

REQUEST FOR PROPOSAL (RFP)

RFP No. 458-24

ORGANIZATIONAL REVIEW

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TABLE OF CONTENTS

SECTION A: SCHEDULE, PURCHASING ANALYST OF RECORD, AND GENERAL SUMMARY OF NEEDS	4
A.1 SCHEDULE OF EVENTS:	4
A.2 PURCHASING ANALYST OF RECORD:	4
A.3 GENERAL SUMMARY OF PROCUREMENT NEEDS:	4
SECTION B: CURRENT STATE, SCOPE OF WORK, AND SPECIAL CONSIDERATIONS ...	5
B.1 CURRENT STATE:	5
B.2 SCOPE OF WORK – GENERAL CONSIDERATIONS:	5
B.3 AWARD LENGTH:	7
B.4 ESTIMATED QUANTITIES:	7
B.5 SAMPLES:	8
B.6 DEMONSTRATIONS AND INTERVIEWS:	8
B.7 INVOICING REQUIREMENTS:	8
B.8 FELONY DISQUALIFICATION:	8
B.9 VENDOR PERFORMANCE MANAGEMENT:	9
B.10 COOPERATIVE PURCHASING:	9
SECTION C: PROPOSAL QUESTIONS TO PROSPECTIVE VENDOR	10
C.1 INSTRUCTIONS FOR ANSWERING QUESTIONS:	10
C.2 PROPOSAL QUESTIONS AND FORMAT:	10
SECTION D: PRICING AND PROPOSAL ITEMS	12
D.1 PRICING INFORMATION:	12
D.2 BEST AND FINAL OFFER:	12
D.3 TARIFFS:	12
D.4 PRICING:	12
D.5 ANNUAL PRICE UPDATES:	13
D.6 PROPOSAL ITEMS:	13
SECTION E: PROPOSAL INSTRUCTIONS, EVALUATION, AND AWARD	14
E.1 PROPOSAL POSTED LOCATIONS:	14
E.2 PROPOSAL QUESTIONS:	14
E.3 ADDENDA:	14

E.4 SUBMISSION OF PROPOSALS:	14
E.5 DOCUMENTS FOR FINAL VENDOR SUBMISSION:	15
E.6 CONFIDENTIAL AND PROPRIETARY INFORMATION	15
E.7 LATE PROPOSAL SUBMISSIONS:	16
E.8 AWARDS:	16
E.9 ACCEPTANCE PERIOD:	16
E.10 EVALUATION OF PROPOSALS:	17
E.11 EVALUATION CRITERIA:	17
E.12 POST AWARD PURCHASE ORDER:	18
E.13 STANDARD PROPOSAL CONSIDERATIONS:	18
SECTION F: SAMPLE AGREEMENT	19
F.1 SAMPLE AGREEMENT:	19
SECTION G: REQUIRED VENDOR SIGNATURE FORMS	20
G.1 ACCEPTANCE AND ADDENDA ACKNOWLEDGEMENT FORM:	20
G.2 SAMPLE AGREEMENT ACKNOWLEDGEMENT FORM	21
G.3 REFERENCES AND AUTHORIZATION AND RELEASE FORM:	22
SECTION H: AUTHORIZATION FOR SOLICITATION POSTING	23
H.1 PURCHASING MANAGER FORM:	23

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	12/26/24	
Deadline to Submit Additional Questions	01/10/25	4:00 P.M.
Response to Written Questions	01/14/25	
Proposal Due Date	01/23/25	3:00 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: **Megan deGrood**
Title: **Purchasing Manager**
Email: **megan.degrood@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 organizational review services. The awarded Service Provider will be responsible for reviewing and evaluating the organizational structure of Thornton.

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

A new City Manager joined the City of Thornton in October of 2024 after two (2) long-standing City Managers: one (1) with thirty-two (32) years of service and the second with seven (7). During this period, the City of Thornton has grown from approximately 42,000 population in 1980 to approximately 145,000 currently. While Thornton has made programmatic investments to address growth, its organizational structure has not been evaluated or changed in many years.

B.2 SCOPE OF WORK – GENERAL CONSIDERATIONS:

This project will evaluate the current structure of the organization using engagement with employees, application of best and emerging practices, and evaluation of peer cities. While this scope identifies areas of evaluation emphasis, it does not preclude the consultant from evaluation or recommendations in areas that emerge through the evaluation process. The Areas of Evaluation Emphasis below focus on the structure of the City Manager's Office, multi-service departments, and alignment of key operations. The goal is to assist the City Manager in developing an organizational structure that will enhance decision-making, collaboration and service delivery, and increase Thornton's capacity to address emerging areas of policy and services in growing and urbanizing communities.

Areas of Evaluation Emphasis

1. Evaluate the structure and processes of the City Manager's Office, including span of control, facilitation and communication between the City Council and City staff, and the resources needed to provide leadership in the areas of strategic planning, organizational culture, community relations, and staff development.
2. Evaluate the structure of multi-service departments to ensure appropriate scale, scope, and organizational visibility is appropriate to the services provided and to meet the strategic goals of Thornton.

Potential Department Scope of Review: Parks, Infrastructure, Management Services.

3. Evaluate the structure and alignment of neighborhood-based and community-serving programs and the effectiveness and efficiency of communication and coordination between the staffs in service in areas such as housing, neighborhood issues, quality of life, community engagement, and other coordination with services that address community-based needs.

Potential Department Scope of Review: Police, Fire, Parks, (Community Connections), City Development.

4. Evaluate the current structure and ability to deliver capital project management to ensure appropriate planning and prioritization, coordination, consistency of practices, and appropriate efficiency given current decentralized nature of capital project management.

Potential Department Scope of Review: Management Services, Infrastructure, Parks, Budget, City Development

5. Evaluate how well the organizational structure and alignment of internal and support services allows strategic leadership and city-wide coordination of efforts with respect to Communication, Information Technology, Human Resources, and Management Services. Additionally, review services currently provided through the use of external contractual resources (or services that may lend themselves to external contracts) to ensure that the use of external contractual resources meets best practices.

Potential Department Scope of Review: Communication, Human Resources, Management Services, Finance

6. Evaluate the structure, alignment and coordination of growth and development issues and processes related to economic development, city development and finance to ensure efficient and effective decision-making processes that encourage coordinated land use, affordable housing, economic development and transportation strategies.

Potential Department Scope of Review: City Development, Economic Development, Parks, Finance and Infrastructure

7. Identify organizational structure and practices in Peer Cities related to emerging areas of local government policy and service that are relevant to Thornton as a growing and urbanizing community, to include, but not limited to, affordable housing, sustainability, inclusion/accessibility, customer service, and innovation. Include the resources that would be necessary to operationalize these practices in Thornton.

Overarching Considerations for Areas of Evaluation Emphasis

For any structural recommendations, identify any position or administrative impacts and any off-setting opportunities that could limit the cost and position impacts of implementation. To a reasonable degree, ensure that recommendations consider funding limitations, impacts to existing or best practices internal controls, and the benefits/costs of implementation.

Review Methodologies:

The Consultant will propose a project scope and timeline that will incorporate engagement, review of key Thornton documents, evaluation of structures and practices of peer cities, and review of best and emerging practices.

1. The engagement process will create opportunities for City Manager's Office Staff, key personnel in Departments identified in the "Potential Departments of Review", broad representation of City Employees, and Elected Officials to provide feedback about challenges and opportunities that may be addressed by structural changes or other engagement opportunities as identified by the engagement plan.
2. Evaluation will include review of documents that illustrate the current focus, workload, and ongoing projects in the organization including organization charts, prior Strategic Plans, summaries of City Council priorities, Budget and Capital Improvement Plan, Department Work plans (where available), or other key planning documents.

3. Thornton evaluated cities that could be considered to be peer cities based on factors including population, growth rate, organizational size, and community character. City staff completed preliminary analysis of peer cities but would expect a final list that will allow Thornton to learn from high-performing organizations on both this and future research and benchmarking efforts.
4. Analysis should also include exploration of best or emerging practices that are supported by research, professional organizations, or that are clear prevailing practices in local government management that may affirm or append Peer City Research.

Project Deliverables:

Report documents and presentations to summarize work performed to include:

Review of draft recommendations with representatives of the City Manager's Office.

1. Final Report.
2. Executive Summary:
 - a. Engagement Summary with areas of Key Opportunity;
 - b. Summary of peer and best practices and key conclusions; and
 - c. Organizational recommendations including:
 - i. Structure.
 - ii. New or re-aligned positions.
 - iii. Estimated cost implications of recommendations.
 - iv. Implementation options/ approaches (e.g., recommendations for phasing of changes, if appropriate).
3. Presentation to be performed by consultant to Senior Leadership Team at report finalization.
4. Information to support internal communication plan and materials to support roll out of recommendations in the organization.

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, 2030**. No further extensions or renewals shall pass this date for service from the awarded Vendor, unless otherwise previously authorized in writing by the Thornton Purchasing Division.

B.4 ESTIMATED QUANTITIES:

Quantities listed are Thornton's current and actual needs, however, they do not obligate Thornton to order or accept more than what has been placed as an original order and by the availability of appropriated funds.

B.5 SAMPLES:

Upon request, vendors are required to furnish a sample of the goods and/or services to be supplied at no cost to Thornton. Any sample submitted shall create an express warranty that the whole of the goods and/or services shall conform to the sample submitted. All samples become the property of Thornton.

B.6 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 at 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.7 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.8 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.9 VENDOR PERFORMANCE MANAGEMENT:

Thornton may administer a Vendor performance management program as part of 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.

B.10 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 from other municipalities and political subdivisions 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 AND FORMAT:

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.

3) Project Proposal Elements:

- a. Cover letter / Letter of Intent.
- b. Firm Qualifications.
- c. Project Understanding, Approach and Schedule:
 - i) Project timeline should include tentative schedule of organizational engagement, progress reports, interim draft and final report.
- d. Team Organization, Experience and Certifications/Qualifications:
 - i) Identify all team members, roles, and estimated work effort of each team member.
 - ii) Submit qualifications or resumes of all personnel working on this project.
 - iii) A list of projects of similar scope or content over the last three (3) years completed by members of the project team
 - iv) Project references and contact information should be included for similar projects.
 - v) Identify all co-consultants and/or sub-consultants that will be utilized.
- e. Proposed Not to Exceed Cost
 - i) The contract will be for a firm and fixed fee. Identify the not to exceed pricing with the supporting documentation of estimated hours and hourly rate schedule for all personnel proposed to be utilized in providing the service. Any proposed or necessary costs for transportation should be included in the fixed fee proposal.
- f. Provide a link to at least one (1) example of a report that includes recommendations related to organizational restructuring.

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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 TARIFFS:

Thornton recognizes the ever-changing geopolitical climate and how this affects the Vendor’s pricing. For the sake of convenience, all pricing submitted with this proposal shall contain all costs, including tariffs that are in place at the time of this proposal’s posting.

If during an awarded period with Thornton, the Vendor sees an increase in the steel and/or plastic prices due to tariffs, then the awarded Vendor is to document this change and submit it with their requested pricing updates. No requested pricing update shall be allowed more than once in any given renewal period.

If during an awarded period with Thornton, the Vendor sees a decrease or elimination of the tariffs that are in place at the time of this proposal’s publication, then Thornton will expect the awarded Vendor to immediately reduce their agreed upon pricing to Thornton by no less than what the reduced/eliminated tariffs had been set at.

D.4 PRICING:

All prices quoted shall be firm and fixed not to exceed cost.

D.5 ANNUAL PRICE UPDATES:

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

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.6 PROPOSAL ITEMS:

Pricing shall be for a fixed, not to exceed fee for the comprehensive services as described in **B.2 Scope of Work**. Identify the not to exceed pricing below and include supporting documentation of estimated hours and hourly rate schedule for all personnel proposed to be utilized in providing the service.

Any proposed or necessary costs for transportation should be included in the fixed fee proposal.

BILLABLE HOURLY RATES AND ESTIMATED TOTAL COST:

Title/Role	Billable Hourly Rate		Estimated Total Hours		Estimated Total Cost
		X		=	\$
		X		=	\$
		X		=	\$
		X		=	\$
		X		=	\$
		X		=	\$

Not to Exceed - Fixed Fee \$ _____

Estimated Total Hours \$ _____

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.6 – 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 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:

The resulting award from this proposal will be a purchase order (PO) generated by Thornton's Contracts and Purchasing Division.

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.

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