

**REQUEST FOR PROPOSAL (RFP)**

**RFP No. 331-24**

**JULY 4<sup>TH</sup> EVENT PRODUCTIONS  
FOR AUDIO, LIGHTING, AND STAGE**

**Purchasing Analyst of Record: Denise Serna**  
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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.

<b><u>Solicitation Item</u></b>	<b><u>Date</u></b>	<b><u>Time</u></b>
<b>Proposal Issued</b>	<b>10/08/24</b>	
<b>Deadline to Submit Additional Questions</b>	<b>10/21/24</b>	<b>5:00 P.M.</b>
<b>Response to Written Questions</b>	<b>10/24/24</b>	<b>5:00 P.M.</b>
<b>Proposal Due Date</b>	<b>10/30/24</b>	<b>5:00 P.M.</b>

**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: **Denise Serna**  
 Title: **Purchasing Analyst**  
 Email: [Denise.serna@Thorntonco.gov](mailto:Denise.serna@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 all labor, materials and equipment necessary to coordinate, plan, set up and tear down, operate equipment, and removal of all equipment and materials after the event.

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

Thornton's July 4<sup>th</sup> event attendance is estimated at sixty thousand (60,000) during the peak of the event (9:00 p.m.). The performance areas are located at Carpenter Park fields 11151 Colorado Boulevard, Thornton, CO 80233. Included in Exhibit 1 are images from the event taken in 2017. Fireworks are discharged from an area behind the stage with the firework fall zone area fenced off for safety (see Exhibit 1).

The awarded Service Provider and Thornton's end user representative(s) shall jointly develop a detailed written finalized Scope of Work plan for the event. Any subsequent change in the event's Scope of Work and/or resulting pricing corrections must be accomplished by modification of the Purchase Order for the event.

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

The City of Thornton is requesting proposals from Bidders with experience in providing audio, lighting systems and stage for the July 4<sup>th</sup> celebration in Thornton. The venue is typically open park area of approximately 15-30 acres. It is a single event on July 4<sup>th</sup>, weather permitting. Pricing for this event shall include all labor, materials and equipment necessary to coordinate, plan, set up and tear down, operate equipment, and removal of all equipment and materials after the event.

**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, 2029**. 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 SCOPE OF WORK – GENERAL CONSIDERATIONS:****GENERAL REQUIREMENTS:**

- A. The Service Provider shall provide all labor, equipment, materials, and supplies required, including delivery, set-up, take-down, and removal of equipment from site.
- B. The Service Provider shall designate specific support personnel that shall be available on-call and that may be contacted if problems occur during the event, including after normal business hours. The Service Provider shall provide the necessary information for day-time and after-hours contact names and phone numbers for use during days of set-up, use, and take-down.
- C. The Service Provider shall be responsible for coordinating all aspects of the availability, scheduling, set-up, operation, maintenance, and take-down of equipment with Thornton's designated Project Manager.

- D. Rate charges shall apply only to the contracted day(s) of actual use. Set-up and removal days/time(s) shall be considered incidental to the work and shall not be charged separately.
- E. In the event that inclement weather occurs or is imminent, the Service Provider shall work with Thornton's Project Manager regarding special or revised instructions regarding set-up and take-down.
- F. In the event that cancellation of an event is required, the Service Provider shall be compensated based on the time for services rendered.
- G. All equipment must be in good repair and of a condition that ensures its safe use.
- H. All technicians and laborers must be adequately trained and familiar with the equipment to accommodate its proper installation and successful use.
- I. The Service Provider shall attend all necessary meetings with Thornton staff, festival performers, and vendors in advance of the work to develop a clear and concise work plan, equipment list, and personnel requirements in advance of all events.
- J. The Service Provider shall begin set-up of all equipment in advance of the event to ensure that all elements are in place and properly functioning before the event begins. Exhibit 1 ariel photos are included of the area.
- K. Schedule and Labor for each day as specified below:

**Build Day:** July 3<sup>rd</sup>, 9:00 a.m. – 5:00 p.m.

Front of House Engineer  
Monitor Engineer  
Lighting Tech  
Audio Tech  
Stagehands

**Show Day:** July 4<sup>th</sup>, 9:00 a.m. – 9:30 p.m.

Front of House Engineer  
Monitor Engineer  
Lighting Tech  
Audio Tech

**Tear Down:** July 4<sup>th</sup>, 9:30 p.m. – 11:30 p.m.

Front of House Engineer  
Monitor Engineer  
Lighting Tech  
Audio Tech  
Stagehands

**JULY 4<sup>TH</sup> CELEBRATION:****Stage, Lighting, and Audio System Technical Specifications (or Approved Equals):**

- 1) **Stage:** One (1) Stageline SL320 (or approved equal) Mobile Hydraulic Stage, 40' x 40', with Roof, Backdrop, and Skirting. The equipment must be able to support an eighty (80) person symphony orchestra. The stage shall be set up on a seventeen (17) acre open-air site accommodating up to a fifty thousand (50,000) member audience.

**Including, But Not Limited To, The Following Components:**

- Wings – 2' x 12' x 16' x 4'
- Loading Dock – 24' x 20' x 4'

- 2) **Lighting:** Will be full stage lighting for the entire area specified above, and shall be operable from the sound system mixing location.

**Including, But Not Limited To, The Following Components:**

- Lighting Power Distro (one moving light distro – motion lab – 36 circuit, 120v or equivalent);
- Lighting Instruments;
- Lighting Console;
- Dimmers;
- Lighting Cables; and
- Rigging.

- 3) **Audio System:** Shall be amplified sufficiently to reach up to a fifty thousand (50,000) member audience with the ability to make announcements prior, during, and following the event. The music will be amplified during the fireworks display, and is choreographed to the fireworks show. The sound amplification system for the stage shall consist of amplifiers, microphones, speakers, mixing board, and all interconnect wiring necessary for a complete functioning system. Provide a sound engineer to mix the sound during each performance.

**Including, But Not Limited To, The Following Components:**

- Audio Consoles;
- Speaker Cabinets;
- Wireless Units;
- Audio Kits;
- Symphony Microphones;
- Racks;
- Scaffolding;
- Power;
- Cargo Control;
- Rigging;

- Staging;
- Drape; and
- Microphone Kit for Main Stage Band.

4) **Staffing:**

**Including, But Not Limited To The Following:**

- Front of House Engineer;
- Monitor Engineer;
- Lighting Tech;
- Stagehands; and
- Audio Tech.

**B.5 ESTIMATED QUANTITIES:**

Quantities listed are Thornton's best estimate and do not obligate Thornton to order or accept more than Thornton's actual requirements during the period of the resulting purchase order, as determined by actual needs and availability of appropriated funds. It is expressly understood and agreed that the resulting purchase order is to supply Thornton with its complete actual requirement of the materials specified in this proposal.

**B.6 F.O.B. POINT:**

Prices quoted shall be F.O.B. Destination before the event, unloaded and installed at the following location:

Margaret Carpenter Fields  
11151 Colorado Boulevard  
Thornton, CO 80233

**B.7 DELIVERY CONSIDERATIONS:**

Delivery is of the essence. The awarded Bidder will be required to deliver all items within the required timeframe.

**B.8 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.9 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](mailto: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.10 FELONY DISQUALIFICATION:**

The vendor shall not employ, retain, hire or use any individual that has been convicted of any felony charges as the same is defined under the laws of the State of Colorado in the performance of the services to be rendered and materials to be provided to Thornton pursuant to this proposal unless the vendor receives prior written permission from the Director of Support Services. The Director may require that a fidelity bond, or such other assurance in such amount as deemed appropriate, be provided to Thornton as a condition precedent to the grant of such permission.

**B.11 VENDOR PERFORMANCE MANAGEMENT:**

Thornton may administer a Vendor performance management program as part this proposal. 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.12 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 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.

**C.2 PROPOSAL QUESTIONS:**

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.

**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) The year your firm was established;
- e) A brief listing of your Vendor core competencies; and
- f) A current copy of your firm'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 as possible.

- a) Include in your reference information:
- i) Name of the municipality or firm;
  - ii) Client's headquarters address;
  - iii) Current reference contact information, including the Reference's:
    - (1) Name;
    - (2) Title;
    - (3) Phone number;
    - (4) Email address;
  - iv) Project start date (date of signed agreement);
  - v) Project end date (project close-out date);
  - vi) Project description including all services performed; and
  - vii) Contractual value.
- b) Please provide the number of overall clients that you have currently using your proposed solution, including:
- i) Within the United States; and
  - ii) Within the State of Colorado.

## **B. Proposed Solution Engagement**

### **1) Vendor Engagement Team**

Please provide the following:

- a) Each team member in the project engagement team's role;
- 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 of Thornton's Project Personnel**

Please provide the following:

- a) Identify the recommended Thornton personnel project team roles;
- b) The responsibilities of each role; and
- c) The estimated daily/weekly hours required of Thornton's personnel over the entire project life-cycle.

### **3) Engagement Methodology**

Thornton's expectation is that the awarded Vendor will use their expertise to provide proactive leadership, guidance, and direction to the Thornton, CO team throughout each phase of the project life cycle while working collaboratively to plan and implement the solution.

- a) Please describe in detail, your preferred engagement methodology for this project based on Thornton's Scope of Work.
  - i) Please provide any previous examples and additional documentation to support your methodology, as necessary.

#### 4) Project Schedule

Please provide the following:

- a) A **proposed** project schedule via a Gantt chart or other type of chart, in terms of calendar days based upon the RFP Scope of Work and your proposed engagement methodology.
  - i) Use "Day 1" as the date of a fully executed agreement being signed by both Parties, with no prior work having been completed prior to a signed agreement being put into place.
  - ii) Ensure that you list the number of calendar days are expected for each portion of the project schedule.
  - iii) Ensure that you include all proposed milestones and deliverables that are required to complete this project.

#### 5) Project Success and Acceptance Criteria

Please provide the following:

- a) Your project success and acceptance criteria and note any concerns or comments. Include a description of the approach your firm uses to close out a project.
  - i) Include an example of your firm's Project Acceptance Form, if applicable.

#### 6) Change in Scope

Please provide the following:

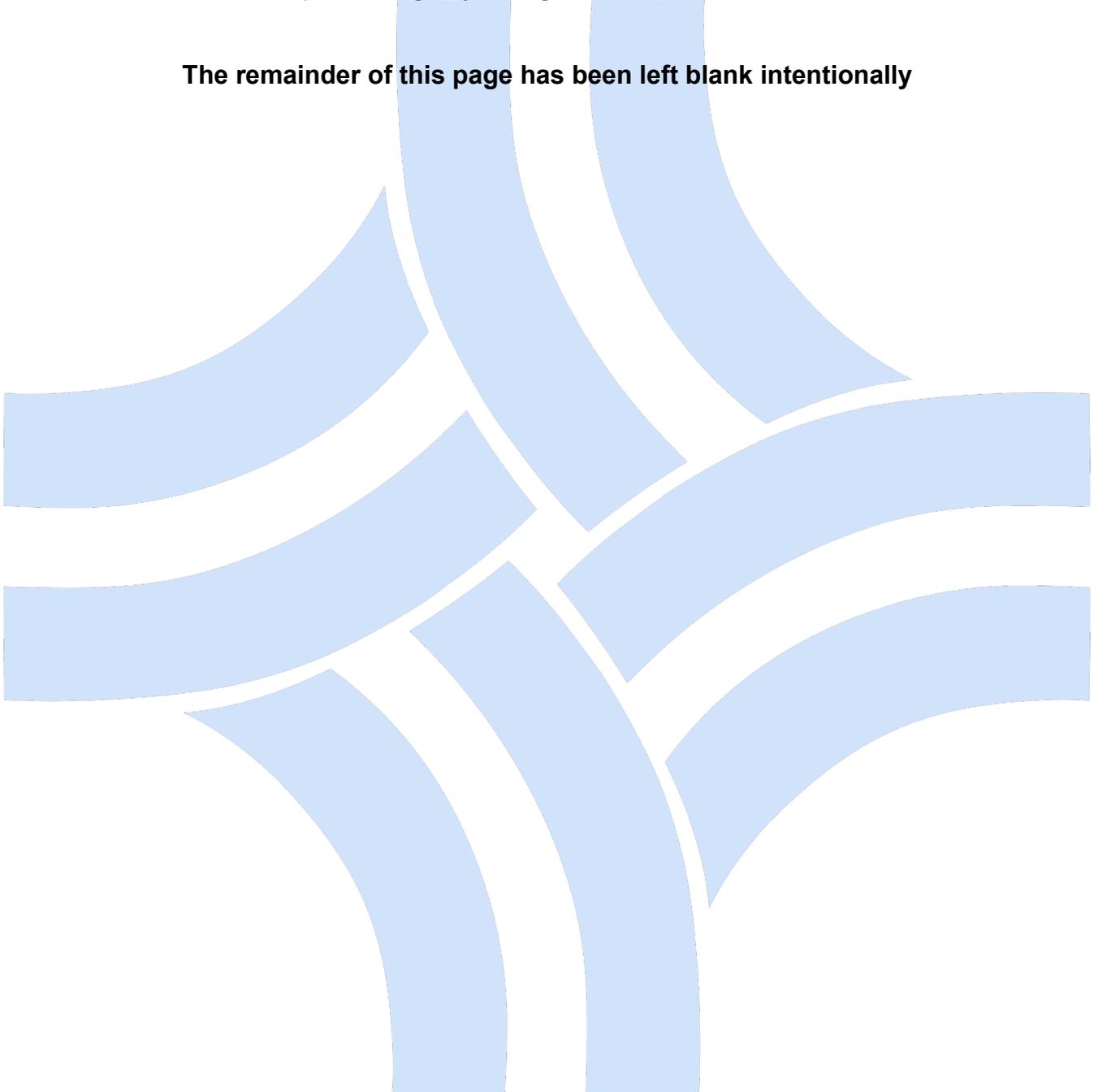
- a) A description of your firm's process to determine if a request made by Thornton is deemed as being out of scope from a resulting agreement.
  - i) Include an example of your firm's Project Change Form, if applicable.

- (1) **Note:** All potential change orders shall be reviewed and approved by the Thornton Purchasing Division prior to execution of any change orders. The Thornton

Purchasing Division may issue an individual purchase order for any particular change order performed under a resulting agreement.

Vendors are to note that Thornton retains the right to utilize Thornton's own Change Order form when performing any change order.

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## 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, 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 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”). If issued, the BAFO may be included as a final pricing evaluation tool by Thornton to aid in the award decision process.

### D.3 PRICING:

The awarded Vendor must hold the Bid prices quoted firm until **December 31, 2025**, 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](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.

#### **D.4 PROPOSAL ITEMS:**

Bidder shall provide pricing in a separate quote form for all equipment (owned or rented), labor and materials utilized for Thornton's July 4<sup>th</sup> event. Include make and model of equipment and applicable rates, labor rates for billable personnel and descriptions and related costs for any other even-related services. The breakdown shall be in the following categories with a total cost.

- Audio;
- Lighting;
- Stage; and
- Labor - staffing/job description, daily cost

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

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

- Thornton's Purchasing website: <https://solicitations.thorntonco.gov/solicitations>

Thornton's website operates 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 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 emailed to the Purchasing Analyst listed in the proposal at [denise.serna@thorntonco.gov](mailto:denise.serna@thorntonco.gov).

Proposing Vendors who are unable to submit via email, 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.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 – 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](mailto: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. The Vendor will not be able to modify, save, nor change 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) will not be immediately generated by Thornton's Contracts and Purchasing Division as a result of the Award from this solicitation. However, 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 during the stated award period. 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.

**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 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.

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**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 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.

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Megan deGrood, CPPB  
Purchasing Manager

**EXHIBIT 1****MARGARET CARPENTER PARK ARIEL PHOTOS OF  
JULY 4<sup>TH</sup> EVENT**

Under Separate Cover

