



**REQUEST FOR PROPOSAL (RFP)**

**RFP No. 177-21**

**EMPLOYEE ASSISTANCE PROGRAM ADMINISTRATION**

**Buyer of Record: Andrew Miskell, CPPB**

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**SECTION A: SCHEDULE, BUYER OF RECORD, AND GENERAL SUMMARY OF NEEDS****A.1 SCHEDULE OF EVENTS:**

The following is a list of important items, dates, and times that pertain to this solicitation. All times listed below are in reference to the local Thornton, Colorado time.

| <u>Solicitation Item</u>                       | <u>Date</u>       | <u>Time</u>      |
|--|-------------------|------------------|
| <b>Proposal Issued</b>                         | <b>05/4/2021</b>  |                  |
| <b>Deadline to Submit Additional Questions</b> | <b>05/21/2021</b> | <b>2:00 P.M.</b> |
| <b>Response to Written Questions</b>           | <b>05/28/2021</b> |                  |
| <b>Proposal Due Date</b>                       | <b>06/10/2021</b> | <b>2:00 P.M.</b> |

**A.2 BUYER OF RECORD:**

The Buyer of Record for this solicitation will be the central point of contact throughout the solicitation process. All questions and inquiries must be submitted in writing via a direct email to the Buyer. No communication is to be directed to any other Thornton personnel.

The Buyer of Record's contact information is as follows:

Buyer Name: **Andrew Miskell, CPPB**  
Buyer Title: **Senior Purchasing Analyst**  
Buyer Email: [Andrew.Miskell@ThorntonCO.gov](mailto:Andrew.Miskell@ThorntonCO.gov)

**A.3 GENERAL SUMMARY OF PROCUREMENT NEEDS:**

The City of Thornton, CO ("Thornton") is seeking Proposals from interested firms for the administration of Thornton's Employee Assistance Program ("EAP") for all of Thornton's personnel who are covered under Thornton's employment.

**SECTION B: CURRENT STATE, SCOPE OF WORK, AND SPECIAL CONSIDERATIONS****B.1 CURRENT STATE:**

The City of Thornton, Colorado is a home-rule city of approximately one hundred forty-five plus (145,000+) citizens located northeast of Denver in Adams County. Thornton is governed by an elected City Council of nine (9) members. Thornton's operations are managed by a City Manager who serves at the pleasure of the City Council. Thornton has approximately one thousand (1,000) regular employees and during parts of the year, the total does slightly increase due to seasonal/temporary employees. Currently, all seasonal/temporary employees are not charged a cost by Thornton for participation in our EAP.

Thornton does have an EAP that is overseen by Thornton's Human Resources ("HR") division. In 2015, Thornton went out for a solicitation for the administration of the EAP and it was awarded to Anthem, who has provided these services since that award. This RFP is a re-solicitation of those EAP services for all Thornton employees and their immediate family members living within their household.

Like other private and public entities, Thornton's participant population is subject to fluctuation. At the time of this solicitation, Thornton's estimated participant population consists of the following:

- Male – 68.50%, Female – 31.50%.
- Age range: Twenty-two to eighty-two (22-82) years of age.
- Date of Births are not currently available for each employee.
- Zip codes of residence are not currently available for each employee.

All pertinent information for EAP participants will be made available to the awarded Vendor in a mutually agreeable file format after the agreement has been fully executed.

**B.2 GOALS FROM THIS RFP:**

Thornton's desired outcome from this RFP is to find a Vendor that can meet Thornton's goals as an administrator of Thornton's EAP. These goals include, but are not limited to:

- 1) Providing assistance to participants in solving problems of a personal nature that are affecting job performance;
- 2) Twenty-four hours a day, seven days a week, three hundred sixty-five days a year (24/7/365) availability of a Vendor for Thornton employees that may be experiencing a variety of issues within their life, including mental health, emergency crisis intervention, personal issues, and substance abuse;

- 3) Ability to adapt to varying situations and patient demographics;
- 4) Ability to adapt to different platforms of communication and provision of services;
- 5) Ability to provide discounted legal services; and
- 6) Ability to provide basic training and understanding of the EAP for managers and front-line supervisors regarding the effective use of the EAP and how they can work with their employees on its utilization.

**B.3 AWARD LENGTH:**

The initial award from this solicitation will be from the date of the final signature of the contract, until **June 30, 2027**. No further extensions or renewals shall pass this date for service from the awarded Vendor, unless otherwise previously authorized in writing by the Thornton Purchasing Division.

**B.4 ESTIMATED QUANTITIES:**

Thornton does not guarantee any quantity of item listed herein to be utilized during the coming year. However, for informational purposes only, consumption during the past year amounted to approximately twenty-five thousand dollars (\$25,000.00) of services.

**B.5 SCOPE OF WORK – GENERAL CONSIDERATIONS:**

Thornton is seeking proposals from qualified firms for the administration of Thornton's EAP, in conjunction with the HR team as the main Thornton contact. Thornton expects a detailed and high level of service for all considerations within and relating to this RFP.

Thornton would prefer that the Vendor maintain a local presence and physical location(s) within the Denver Metro area for all in-person visits with personnel and participants of the Thornton EAP.

The Vendor shall consult with Thornton in the development and ongoing maintenance/modifications of a policy statement regarding employee behavioral health and medical health problems and procedural guidelines for employee utilization of the EAP.

It is Thornton's expectation that the awarded Vendor shall become knowledgeable of the medical insurance plans provided by Thornton to its employees and that the Vendor shall advise eligible participants regarding insurance coverage offered by Thornton's medical plans and any other medical plans used as supplemental insurance for a Thornton employee and their families. As of the time of publication of this RFP, Thornton currently utilizes Kaiser Permanente's DHMO and High Deductible medical plans and Cigna's Local Plus and Cigna Local Plus High Deductible medical

plans as the plans available through Thornton's insurance carriers; however, Thornton does not require participants to be enrolled within any of these plans to have access to the EAP.

In the event of a public health crisis or other items that would create issue or hurdles for in-person attendance of meetings, whether it be for Thornton personnel, employees, or their families, the Vendor shall make themselves available through a virtual platform (e.g. Zoom, Teams, WebEx, etc.) at no additional cost to Thornton.

If the proposing Vendor intends on subcontracting any of the services within the Scope of Work or from their proposal response, these subcontractors shall be named and addressed within the proposal question below in Section C. Any subcontractors are expected to be qualified personnel that are able to handle the situations that arise within the EAP.

Thornton shall not sign separate contracts for any subcontractors, and all contract responsibilities fall under the "Prime" who is the awarded Vendor from this solicitation, including the performance of any subcontractor. Thornton retains at its sole discretion the right to agree to/deny the assignment of a subcontractor by the Prime to Thornton's EAP and aiding Thornton's personnel.

#### **B.6 SCOPE OF WORK – BEHAVIORAL HEALTH SERVICE:**

The proposing Vendor shall be able to provide various forms of behavioral health services, including but not limited to, mental health assessments, ongoing mental health counseling, crisis intervention, substance abuse counseling, and family and marital counseling. All individuals who perform these services to Thornton shall have their appropriate licensures.

For all behavioral health services, the proposing Vendor shall be able to provide the following:

- 1) A maximum of five (5) free visits which shall include an initial assessment, short-term crisis counseling, and follow-up counseling, per person/participant, per calendar year.
- 2) Following the pre-treatment counseling sessions, and subject to the agreement of the employee, the Vendor shall negotiate arrangements necessary for the referral of the employee or dependent to an appropriate service, agency, or individual for further assistance/treatment. The Vendor shall maintain a file of these referral agencies for use on a wide range of chemical dependency, mental health, family services, caregiver searches, and other social services with the referral agency having a location within the Denver Metro region.
- 3) A toll-free contact line that is staffed by trained personnel with a live person, twenty-four hours a day, seven days a week, three hundred sixty-five days a year (24/7/365).

There may be instances of an employee who has had inpatient treatment or activities that necessitate a temporary separation from work, and these employees may need assistance in making a transition back to work. The proposing Vendor will assist in the coordination and conduction of a return-to-work conference with the EAP Coordinator, the returning employee, the treatment program contact, a Thornton HR representative, and the employee's supervisor. This service shall also be made available on a voluntary basis to any employee who is returning to work after a traumatic illness or injury, as well.

**B.7 SCOPE OF WORK – LEGAL SERVICES:**

It will be the expectation of the awarded Vendor to provide (or subcontract) various legal services to participants of the Thornton EAP. These are addressed further in the proposal questions in Section C. Thornton employees are currently eligible for a free thirty (30) minute initial consultation with a participating attorney, and a discount for any legal services thereafter.

**B.8 SCOPE OF WORK – MONITORING AND REPORTING TO THORNTON:**

The awarded Vendor will be expected monitor and document the effectiveness of the EAP and report their findings back to Thornton's HR team. The Vendor will prepare and provide quarterly, ad hoc, and other periodic reports back to Thornton's HR team on the utilization of the EAP for their review.

Reports are to be prepared so as to ensure that the individual participants' rights to confidentiality and compliance to all HIPAA rules and regulations. Thornton's preference is to have online access to these reports and their various reporting tools. All online reports will be available for download and will be available in a usable, readable format, with examples being Microsoft Office applications (Excel, Word, etc.), and/or Adobe PDF.

Access to online reporting and all other reports shall be included within your firm's proposal pricing.

**B.9 SCOPE OF WORK – PROMOTING THE PROGRAM AND MEETINGS:**

The awarded Vendor will be expected to be a partner and ally of Thornton's in the promotion of the EAP towards Thornton employees and their participation within the EAP. The Vendor shall provide ongoing promotion, orientation, and training as jointly determined by the Vendor and Thornton.

The Vendor shall develop and implement a publicity campaign to familiarize Thornton employees and their dependents with the potential benefits available through the EAP. This publicity campaign is expected to be ongoing throughout the entire life of the eventual contractual agreement. Promotional activities shall conducted by the Vendor on a quarterly basis for the entirety of the agreement.

Other events that the Vendor will make themselves available to attend are including but not limited to, Open Enrollment, Wellness Fairs, onsite meetings, trainings, and other related occasions in order to provide maximum services to Thornton's employees.

**B.10 SCOPE OF WORK – TRAININGS AND CONSULTATIONS:**

The awarded Vendor will be expected to furnish consultation and ongoing trainings to Thornton's management and front-line supervisory staff. The purpose of these trainings is to ensure that these supervisors can familiarize themselves with the impact of behavioral health problems and their employees' job performance, including how to provide guidance and understanding of the process of referring an employee to the Vendor.

In addition to the general trainings for staff, Thornton will also be seeking an additional bank of at least twelve (12) hours of education and trainings for management, front line supervisory staff, and employees for crisis incident response scenarios and other items, as deemed necessary by Thornton.

**B.11 F.O.B. POINT:**

Prices quoted for delivery of any physical items, such as reports, pamphlets, documents, etc., shall be F.O.B. Destination and delivered, as required, to the following location:

**Thornton Human Resources Department  
City Hall – 2<sup>nd</sup> Floor  
Thornton, CO 80229**

**B.12 DELIVERY CONSIDERATIONS:**

All deliveries shall be made between the hours of 8:00 a.m. and 3:00 p.m., Monday through Friday, excluding holidays and must be physically accepted by Thornton. It is unacceptable for the Vendor to leave items at Thornton's doorways and the reproduction of any lost items due to an unacceptable delivery will be done at no additional cost to Thornton.

**B.13 SAMPLES:**

At the time of your initial submission, physical samples, such as pamphlets and brochures, are not being required; however, it should be noted that Thornton reserves at its sole discretion the right to request a sufficient number of samples from any proposing Vendor during the evaluation process of this RFP, including but not limited to, clarification on what is being proposed, evaluation to assist in pairing down viable candidates for award, etc.

If samples are requested by Thornton, proposing Vendors will be required to furnish a sample of the goods which are to be supplied at no cost to Thornton. Any sample submitted shall create an express warranty that the whole of the goods and/or services shall conform to the sample submitted. All samples become the property of Thornton.

If Thornton elects to request samples from your firm, this request will be sent by the Buyer of Record to the main point of contact stated in your proposal response, via a direct email. As the proposing Vendor, you will have five (5) business days to provide to Thornton those physical samples. All samples will be sent to the following address via a certified delivery company (United States Postal Service, FedEx, UPS, etc.):

**Thornton Purchasing Division  
City Hall – 2<sup>nd</sup> Floor  
Thornton, CO 80229  
Attention: Andrew Miskell  
RE: Project No. 177-21 RFP Samples**

Please know that at this time, Thornton's City Hall is closed to the public due to the ongoing Covid-19 pandemic; however, all physical deliveries (United States Postal Service, FedEx, UPS, etc.) are still being accepted by Thornton's Reprographics Department, who then notifies each recipient of the arrival of the goods.

#### **B.14 VENDOR INTERVIEWS:**

Thornton may elect to conduct Vendor interviews in order to clarify and answer additional questions. All interviews will be held at a physical/virtual location at Thornton's sole discretion and shall be at Thornton's decision if an interview is deemed as being necessary.

Thornton shall not compensate a proposing Vendor for any costs incurred by a Vendor that are related to a demonstration or interview conducted by Thornton during this RFP process.

#### **B.15 INVOICING REQUIREMENTS:**

Thornton's Accounts Payable Division is the only division within Thornton that issues payments to Vendors whom have submitted invoices. Thornton only issues payments from invoices and will not issue payments to Vendors off of quotes.

Thornton's standard payment terms are net thirty (30) calendar days after receipt of an invoice. All invoices submitted shall be emailed to Thornton's Accounts Payable Division's general email address, [AP.Invoices@ThorntonCO.gov](mailto:AP.Invoices@ThorntonCO.gov), and also to a designated HR representative for approval, prior to payment. In lieu of email, physical copies may be submitted to City of Thornton – Accounts Payable, 9500 Civic Center Drive, Thornton, CO 80229-4326. Invoices sent to anyone other than

Accounts Payable and the designated HR representative are not considered to be properly submitted and will not be paid until they are properly submitted.

For all invoices of services that exceed all appointments that have been approved by Thornton, the Vendor shall continue to furnish accurate and verifiable billing services directly to the Thornton participant, which shall be done on a confidential basis. Thornton shall not be liable for charges and fees in regards to appointments that exceed Thornton's approved number of appointments.

**B.16 VENDOR PERFORMANCE MANAGEMENT:**

Thornton may administer a Vendor performance management program as part this RFP and resulting contract. The purpose of this program is to create a method for documenting and advising Thornton of exceptional performance or any problems related to the purchased goods and services.

**B.17 COOPERATIVE PURCHASING:**

Thornton encourages the proper use of cooperative purchasing and reserves the right to make results of this solicitation available to other governmental agencies seeking like equipment, goods, or services. Other agencies using this solicitation must do so according to regulations established by their individual organizations and accept sole responsibility for its use. The terms and conditions of any resulting transaction shall be exclusively between the buyer and the seller. Buyers and sellers using this solicitation in a cooperative or "piggy-back" fashion, agree to defend and hold harmless Thornton from any dispute or action arising from its use.

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**SECTION C: PROPOSAL QUESTIONS TO PROSPECTIVE VENDOR****C.1 INSTRUCTIONS FOR ANSWERING QUESTIONS:**

Your proposal must specifically address each of the questions/issues that are listed below. The quality and detail of your responses will be considered in the overall evaluation of your proposal. Proposers are encouraged to give examples and provide comprehensive information to support your compliance on each point.

All answers provided by the awarded Vendor may be incorporated into the final contract between the Vendor and Thornton as an additional exhibit or as part of a finalized Scope of Work.

**To standardize the format of all proposals**, Proposers are required to respond to all questions in the order given and to list the item number and restate the question prior to giving their answer. Failure to comply with this requirement may result in your proposal being declared non-responsive.

**C.2 PROPOSAL QUESTIONS:****A. General Vendor Questions****1) General Vendor Summary**

Please provide a brief description of the following:

- a) Full legal company name;
- b) Your headquarters address;
- c) Primary company contact including name, phone number, and email address;
- d) Year your firm was established;
- e) A brief listing of your Vendor core competencies;
- f) How many employees are within your firm that are available for Thornton's EAP, not to include non-licensed employees (e.g. secretaries, janitorial staff, etc.);
- g) What are general/regular hours of operation (e.g. M-F, 8:00 a.m. to 5:00 p.m.); and
- h) A current copy of your company's W-9 (IRS version October 2018).

**2) Experience and References**

Please provide five (5) current client references that you have sold and implemented the same or like solutions to in the past five (5) years. Of these references, please list as many as available that are other governmental municipalities and/or higher educational entities as possible.

**a) Include in your reference information:**

- i) Name of the municipality or firm;
- ii) Client's headquarters address;
- iii) Current reference contact;
- iv) Reference's title;
- v) Reference's phone number;
- vi) Reference's email address;
- vii) Contract start date;
- viii) Contract end date (or "Ongoing" if still active);
- ix) Project description; and
- x) Estimated contractual value.

**b) Please provide the number of overall active clients within the United States.**

- i) How many of these clients are governmental municipalities or non-profits?
- ii) How many of these clients are located in the State of Colorado?

**B. Proposed Solution Engagement****1) Vendor Engagement Team**

Please provide the following:

- a) Each team member in the Vendor engagement team, and the team member's role, who will work directly with Thornton's HR team as points of contact/management of your firm;
- b) The responsibilities for each role; and
- c) Information regarding the team member's professional background:
  - i) Resumes may be included as an appendix but each resume shall not exceed one (1) page in length.

**2) Vendor Recommended Roles and Responsibilities for Thornton, CO Project Team**

Please provide the following:

- a) Identify recommended Thornton, CO project team roles; and
- b) The responsibilities for each role.

**3) Provider Network and Subcontracting of Work**

As previously mentioned in Section B.5 – General Considerations, proposing Vendors who will be subcontracting out any of the proposed work, will list out the subcontracted Vendors.

- a) Describe your network of providers
  - i) Include each provider's area of specialty and the number of staff available in each specialty.
  - ii) Is there an overlap between the EAP and Medical network?
- b) Identify what portions of the Scope of Work will be subcontracted out and what firms will be assigned to what portions of the subcontracted work.
  - i) Include each provider's area of specialty and the number of staff available in each specialty.
  - ii) Include their physical address where services will be provided.

**C. Proposing Vendor General Services:****1) Staff Resources**

- a) Identify what types and the number of staff resources are available during regular business hours, including but not limited to, onsite counseling, tele-counseling, manager advice, etc.
- b) Identify what types and the number of staff resources are available during non-regular business hours (e.g. nights, weekends, and/or holidays), including but not limited to, onsite counseling, tele-counseling, manager advice, etc.

**2) Staff Certifications**

- a) What criteria do therapists have to meet in order to be included within your network?
- b) What is the average level of education and number of years of experience for therapists only in your network?

- c) Describe the frequency and methodology used to evaluate existing therapists for efficacy, customer satisfaction, and availability.
- d) With what frequency are new therapists added to your network?
- e) What are the qualifications for staff members that handle intake phone calls/requests?

### **3) Levels of Service**

- a) Describe in detail how your firm will be able to provide the same level of service to Thornton EAP participants who work swing/night/weekend shifts, as opposed to those that work regular business hours.
  - i) What, if any, difference is there in service between the two (2) types of participants (regular and non-regular hours worked), and how does your firm work to mitigate any difference in the level of service Thornton employees would receive?
- b) Has your firm lost a contract in which you had been previously providing services within the last five (5) years?
  - i) If yes,
    - (1) How did you ensure that the participants who were currently utilizing services from your client, were still cared for during the transition to the newly awarded Vendor? How were their cases and care handled by your firm?
- c) Has your firm been awarded a contract within the last five (5) years in which you were not previously the incumbent EAP provider for a municipality?
  - i) If yes,
    - (1) Please describe how the transition process worked between yourself and your new client.
    - (2) What hurdles did you experience during the changeover of providers?
    - (3) What recommendations would you make to Thornton to make any transition for Thornton and its participants as smooth as possible? (e.g. Do's and Don'ts)

## **D. Participant Engagement:**

### **1) Program Access:**

- a) How will a Thornton participant be able to initially access the EAP or request services? Please describe the various ways the participant will be able to do so, including phone calls, texting, emails, chat boxes, etc.

- b) Does your firm operate a call center to address all initial intake requests for service for an EAP?
  - i) If yes, what is the physical address of this call center that would be used for Thornton's EAP?
    - (1) Are the intake personnel employees of your firm or are they outsourced?
    - (2) Would any call center that would be used for Thornton's EAP be located offshore?
- c) From the time a participant calls/engages for service to schedule an appointment, what is the average amount of time afterwards that it takes until the employee is contacted by your firm? What is the average wait time for a participant to be seen in-person/virtually for their appointment?
- d) Upon making initial contact, with whom would an employee be speaking with? What is the level of standard for certification/licensures for your firm to have when your personnel perform an "intake" with an EAP participant?
- e) What percentage of phone calls/interactions are handled successfully after only the initial contact with a participant?
- f) What percentage of phone calls/interactions are handled successfully after the initial five (5) sessions of short term treatment?

## **2) Post Intake Process:**

- a) In general terms and timelines, please describe the various events which may occur after an employee's initial contact and intake, including how the employee is matched with a counselor.
- b) What factors are used in determining whether an outside referral is necessary for a participant, and at what point is the referral made by your firm?
  - i) What percentage of phone calls/interactions are referred to outside of your organization?
- c) Does your firm ever bring in family members and/or co-workers into a counseling session of the participant in order to assist in treatment or intervention of behaviors, if this deemed appropriate by the counselor? If so, how is this handled?
- d) Describe how a situation is handled when an employee meets with an EAP counselor, and then requests a different counselor for the following sessions. Is this initial session included within the five (5) session maximum limit?
- e) What is the average amount of time lost from the workplace by a participant for their appointments?

- f) How is it determined that treatment should be discontinued and who makes that determination? Is it a mutual determination between the participant and counselor or solely by the firm/counselor?

### **3) Confidentiality and Conflicts of Interest**

- a) What measures are taken by your firm to maintain and guarantee the confidentiality of the participant that is seeking assistance? How is participant's confidentiality maintained during and after the assistance is sought out by the participant?
  - i) This includes but is not limited to:
    - (1) HIPPA compliance
    - (2) Personal Identifiable Information (PII)
    - (3) Protected Health Information (PHI)
- b) How does your firm verify employment with your clients (like Thornton) or an immediate family relation status that is requesting EAP services? How is confidentiality maintained by your firm during the verification of eligibility process?
- c) How does your firm and counselors handle a situation in which a participant discloses an activity that has already happened that is either illegal, harmful to themselves or have harmed others, and/or harmful to the employer?
- d) How does your firm and counselors handle a situation in which a participant discloses an active plan and desire to do something this either illegal, harmful to themselves or have harmed others, and/or harmful to the employer?
- e) If a participant that is seeking treatment meets with a counselor, and there is noted conflict of interest between the participant and the counselor, how is that handled and/or determined by your firm?
  - i) If the conflict of interest is confirmed and is between the counselor and the EAP participant, does your firm count the initial treatment meeting between these two (2) as part of the overall initial five (5) sessions? Or does your firm restart the initial session count once a participant is linked with a counselor that is not a conflict of interest?

## **E. Emergency and First Responders:**

### **1) Emergency and First Responders (Fire, Police, EMS)**

- a) Does your firm have any emergency and first responder specific resources or experience in providing behavioral health services for these individuals?
  - i) This can include but is not limited to, peer-to-peer support, and specialty trained counselors.

- (1) If this is achieved by outsourcing or subcontracting, please list and elaborate the subcontracting Vendor's abilities.

## **2) Critical Incident/MCEs**

- a) Does your firm have any experience or specific resources in providing support for emergency and first responders who have been through a critical incident or a mass casualty event (MCE)?
  - i) This can include but is not limited to, peer-to-peer support, and specialty trained counselors.
    - (1) If this is achieved by outsourcing or subcontracting, please list and elaborate the subcontracting Vendor's qualifications.

## **F. Mobile/Online Resources, and Telecommunication and TeleHealth:**

### **1) Mobile/Online Resources**

- a) Please describe what your mobile and online resources are that are currently available for participants of other EAP with your current clients and that would be available to Thornton, including any developed mobile applications available for downloading by participants.
- b) Are there any upcoming improvements or additional available resources that participants will be able to access on a mobile or online platform, that your firm is in the process of implementing within the next twelve (12) months?

### **2) Telecommunication and Telehealth**

- a) Please describe your available telecommunications (for non-mental health) for virtual sessions that are currently available for participants of other EAP with your current clients and that would be available to Thornton.
- b) Please describe your available telehealth (mental health) resources for virtual sessions that are currently available for participants of other EAP with your current clients and that would be available to Thornton.
- c) Are there any upcoming improvements or additional available resources for telecommunication and telehealth that your firm is in the process of implementing within the next twelve (12) months?

**3) Covid-19 Pandemic Response**

- a) With the onset of the Covid-19 pandemic, how did your firm respond and adapt to this ever changing situation in order to continue to serve your EAP clients and their participants?
  - i) How has the pandemic affected the services for EAPs that you provide to other clients?
  - ii) Are there any new processes that you have had to implement since the pandemic started?
    - (1) What are those new processes and how long did they take to implement?
    - (2) How have these new processes effected the participants in the EAPs that your firm services?
  - iii) Include in your response, what were some of the lessons learned and how have your processes changed since the pandemic's onset?

**G. Promoting the Program:****1) Physical Materials**

- a) Please describe the physical materials and tools that will be used by your firm to aid in the promotion of the EAP towards Thornton personnel and participants.
  - i) Include in your description materials for initial introduction of the program and ongoing promotion of the program.
  - ii) How often are these items updated?
- b) Please describe the soft/electronic materials and tools that will be used by your firm to aid in the promotion of the EAP towards Thornton personnel and participants.
  - i) Include in your description materials for initial introduction of the program and ongoing promotion of the program.
  - ii) Include links to websites that are open to the public.
  - iii) How often are these items updated?
- c) How are your participant trainings typically handled, now that Covid-19 has affected learning environments for everyone and their different industries?
  - i) Is your firm capable of holding virtual meetings for EAP participants?
    - (1) If yes, how frequent are you holding virtual or online trainings for participants of an EAP client agency that is a municipality? What are some of the pros/cons that your firm has experienced when trying to engage participants virtually?

**2) Program Recommendations**

- a) Please describe how your firm meets with its current client agencies and provides recommendations for improvements upon an existing EAP that your firm has been administering in the past.
  - i) Include in your description what types of recommendations you have made in the past to your clients, what items should be reconsidered as being offered and/or expanded upon as a service for participants in the program.

**H. Litigation and Investigation****1) Federal, State, and Regulatory**

Has your firm or any current member of your staff (in the staff member's capacity as an employee/contractor of/for your firm) been involved in any litigation or investigation by a federal, state, or regulatory agency, in the past five (5) years, including any pending litigations/investigations? If yes, please explain.

**I. Value Added Services, Additional Details, and Closing Statement****1) Value Added Services**

Please list any additional services that aren't previously mentioned within your proposal that are offered or included within the proposal pricing that are offered by your firm, in addition to your adherence to Thornton's Scope of Work. These items can include things like free/discounted tax preparation, additional behavioral health resources, etc.

**2) Additional Details**

Please describe in detail any areas that Thornton has not included in this RFP's Scope of Work (best practices, missed requirements, etc.) that your team considers to be beneficial, important, relevant, or crucial to the successful implementation of your proposed solution.

**3) Closing Statement**

Please provide a brief narrative (one page or less) of how you believe your company's proposed solution will best serve Thornton's needs both now, and in the future of the contractual agreement.

**The remainder of this page left blank intentionally.**

**SECTION D: PRICING AND PROPOSAL ITEMS****D.1 PRICING INFORMATION:**

This section shall include a description of the proposed costs and prices. All pricing information shall be limited solely to this section of your proposal. This section should address all requirements set forth in Sections B and C as well as any other items pertinent to your proposal pricing such as additional discounts for increased quantities, etc. The requirements have been developed to allow Thornton to uniformly evaluate prices submitted for the work. Accordingly, you should follow these instructions carefully and provide all data requested in the formats specified herein and in any referenced attachments.

Any omissions in this proposal shall be identified by each Vendor and incorporated into their proposal including any omissions for software, hardware, support, etc., which is necessary to the success of the project and must be identified as a separate line item with pricing and included as part of this proposal. Thornton will not increase the contract or any purchase order (either dollar amount or time) for items not included in the submitted proposal documents. Thornton reserves the right to purchase part or the entire proposal.

**D.2 BEST AND FINAL OFFER:**

Thornton reserves the right after review and evaluation of Vendors, including after all interviews that have been conducted, to go back to the “short list” of Vendors to conduct a Best and Final Offer (“BAFO”). The BAFO will be included as a final pricing evaluation tool by Thornton to aid in the award decision process.

**D.3 PRICING:**

All prices quoted shall be firm and fixed for the entire term period of the resulting contractual agreement. All prices submitted shall be inclusive of all trainings, travel associated with in-person trainings, printing and proofing of documents, and all other applicable costs.

**D.4 COSTS:**

Thornton shall not compensate any Vendor for any costs related to the completion and submission of their proposal, including document submissions and potential samples. Nor shall Thornton compensate any Vendor for any costs in relation to a potential interview with Thornton, including but not limited to, travel, time, IT related expenses, etc.

**D.5 PROPOSAL ITEMS:**

The pricing form for this RFP will be in a Microsoft Excel format, with a free-type ability for the Vendor to complete the form if there are any additional costs associated with your proposal. The form is under separate cover and is entitled "177-21 RFP Pricing Form 5-4-2021"

Any prices not stated by the Vendor within this pricing form shall be considered by Thornton to be inclusive of the pricing that has been provided by the Vendor, with the only exception being that of future services that have not been created or available for offer by the Vendor.

**The remainder of this page left blank intentionally.**

**SECTION E: PROPOSAL INSTRUCTIONS, EVALUATION, AND AWARD****E.1 PROPOSAL POSTED LOCATIONS:**

This request for proposals (RFP) has been posted publically to the following locations:

- BidNet® Direct: [www.BidNetDirect.com](http://www.BidNetDirect.com)
- Thornton's Purchasing website: <https://solicitations.thorntonco.gov/solicitations>

Thornton currently uses BidNet Direct® and its own website to distribute official records for all copies of publically posted proposals for viewing. Both websites operate as a free to view and download option for prospective Vendors.

Upon request by a Proposing Vendor, the Purchasing Division will also make this solicitation available for viewing at the Contracts and Purchasing Division office. The address for the office is located on the cover page of this RFP.

**E.2 PROPOSAL QUESTIONS:**

Thornton shall not be bound by, and the Vendor shall not request or rely on, any oral interpretation or clarification of this RFP. Therefore, any questions regarding this RFP are encouraged and shall be submitted in writing by email to the Buyer of Record listed within this RFP.

Questions received up to the deadline to submit questions in the Schedule of Events will be answered in writing per the Schedule of Events. Answers to questions from any Vendor will be provided to all Vendors via a written addendum.

**E.3 ADDENDA:**

In the event it becomes necessary to revise, change, modify or cancel this RFP or to provide additional information, addenda will be issued and made available on BidNet Direct and on Thornton's website. Changes, clarifications, and answers to RFP questions that have been posted in a written addendum that affect or change the RFP's scope of work shall be considered as to have replaced and superseded the original RFP's scope of work.

It is the responsibility of the proposer/contractor to confirm that they have acquired all addenda related to this RFP and that they have reviewed and complied with the requirements therein.

**E.4 SUBMISSION OF PROPOSALS:**

Submission of proposals for this proposal may be done electronically through a Vendor portal (currently done via BidNet Direct®). Proposals can be submitted at [www.bidnetdirect.com](http://www.bidnetdirect.com), but shall not be completely submitted later than the date and time indicated in the Schedule of Events.

If you experience problems with BidNet Direct®, please call 1-800-835-4603 for assistance. There is no charge by BidNet Direct® for this service.

Proposing Vendors who are unable to submit a proposal through BidNet®, may request to submit a physical copy of their proposal for consideration. A proposing Vendor shall email the Buyer of Record prior to the question due date listed in the Schedule of Events, for instructions on where and how to submit their physical proposal. All physical proposal submissions shall be submitted and recorded no later than the date and time indicated in the Schedule of Events.

**E.5 DOCUMENTS FOR FINAL VENDOR SUBMISSION:**

Proposing Vendors are to ensure that their submission is complete and responsive prior to a final submission. As a reminder, this RFP contains the following documents that will require completion by the proposing Vendor to be considered as initially responsive:

- 1) Section C.2 – Proposal Questions – Answers provided by the proposing Vendor
- 2) Section D.5 – Proposal Items
- 3) All additional technical information in support of your proposal
- 4) Section G.1 – Acceptance and Addenda Acknowledgement Form
- 5) Section G.2 – Sample Agreement Acknowledgement Form
- 6) Section G.3 – References and Authorization Release Form

It is not necessary for a proposing Vendor to submit this entire RFP document with the Vendor's response. Only the above mentioned items are currently required with your proposal submission. Thornton reserves the right to request any clarification, ask any questions, or request any additional documents that may aid in the evaluation of your proposal.

**E.6 PAGE LENGTHS FOR FINAL VENDOR SUBMISSION:**

Thornton is seeking proposals from qualified firms that contain relevant information, answers to questions, pricing, samples, and other items that support that Vendor's proposal submission.

With this in mind, Thornton is requesting that proposing Vendors work to limit their submissions to one hundred (100) pages or less.

**E.7 CONFIDENTIAL AND PROPRIETARY INFORMATION:**

As a Colorado home rule municipality, Thornton is subject to and must comply with the Colorado Open Records Act (“CORA”), C.R.S. § 24-72-201 *et seq.* All Vendor submitted documents are subject to requests for public records pursuant to CORA. **Proposing Vendors must clearly identify within their submissions any information that is confidential and proprietary by marking such information as “Confidential” or “Proprietary” information.** Any information a Vendor marks as confidential or proprietary shall comply with CORA and any other applicable statute(s).

Prior to a final award and contract, Vendor submitted information that is contained within the proposal may be held by Thornton as confidential and proprietary at Thornton’s sole discretion. **In accordance with CORA, upon the conclusion of a final award and contract, Thornton may, in its sole discretion, release any and all portions of Vendor submissions not marked as confidential or proprietary.** Thornton shall be held harmless from any claims arising from the release of confidential and proprietary information not clearly designated as such by the proposing Vendor.

In general, it is not acceptable to Thornton to mark information other than the following as confidential or proprietary:

- 1) Financial statements;
- 2) Project financing data;
- 3) Litigation history;
- 4) Tax audit history; and
- 5) Client lists and references.

Thornton does not generally find it acceptable to mark proposal pricing, or the entirety of your proposal, as confidential or proprietary. Failure to adhere to these restrictions may result in your proposal being deemed as non-responsive.

For more information about the City’s processes related to CORA, including using Thornton’s Public Records Request Form or for submission of a CORA request, please visit the website of the office of Thornton’s City Clerk at <https://www.thorntonco.gov/government/city-clerk/Pages/default.aspx> or you can reach the Clerk’s office by email at [Clerk@ThorntonCO.gov](mailto:Clerk@ThorntonCO.gov) or by phone at (303) 538-7615.

**E.8 LATE PROPOSAL SUBMISSIONS:**

Proposing Vendors are expected to allow adequate time to upload a complete submission for consideration through the electronic Vendor portal (currently BidNet Direct®). The Vendor portal will not allow a Vendor to modify, save, nor upload their proposal after the submittal date and time have passed. It is **highly recommended** that as a proposing Vendor you do not wait until the last minute to submit your proposal.

Late proposals will not be accepted. Sole responsibility rests with the proposing Vendor to ensure that its proposal is completely uploaded through the Vendor portal or is received in the Purchasing Office prior to the submission deadline. Proposals that are left in a "Draft" status in the Vendor portal will not be accepted by Thornton for consideration.

All physical proposals received in the Purchasing Office after the submittal date and time will be immediately rejected without consideration.

**E.9 AWARDS:**

Award will be made on an "all or none" basis.

**E.10 ACCEPTANCE PERIOD:**

Submissions in response to this proposal shall remain valid until an award has been made to a proposing Vendor or at a minimum of one hundred twenty (120) calendar days from the time of submission, whichever date comes last.

**E.11 EVALUATION OF PROPOSALS:**

All proposals will be evaluated by a Project Committee assigned by the City Manager, or his designee. Proposals shall be evaluated on the basis of the Evaluation Criteria noted herein. Qualifications, experience, and the applicability of solutions offered to meet Thornton's needs will be the major factors determining the selection, with pricing being secondary.

In addition, other pertinent information which becomes available during the evaluation, interview, or negotiations may be considered in the evaluation. The committee may make a selection on the basis of the Proposals received, or may choose to "short list" prospective firms for further consideration, which may include interviews and or negotiations. The firm selected for the Award will be chosen on the basis of the apparent greatest operational and financial benefit to Thornton, and not necessarily on the basis of lowest price. The City Manager, or his designee, shall make the final determination of the firm selected.

**E.12 EVALUATION CRITERIA:**

Proposals shall be evaluated on the basis of the following criteria:

- 1) Responsiveness to the needs of Thornton, including the time required to complete the implementation of the awarded Vendor's solution.
- 2) Responsibility of the proposing Vendor.

- 3) The written responses provided by the proposing Vendor to the Proposal Questions – Section C.2, and all clarification questions asked by Thornton during the RFP evaluation.
- 4) The proposing Vendor's submitted pricing.
- 5) The results of the Vendor's reference checks.
- 6) The degree to which the Vendor's proposal meets or exceed the needs as defined in the RFP.
- 7) The results of any Vendor samples, and/or interviews from this RFP.
- 8) The agreeability of the Vendor to Thornton's terms and conditions and the ability to contract with the awarded Vendor.
- 9) All other applicable information and documents submitted by the Vendor and received by Thornton in the evaluation of the proposal.

**E.13 POST AWARD PURCHASE ORDER:**

A purchase order (PO) will be generated by Thornton's Contracts and Purchasing Division as a result of the award from this solicitation. All future year purchase orders shall be conditional upon annual appropriation approval by Thornton's City Council. Thornton shall not be liable for any future charges from the awarded Vendor should the funding not be appropriated and approved by City Council.

**E.14 STANDARD PROPOSAL CONSIDERATIONS:**

Thornton maintains a standard set of RFP considerations and terms and conditions for RFPs that are non-federally funded and are not through a cooperative awarded process. These considerations are static between each RFP process. It is the sole responsibility of the proposing Vendor to have read all RFP considerations. A copy of these standard RFP considerations has been uploaded with this RFP document as a separate cover.

**The remainder of this page left blank intentionally.**

**SECTION F: SAMPLE AGREEMENT****F.1 SAMPLE AGREEMENT:**

A sample General Services Agreement has been provided under separate cover as part of this solicitation. This sample agreement has been provided to inform the proposing Vendor of Thornton's terms and conditions expectation for the awarded Vendor from this solicitation. This sample agreement is subject to change at Thornton's sole discretion.

The Vendor does not need to complete any of the information within the sample agreement as part of the initial proposal submission process. At Thornton's sole discretion and as part of a final evaluation process by Selection Committee, the Buyer of Record may contact a proposing Vendor for any clarifications.

**The remainder of this page left blank intentionally**

**SECTION G: REQUIRED VENDOR SIGNATURE FORMS****G.1 ACCEPTANCE AND ADDENDA ACKNOWLEDGEMENT FORM:**

Vendor indicates acceptance of the following conditions:

- 1) City of Thornton Charter Section 7.4 prohibits Thornton from issuing a Purchase Order to firms which employ certain family members of employees unless the Thornton Council determines it is in Thornton's best interest. For the purposes of this Charter Section, a domestic partner shall be considered equivalent to a family member. The Vendor attests to the following:

No City Council Member, member of a board or commission, Municipal Judge, City Manager, City Attorney, or employee of the City of Thornton, or any such person's family member, domestic partner, or person assuming a relationship being the substantial equivalent of the above, has an existing or pending, direct or indirect, financial, pecuniary or personal interest in the proposing firm or this Invitation for Bid, except as follows: (list, if any)

- 2) The undersigned Vendor, having examined the Proposal Documents, and having full knowledge of the product and/or services requested and described herein, hereby proposes that it will fulfill the obligations contained herein specifications set forth; and that it will furnish all required products and pay all incidental costs all in strict conformity with these Proposal Documents, for the stated prices as payment in full. Yes  No
- 3) I acknowledge receipt of any and all published addenda and a copy of the sample agreement as provided by Thornton : Yes  No
- 4) I acknowledge that I have submitted all items and documents as required of the final proposal submission Yes  No

Proposing Vendor's Name: \_\_\_\_\_

Submitted By (Printed): \_\_\_\_\_

Submitted By (Signature): \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email: \_\_\_\_\_

**G.2 SAMPLE AGREEMENT ACKNOWLEDGEMENT FORM**

Regarding Thornton's Sample Agreement, the undersigned Vendor acknowledges the following:

- 1) The proposing Vendor has received a copy of Thornton's sample Agreement. Yes  No
- 2) All proposed exceptions to Thornton's sample Agreement and all proposed Vendor agreements may be included as part of Thornton's final evaluation process. Yes  No
- 3) If chosen for award, that Thornton may accept, reject, or negotiate all proposed changes to the terms and conditions of the sample Agreement and all other Vendor proposed terms and conditions. Should an Agreement be unable to be reached between Thornton and my firm, I acknowledge that Thornton retains the sole discretion to reject the award made and move to another Vendor for award and contractual negotiations. Yes  No

Proposing Vendor's Name: \_\_\_\_\_

Submitted By (Printed): \_\_\_\_\_

Submitted By (Signature): \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



**G.3 REFERENCES AND AUTHORIZATION AND RELEASE FORM:**

**REFERENCE AUTHORIZATION FORM**

By: \_\_\_\_\_, A Corporation  
(Proposing firm) \_\_\_\_\_, A Partnership whose address is \_\_\_\_\_  
An Individual (Circle One)

Proposing firm has submitted a sealed Proposal to the City of Thornton (Thornton) for this solicitation.

Proposing firm hereby authorizes Thornton to perform such investigation of proposing firm as Thornton deems necessary to establish the qualifications, responsibility, trustworthiness, and financial ability of the proposing firm. By its signature hereon, the proposing firm authorizes Thornton to obtain reference information concerning the proposing firm and releases the party providing such information named above and Thornton from any and all liability to the proposing firm as a result of any reference information provided.

Proposing firm further authorizes Thornton to discuss and release any and all information regarding the Proposing firm's performance on its forthcoming services related to this project or other past projects upon receiving a request for such information. Proposing firm releases Thornton from any and all liability associated with such a release of information.

Proposing firm further waives any right to receive copies of reference information provided to Thornton. A copy or facsimile of this executed Reference Authorization and Release Form may be used with the same effectiveness as an original.

Proposing Vendor's Name: \_\_\_\_\_

Submitted By (Printed): \_\_\_\_\_

Submitted By (Signature): \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**SECTION H: AUTHORIZATION FOR SOLICITATION POSTING****H.1 PURCHASING MANAGER FORM:**

All communications regarding this solicitation shall be directed to the Buyer of Record listed within this solicitation in Section A.2 – Buyer of Record.

This solicitation has been reviewed and approved for a public posting by the Thornton Purchasing Manager.

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Megan deGrood  
Purchasing Manager