

REQUEST FOR PROPOSAL (RFP)

RFP No. 246-24

E-Waste Recycling for Public

Purchasing Analyst of Record: Nykeba Klein

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SECTION A: SCHEDULE, PURCHASING ANALYST 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	08/27/24	
Deadline to Submit Additional Questions	09/18/24	11:00 P.M.
Response to Written Questions	09/20/24	11:00 P.M.
Proposal Due Date	09/24/24	11:00 P.M.

A.2 PURCHASING ANALYST OF RECORD:

The Purchasing Analyst 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 Purchasing Analyst. No communication is to be directed to any other Thornton personnel.

The Purchasing Analyst of Record's contact information is as follows:

Name: **Nykeba Klein**
Title: **Purchasing Analyst 1**
Email: Nykeba.Klein@thorntonco.gov

A.3 GENERAL SUMMARY OF PROCUREMENT NEEDS:

The City of Thornton, CO ("Thornton") is seeking Proposals from interested firms to assist in the joint Thornton and Adams County joint electronic waste (e-waste) recycling program that is designed for and to the public. Thornton will be the lead Agency in this solicitation.

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

B.1 CURRENT STATE AND SCOPE OF WORK:

For the past four (4) years, Thornton and Adams County have held a joint electronic waste (e-waste) recycling program that is designed for and open to the residents of Adams County. Thornton will be the lead Agency in this solicitation.

At these events, individuals that reside in Adams County, drive their vehicles to a designated site with their e-waste loaded in the in personal vehicles. Once the individual arrives onsite, they are directed by a Thornton employee on where to pull up into a space, at which point, an employee of our current Vendor will unload the e-waste from the individual's vehicle for them. At that point, the individual will drive away.

Once the e-waste has been unloaded, the Vendor employee will transport the items to the Vendor owned transport trailers to be palletized, wrapped, and loaded onto the trailers.

Upon completion of the event, the Vendor will haul all trailers to their disposal site and properly recycle and dispose of all e-waste that had been collected from the public during that event.

B.2 GOALS FROM THIS RFP:

Thornton currently has an agreement that is set to expire on December 31, 2024, and for this reason we are posting this solicitation. The overall goal of this RFP is to find a Vendor that is willing to perform the same type of service that Thornton and Adams County have been receiving, through this competitive solicitation process. Upon a final award, Thornton and the awarded Vendor will enter into a multiyear agreement, which will provide service and pricing stability for Thornton and Adams County.

B.3 AWARD LENGTH:

The initial award from this solicitation will be from the date of the final signature of the agreement, until December 31, 2025. After this initial term, Thornton and the awarded Vendor will have the opportunity to renew the agreement on an annual basis for up to and additional four (4) years, until a final termination date of December 31, 2029.

B.4 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.

B.5 ESTIMATED QUANTITIES:

Thornton does not guarantee any quantity of specific or total numbers of items for future events. However, in order for proposing Vendors to understand the size of these events and to provide their most competitive pricing, Thornton has provided the following information based upon actual numbers from 2020-2024 events.

Dates	Location	Vehicles	Tonnage
Spring 2020	CANCELLED	DUE TO	COVID
8/22/2020	IMC	1,280	78.1 tons
2020 Totals		1,280	78.1
4/24/2021	IMC	919	50.2 tons
8/28/2021	IMC	882	47.7 tons
2021 Totals		1,801	97.9
4/30/2022	IMC	1,011	62.5 tons
7/18-30/2022	Drop off at Techno Rescue	142	8.7
8/27/2022	IMC	564	28.37
2022 Totals		1,717	99.57
4/29/2023	IMC	796	59.85
6/19-30/2023	Drop off at Techno Rescue	221	10.8
9/18-29/2023	Drop off at Techno Rescue	212	12.34
2023 Totals		1,229	82.99
4/27/2024 Event	IMC	660	36.59
9/16-10/4/2024	Drop off at Techno Rescue		

B.6 F.O.B. POINT:

Events are held annually at one (1) of two (2) locations, dependent upon weather. These locations are:

1) City of Thornton Infrastructure Maintenance Center 12450 Washington Street Thornton, CO 80241	2) Adams County Riverdale Regional Park 9755 Henderson Road Brighton, CO 80601
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B.7 CERTIFICATION REQUIREMENTS:

Proposing Vendors are required to have at a minimum, either a R2 or e-Stewards certification that is current at the time of the award. During the entire length of the resulting agreement, the awarded Vendor shall maintain this certification. If at any point, the Vendor loses or is no longer certified with either R2 or e-Stewards, the awarded Vendor shall immediately notify Thornton, and the Vendor's agreement may be subject to termination.

B.8 REQUIRED EQUIPMENT:

The awarded Vendor will be expected to be able to provide all of the necessary equipment to unload, palletize, load, and haul away all of the e-waste items that come in from the public.

Thornton and Adams County will not be responsible for providing any items for the event, including but not limited to: Forklifts, packing supplier, pallets, gaylords, pallet jacks, safety vests or other PPE items that align with all OSHA standards, trailers, cab and chassis, etc.

B.9 PRE-EVENT LOGISTICS:

Thornton and Adams County have typically held a pre-event logistics meeting with current and previous Vendors, in order to ensure that the day of the event, everything runs as smoothly as possible. Thornton would like to continue to have these types of meetings with the awarded Vendor.

During the pre-event logistics, Thornton will provide advertising to the awarded Vendor to use as part of the event.

Additionally, as part of the pre-event logistics, the awarded Vendor will be expected to ensure that enough transport trailers will be dropped off to support the storage of the e-waste prior to shipment to the Vendor's facilities.

B.10 DAY OF EVENT:

One the day of the event, Thornton will provide staffing to direct incoming cars and traffic, traffic cones and placement, and Port-A-Potty rentals for all to use during the event.

The Vendor will provide all of the necessary equipment and personnel to carryout the day's event. Proposing Vendors should note that neither Thornton nor Adams will provide employees or staff to assist with the unloading, palletizing, loading, and hauling away of e-waste.

It shall be the awarded Vendor's responsibility to provide and ensure that all employees are adhering to OSHA rules, regulations, and guidelines that concern workplace safety while they are on Thornton or Adams County property.

The typical start time for an event is on a Saturday and no later than 9:00 a.m., with the day's event typically concluding on the same date at around 1:00 p.m. The Vendor and their

employees are to arrive at least two (2) hours prior to start of the event. Please note that during past events, citizens will typically start lining up prior to 8:00 a.m.

Free parking will be provided to the Vendor and their employees/laborers on the day of the event, with a Thornton employee directing all Vendor employees on where to park.

Upon the conclusion of the event, it will be the Vendor's responsibility to ensure that all e-waste items have been secured away in the Vendor's transport trailers. All miscellaneous waste, such as plastic wrap, pallets, and packing materials, shall be collected and removed by the Vendor from the event site, with the event site being left in a clean and orderly fashion.

Thornton and Adams County will not provide a roll off bin for all miscellaneous trash to disposed of by the Vendor.

At the conclusion of the event, the Vendor will have forty-eight (48) hours to remove all Vendor owned or provided equipment and trailers from Thornton property.

B.11 POST-EVENT LOGISTICS:

Thornton and Adams County have typically held a post-event logistics meeting with current and previous Vendors, in order to ensure that the day of the event, everything has been taken care of and all items have been addressed and /or removed from the event site. Thornton would like to continue to have these types of meetings with the awarded Vendor.

B.12 REPORTING:

The awarded Vendor from this solicitation will be required to provide Thornton a post-event report.

All reports shall contain the following information:

- 1) Contact information of the employee of the awarded Vendor who prepared the report;
- 2) Date of the report;
- 3) Copies or a summary of all weight slips for all trailers containing event produced e-waste, with tonnage collected, and the conversion to pounds (lbs.);
- 4) A total count of all vehicles that participated in the event;
- 5) Average weight in pounds (lbs.) per vehicle;
- 6) Miscellaneous notes; and
- 7) Additional information may be requested by the Thornton during the term of the resulting contract.

B.13 DEMONSTRATIONS AND INTERVIEWS:

Thornton reserves the right to review a Vendor's proposed solution that would be on hand or in the field of use. The proposed solution may be viewed at Thornton's sole discretion virtually or at a physical Thornton facility. It will be a Thornton's sole discretion if a demonstration is deemed to be necessary during the evaluation phase of this solicitation.

In addition to demonstrations, 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 demonstration or interview conducted by Thornton during this RFP process.

B.14 PAYMENTS AND INVOICING:

As this is a cooperative venture between Adams County and Thornton, the agreed upon division of cost 50/50, with fifty percent (50%) of the total cost being paid by each governmental body. Due to the even split of cost, the awarded Vendor from this solicitation will expect to receive payment from both Adams County and from Thornton. It will be the Vendor's sole responsibility to collect payment from each of the participating entities, as neither entity shall be responsible for bearing the cost of the other entity's portion of the total cost.

Thornton's intention is to issue a Blanket Purchase Order (BPO) to the awarded Vendor at the beginning of each calendar year. Vendors are to note that this BPO is a not-to-exceed amount of a Purchase Order and will be based upon an average of previous years of collection and the awarded Vendor's pricing. The amount on the BPO may be allowed to increase, but only after consulting with the Purchasing Division and a charge order being issued.

B.15 INVOICING REQUIREMENTS:

Thornton's Accounts Payable Division is the only division within Thornton that issues payments to Vendors who 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.16 DISPOSITION OF PROPERTY:

The awarded Vendor will be required to dispose of all collected materials in a safe, environmentally friendly, and timely manner that adheres to all local, state and federal laws. All computer hard drives collected by the Vendor shall be destroyed in a manner that does not allow for them to be accessed any further.

B.17 SITE VISITS:

Thornton and Adams County reserves the right to conduct site visits at the Vendor's location(s) during the evaluation period and also during the awarded contract. Thornton and Adams County

will make every reasonable effort to provide at least forty-eight (48) hours' notice prior to site visit request.

The purpose of a site visit during the evaluation will be to ensure that a proposing Vendor is capable of what they have proposed for collection and disposition. The purpose of a site visit after an award has been made is for either entity to view and ensure that the awarded Vendor is compliant with all environmental and disposition of property standards.

B.18 VENDOR PERFORMANCE MANAGEMENT:

Thornton may administer a Vendor performance management program as part this proposal and resulting agreement. 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.

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 within this RFP. The **quality and detail** of your responses, along with how closely your firm can meet or exceed Thornton's Scope of Work expectations from Sections B, 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 agreement between the Vendor and Thornton as an additional exhibit or as part of a finalized Scope of Work.

C.2 PROPOSER QUESTIONS:

Your proposal response must specifically address each of the questions/issues that are listed within this RFP. The **quality and detail** of your responses, along with how closely your firm can meet or exceed Thornton's Scope of Work expectations from Section B, 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 agreement 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 for evaluation, 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.

1. **General Vendor Summary-** please provide a brief description of the following:
 - a. Who you are a proposing Vendor?
 - b. Your locations for the collection and dismantling of e-waste items.
 - c. Number of years in business and the form of organization.
 - i. Include within your proposal, a current copy of your company's W-9.
2. **Personnel-** Please provide the following information on your personnel that will assist Thornton with these requested needs. Individual resumes may be included as part of your response, but shall be limited to one (1) page per person.
 - a. Who will be Thornton's dedicated Account Representative and Event Coordinator?
 - b. Does your firm have an Environmental/Health/Safety person on staff?
 - c. List of any and all subcontractors that you intend on utilizing during the potential contractual agreement.

3. **Experience-** Please provide at least three (3), but no more than five (5) governmental entities, educational entities, or private firms that your company has provided similar e-waste collections service for in the past five (5) years. Include in your answer, the following information.
 - a. Name of the municipality or firm, including a current contact person.
 - i. Contact shall have name, title, phone number, and email address.
 - b. Has your company performed any cash handling or credit card reading responsibilities during another municipality or firm's event? Please describe.
 - c. If the e-waste was collected at large events or if over an entire year.
 - i. If during large events, including the following:
 1. Number of events each year that your firm provided service.
 2. Amount of tonnage/lbs. collected at each event.
4. **Logistics for Pre-Event and Post-Event-** Please provide a description of how your company will approach both a pre-event and post-event meeting to ensure that all needs are being met. Include in your description, any other pertinent details that Thornton may have not already included in the Scope of Services that will ensure a good foundation and business partnership is formed.
5. **Day of Event Staffing-** Please provide a description of how your company will ensure that an appropriate number of employees will be present to run an event.
 - a. Include in your answer an approximate number of employees that will be present during the day of the event.
 - i. Please note, an answer of "Whatever it takes" is **not** a sufficient answer to this question and will be duly noted during the evaluation.
6. **Day of Event Equipment-** Please provide a description of how your company will ensure that an appropriate amount of equipment will be present for your employees to run an event.
 - a. Include in your response, answers to the following:
 - i. Number of expected trailers for a Spring event based on previous annual averages.
 - ii. Number of expected trailers for a Fall event based on previous annual averages.
 - iii. Number of forklifts expected to be present for either a Spring or Fall event.
 - iv. Number of credit card readers available for either a Spring or Fall event.
7. **Disposal and Recycling Practices-** Please provide information and answers to the following:
 - a. Include in your proposal a copy of your current EPA certification and EPA number.
 - b. Include in your proposal a copy of your R2 or e-Steward certification, as well as any other waste and recycling certifications that your company currently holds.
 - c. What does your company consider acceptable for e-Waste and other household items to be turned in during an event or directly to your facility?
 - d. What does your company consider **not** acceptable for e-Waste and other household items to be turned in during an event or directly to your facility?

- e. Provide a brief description of what is the end result of the e-waste that is collected from these types of events? What is your downstream process?
 - f. What is your company's process for recycling CRTs and projection televisions?
 - g. How does your company provide post event documentation that confirms the erasing and destruction of any collected hard drives?
- 8. Hosting Events at your Facility**
- a. What is your firm's experience with hosting large scale events?
 - b. What recommendations, based on this RFP's Scope of Work, would your firm recommend to Thornton for hosting large scale events at your firm's location?
- 9. Closing Statement and General Approach to Scope of Services-** Please provide a brief description of how you believe your company will be able to provide the necessary services if you are chosen as the awarded Vendor from this solicitation.

SECTION D: PRICING
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, service requirements, 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 hardware, service, support, software, travel, shipping, etc. which is necessary to the success of the project. All items must be identified as a separate line item with pricing and included as part of this RFP, unless otherwise requested by Thornton. Thornton will not increase any subsequent agreement or purchase order (neither 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 PRICING:

Thornton is seeking proposal pricing from firms to provide the aforementioned e-waste recycling services. It is Thornton's preference to have the awarded Vendor's pricing be of **one (1)** single price, rather than broken down by different categories or based upon different items collected. This section shall include a description of the proposed cost and prices. All pricing information shall be limited solely to this section of your proposal.

All pricing proposed shall be all-inclusive price per pound of weight for all items collected by the Vendor before, during, and after the event(s). This all-inclusive price shall include, but not be limited to, fuel and transportation costs, labor costs, machine and equipment rental (if necessary), all e-waste collected no matter the type, etc.

Proposing Vendors cannot offer a separate pricing structure or charge an additional fee(s) for credit card payments.

Proposing Vendors must fill out the below price rate in the provided chart below.

Proposing Vendor's Name	Vendor's Proposed Cost per Pound
	<div style="text-align: right;">\$ _____ /lb.</div>

D.3 ANNUAL PRICE UPDATES:

The awarded Vendor must hold the Bid prices quoted firm until December 31, 2024, after which time the Vendor may request annual price adjustments for inflation based on the Denver-Aurora-Lakewood Price Index upon mutual agreement of the Parties.

Price adjustment requests are to be made by the Vendor in writing (e.g., email) to the Thornton Purchasing Division, no later than sixty (60) calendar days prior to the agreement's renewal date or year in which the adjustment may take effect. Should the Vendor fail to submit a request for a price adjustment to Thornton's Purchasing Division, then the current pricing shall remain in effect for the following renewal period of the agreement.

A link to index that is current at the time of this solicitation has been provided below:

https://data.bls.gov/pdq/SurveyOutputServlet?data_tool=dropmap&series_id=CUURS48BSA0,CUUSS48BSA0

Notwithstanding the above, Thornton may, at its sole discretion, consider other publicly published pricing indices and/or modifications as deemed appropriate given market conditions. Note, Thornton is under no obligation to make such considerations and may require vendors to provide documentation substantiating any unusual market conditions beyond its control.

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 Purchasing Analyst 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 Purchasing Analyst 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 solely responsible 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.2 – Pricing – Your firm’s proposed price
- 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 agreement, 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 agreement, 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 within their proposal documents to Thornton.

In general, it is not acceptable to Thornton for a proposing Vendor to mark information other than the following items 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, nor the entirety of your proposal, as confidential or proprietary. Failure to adhere to these restrictions may result in your proposal being deemed 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:

Award will be made on an "all or none" basis. Prices must be shown for each item listed. Proposals submitted without individual item prices listed will 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 their designee. Proposals shall be evaluated on the basis of 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 their 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 degree to which the Vendor's proposal meets or exceeds the needs as defined in the RFP, including any additional value-add items.
- 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.12 POST AWARD PURCHASE ORDER:

A Purchase Order (PO) may be generated by Thornton's Contracts and Purchasing Division as a result of the Award from this solicitation. This Award shall allow Thornton to place orders on an as-needed basis for future years' worth of needs that may arise, based on City Agency actual needs. All future year POs 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.13 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.

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 expectations for the awarded Vendor from this solicitation. This sample agreement is subject to change at Thornton's sole discretion.

The sample agreement that has been provided by Thornton shall serve as the overarching agreement for this project, its subsequent renewal years, and all work performed by the Vendor and if applicable, their subcontractors for the duration of the entire agreement period. The opportunity for a prospective Vendor to provide any proposed redlines to Thornton's sample agreement is during the submittal process and all Vendor proposed redlines shall be submitted with the Vendor's final proposal. This sample agreement is subject to change at Thornton's sole discretion.

Thornton does not anticipate signing any separate Vendor contractual documents, including separate general or online terms and conditions, Vendor agreements, Vendor quotations with separate terms and conditions, etc. Vendors who have such documents that are required for their solution must submit these documents for Thornton's review and potential incorporation into the final agreement between both Parties as part of their final proposal submission.

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 Purchasing Analyst 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:**

1) Vendor indicates acceptance of the following conditions:
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: _____

Date: _____

Submitted By (Printed): _____

Submitted By (Signature): _____

Title: _____

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) 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: _____

Date: _____

Submitted By (Printed): _____

Submitted By (Signature): _____

Title: _____

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 Purchasing Analyst of Record listed within this solicitation in Section A.2 – Purchasing Analyst of Record.

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

Megan deGrood, CPPB
Purchasing Manager