

REQUEST FOR PROPOSAL (RFP)

RFP No. 261-25

AUTOMATED TRAFFIC SIGNAL PERFORMANCE MEASURES ("ATSPM") PLATFORM

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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	July 10, 2025	
Deadline to Submit Additional Questions	August 1, 2025	11:00 P.M.
Response to Written Questions	August 7, 2025	
Proposal Due Date	August 19, 2025	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: **Andrew Miskell, CPPB**
Title: **Purchasing Manager**
Email: Andrew.Miskell@ThorntonCO.gov

A.3 GENERAL SUMMARY OF PROCUREMENT NEEDS:

The City of Thornton, CO ("Thornton") is seeking Proposals from interested firms for the purchase of a commercial-off-the-shelf software solution and related hardware necessary for an Automated Traffic Signal Performance Measures ("ATSPM") platform, including implementation services of the platform for a turnkey solution.

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

B.1 CURRENT STATE:

Thornton is a home-rule city of approximately one hundred fifty thousand (150,000) citizens located northeast of Denver in Adams County, Colorado. Thornton is projected to become the fifth largest city in Colorado within the next few years, with population growth to approximately two hundred forty thousand (240,000) citizens by 2065. Thornton has four (4) wards governed by a Mayor and eight (8) City Council members and is managed by a City Manager who serves at the pleasure of the City Council.

Thornton currently has one hundred and eighty-five (185) traffic signals that are maintained and operated by Thornton's Traffic Engineering and Operations Division. Remote monitoring of the traffic signals is achieved using the TransCore TransSuite traffic control system. Communication between the traffic signals and the traffic control system is primarily via fiber, with communication transitioning from fiber to radio for several signals. Thornton is using Econolite Cobalt Rackmount Advanced Transportation Controllers (ATC) with ASC/3-LX firmware for all of its traffic signals. The ATC controllers interface with Thornton's 33x 170 type traffic signal cabinets through a C1S port. For vehicle detection, Thornton uses a mix of Iteris Edge, Iteris Vantage Next, and Iteris Vantage Vector video detection systems as well as inductive loops.

As Thornton continues to expand its boundaries and population, it seeks to improve traffic operation. To aid with monitoring and improving traffic operation, Thornton seeks proposals from qualified Vendors to furnish, install, and test all necessary software and hardware to make operational a commercially available off-the-shelf Automated Traffic Signal Performance Measures (ATSPM) platform and integration of the platform with five traffic signals at the intersections of:

- 1) 120th Avenue & Grant Street
- 2) 120th Avenue & Washington Street
- 3) 120th Avenue & Niagara Street
- 4) 104th Avenue & Colorado Boulevard
- 5) Thornton Parkway & Washington Street

The traffic signals at these five intersections use Iteris Vantage Vector for vehicle detection. Communication to these traffic signals is via fiber. The City will continue to use TransSuite for its central traffic signal system. It is not the City's intent to replace TransSuite.

Thornton's preference is for the ATSPM platform to be a commercial-off-the-shelf ("COTS") modern, cloud-based, SaaS solution, however, proposing Vendors may propose an on-premises solution.

B.2 GOALS FROM THIS RFP:

Thornton's overall goal from this Project is to monitor and improve operation of its traffic network. The desired outcome from this RFP is to find a Vendor that can meet or exceed our goals for the platform identified within this RFP. These main goals include, but are not limited to:

- 1) Integration with existing traffic signal controllers, vehicle detection systems, and traffic signal communication infrastructure.
- 2) Collection of high-resolution data from traffic signal controllers (e.g., phase termination, detector actuations, etc.).
- 3) Storing and archiving data for long-term trend analysis.
- 4) Providing dashboards, reports, and visualizations of performance metrics.
- 5) Supporting user-defined thresholds and alerts for key performance indicators.
- 6) Supporting scalability to expand to additional traffic signals in the future.
- 7) Collection of data and providing performance metrics including, but not limited to:
 - a) Split Monitoring
 - b) Pedestrian Delay
 - c) Purdue Coordination Diagram
 - d) Purdue Split Failure
 - e) Purdue Phase Termination
 - f) Turning Movement Counts
 - g) Approach Volume
 - h) Approach Delay
 - i) Approach Speed
 - j) Arrivals on Red
 - k) Preemption Details
 - l) Timing and Actuation
 - m) Yellow and Red Actuations
 - n) Queue length

B.3 BUDGETARY REQUIREMENTS:

Thornton has a current budget for the initial year and anticipated implementation of an awarded Vendor's proposed solution of one hundred twenty-five thousand dollars (\$125,000).

All future years of service, maintenance and support, and possible expansion of the program are subject to annual funding appropriations review and approval by the Thornton City Council.

B.4 AWARD LENGTH:

The initial award from this solicitation will be from the date of the final signature of the agreement, until **December 31, 2035**. 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.5 FUTURE TRANSITION PLANS:

Upon the conclusion of Agreement with the awarded Vendor, the Vendor shall be required to assist Thornton in a seamless transition process from their award that is issued from this solicitation to the next awarded Vendor when a future solicitation or contracting process is done by Thornton. The awarded Vendor from this solicitation shall not withhold any data, software licensing, reports, etc. from Thornton during a transition process.

Should Thornton's Agreement with the Vendor terminate on the date listed above and Thornton has not found a suitable replacement of services from another Vendor, Thornton may request in writing that the Vendor continue the Service(s) on a month-to-month prorated basis for a continued use of the software and services, until a formal written notice of termination has been provided by Thornton.

Should the awarded Vendor refuse to aid in a transition process that negatively impacts Thornton's financial and operational duties, the Vendor may be considered in breach of the agreement. Should the awarded Vendor become the next awarded Vendor in a future solicitation, this item will be considered moot.

B.6 SCOPE OF WORK – GENERAL CONSIDERATIONS:

The City of Thornton is seeking proposals from qualified firms to provide the necessary software, modules, licensing, implementation, interface/integration points, configurations and customizations, report building, support and maintenance associated with a modern software solution.

B.7 SOFTWARE – REQUIREMENTS TRACEABILITY MATRIX ("RTM"):

Thornton has provided an additional Microsoft Excel workbook under separate cover titled "261-25 RFP Appendix No. 1 RTM". This matrix states the requirements, descriptions of information, and their associated "MoSCoW" values. To the best of Thornton's abilities, Thornton has listed what it may initially consider to be the level of need for each requirement, however, Thornton may consider alternative methodologies of how the requirement is met/exceeded by the proposing Vendor.

The worksheet contains a column titled "Requirement Compliance" with Thornton preset drop down choices, which the proposing Vendor shall answer how their solution meets each listed requirement. These preset drop-down options include: Cannot Meet, Future Release, Out-of-the-Box, With Configurations, or With Custom Programming.

B.8 SOFTWARE – TECHNOLOGY ACCESSIBILITY COMPLIANCE:

In 2021, the Colorado House of Representative passed House Bill 21-1110, which modified and created new guidelines on technology accessibility requirements for all technology items purchased and used by all Colorado municipalities, such as Thornton. These guidelines have been adopted as part of the Colorado Anti-Discrimination Act ("CADA") and currently require all technology products to meet or exceed the Website Content Accessibility Guidelines ("WCAG") 2.1 AA standards. The State of Colorado has put their Office of Information and Technology ("OIT") in charge of developing and distributing the standards for this compliance.

The initial information that has been sent out has stated that all software used by public entities must be Web Content and Accessibility Guidelines ("WCAG") 2.1 AA compliant and in-line with federal ADA standards, no matter if the software is external facing to the public or internal facing to the entity. As part of the set of proposal questions that Vendors will be answering, there is a question within this set that will ask if your firm's solution meets or exceeds these standards, and the resulting agreement will require the Vendor's solution to do so.

Proposing Vendors are to note that Thornton does not govern or have oversight over these requirements. For more information on the CADA and WCAG 2.1 guidelines, please follow this hyperlink to the State of Colorado's Office of Information Technology website: <https://oit.colorado.gov/hb21-1110-faq>

B.9 SOFTWARE – THORNTON PERSONNEL AND FUTURE SYSTEM LICENSING:

Thornton's expectation is that the Vendor shall be proposing a scalable solution that can fulfill Thornton's needs both now and in the future when additional users are required. The proposing Vendor's solution shall be able to provide different levels of users. These levels may include, but are not limited to the levels listed below with a corresponding general description:

- 1) Administrators – Users that can create, modify, delete user profiles, and/or aid in password management for current users, including the ability to assign different Administrators.
- 2) General Users – A user that is operating in the Vendor's solution, including data entry, advanced permission levels, etc.
- 3) View Only – A user that can view KPIs and may be able to generate and/or view reports within the Vendor's solution.
- 4) IT – A user from Thornton's Information Technology division that will aid in any system updates, integration processes, or general issues with the system that requires specific technology knowledge and expertise.

B.10 SOFTWARE – INTERFACE/INTEGRATION POINTS:

Thornton does anticipate requiring the awarded Vendor's solution to interface/integrate into Econolite Cobalt Controllers that Thornton already utilizes.

B.11 SYSTEM DOCUMENTATION:

Upon completion of this implementation, the awarded Vendor shall be required to provide to Thornton a complete systems documentation package. The documentation package in general shall include any applicable drawings, schematics, software and hardware submittals, detailed functional and interface descriptions, user/operator manuals, software programming manuals and procedures and all other required documentation related to the complete ATSPM system. The documentation package shall address all hardware and software provided under this contract and shall be subject to review and approval by the Thornton Technology Project Manager before final system acceptance.

B.12 WORKMANSHIP EXPECTATIONS FOR HARDWARE INSTALLATION:

The awarded Vendor from this solicitation shall perform all installations in a professional manner. This includes maintaining all necessary insurance coverages for their firm for the entirety of the resulting agreement and being responsible for the equipment and environment in which they are working in.

Upon completion, the Thornton PM or assigned personnel shall perform a final walkthrough with the Vendor to ensure that the installation is clean and has been fully completed to the standards and satisfaction of Thornton.

Upon completion of an installation, the Vendor shall not have exposed wiring that presents tripping, shock, and/or fire hazards or cords that could be caught by a passerby/vehicle. Should a final walkthrough with the Vendor and the Thornton PM find an installation that has open holes where wire/conduit is run by the Vendor, uneven or improperly installed hardware, or have left an environment that is aesthetically "unpleasant" which may be considered as unfinished work, then the Vendor shall be required to complete any work found during the final walkthrough that is deemed as unfinished by Thornton, prior to any further payment by Thornton.

Should a Vendor be found to be responsible for damage to equipment or property, whether it be due to negligence or accidental, it shall be at that Vendor's sole cost to repair and/or replace all items that have been found to have been damaged by the Vendor during their time onsite at the Thornton project, unless otherwise absolved in writing by Thornton.

B.13 SUBCONTRACTING INSTALLATION AND MISCELLANEOUS SERVICES:

Thornton does realize that proposing Vendors may have different solutions available to them to fill Thornton's needs. Vendors who only sell a software solution but subcontract the installation of hardware and/or other physical activities to a 3rd party, will be allowed to propose their solution.

Should a Vendor's proposed solution include their software solution but with a 3rd party installer, the proposing Vendor shall identify to Thornton in their proposal who this 3rd party is, and that proposing Vendor will serve as the "Prime" Vendor. The Prime Vendor shall be responsible for any issues with the product itself, and for any workmanship issues with the installation, including but not limited to, any remedies to poor workmanship, warranty claims, insurance coverage, etc.

Proposing Vendors should note that any Vendor who proposes only a software solution and does not provide a solution for installation, may be considered as non-responsive to this solicitation.

B.14 PRODUCT AND WORKMANSHIP WARRANTY:

All warranties and their periods of coverage that are provided by the Vendor(s) shall not begin until the project has been accepted by the Thornton PM. All warranties will be made out to the City of Thornton, Colorado, and should not be made in the awarded Vendor's name.

The Vendor's proposed solution and products sold to Thornton, shall include at a minimum, the following warranties:

- 1) Physical product shall be warrantied for no less than one (1) year from the date of installation of the product.
- 2) Labor for installation of the product shall include at least one (1) year of workmanship warranty.

If a proposing Vendor's warranty coverage exceeds these coverage periods or the coverage periods designated by a product manufacturer, the Vendor should provide this information, as well as additional detailed answers, as an answer to the Proposal Questions. Answers provided by Vendors will factor significantly into Thornton's overall evaluation of a Vendor's proposal.

B.15 DISPOSAL OF REFUSE, PARTS, AND FLUIDS:

The awarded Vendor shall be responsible for the disposal of all refuse, used or broken parts, and fluids, and shall not dispose of any items that violate federal, state, and local laws and statutes. The Vendor shall follow and adhere to all applicable federal, state, and local laws and statutes.

B.16 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.17 FUTURE WORK CONSIDERATIONS AND PROCEDURES:

The agreement that results from this solicitation with the awarded Vendor shall serve as the basis for the agreed upon terms and conditions and general expectations for all projects under this award. For future work that includes new modules, additional interface/integration points, etc., where funding has been appropriated by Thornton's City Council, will likely follow the general process below between the awarded Vendor and Thornton:

- 1) An initial needs assessment and design meeting with the Thornton PM or Thornton IT personnel that is assigned to the project, and the Vendor personnel.
- 2) An initial Vendor recommendation and quoted SOW with pricing that reflects the agreement's pricing structure and requirements that is to be sent to the Thornton PM (and Thornton IT personnel if not already the Thornton PM) for review.
 - a) Each Scope of Work shall contain at a minimum:
 - i) Detailed line-item pricing with units, descriptions, quantities, estimated labor hours, etc.;
 - ii) Confirmation of the agreement's pricing structure having been utilized;
 - iii) Implementation schedule;
 - iv) Milestone payments with detailed Scope of Work deliverables under each milestone payment; and
 - v) Any additional special considerations regarding the job environment.

(1) Note, it is at this stage that the PM and the Vendor may have revisions of the Scope of Work, pricing, and any required IT security/architectural drawings in order to reach a final fulfillment of Thornton's needs.
- 3) Once the Thornton PM finds the quote satisfactory, the Thornton PM will enter a requisition into Thornton's financial system for the finalized Scope of Work and pricing, which will flow to a Contracts/Purchasing Analyst in the Contracts and Purchasing Division for review.
- 4) Upon review and approval from Contracts and Purchasing Division, the Purchasing Analyst will coordinate with the Vendor to execute a signed Change Order Form.
- 5) Once the Change Order Form has been fully executed, the Purchasing Analyst will then create a Purchase Order based upon the finalized Scope of Work and pricing, which the Analyst will disseminate to the Vendor and the PM.
 - a) Once the Purchase Order has been issued and disseminated, the work may then proceed between the Vendor and the Thornton PM.

B.18 F.O.B. POINT:

Prices quoted shall be F.O.B. Destination and delivered, as required, to the following points:

All project reports, implementation processes, meetings, inquires, and other project required items are to be delivered to Thornton's IT Division, unless otherwise directed by the Thornton Project Manager, located at:

Thornton Infrastructure Maintenance Center, Traffic Division
12450 Washington Street
Thornton, CO 80241
Attention: Thornton Traffic Engineering Project Manager

All software maintenance licenses, and future renewals are delivered to Thornton's Information Technology Division, located at:

Thornton City Hall
9500 Civic Center Drive
Thornton, CO 80229
Attention: Information Technology Division

B.19 HOURS OF OPERATIONS:

Thornton currently operates under normal business hours for most employees and offices. Normal business hours shall be defined as 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding Thornton observed holidays.

B.20 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 this agreement, as determined by actual needs and availability of appropriated funds. It is expressly understood and agreed that the resulting agreement is to supply Thornton with its complete actual requirement of the materials specified in this proposal for the contractual period.

B.21 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.22 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.23 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.

The remainder of this page has been left blank intentionally.

SECTION C: PROPOSAL QUESTIONS TO PROSPECTIVE VENDOR

C.1 INSTRUCTIONS FOR ANSWERING QUESTIONS:

Your proposal responses must specifically address each of the questions/issues that are listed within this RFP. Proposers are encouraged to give examples and provide comprehensive information to support your compliance on each point. 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.

Based upon your firm's answers to these proposal questions, Thornton may shortlist the number of proposing Vendors down to a select number for further evaluation, including demonstrations and interviews. It is **highly recommended** that your firm provide detailed answers to these questions, as Thornton does not anticipate that it will request demonstrations and interviews from all proposing Vendors.

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.

Thornton has provided the proposal questions for proposers to answer as a Microsoft Word file under separate cover titled "261-25 RFP Appendix No. 2 Proposal Questions".

C.3 THORNTON CYBERSECURITY QUESTIONS:

In addition to the standard proposal questions that Thornton asks with this solicitation from Section C.2, Thornton intends on asking additional questions regarding your firm's cybersecurity practices and policies, with regard to your software solution. Proposing Vendors will not be asked to answer these cybersecurity questions during an initial proposal submittal, as Thornton may elect to shortlist the number of proposals received for further evaluation. It will be during the shortlisting process that these cybersecurity questions will be provided to your firm to answer.

Thornton considers cybersecurity a serious matter and conducts a review of every technology component it may prospectively bring on, no matter the dollar level, nor complexity. If your firm is provided with the cybersecurity questionnaire by Thornton, it is required for your firm to provide answers to Thornton's questions in order to be further considered during the evaluation process.

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:

All prices quoted shall be firm and fixed for the award and initial purchase, implementation, and support and maintenance years listed within this solicitation.

D.4 PROPOSAL ITEMS:

The pricing form for this RFP will be in a Microsoft Excel format, with a free-type ability for the Vendor to complete the form. The form is under separate cover and is entitled "261-25 RFP Appendix No. 3 Pricing Form".

The remainder of this page has been left blank intentionally.

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) A completed RFP Appendix No. 1 – RTM
- 2) A completed RFP Appendix No. 2 – Proposal Questions
- 3) A completed RFP Appendix No. 3 – Pricing Form
- 4) All additional technical information in support of your proposal
- 5) Section G.1 – Acceptance and Addenda Acknowledgement Form
- 6) Section G.2 – Sample Agreement Acknowledgement Form
- 7) 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 PAGE LENGTHS FOR FINAL VENDOR SUBMISSION:

Thornton is seeking proposals from qualified firms with proposals from prospective Vendors that contain relevant information, answers to proposal questions, pricing, technical information, sample reports, and other items that support that Vendor's proposal submission.

With this in mind, Thornton is requesting that proposing Vendors work to limit their submissions to **fifty (50)** pages or less. This page limit request does not include Appendix No. 1, No. 3, Sections G.1, G.2, G.3, nor any proposed terms and conditions redlines/exceptions to Thornton's sample agreement.

E.7 CONFIDENTIAL AND PROPRIETARY INFORMATION

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

Prior to a final award and 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
- 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.8 LATE PROPOSAL SUBMISSIONS:

Proposing Vendors are expected to allow adequate time to upload a complete submission for consideration through the electronic Vendor portal (currently BidNet Direct®). The Vendor portal

will not allow a Vendor to modify, save, nor upload their proposal after the submittal date and time have passed. It is **highly recommended** that as a proposing Vendor you do not wait until the last minute to submit your proposal.

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

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

E.9 AWARDS:

Award will be made on an "all or none" basis. Prices must be shown for each item listed. Proposals submitted without individual item prices listed will be considered as non-responsive and rejected.

E.10 ACCEPTANCE PERIOD:

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

E.11 EVALUATION OF PROPOSALS:

All proposals will be evaluated by a 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.12 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.13 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.14 STANDARD PROPOSAL CONSIDERATIONS:

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

The remainder of this page has been left blank intentionally.

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

A sample Technology Master Service 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.

Andrew Miskell, CPPB
Purchasing Manager