



REQUEST FOR PROPOSAL (RFP)

RFP No. 303-23

OCCUPATIONAL PHYSICIAN SERVICES

Buyer of Record: Andrew Miskell, CPPB

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Contracts and Purchasing Division
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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>
Proposal Issued	July 10, 2023	
Deadline to Submit Additional Questions	July 20, 2023	11:00 P.M.
Response to Written Questions	July 26, 2023	11:00 P.M.
Proposal Due Date	August 3, 2023	11:00 P.M.

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

A.3 GENERAL SUMMARY OF PROCUREMENT NEEDS:

The City of Thornton, CO ("Thornton") is seeking Proposals from interested firms for the purchase of services as part of the Designated Medical Provider Program for employees who are injured on the job.

The remainder of this page has been left blank intentionally.

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

Thornton has implemented, per State of Colorado statute, a Designated Medical Provider Program that is made available to its employees injured on the job, and it does provide prompt, quality industrial/occupational medical care. This Program enables Thornton employees to recover from their injuries and return to gainful employment as soon as possible. The Program is intended to provide an efficient and familiar working relationship with a select number of Physicians. Thornton participates in a self-insurance Workers' Compensation Plan managed through Thornton's Risk Management Division. Claim Services are currently provided by TRISTAR Risk Management.

In addition, Thornton intends to hire a medical provider for pre-employment physicals, fitness for duty evaluations, drug/alcohol testing, including CDL/CDOT compliance testing, and other specialized Services and programs. These Services are directed by Thornton's Human Resources Division.

Thornton has an approximate headcount of one thousand one hundred (1,100) full-time employees ("FTE") and depending on the time of the year, an additional 200-500 part-time employees ("PTE"), with the summer months skewing towards the higher end of the PTE range. The average age of all Thornton FTEs is forty-four (44) years old.

As an employee of Thornton, employees have an option to participate in a Wellness Program that is provided by a separate Vendor. The Wellness Program typically offers an annual Wellness Fair in the fall of each year, which may include items such as twenty-thirty (20-30) minute training sessions on nutrition. Thornton also offers annual flu shots to its employees which is also provided by a separate Vendor.

Thornton is required by the State of Colorado to maintain, at minimum, two (2) qualified firms under contract for the Services described within this solicitation. This solicitation is based on the fact that Thornton's agreements with the current providers expire on December 31, 2023.

B.2 AWARD LENGTH:

The initial award from this solicitation will be from **January 1, 2024, through December 31, 2028**. 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.3 PHYSICAL LOCATION REQUIREMENTS:

The Awarded Vendor(s) from this solicitation are required to have a clinic that is physically located within the Denver Metro area in order to serve Thornton employees in an in-person capacity. For clarification, Thornton considers the area that spans between Fort Collins, Colorado and Colorado Springs, Colorado along the I-25 corridor as the Denver Metro region.

B.4 SCOPE OF SERVICE – GENERAL CONSIDERATIONS:

The Awarded Vendor shall cooperate fully with Thornton's Management Services Department, specifically Human Resources and Risk Management, as well as Thornton's Third-Party Administrator.

Employees with life threatening injuries shall be taken to North Suburban Medical Center or to the hospital designated by first responders. If the injury occurs outside Thornton city limits, the nearest available hospital qualified to treat the injuries shall be utilized. When providing service to Thornton employees, the Awarded Vendor shall be experienced in and equipped for industrial/occupational medical services, and to be sufficiently experienced with Colorado Workers' Compensation Act policy and procedures.

The Awarded Vendor shall provide timely and thorough medical attention to all injured workers. It shall further be expected that medical treatment shall be provided within thirty (30) minutes of an injured worker's arrival; and any injury requiring immediate medical attention shall be treated without delay. The Vendor shall also notify Thornton's Risk Management Division and their Third-Party Administrator within one (1) working day of any initial and subsequent visit by a Thornton employee.

The Awarded Vendor shall supervise all requested or required surgery and shall further notify Thornton's Risk Management Division and their Third-Party Administrator of all such requests or requirements immediately. The Vendor shall coordinate and monitor all medical referrals to insure timely, adequate, and appropriate responses. Further, the Vendor shall obtain referral authorization from the Third-Party Administrator to a specific Physician or Physical Therapist prior to arranging the referral appointment, except in the case of an emergency.

The Awarded Vendor shall provide medical follow-up on each case to ensure proper recovery and recommend closure when maximum medical improvement has been reached. Further, the Vendor shall provide specific information on selected cases to Thornton officials upon request.

The Awarded Vendor shall release Thornton's employees to return to work in a normal or light/modified capacity as soon as medically possible, and in accordance with the duty requirements of the employee's department.

The Awarded Vendor shall file all reports conforming to the Division of Labor or other appropriate agencies in an efficient and timely manner. The Vendor shall also notify Thornton's Risk Management Division and their Third-Party Administrator when an injured employee approaches maximum medical improvement, and recommend an independent medical examination when appropriate.

Upon Thornton's request, the Awarded Vendor shall meet, on-site, with Thornton's officials to address concerns pertaining to claims, safety problems, job requirements for light/modified job duty, and other similar services such as providing input on Thornton Employee Wellness Fairs.

The Awarded Vendor and all subcontractors shall be prohibited from billing employees for any service(s) in connection with work related injuries or other employment related medical services provided under this Agreement.

The Awarded Vendor shall avoid any appearance of conflict of interest, and disclose to Thornton's Risk Management Division when an employee is seen for Services outlined herein is a past or current patient of the Physician or firm for non-work related matters. Disclosure is required within twenty-four (24) hours of initial service and shall not include any details of type of non-work service, history, etc.

In addition to the above, the Awarded Vendor shall provide:

- 1) Pre-employment physicals or CDOT physicals to potential or existing employees, and provide both verbal and written results in a timely manner. Additionally, the Provider(s) shall provide fitness for duty evaluations and annual public safety physicals as needed. Results of physicals will clearly indicate if the person is eligible for employment based on information obtained from the physical.
- 2) Drug and Alcohol testing, both National Institute on Drug Abuse (NIDA) certified and non-regulated, for cause or pre-employment, including CDL/CDOT requirements (including random testing selection services), and shall maintain strict confidentiality throughout all portions of testing, reporting, and billing for these Services. Verbal and written results shall be provided in a timely manner. Written procedures, protocols, and chain of custody documentation shall also be required.
- 3) Medical Review Officer (MRO) Services per CDL/CDOT requirements.
 - a) Proposing Vendors are to note that Thornton does not have a separate MRO and the awarded Vendor(s) will be required to supply these services.
- 4) Evidentiary Breath Testing (EBT) administered by a certified Breath Alcohol Technician (BAT) per CDL/CDOT requirements.

- 5) Separate billing for distinctly different Services, such as Worker's Compensation or pre-employment physicals.
- 6) If provided by the Awarded Vendor, to provide respiratory fit testing services including reviews and approvals of medical evaluation questionnaires.

B.5 ESTIMATED QUANTITIES:

Thornton does not guarantee any quantity of item listed herein to be ordered during the coming year. However, for information only, the following types and quantities of testing that have occurred during the 2022 calendar year amounted to:

- Pre-employment – 95
- CDOT Recertifications – 55
- Fire Annual Physicals – 44
- Police SWAT Team Physicals – 5
- Total Drug Screens – 235

B.6 SITE VISITS AND INTERVIEWS:

Thornton reserves the right to perform a site visit at Vendor's proposed location(s) that would be in the field of use. It will be Thornton's sole discretion if a site visit is deemed to be necessary during the evaluation phase of this solicitation in order to determine if a Vendor is capable of handling Thornton's outlined scope of services from this solicitation.

In addition to a potential site visit, Thornton may also 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 site visit or interview conducted by Thornton during this RFP process.

B.7 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 AP.Invoices@ThorntonCO.gov. 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 are not considered to be properly submitted and will not be paid until they are properly submitted.

B.8 VENDOR PERFORMANCE MANAGEMENT:

Thornton may administer a Vendor performance management program as part this proposal 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.9 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.

The remainder of this page has been left blank intentionally.

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

Your proposal response must specifically address each of the questions/issues that are listed from this RFP. The **quality and detail** of your responses will be considered in the overall evaluation of your proposal, along with how closely your firm can meet or exceed Thornton's Scope of Services expectations from section B above. 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 Service.

C.2 PROPOSAL QUESTIONS:

Thornton has provided an additional Microsoft Word file under separate cover titled "303-23 RFP Appendix No. 1 Proposal Questions 07-10-23". This document contains questions behind each RTM requirement for the Vendor to elaborate and explain their solution, as well as additional RFP questions. Thornton has provided this document as a Word file for the proposing Vendor's ease of entry of information and returning it to Thornton with their final proposal submission.

To standardize the format of all proposals for evaluation, Proposers are required to respond to all questions, to answer 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.

The remainder of this page has been 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 Section B 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 RFP. 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 and demonstrations 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 AND ANNUAL PRICE UPDATES:

All prices quoted shall be firm and fixed for the first year of the agreement, which shall be from January 1, 2024, through December 31, 2024.

Upon conclusion of the first year, the Vendor may make an annual price adjustment based upon Work Comp not-to-exceed (“NTE”) pricing for these services that are dictated by Colorado state statute. Should Thornton require additional types of testing that are also provided by the Vendor, those additional services shall be covered under the eventual agreement and memorialized through a written and approved Thornton amendment to the eventual agreement with the awarded Vendor(s).

D.4 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. The form is under separate cover and is entitled “303-23 RFP Appendix No. 2 Pricing Form 07-10-23”.

SECTION E: PROPOSAL INSTRUCTIONS, EVALUATION, AND AWARD

E.1 PROPOSAL POSTED LOCATIONS:

This Request for Proposal (RFP) has been posted publicly to the following locations:

- BidNet® Direct: 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 publicly 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 deadline to submit question 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 proposal's Scope of Work.

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

E.4 SUBMISSION OF PROPOSALS:

Submission of proposals for this RFP may be done electronically through a Vendor portal (currently done via BidNet Direct®). Proposals can be submitted at 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 they're 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.4 – 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 that has been provided by Thornton 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 additional documents that may aid in the evaluation of your proposal.

E.6 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
- 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 Thornton'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 or by phone at (303) 538-7615.

E.7 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.8 AWARDS:

Due to the nature of the items requested on this proposal, and the importance of services that they impact, Thornton reserves the right to award at least two (2) Vendors. Prices must be shown for each item listed. Proposals submitted without individual item prices listed may be considered as non-responsive and rejected.

E.9 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.10 EVALUATION OF PROPOSALS:

All proposals will be evaluated by a Selection Committee assigned by the City Manager, or his designee. Proposals shall be evaluated on the basis qualifications, experience, and the applicability of the solutions offered to meet Thornton's needs as they pertain to the Evaluation Criteria noted herein and in the context of best value received for the required goods and/or services. Note that any tools utilized by the Selection Committee in their evaluation process are only intended to facilitate the understanding of the submissions received and facilitate the member's ability to weigh the merits of each proposal. Therefore, any tools utilized by the Selection Committee have no binding effect on their vote or the final award made by Thornton as a result of this RFP.

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.11 EVALUATION CRITERIA:

Evaluation criteria for this RFP may include, but is not limited to, the following items:

- 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 qualifications of the proposing Vendor's personnel, including experience and resumes of the participating staff Physicians and other specialized care providers.

- 7) Geographic location(s) and site visit results.
- 8) Staff size and facility volume/capacity ratios.
- 9) The degree to which the Vendor's proposal meets or exceeds the needs as defined in the RFP, including any additional value-add items.
- 10) The results of any Vendor samples, and/or interviews from this RFP.
- 11) The agreeability of the Vendor to Thornton's terms and conditions and the ability to contract with the awarded Vendor.
- 12) All other applicable information and documents submitted by the Vendor and received by Thornton in the evaluation of the proposal.

E.12 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 under separate cover, titled "303-23 RFP Appendix No. 3 Standard Proposal Considerations".

The remainder of this page has been left blank intentionally.

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

A sample General Services Agreement has been provided under separate cover, titled “303-23 RFP Appendix No. 4 Sample Agmt 07-10-23”, as part of this solicitation. This sample agreement has been provided to inform the proposing Vendor of Thornton’s terms and conditions expectations 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 has been 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) Any and all proposed exceptions or redlines to Thornton's sample Agreement by the Vendor, and all proposed terms and conditions have been uploaded with the Vendor's final proposal as a separate file and has been clearly marked as so. Yes No
- 4) 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.

Megan deGrood, CPPB
Purchasing Manager