The quarterly utilization report will show, at a minimum, the quantities and dollar volume of purchases by each: State of Utah Departments and Agencies, Cities, Counties, School Districts, Higher Education, Special Service Districts, and Other. The quarterly utilization report will be provided in secure electronic format through the Division's Automated Vendor Management System found at: <https://statecontracts.utah.gov/Vendor>.

Report Schedule: The quarterly utilization report shall be made in accordance with the following schedule:

| | |
|----------------|--------------|
| Period Ends: | Reports Due: |
| March 31st | April 30th |
| June 30th | July 31st |
| September 30th | October 31st |
| December 31st | January 31st |

Fee Payment: After the Division of Purchasing receives the quarterly utilization report, it will send the Offeror an invoice for the total quarterly administrative fee owed to the Division of Purchasing. Offeror shall pay the quarterly administrative fee within thirty (30) days from receipt of invoice.

Timely Reports and Fees: If the quarterly utilization report is not received by the report due date, then the Offeror will be in material breach of the awarded contract.

Past Reports and Fees: The State reserves the right to not sign a contract resulting from this solicitation with a vendor that was awarded a previous contract that is not current on its administrative fee and administrative reports.

8 ★ **Instructions To Vendor :**

If it is determined to be in the best interest of the Conducting Procurement Unit, interviews and presentations may be held at the option of the State.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

The State shall establish a date and time for the interviews or presentations and shall notify eligible Offerors of the procedures. Offerors invited to interviews or presentations shall be limited to those Offerors meeting the minimum requirements and minimum technical score threshold specified in the RFP. Representations made by an Offeror during interviews or presentations shall become an addendum to the Offeror's proposal and shall be documented. Representations must be consistent with the Offeror's original proposal and may only be used for purposes of clarifying or filling in gaps in the Offeror's proposal. Interviews and presentations will be at the Offeror's expense.

9 ★ **Instructions To Vendor :**

Offerors may request that part of its proposal be protected by submitting a Claim of Business Confidentiality Form. See the Buyers Attachment section.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

Pricing may not be classified as confidential or protected and will be considered public information.

Process for Requesting Non-Disclosure: To protect information under a Claim of Business Confidentiality, an Offeror must complete the Claim of Business Confidentiality form, at the time the proposal is submitted, with the following information:

- Include a concise statement of reasons supporting the claim of business confidentiality (Subsection 63G-2-309(1)).
- Submit an electronic “redacted” (excluding protected information) copy of the proposal. Copy must clearly be marked “Redacted Version.”

The Claim of Business Confidentiality form may be accessed at:

<http://www.purchasing.utah.gov/contract/documents/confidentialityclaimform.doc>

An entire proposal cannot be identified as **“PROTECTED”**, **“CONFIDENTIAL”** or **“PROPRIETARY”**.

Redacted Copy: If an Offeror submits a proposal that contains information claimed to be confidential or protected, the Offeror **MUST** submit two separate proposals: one redacted version for public release, with all protected business confidential information either blacked-out or removed, clearly marked as "Redacted Version"; and one non-redacted version for evaluation purposes clearly marked as "Protected Business Confidential."

All materials submitted become the property of the State of Utah. Materials may be evaluated by anyone designated by the State as part of the evaluation committee. Materials submitted may be returned only at the State's option.

10 ★ **Instructions To Vendor :**

The proposed Scope of Work has been attached to this RFP in the Buyer's Attachment.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

The proposed Scope of Work has been attached to this RFP. Offerors should review the Scope of Work before submitting their responses to the Mandatory Minimum Requirements and Technical Response prerequisites.

By reviewing the Scope of Work the Offerors will have a better understanding of the procurement item that is being request from this RFP.

11 ★ **Instructions To Vendor :**

The mandatory minimum requirements are the objective criteria in which the conducting procurement unit will evaluate proposals. Offerors must upload a document which provides a point by point response to the mandatory minimums listed in this prerequisite.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

Offerors must demonstrate the ability to meet or exceed the mandatory minimum requirements outlined below by providing a narrative point by point response, in the order listed, to each requirement.

The following mandatory minimum requirements must be met in order for a proposal to be considered responsive:

- Offeror is a Not-for-Profit Association
- Offeror has experience in working with or knowledge of Community Rehabilitation Programs

All of the items described in this section are non-negotiable. However, if a manufacturer's specification is used or identified above, then a proposal may include, in sufficient detail, that its proposal contains an equivalent brand.

If it is determined that a proposal does not meet these requirements, at any time during the solicitation process, the proposal will be deemed non-responsive and disqualified from further consideration.

12 ★ **Instructions To Vendor :**

To determine which proposal provides the best value to the State, the evaluation committee will evaluate each responsive and responsible proposal that has not been disqualified or rejected using the subjective criteria listed in this prerequisites section.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

The subjective criteria that will be used to evaluate proposals is:

As stated in Attachment B - Scope of Work and Attachment C - Scoresheet

For ease of evaluation, the proposals must provide a narrative point-by-point response, addressing in detail each area of the evaluation criteria, including addressing how the point-by-point response addresses the issues discussed in this RFP.

The criteria are not intended to limit a proposal's content or exclude any relevant or essential data. Offerors are at liberty and are encouraged to expand upon the criteria to demonstrate the Offeror's capability to provide the State with a solution.

13 ★ **Instructions To Vendor :**

Offeror's cost proposals will be evaluated independently.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

Pursuant to Utah Code Annotated (UCA) § 63G-6a-707(7), the cost proposal will be evaluated independently from the technical proposal; and as such, **must** be submitted separately from the technical proposal. Offerors must not include costs or pricing data in their responses to the Mandatory Minimum Requirements and the Technical Response.

Offeror must upload a completed cost proposal form in the Supplier Attachment section of this RFP. If an offeror fails to upload a completed cost proposal form, then its proposal will be considered non-responsive and the proposal will be rejected.

Failure to submit cost or pricing data separately will result in your proposal being judged as non-responsive and ineligible for contract award.

14 ★ **Instructions To Vendor :**

All proposals in response to this RFP will be evaluated in a manner consistent with the Utah Procurement Code, Administrative Rules, policies and the evaluation criteria in this RFP. Offerors bear sole responsibility for the items included or not included within the proposal submitted by the Offeror. Each area of the evaluation criteria must be addressed in detail in the proposal.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

PROPOSAL EVALUATION PROCESS

Stage 1: Initial Review

In the initial phase of the evaluation process, the conducting procurement unit will review all proposals timely received. Non-responsive proposals not conforming to RFP requirements or unable to meet the mandatory minimum requirements will be eliminated from further consideration.

Stage 2: Technical Proposal Evaluation

Responsive proposals will then be evaluated by an evaluation committee appointed by the conducting procurement unit against the proposal evaluation criteria noted in this RFP. Proposals will be evaluated against the evaluation criteria as follows:

Evaluation Criteria Points

Communication Plan - 40 Points (50%)

Experience of Non-Profit - 20 Points (25%)

Qualifications of Staff and Organizational Structure of the Non-Profit - 20 Points (25%)

Total Technical Points Possible 400 Points

Offerors that achieve minimum score threshold of 60% or 240 points will proceed to the Final Stage: Cost Proposal Evaluation. Offerors with a score of less than the minimum required technical points will be deemed non-responsive and ineligible for further consideration. The evaluation score sheet has been attached to this RFP. The attached evaluation score sheet states the relative weight that will be given to each evaluation criteria.

The evaluation committee, for this RFP, will tally the final scores for criteria other than cost to arrive at a consensus score by the following method: total of all of the points given by individual committee members; or an average of the individual scores.

Final Stage: Cost Proposal Evaluation

Offerors successful in the technical evaluation will advance to the Final State: Cost Proposal Evaluation. The Offeror with the lowest total cost will receive the maximum points of 100. Points assigned to each Offeror's cost proposal will be based on the lowest proposal price.

The Offeror with the lowest total cost will receive 100 points, or 100% of the total cost points. All other Offerors will receive a portion of the total cost points based on what percentage higher their total cost is than the total lowest cost. The formula to compute the points is: $\text{Cost Points} \times (\text{Lowest Proposed Price} / \text{Proposed Price})$.

15 ★ **Instructions To Vendor :**

Offeror may take exception and/or propose additional language to the Standard Terms and Conditions that have been attached to this RFP.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

Any contract resulting from this RFP will include, but not be limited to the Standard Terms and Conditions.

Exceptions and/or additions to the Standard Terms and Conditions are strongly discouraged. However, any requested exceptions and/or additions to the Standard Terms and Conditions must be submitted as an answer to the corresponding question in the Question Section of this solicitation. Exceptions and/or additions submitted after the date and time for receipt of proposals will not be considered. Offerors may not submit requests for exceptions and/or additions by reference to a vendor's website or URL. URLs provided with a proposal may result in that proposal being rejected as non-responsive. Offerors may submit questions during the Question and Answer period regarding the Standard Terms and Conditions.

The State may refuse to negotiate exceptions and/or additions that are determined to be excessive; that are inconsistent with similar contracts of the procurement unit; to warranties, insurance, or indemnification provisions that are necessary to protect the procurement unit after consultation with the Attorney General's Office or other applicable legal counsel; where the solicitation specifically prohibits exceptions and/or additions; or that are not in the best interest of the procurement unit.

In a multiple award, the State reserves the right to negotiate exceptions and/or additions to terms and conditions in a manner resulting in expeditious resolutions. This process may include beginning negotiations with the Offeror having the least amount of exceptions and/or additions and concluding with the Offeror submitting the greatest number of exceptions and/or additions. Contracts may be executed and become effective as negotiations are completed.

For any proposed change(s), Offeror must provide the State of Utah's Standard Terms and Conditions for this solicitation in Microsoft Word format with redline edits. Additional terms or documents must be submitted in separate Microsoft Word documents. Offeror must also provide the name, contact information, and access to the person(s) that will be directly involved in legal negotiations.

Any mandatory required acceptance of an Offeror's terms and conditions may result in the proposal being determined to be non-responsive.

An award resulting from this RFP is subject to successful contract terms and conditions negotiation (if required). The State may reject a proposal if the offeror who submitted the proposal fails to sign a contract within 90 days after the contract award.

16 ★ **Instructions To Vendor :**

Offeror must agree with the following in the event they are awarded a contract.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

In accordance with Utah Code 63G-27 et seq., vendors contracting with the State to provide any good or service, including supplies, information technology, or construction services, must certify that they are not currently engaged in an “economic boycott” nor a “boycott of the State of Israel” as those terms are defined in 63G-27-102.

Vendors must also agree not to engage in either boycott for the duration of this Contract. For example, a vendor may not, without an ordinary business purpose, boycott the State of Israel or boycott companies that (1) engage in activities related to traditional energy, mining, agriculture; (2) engage in the manufacture, distribution, sale, or use of firearms; (3) do not meet environmental standards beyond applicable state and federal laws; or (4) do not facilitate access to abortion or sex characteristic surgeries.

Accordingly, Contractor will be expected to certify in the contract that it is not currently engaged in either an economic boycott or a boycott of the State of Israel, or both. Contractor will also have to certify in the contract that it will not engage in such boycotts during the term of this Contract, and that if Contractor does engage in either such boycott, or both, it will promptly notify the State in writing. Contractor is advised to read and understand the provisions of 63G-27 et. seq.

17 ★ **Instructions To Vendor :**

The issuing procurement unit may not accept a proposal after the time for submission of a proposal has expired.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

When submitting a proposal or modification to a proposal electronically, Offerors must allow sufficient time to complete the online forms and upload documents. This RFP will close at the closing time posted on SciQuest. If an Offeror is in the middle of uploading a proposal when the closing time arrives, SciQuest will stop the process and the proposal or modification to a proposal will not be accepted.

It is the Offeror's responsibility to ensure that they have completed all requirements, read and reviewed all documents, submitted all required information, uploaded all required forms, and submitted their proposal prior to the closing time. Even if an Offeror completes all sections, but does not submit their proposal, the State of Utah Division of Purchasing will not be able to receive their proposal and they will be deemed non-responsive.

Be aware that entering information and uploading documents onto SciQuest may take time. Offerors should not wait until the last minute to submit a proposal. Offerors are strongly encouraged to start the submission process early in order to allow sufficient time for completing their proposal. If an offeror is still working on its proposal when the solicitation closes then when the screen refreshes to the next page, it will receive a 500 Session Timed Out Application Error. After reopening the solicitation an offeror will see that the solicitation is closed and it will not be allowed to submit its proposal. As such, it is strongly recommended that proposals be uploaded and completed at least two days before any established deadline in the solicitation so that a proposal will not be received late and be ineligible for award consideration.

18 ★ **Instructions To Vendor :**

Proposals must be submitted electronically, through SciQuest.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

When submitting a proposal electronically through SciQuest, please allow sufficient time to complete the online forms and to upload proposal documents. The RFP will end at the deadline. If an Offeror is in the middle of uploading a proposal when the deadline arrives, the system will stop the upload process and the proposal will not be accepted by SciQuest, and the attempted submission will be considered late and ineligible for consideration.

19 ★ **Instructions To Vendor :**

Offeror acknowledges the requirements to submit a proposal through SciQuest.

Certification

I certify that I have read and agree to the terms above.

Vendor Must Also Upload a File:

No

Prerequisite Content:

Offeror acknowledges that after completing their response they must click on the link in the left hand menu bar labeled “Review & Submit”, then check the box under the “Certification” heading to certify their response. Then click the blue box labeled “Submit Response” in order to submit their response.

Once the response has been submitted, Vendor will receive a confirmation that the response was successfully submitted. Vendors who fail to submit their response will not have their response reviewed and will be ineligible for further consideration under this solicitation.

Buyer Attachments

| | | |
|---|---|--|
| Attachment A -Terms and Conditions for Services (Cooperative Contracts) | TCCoopGoodsServices 7.20.23 RS.docx | ../Attachments/TCCoopGoodsServices 7.20.23 RS.docx |
| Attachment B - Scope of Work.pdf | Attachment B - Scope of Work.pdf | ../Attachments/Attachment B - Scope of Work.pdf |
| Attachment C - Scoresheet.xlsx | Attachment C - Scoresheet.xlsx | ../Attachments/Attachment C - Scoresheet.xlsx |
| Claim of Business Confidentiality 12.7.20.pdf | Claim of Business Confidentiality 12.7.20.pdf | ../Attachments/Claim of Business Confidentiality 12.7.20.pdf |
| Changing Your Time Zone 2022.pptx | Changing Your Time Zone 2022.pptx | ../Attachments/Changing Your Time Zone 2022.pptx |

Page 1

Group 1: Acceptance of Prerequisites

- | | | |
|-----|--|---|
| 1.1 | <p>Offeror acknowledges that it is the offerors responsibility to to upload any and all documents in responding to the solicitation. If the vendors fails to upload a document, uploads an incorrect document, uploads a blank document, or uploads any document incorrectly the State of Utah may not allow the vendor to make changes following the closing of the solicitation.</p> <p>Yes/No</p> | ★ |
| 1.2 | <p>Is Offeror presently or has Offeror ever been debarred, suspended, proposed for debarment, or declared ineligible by any governmental department or agency, whether international, national, state, or local?</p> <p>Yes/No</p> | ★ |
| 1.3 | <p>Offeror acknowledges that they do not have financial ties to individuals or entities on an OFAC sanctions list.</p> <p>Yes/No</p> | ★ |
| 1.4 | <p>In accordance with Utah Code 63G-27-102, vendors contracting with the State to provide any good or service, including supplies, information technology, or construction services, must certify they are not currently engaged in an "economic boycott" nor a "boycott of the State of Israel" as those terms are defined in that Code section. Vendors must also agree not to engage in either boycott for the duration of the contract (if awarded). For example, a vendor may not, without an ordinary business purpose, boycott the State of Israel or companies engaged in: activities related to traditional energy, mining, agriculture; or the manufacture, distribution, sale, or use of firearms; or does not meet environmental standards beyond applicable state and federal laws; or does not facilitate access to abortion or sex characteristic surgeries. Vendor certifies they are not currently engaged in such a boycott and must immediately notify the State in writing if vendor chooses to do so.</p> <p>Yes/No</p> | ★ |
| 1.5 | <p>If Offeror has any information that is not already provided within its proposal that if known to the State would impact the State's determination on offeror's responsiveness for a contract award (i.e., legal action, recent turn-over in major personnel, loss of a major contract, any alleged violations of federal, state or local regulations, etc.), please mark "yes" to this question and upload such information in the space provided below. Otherwise, please mark "no". Please see UCA 63G-6a-120 & 902 for additional details.</p> <p>Yes/No</p> | ★ |
| 1.6 | <p>Please upload information impacting Offeror's responsiveness here.</p> <p>File Upload</p> | ★ |
| 1.7 | <p>Offeror acknowledges that it must acquire and maintain all applicable federal, state, and local licenses before the contract is entered into. Licenses must be maintained throughout the entire contract period. Persons doing business as an Individual, Association, Partnership, Corporation, or otherwise shall be registered with the Utah State Division of Corporations and Commercial Code. NOTE: Forms and information on registration may be obtained by calling (801) 530-4849 or toll free at 877-526-3994, or by accessing: www.commerce.utah.gov.</p> <p>Yes/No</p> | ★ |
| 1.8 | <p>In the event that an Offeror offers pricing discounts for educational entities that (1) are applicable to this solicitation and (2) result in lower pricing than what is generally offered to other governmental entities, please attach a separate cost proposal labeled "Educational Pricing" to your proposal. This cost proposal for Educational Pricing is to be submitted in addition to the original Cost Proposal Form and will only be available to authorized end users. The Educational Pricing will not be used to evaluate costs. Offeror acknowledges that it has read and understands this question.</p> <p>Yes/No</p> | ★ |
| 1.9 | <p>Does Offeror have an outstanding tax lien in the State of Utah? If yes, Offeror must provide a statement regarding its debarment or suspension.</p> | ★ |

Yes/No

- 1.10** If awarded a State Cooperative Contract Offeror understands that its resulting contract may be terminated for convenience, without cause, if there is no reported spend for any one fiscal year of its contract. ★

Yes/No

Group 2: Vendor Information

- 2.1** Please provide your firm's legal company name. ★

Text (Multi-Line)

- 2.2** Please provide your federal tax identification number. (If the vendor is sole proprietor please do not provide your social security number.) ★

Text (Multi-Line)

- 2.3** Please provide your firm's contact information for this contract, including the name, phone number, and email address of your firm's authorized representative. ★

Text (Multi-Line)

- 2.4** Please provide your ordering address and the remit to address. Please clearly identify each address. ★

Text (Multi-Line)

- 2.5** Please provide your firm's State of Utah Sales Tax ID Number. If you do not have a State of Utah Sales Tax ID Number, please write "N/A". ★

Text (Multi-Line)

- 2.6** Identify your firm's type of business. ★

Dropdown List (Pick One)

Partnership
Government
Sole Proprietor
Limited Liability Company
Not-for-Profit Corporation
For-Profit Corporation

- 2.7** Is Offeror (owners, principles, partners) a retiree currently receiving benefits through the Utah Retirement Systems (URS)? ★

Yes/No

- 2.8** Is Offeror an employee of the State of Utah? If yes, then Offeror must submit an external employment form signed by Offeror's manager at the State of Utah. ★

Yes/No

Group 3: Vendor's Submission

- 3.1** Offeror/Bidder understands and acknowledges that if Offeror/Bidder accessed the "View as PDF" document available on the Utah Public Procurement Place Business Opportunities website and did not login to Offeror/Bidder's account in the Utah Public Procurement Place system, that Offeror/Bidder may not be viewing the entire the sourcing event and therefore may not be viewing the complete sourcing event requirements. ★

Offeror/Bidder acknowledges that Offeror/Bidder has logged into Utah Public Procurement Place account and viewed the full sourcing event requirements including hyperlinks before submitting a response to a sourcing event.

Yes/No

- 3.2** Potential Conflicts of Interest. Vendor must identify any conflict, or potential conflict of interest, that might arise during the contract. If no conflicts are identified or expected, write "None" in this section. ★

Text (Multi-Line)

3.3 Offeror acknowledges that the State of Utah may sign participating addendums with national cooperatives that also meet the scope of this solicitation and contract(s) awarded from this solicitation if it is in the best interest of the State. Any participating addendums with national cooperatives will be reviewed for alignment with the Utah Procurement Code. ★
Yes/No

3.4 If your firm is requesting parts of its proposal be protected please upload your Claim of Business Confidentiality Form here as well as your redacted proposal.
File Upload

3.5 Any exceptions to the Terms and Conditions must be uploaded here in the format outlined in Prerequisites: Standard Terms and Conditions (Exceptions and Negotiations). Further, any vendor terms and end user agreements (EULAs) required by your firm must also be uploaded here in the format outlined in Prerequisites: Standard Terms and Conditions (Exceptions and Negotiations). Exceptions and/or additions submitted after the date and time for receipt of proposals will not be considered. If you have no exceptions or additions, upload a document stating "None". ★
File Upload

3.6 Offeror affirms that yes that pursuant to the Code of Federal Regulations 2 CFR 200.216 - Prohibition on certain telecommunication and video surveillance services or equipment, that none of the goods (including component parts) or services offered within its proposal are from the entity Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities). ★
Yes/No

3.7 Vendor understands and acknowledges that its response, including all uploaded documents, will not be considered received by the State of Utah unless the Vendor clicks submit. Even if Vendor uploads all required documents and responds to all required questions its response will not be considered if it does not click submit. Offeror acknowledges that after completing the solicitation it must click on the link in the left hand menu bar labeled "Review & Submit", then check the box under the "Certification" heading to certify their bid. Then click the blue box labeled "Submit Response" in order to submit their bid. Once the response has been submitted, Vendor will receive a confirmation that the response was successfully submitted. Vendors who fail to submit their response will not have their response reviewed and will be ineligible for further consideration under this solicitation. ★
Yes/No

Group 4: Mandatory Minimum Requirements

4.1 Offeror is a Not-For-Profit Association. ★
Yes/No

4.2 Offeror has experience or knowledge of working Community Rehabilitation Programs. ★
Yes/No

Group 5: Vendor Submissions

5.1 Offeror has uploaded its proposal to this RFP. ★
File Upload