



PROCUREMENT POLICY & PROCEDURE

Purpose

This operating procedure establishes policy and furnishes the procedures to ensure that the Coalition, through its contracting process, protects the funds it disburses, derives the maximum return of services from those funds, and is in compliance with applicable state and federal laws, rules, and regulations governing contracts for services.

Legislative Direction

Chapter 287, F.S., provides procurement procedures, specifies certain contract terms and conditions, and specifies legislative intent. The legislative intent is that:

- a. fair and open competition be recognized as a basic tenet of public procurement;
- b. such competition reduces the appearance and opportunity for favoritism and inspires public confidence that contracts are awarded equitably and economically; and
- c. Documentation of the acts taken and effective monitoring mechanisms are important means of curbing any improprieties and establishing public confidence in the process by which contractual services are procured.

Compliance with section 215.971, F.S. - Agreements

Policies used by the entity will comply with disclosure requirements for all agreements funded by federal and/or state monies passed-through the State Treasury.

Compliance with Rule 60A-1.002, FAC – Purchase of commodities or contract services
State rule(s) for purchasing describe how an entity may exercise its authority in procuring services. It describes the procurement process required for all types of contracts and presents

1. General procurement standards
 - a. Policies used by entity will apply to all entity activities/ purchases made.
[2 CFR Part 200.403(c)]

- b. Avoid purchasing items that are duplicative or not necessary for the performance of activities required by federal award. [2 CFR part 200.318(d)]
- c. Perform lease vs. purchase analyses when appropriate to determine the most economical and practical choice. [2 CFR Part 200.318(d)]
- d. When possible, use state and local inter-entity agreements to procure common or shared goods and services. [2 CFR Part 200.318(e)]
- e. Use federal excess and surplus property instead of purchasing new equipment and property when possible and if such activity helps reduce program/project costs. [2 CFR Part 200.318(f)]
- f. Conduct all procurement transactions in a manner that allows for full, open and fair competition. [2 CFR Part 200.319]

Situations considered to be restrictive of competition in addressing procurement transactional requirements, as provided in the Uniform Guidance.

1. Placing unreasonable requirements on firms in order for them to qualify to do business;
 2. Requiring unnecessary experience and excessive bonding;
 3. Noncompetitive pricing practices between firms or between affiliated companies;
 4. Noncompetitive contracts to consultants that are on retainer contracts;
 5. Organizational conflicts of interest;
 6. Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
 7. Any arbitrary action in the procurement process.
- g. Not use state or geographical preferences in the evaluation of bids or proposals except where federal statutes mandates or encourages it. [2 CFR Part 200.319(7)(b)]
 - h. Make purchases using one of the allowed methods of procurement. [2 CFR Part 200.320]

- i. Comply with instructions for procurement of recovered materials. [2 CFR Part 200.322]
- j. Comply with applicable cost and price analysis requirements for procurement transactions. [2 CFR Part 200.323]
 - 1. Applies at federal level for purchases in excess of simplified acquisition threshold (\$150,000)
 - 2. Independent in-house estimates required before receiving bids or proposals.
 - 3. Entity will not use the cost-plus-a-percentage-of-costs method of contracting.
- k. All related records must be available for inspection and review upon request by federal awarding agency or pass-through entity. [2 CFR Part 200.324]
- l. Comply with bonding requirements for construction-related contracts. (if allowable). [2 CFR Part 200.325]
- m. Include all required/applicable contract provisions/disclosures in writing. [2 CFR Part 200.326]
- n. Disclose in writing any potential conflicts of interest. [2 CFR Part 200.112]

A. Requirements for bid and competitive proposals [45 CFR Part 75.329]

Verify procurement files include all of the following items:

- Public notice
- Copy of RFP
 - Technical Requirements
 - Statement of Work
 - Cost Requirements
 - Evaluation Criteria
- Proposals Submitted
- Evaluation of Proposals
- Board Approval of Contracts (as applicable)
- Contract Negotiations (*if different than proposed price*)
- Award of contract to lowest bidder who met the technical requirements/specifications

B. Requirements for small purchases [45 CFR Part 92.36(f); 45 CFR Part 75.439(b)(2); 45 CFR Part 75.302(b)(3)]

Verify files include all of the following items:

- Prior approval for equipment purchases in excess of the lesser of (1) \$5,000 or (2) the entity's approved capitalization threshold
- Documentation of small purchase transactions by one or more of the following items:
 - a. Sales receipt
 - b. Current catalogs
 - c. Formal quote
- Files indicate the entity obtained price or rate quotations from an adequate number of qualified sources.
 - a. Review documentation of written or telephone quotes
 - b. Determine if documentation is adequate and the number of quotes obtained is sufficient in accordance with entity policies and procedures

Micro-purchase transactions* (**up to \$2,500.00 for OEL transactions*)

- Should comply with good purchasing practices per state purchasing guidance.

C. Requirements for professional services [2 CFR part 200.459]

To help determine allowability of these costs, Entity files will document -

- The nature and scope of the service rendered in relation to the service required;
- The need to contract for the service, considering the Entity's capability in the particular area;
- The past pattern of such costs, particularly in the years prior to Federal awards;
- The impact of Federal awards on the non-Federal entity's business (*i.e.*, what new problems have arisen), if applicable;
- Whether the decision is business-based and not made just because grant monies are available to fund the cost (instead of other Entity revenues);
- If the service can be performed more economically by direct employment rather than contracting;

- The qualifications of the individual or concern rendering the service and the customary fees charged, especially on non-federally funded activities; and
- Adequacy of the contractual agreement for the service (*e.g.*, description of the service, estimate of time required, rate of compensation, and termination provisions).
- In addition, retainer fees must be supported by evidence of bona fide services available or rendered.

D. Required contents for Procurement files [DMS State Purchasing Memo No. 01 (2012-13); State Purchasing, Ch. 60A-1, FAC, s. 216.3474, F.S.; FDOE Contract Training Manual]

1. Planning/procurement files must obtain/document the following elements:
 - a. Purchase order must have at least one written quote or written records of telephone quote;
 - b. At least one quote should be from a CMBE or else document why this quote was not obtained;
 - c. Cost analysis is required, since a competitive process won't be used for most small dollar purchases;
 - d. Rationale for method of procurement;
 - e. Selection of contract type;
 - f. Contractor selection or rejection; and
 - g. The basis for the contract price.

2. Purchase orders, contracts or other agreement files must obtain/document the following elements:
 - a. Quantity, description, price, applicable payment terms, applicable discount(s), date of performance, transportation/shipping arrangements, and other pertinent information.
 - b. Additional purchase order terms/disclosures, required regardless of the scoped goods/services.
 1. Liquidated damages/financial consequences
 2. Payment audit (records of costs will be available upon request)
 3. Payment made after written "agency" acceptance
 4. Payment timeframe – timely payments
 5. Funding availability/annual appropriation
 6. No lobbying
 7. Public access/public records

8. Conduct of business – federal/state laws govern
 9. Conflict of interest/related party activities
 10. Confidentiality and safeguarding information
- c. Other/additional terms may also apply based on scoped goods/services.
 - d. If credit card transactions occur all the standards noted here will still apply.

E. Additional federal considerations [2 CFR Part 200.326; 2 CFR Part 200 Appendix II]

For transactions funded by federal programs, additional disclosures are required regardless of scoped/services.

- a. Debarment and suspension provision(s).
- b. Equal Employment Opportunity provision.
- c. Other/additional terms may also apply based on scoped goods/services.

F. Requirements for sole source or other non-competitive proposals [45 CFR Parts 75.329(f) and 75.332; s. 216.3475, F.S.]

- Documentation of entity’s determination criteria for a sole-sourced transaction.
 - The item is only available from one single source;
 - The public emergency precludes delay resulting from competitive solution (for example, a flood at a local ELC administrative office or large local service provider requires the immediate acquisition of additional services);
 - OEL or USDHHS gave written authorization for non-competitive proposals; and
 - After solicitation of a number of sources, competition is determined inadequate.
- Cost analysis, (i.e., verifying the proposed scope of work or goods/services data and the evaluation of the specific elements of costs and **negotiating profit** (if applicable)) is required. *Note: Grant rules state this is a mandatory task for sole source procurement. A cost/price analysis should be completed by staff prior to receiving any bid or fee information.*

G. Procurement files – required retention instructions [2 CFR Parts 200.333 - .336]

1. All records must be maintained for five (5) years after the impacted program year, if “closed.”
2. Records retention schedules apply regardless of the physical format of entity records.

3. Wherever practicable records should be collected, transmitted and/or stored in open and machine readable formats.
4. Federal and state awarding agencies have the right to access any documents pertinent to federal/state awards.
5. The ELC shall comply with the records retention requirements in Florida. The General Records Schedule GS1-SL for State and Local Government Agencies is located at <http://dos.myflorida.com/library-archives/records-management/general-records-schedules/>.

H. Conflicts of Interest and Related Party Contracts

1. The Coalition will comply with Section 112.3143(1)(b) and Section 1002.84(20), F.S.
2. The Coalition will provide training for staff and governing board members
3. The Coalition will disclose in writing all violation of federal criminal law involving fraud, bribery or gratuity violations potentially affecting the federal award.
4. The Coalition will have written standards for what constitutes a conflict of interest, disclosure requirements, and process how to report violations of the policy.

Also, please see the Conflict of Interest Policy for more information.

Contracts Administration/Management

Once a contract has been executed, it enters the last phase of the contract management system. During this phase of contract management, day-to-day activities are managed by the assigned contract manager. Overall performance results are documented and monitoring tasks are also performed. Adequate documentation of goods/services procured, goods/services received, payments made and compliance with federal and state grant program rules is required.

- a. Formal contract documents [45 CFR § 75.327(a); 45 CFR § 75.329; and 45 CFR § 92.36 and s. 287.057(15), F.S.]
 1. Original executed (signed) contract/grant
 2. Contractor name
 3. Contract amount
 4. Subcontracts, memorandums of agreement, if applicable

5. Amendments
 6. Renewals
 7. Bonds
 8. Insurance
 9. Funding source(s)
 10. Contract relationship [Ch. 69I-5.006, FAC and 45 CFR Part 75.351]
 11. Provider's justification of need for advance, if applicable
 12. Scoped reporting requirements (evaluation reports, performance measures, etc.)
- b. Day-to-day management documents [s. 287.057(15), F.S. ; DFS FCCM Manual; 0A-1, FAC; 45 CFR Part 75.327(a); 45 CFR Part 75.329]
1. Performance documentation
 2. Correspondence
 3. Payment documentation
 4. Deliverables
 5. Subcontractor approvals
 6. Status of reporting requirements
 7. Contract monitoring
 - a) SR/VPK provider contracts – see separate sections of SR Plan for more information, not addressed here
 - b) Vendors/contractors
 - c) Subrecipients

Contract/Grant manager responsibilities

For each agreement funded by federal or state financial assistance, the Entity shall designate an employee to function as a grant manager. The grant manager shall be responsible for enforcing performance of the agreement's terms and conditions and shall serve as a liaison to the contractor(s). Separate duties for contract administrator have also been identified as listed. These duties are assigned to Entity staff as described here. The Financial Director or designee will be the administrator fulfilling all assigned responsibility. The Executive Assistant Director or designee will serve as Manager fulfilling all assigned responsibility.

1. **Administrator**
 - a. Create and maintain a contract file
 - b. Maintain financial information on all contracts
 - c. Manage changes to contract(s)
 - d. Serve as liaison between the contract/grant manager and the entity and OEL

- e. Provide clear, explicit and documented communication.
2. **Manager**
- a. Manage the receipt of goods/services
 - b. Monitor and evaluate provider performance and end user satisfaction
 - c. Serve as liaison with the provider/contractor
 - d. Maintain a contract management file pursuant to CFO Memo No. 06 (2011-12)
 - e. Provide written certification that goods were received / services were obtained per terms and conditions before making payment.
 - f. Prepare cost reconciliation files.
 - g. Prepare a final reconciliation report
3. **Formal monitoring process [CFOM No. 06 (2011-12), Contract Monitoring and Documenting Contract Performance]**
- a. Risk Assessment
 - b. Monitoring Plan
 - c. Monitoring Procedures and Criteria
 - d. Evidence to support conclusions reached during its monitoring process
 - e. Corrective Action Plan (if required)
 - f. Follow-up on Corrective Action (if required)
4. **Other related contracts administration activities**
- a. Sub recipient contracts and sub awards
 - 1. Risk assessments – planning and monitoring phases
 - 2. Additional disclosures and special conditions
 - b. Contracts Closeout
 - c. Problems with Vendor/Contractor Performance
 - d. Contract Termination
 - e. Prior approval documentation requirements
 - f. Conflict of Interest disclosures (if applicable)
 - 1. Coalition governing board members
 - 2. Coalition employees
 - 3. Relative(s) of either group as defined in statute
 - 4. Organizational conflicts

Authority to Procure Commodities and Services

No commodity or service shall be procured without the consent of the Executive Director or Assistant Executive Director and Financial Director.

Federal instructions [2 CFR Part 200.318(b)]

- a. Contract administration files are maintained and contain the following items.
 1. Required documentation based on entity's related authorization policies and purchasing limits.
- b. Required documentation based on additional applicable grant program laws, rules regulations and guidance.
 1. Contract files include documentation for Authorization of work.
 2. No work authorized until contract is fully approved and executed.
- c. No change in work is authorized until a fully approved and executed contract amendment is in place.
- d. No contract amendment for work will be executed without required review/approval based on entity's related policies /limits and any related grant terms from funding source.
 1. Conformance of work – establish and maintain a system based on applicable laws, rules, regulations and grant provisions to reasonably ensure goods/services are received as intended and when intended.
 2. Contract/Grant manager will authorize payment of invoices to contracts after final approval of work products.

It is essential to the effective and ethical procurement of contractual services that there be a system of uniform procedures to be utilized by the Coalition in managing and procuring contractual services, that detailed justification of Coalition decisions in the procurement of contractual services be maintained, and the adherence by the Coalition and the contractor to specific ethical considerations be required.

Policy

Good judgment requires that the Coalition utilize the resources allocated by the legislative process to the fullest extent possible to provide mandated and needed services to the constituency it serves. These resources are a balanced mixture of people, equipment, facilities, and money. It is the responsibility of the Coalition to ensure that the expenditure of these resources responds to legislative direction in a balanced fashion. Proper application of the provisions of the Contract Management Policies and Procedures will aid in accomplishing this objective and ensure compliance with applicable state procurement requirements.

CHAPTER 1

Developing the Request for Proposal

- A. Request for Proposal (RFP).** The RFP is the competitive solicitation process used for acquisition of contractual services when it has been determined that the use of the Invitation to Negotiate (ITN) and Invitation to Bid (ITB) processes is not appropriate. Written documentation consisting of a statement such as “the Coalition does not wish to award this contract primarily on the basis of price,” and stating the reasons the ITB processes were not used must be placed in the procurement file.
- B. Instructions for Developing a Request for Proposal.** All information to be provided by the applicants must be “specifically requested” (specified) in the RFP. Although not all of the following sections are required in the RFP, good business practice will mandate inclusion of all applicable appropriate sections. An asterisk (*) denotes mandatory components.
1. Introduction. This section gives background and an overview indicating why the project is needed and describes the purpose of the project.
 - (1-1) Statement of Need. The Statement of Need describes the circumstances that contribute to the necessity of the project, and in general, terms, what the Coalition is trying to buy. Inclusion of this section in the RFP eliminates the necessity of a separate determination of need statement to be placed in the procurement file.
 - (1-2) Statement of Purpose. The Statement of Purpose briefly describes what the project must accomplish, and must relate to the Statement of Need.
 - (1-3) Term of Agreement. The Term of Agreement describes the length of the contract that will result from this solicitation. There is no standard language for this component of the RFP.
 - (1-4) Definitions. Contract Terminology/Program or Service Specific. Provide a list of definitions for important contract terms. Include definitions for all terms that are unfamiliar, unusual, or unique to the RFP, including those for contract terminology, program or service specific terminology, standards of definitions, performance definitions, and acronyms (which should be avoided where possible).
 2. RFP Process. This provides details concerning the RFP process including the Calendar of Events and deadlines that must be adhered to.
 - (2-1) Contact Person. A Coalition contact person who will be responsible for the project, and their contact information including phone number

and address. This person is also responsible for conducting the applicant Conference and answering any inquiries concerning the RFP. To maintain consistency in the coalition's responses to the inquiries, it is important to designate only one individual as the contact person or procurement manger.

- (2-2) Applicant Disqualification. This component of the RFP is included to advise the applicant of the Coalition's practice concerning unsatisfactory prior performance or other concerns with a prospective applicant's qualifications to enter into the proposal process.
- (2-3) Limitations on Contacting Coalitional Personnel. This component of the RFP is included to instruct the prospective applicant of the restrictions and penalty associated with contacting Coalition personnel other than the Contact Person during the RFP process.
- (2-4) *Calendar of Events and Deadlines. A schedule containing dates of all relevant deadlines for proposals prior to execution of the contract **must** be included in **all** RFPs to ensure prospective applicant compliance. While the schedule must include at least the activities listed below, the sequential order may vary from RFP to RFP. The Applicant Conference can be excluded from the schedule if no prospective Applicant Conference is to be held.
 - (a) Date proposal is to be released and advertised.
 - (b) Date and time by which the Notice of Intent to Submit a Proposal must be submitted.
 - (c) Place, date, and time of the prospective Applicant Conference. *
 - (d) Date after which no inquires will be accepted. *
 - (e) Date and time by which responses to questions raised at the prospective Applicant Conference must be dispersed by the Coalition.
 - (f) Place, date, and time by which all responses to the RFP (proposals) must be received and opened. (Responses must be accepted up until the deadline set for receipt set out in this schedule. After that date and time, they must be rejected as untimely.)
 - (g) Evaluation of proposals. This includes any places, dates, and times for any scheduled meetings involving members of the evaluation team.
 - (h) Place, date, and time on which the selection notice identifying the individual or organization with whom the contract will be negotiated or awarded will be posted, and

- (i) Anticipated contract beginning and ending dates.

A sample Calendar of Events and Deadlines Chart is provided below:

CALENDAR OF EVENTS

Activity	Date	Time	Location
Request for Proposal advertised			
Proposal released and posted to website			
Inquiries due			
Applicant's Conference			
Coalition's response to inquiries due			
Notice of Intent to submit a Proposal due			
Sealed proposals due			
Initial opening of proposals			
Meeting of the Procurement Committee			
Coalition Board review and approval of the Procurement Committee's recommendation			
Posting			
Coalition Board review and approval of the Contract			
Effective Date of Contract			

- (2-5) Notice of Intent to Submit a Proposal. The following language **must** be included in the RFP: *Information regarding any addenda to the RFP and copies of written Coalitional responses to questions resulting in clarifications or addenda to the RFP, will be posted on the web site www.phelc.org*

Applicants who are interested in responding to an RFP must send, to the coalition, Notices of Intent to Submit a Proposal (**Appendix B**) by the date and time specified in that document. Individuals who submit Notices of Intent must receive a copy of all (1) responses to written inquires and (2) changes to the solicitation. All Notices of Intent must be placed in the procurement file. When an applicant submits a Notice of Intent, it allows the Coalition a means of notifying only interested potential applicants (if so specified in the solicitation) with copies of written responses to questions resulting in clarification or addenda to the solicitation. **NOTE:** Lack of submission of the Notice of Intent or

written request on the part of an applicant does not eliminate the applicant from submitting a proposal on the project unless, in the case of the written request, that response is set out in the RFP as a prerequisite.

(2-6) Applicant Conference.

- (a) Whether or not a Applicant Conference is to be held, it is recommended the following language be added to all solicitations:

“Certified Minority Business Enterprises are encouraged to participate in any Applicant Conferences that are scheduled.”

- (b) If a Applicant Conference is to be held it should be listed in the solicitation Calendar of Events and deadlines and this section should state that attendance at the Applicant Conference *is/is not* (choose one) a prerequisite for acceptance of proposals from individuals/firms.

(2-7) Inquiries. This component of the RFP assists prospective applicants with making inquiries. A specific statement **must** be developed for each RFP that indicates that: (a) only written inquiries may be submitted; (b) the date and time of the deadline (after which no inquiries will be accepted) for acceptance of inquiry; and (c) name, title, and address of the contact person. In addition, the following language is recommended for use in this component of the RFP:

“Copies of the responses to all inquires, and clarifications and/or addenda if made to the RFP, will be made available by (date) located at our website, www.phelc.org”

(2-8) Withdrawal of Proposal. This component of the RFP is included to advise the applicant of the time limit restrictions for withdrawing a submitted proposal. The following language is recommended for use in this component: *A written request for withdrawal, signed by the applicant, may be considered if received by the Coalition within 72 hours after the proposal opening time and date indicated in the Calendar of Events. A request received in accordance with this provision may be granted by the Coalition upon proof of the impossibility to perform based upon an obvious error on the part of the applicant pursuant to Rule 60-A-1002(8), F.A.C.*

(2-9) *Acceptance/Rejection of Proposals and Waiver of Minor Irregularities. Proposals must be received by the Coalition no later than (enter time, date, and place as indicated in the preceding deadline schedule). Any proposal submitted shall remain a valid offer for at least 90 days after the proposal submission date. No changes,

modifications, or additions to the proposals submitted (after the deadline for proposal opening has passed) will be accepted by or be binding on the Coalition. The RFP **must** contain the following statements:

*“Proposals not received at either the specified place, or by the specified date and time, or both, will be rejected and returned unopened to the applicant by the Coalition. The Coalition will retain one (1) unopened copy for use in the event of a dispute. The Coalition reserves the right to reject any and all proposals or to waive minor irregularities when to do so would be in the best interest of the Coalition. A **minor irregularity** is defined as a variation from the RFP terms and conditions that does not affect the price of the proposal, does not give the applicant an advantage or benefit not enjoyed by other applicants, or does not adversely impact the interest of the Coalition. At its option, the Coalition may correct minor irregularities but is under no obligation to do so whatsoever.*

(2-10) Notice of Contract Award. The contract will be awarded to the responsible and responsive applicant whose proposal is determined in writing to be the most advantageous to the Coalition, taking into consideration the price and the other criteria set forth in the request for proposals. The notice of contract award will be posted at www.phelc.org for a period of at least 72 hours in accordance with the schedule listed in Section 2.4 of this RFP.

3. Minimum Programmatic Requirements. This section details the Statement of Work which includes what services are to be provided, specific eligibility requirements to be used in determining who can be served, concrete objectives that are to be accomplished, and any other special requirements which affect how the program will operate.

(3-1) General Statement. Provide a general description of the services to be performed under the contract and what will be expected of the successful applicant. FOR EXAMPLE:

- A. General Administrative Services for School Readiness Services
- B. Provider Reimbursements
- C. Student Attendance Monitoring
- D. Eligibility and Enrollment
- E. Child Care Resource and Referral
- F. Child Development Screenings and Pre/Post Assessments

G. Quality VPK Initiatives

And other services that may be requested in the RFP.

- (3-2) Programmatic Authority. The successful applicant must comply with all applicable Federal and State laws, Florida's Office of Early Learning and Coalition regulations, action transmittals, program instructions, review guides, similar documents.
- (3-3) Scope of Services. The successful applicant will deliver the services included in Section 3.1 and 3.8 of this RFP. The coordinated services will maximize public and private cooperation, be cost-effective and will minimize barriers to accessing the program. The successful applicant will develop a system to implement, administer, and monitor the service performed in accordance with the procedures and requirements in 215.971, 287.057 and 287.058 Florida Statutes, and achieve the performance standards and outcome measures as specified by the Florida's Office of Early Learning and Department of Education.
- (3-4) Major Program Goals. Describe the major goals of the program that the contract will support. Describe any long range or broad objectives which are pertinent, and, as appropriate, describe the Coalition's overarching purpose for contracting for the services to be performed.
- (3-5) Client General Description. Provide a general description of the clients who will receive services under the contract including, as appropriate, the estimated size(s) of the client population(s) to be served.
- (3-6) Client Eligibility. Provide specific criteria or client characteristics that will be used to determine whether a client will receive the contracted services. Such criteria may include, but are not limited to: age, sex, medical condition, economic status, previous history, referral source, potential prognosis, or city/county of residence.
- (3-7) Client Determination. Provide any specific client selection information necessary for the applicant, and describe any information that will be necessary to determine client eligibility. Include information such as specific types of exclusions, specific types of inclusions, how eligibility questions are to be resolved, and who has the authority to make final determinations.
- (3-8) Client Contract Limits. Advise the prospective applicant of any limitations that may affect or will limit the number of clients to be served, the amount of service available to individual clients, or the monetary value of the contract.

- (3-9) Task List. Provide a list of specific tasks, e.g., counseling, transportation, day care, case management, etc., which will be performed under the contract along with a description of the task, and any specific elements which are included or must be considered in task performance.
- (3-10) Task Limits. Provide a description of the limits within which the tasks must be performed. These limits may be programmatic, financial, legal, or geographic.
- (3-11) Staffing Levels. Specify the number and type of staff members the successful applicant is required to have available to perform the work.
- (3-12) Professional Qualifications. As required, specify what professional licenses, certifications, or experience the applicant's professional staff members are required to possess or obtain.
- (3-13) Staffing Changes. Specify under what conditions the applicant is required, or permitted to make staffing changes, specify what approvals or notification requirements are necessary to make staffing changes, and any lead times required for notifications or approvals.
- (3-14) Subcontractors. Specify whether, and under what conditions, the applicant is permitted to use subcontractors and what approval or notification requirements are pertinent to the use of subcontractors.
- (3-15) Service Delivery Location. Specify the street address, city, etc., where the services are to be delivered. If the applicant is supplying a facility or building as part of its performance under the contract, describe any specific physical or facility requirements which must be available for service delivery or client use.
- (3-16) Service Times. Specify when the services must be available, the minimum or maximum frequency of the delivery of services, any requirements for responding to emergencies or unexpected needs for service, and any information necessary to identify what constitutes service completion.
- (3-17) Changes in Location. Specify who may approve changes in location during the course of the contract, advance notification requirements to change location, and requirements for temporary arrangements that must be made in the event of location changes.
- (3-18) Equipment. Describe any equipment that the applicant proposes to use and which must be available for service delivery.
- (3-19) Service Unit. Describe, specifically, what comprises a service unit, how many units, by type of service, will be provided under the contract, and if applicable, any limitations that affect the delivery of service units.

- (3-20) Reports. Specify the type, frequency, form, content, and construction of any reports that the applicant is required to submit as a part of the contract.
- (3-21) Records and Documentation. Describe the form, content, and construction of any records or documentation which the applicant is required to maintain, any limitations which are pertinent to the inspection and availability of the documentation, who makes final determinations regarding questions about records, and how to obtain such determinations. Include information regarding whether and identifying which records must be maintained manually, electronically, or both.
- (3-22) Outcomes and Outputs (Performance Measures). Describe the benefits to client, public, and the Coalition that should result from the contracted services. Specify what constitutes completion of a task or completion of an episode of service. Specify what constitutes task completion with respect to an individual client. Include specific standards for outputs and for the completion of client service.
- (3-23) Monitoring and Performance Evaluation Methodology. Generally, this section states that the successful applicant will be monitored in accordance with existing Coalitional procedures. In the event that procedures other than the Coalition's are to be used, describe the manner in which the successful applicant will be monitored. That description should include, but not be limited to, specifying which records, reports, documents, or contract elements will be used in conducting the evaluation. In addition, the following language **is required** for use in this component of the RFP: *By execution of any contract which results from this RFP, the successful applicant hereby acknowledges and agrees that its performance under the contract must meet the standards set forth in Section _____, Florida Statutes, and will be bound by the conditions in this paragraph. If the successful applicant fails to meet these standards, the Coalition, at its exclusive option, may allow up to six (6) months to achieve compliance with the standards. If the Coalition affords the successful applicant an opportunity to achieve compliance, and the successful applicant fails to achieve compliance within the specified time frame, the Coalition may terminate the contract in the absence of any extenuating or mitigating circumstances. The determination of the extenuating or mitigating circumstances is the exclusive determination of the Coalition.*

- (3-24) Provider Unique Activities. Advise the prospective applicant of any activities, tasks, obligations, or work that are solely and exclusively the responsibility of the successful applicant, and for which, by execution of the resulting contract, the successful applicant agrees to be accountable.
- (3-25) Coordination with Other Providers/Entities. Instruct the prospective applicant as to what activities, tasks, obligations, or work the successful applicant must coordinate with other entities in performing the resulting contract. Specify that the failure of other entities (e.g., subcontractors) does not remove the successful applicant from any accountability for tasks or services that the successful applicant is obligated to perform pursuant to the contract. There is no recommended language for this component.
- (3-26) Coalition Obligations. Advise the prospective applicant as to what support, other than monetary, the Coalition will provide during the period of the contract, and any preconditions which the contractor must fulfill to ensure receipt of such support.
- (3-27) Coalition Determinations. Advise the prospective applicant in what areas the Coalition has exclusive authority to make determinations and of any procedures that the successful applicant must observe in obtaining required determinations.

4. Financial Specifications.

- (4-1) *Funding Source:
 - (a) This is a **mandatory** component of an RFP. The specific funding sources, federal as well as state general revenue, are to be identified.
 - (b) If appropriate, any local matching requirements and the match percentage should be stated here. The following language is recommended if a match is required in this RFP: *Pursuant to (source document that requires match) a match of _____ percent of _____ is required. The match requirement may be satisfied by (specify type of match). The following may not be used as match: (enter any restrictions here, e.g., cash in-kind contribution).*
- (4-2) Allowable Costs. If the contract resulting from this RFP will be a reimbursable contract, allowable costs and appropriate cost principles should be referenced in this section. Specific references to allowable costs may be made when only a few cost elements will be funded by this contract or when the grant budget or funding source regulation allows or disallows costs normally allowable under the appropriate cost

principles. Otherwise, it is suggested that appropriate cost principles be referenced.

- (4-3) Invoicing and Payment of Invoices. This component identifies issues related to the successful applicant payment. There is no standard language for this component. A specific statement must be development for each RFP. The following is a list of issues to consider including:
- (a) Information describing the method of payment (e.g. fixed price, cost reimbursement, etc.);
 - (b) Instructions regarding invoicing (billing) requirements. (If the plan is to use program/Coalition/state invoice forms, be sure to include blank copies. If the plan is to use the successful applicant's own forms, the procurement manager should instruct the applicant to include samples in the proposal.);
 - (c) Instructions regarding the manner in which contract costs/service units and unit cost will be displayed on invoices;
 - (d) Description of the documentation of contract costs/service units that must accompany invoices submitted by the successful applicant to the Coalition (e.g., number of copies of each invoice);
 - (e) Other Special Provisions pertaining to payment of contract invoices; and,
 - (f) Provision for adequate and timely reviews of deliverables prior to invoice approval and vendor payment. Sufficient review time should be based on deliverable complexity.
- (4-4) Cost Proposal. This component of the RFP instructs the prospective applicant about any requirements that must be followed in the preparation of the cost proposal, budget or rate justification. This component directly relates to the evaluation criteria that address cost proposals. There is no component in the Instructions to Prospective Applicants section that addresses cost proposals, so any requirements that affect the preparation of the prospective applicant's cost proposal **must** be addressed here. Examples of requirements are:
- (a) The local match requirement must be supported by match commitment forms from the applicant or the donor.
 - (b) The rate may not exceed the prevailing market rate, as defined by the Coalition.
 - (c) The fixed price part of the resulting contract denotes a flat fee or rate charged per service. To determine the total dollar amount of the

contract that is represented by the fixed price part, the applicant is required to present a line item budget and narrative.

- (d) Explain in detail what budget/costs are present and how the information should be presented (refer to specific budge forms). This may require the applicant to submit a separate cost proposal.
- (e) Include instructions for the applicant regarding the renewal provision (i.e., cost for the first year of renewal, cost for the second year of renewal, where applicable). If the RFP provides for contract renewals, the following recommended language is **required** in the RFP: *Contract Renewals: the resulting contract may be renewed on a yearly basis for no more than two (2) 1-year terms or for a period of not longer than the term of the original contract. As specified in the contractor's response to the RFP, the total cost for the contract under the first year renewal will not exceed \$_____ and the second year renewal will not exceed \$_____.* Such renewals shall be contingent upon satisfactory performance evaluations and be subject to the availability of funds. **NOTE:** The dollar amount and the manner in which the costs for the second and third renewals will be calculated must be specified in the response to the RFP and in the resulting contract document. Unless provided for differently in the RFP, the statement of work and terms and conditions under which the contractual services will be provided are to remain identical to those contained in the first year of the contract. If the RFP does not contain renewal information, the contract cannot be renewed and will require re-procurement.

5. Instructions to Prospective Applicants to the RFP. The prospective applicant will be requested to include the following information in response to the RFP.

(5-1) Response Content, Format and Submission

A. Response Content – A completed proposal consists of the following:

1. Title Page containing the following information:

Early Learning Coalition of Pasco and Hernando Counties, Inc.

Request for Proposal

#PHELC –

2008-2009-01

Applicant's Name

2. Request for Proposal Acknowledgement form (Appendix C)

3. Fatal Criteria Checklist (Appendix A)

4. Responses to sections

5. Proposed Budget
6. Required Statements and Certifications
7. Response to Additional Non-Required Services (Optional)
8. Copy of the Applicant's Cost Allocation Plan
9. Copy of the Applicant's Continuity of Operations Plan

B. Format

To be considered for evaluation, an applicant's response must conform to the content and format requirements described herein. Responses must be submitted sealed and bound (i.e. 3-ring binders), double spaced, in twelve (12) point typed font, and on 8.5" x 11" white paper; and submitted in tabbed sections, with each section clearly labeled. Pages must be numbered consecutively within each section. Each question or statement must be reprinted in its entirety and followed by the response. All supporting documentation or exhibits must be clearly referenced. The budget proposal must be presented in the format prescribed in Appendix B and numbered consecutively. *Only the use of the forms in the format attached to this RFP document will be considered acceptable. All other formats will be considered unacceptable and result in a rejection of the RFP response.*

C. Submission

One original and ten (10) copies of the Proposal must be received by the Early Learning Coalition of Pasco and Hernando Counties, Inc., 15506 County Line Road, Suite 103, Spring Hill, FL 34610, in accordance with the schedule listed. The proposal must be sealed and clearly marked "PROPOSAL #." An applicant that submits a proposal by mail should allow sufficient mail handling time to ensure timely delivery of the proposal to the Coalition.

PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE SHALL NOT BE CONSIDERED. SUBMISSIONS BY EMAIL OR FACSIMILE WILL NOT BE ACCEPTED. NO CHANGES OR MODIFICATIONS OR ADDITIONS TO THE PROPOSALS SUBMITTED WILL BE ACCEPTED BY, OR BINDING ON THE COALITION AFTER THE SUBMISSION DEADLINE HAS PASSED.

- (5-2) Response to Introduction. A brief discussion that evidences the applicant's understanding of the need for and purpose of the project as presented in the RFP should be included in this component of the RFP.
- (5-3) Response to RFP Mandatory Requirements. This component of the RFP alerts the prospective applicant to the fatal criteria that must be satisfied in the proposal. It must reference the fatal criteria listed on the Ratings Sheet. They

must be identical to the Ratings Sheet and should be “yes” or “no” answers. A Rating Sheet format is provided in Appendix D.

- (5-4) Description of Approach to Performing Tasks Required by the Task List. This is the most important component of the prospective applicant’s response with respect to program content and service delivery. There is no standard language for this component. Clear and complete instructions must be developed for each RFP.
- (5-5) Description of Staffing and Organizational Capacity Required by Staffing Levels and Professional Qualifications. This component instructs the prospective offer or to provide information about its staffing and organizational ability to complete the project. There is no standard language for this component. Specific instructions must be developed for each RFP.
- (5-6) (Prospective Applicants Cross Reference Table. This **required** table cross-references the contents of the applicant’s proposal with the contents of the RFP. It assists the applicant in their development of a responsive proposal and facilitates proposal evaluation by the Coalition. The following sample is provided as a suggested format:

RFP			Proposal		
Page(s)	Section	Subject	Pages(s)	Section	Subject
52	6.4	Response to Need			
52	6.5 (A)	Description of Approach			
53	6.5 (B)	Description of Approach			
53	6.5 (C)	Description of Approach			
53	6.5 (D)	Description of Approach			
54	6.5 (E)	Description of Approach			
54	6.5 (F)	Description of Approach			
54	6.6	Description of Staffing			
55	6.7	Applicant’s History and Experience			
55	6.8	Applicant’s Transition Plan			
55	6.9	Proposed Budget			
55	6.10	Required Applicant’s Statements and Certifications			

- (5-7) *Required Applicants’ Statements or Certifications.
 - (a) Acceptance of Contract Terms and Conditions **Appendix E**. The proposal **must** include a signed statement in the response to the RFP indicating acceptance of each and every term and condition of provisions of service as specified in the RFP and contained in the attached Standard Contract.

- (b) Statement of No Involvement. The proposal **must** include a signed statement indicating that neither the prospective applicant nor any person with an interest in the firm had a non-competitive contract involving any of the preliminary work, such as the feasibility study or preparation of the RFP. **Appendix F** contains the Statement of No Involvement signature form.
- (5-8) *State of Florida Public Entity Crime Statement. This component of the RFP advises the prospective applicant of the statutory restrictions regarding conducting business with individuals or firms that have been convicted of a public entity crime. The following language is **required** for this component of the RFP:
- As required by Section 287.133, Florida Statutes (F.S.), the following restrictions are placed on the ability of persons convicted of public entity crimes to transact business with the Coalition: when a person or affiliate has been placed on the convicted vendor list following a conviction for a public entity crime, he/she may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or performed work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S. for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list. Any bid or proposal received from a person or affiliate who has been placed on the convicted vendor list shall be rejected by the Coalition as an unresponsive bid or proposal and shall not be further evaluated.*
- (5-9) Trade Secrets. When there is reason to believe that trade secrets may be included, the following language **is mandatory** in the solicitation: *The Coalition will attempt to afford protection from disclosure of any trade secret as defined in Section 812.081, Florida Statutes (F.S.), where identified as such in the response to this RFP, to the extent permitted under Section 815.04, F.S., and Chapter 119, F.S. Any prospective vendor or applicant acknowledges, however, that the protection afforded by Section 815.04, F.S., is incomplete, and it is hereby agreed by the applicant and the Coalition that no right or remedy for damages arises from any disclosure.*
- (5-10) *Cost of Preparation of Proposal. This component **must** state that the Coalition is not liable for any costs incurred by a prospective applicant responding to this RFP.
- (5-11) Number of Copies Required. This component states the number of copies of the proposal the Coalition requires to be submitted with an original. It should also

state that at least one (1) copy of the proposal submitted to the Coalition must contain an original signature of an official of the prospective applicant agency who is authorized to bind the applicant to their proposal.

- (5-12) How to Submit a Proposal. This component gives the applicant explicit directions about how to submit a proposal such as:
- (a) Any proposal must be received by the Coalition by the deadlines set forth in the calendar of events. Late proposals will not be accepted. The prospective applicant may choose, and is responsible for, the method of delivery to the coalition except that facsimiles or electronic transmissions will not be accepted at any time.
 - (b) Place only one (1) copy of the proposal in each envelope.
 - (c) Clearly mark the envelope "PROPOSAL" and "RFP #___" and any other identifying information that may be helpful to the Coalition.
 - (d) Each envelope is to be sealed and addressed to (enter appropriate name and address.)
 - (e) The RFP may also require a separate cost proposal. Instructions regarding the submission of a cost proposal should be included here.
- (5-13) Other Required Information. This subsection is for information not contained elsewhere in the RFP or Standard Contract.

6. *Proposal Evaluation Criteria and Rating Sheet. **NOTE:** Before developing evaluation criteria, the procurement manager and all individuals involved in the solicitation must complete a Conflict of Interest Questionnaire (**Appendix G**). Any assistance received which results in the development of evaluation criteria must be considered carefully if the resulting criteria might exclude potential applicants or inject bias into the evaluation process.

- (6-1) Description of Evaluation Criteria. Explain the RFP evaluation process and introduce the RFP Rating Sheet. Specific evaluation criteria developed in narrative form must be written for each RFP.
- (6-2) Identical or Tie Responses. Advise the prospective applicant of the Coalition's practices in circumstances where identical or tie proposals occur.
- (6-3) RFP Rating Methodology. Include an RFP Rating Sheet, which lists evaluation criteria and specific indicators of those criteria which will be used to assess the degree to which the prospective applicant's response meets those criteria, in the RFP (inclusion of this is **mandatory**). There are four (4) characteristics basic to a good RFP Score Sheet:
 - (a) Separation of the evaluation criteria into items that require the same kind of response from all prospective applicants and if not met in full, the proposal/bid will not be considered further (Fatal Items), and items that can

be responded to differently by prospective applicants (Non-Fatal Items). “Fatal” criteria should be written to elicit a simple “yes” or “no” response, such as: the proposal was received by the time and date specified in the RFP; the proposal includes a statement from the applicant agreeing to all contract terms and conditions, etc. “Non-Fatal” criteria evaluate the quality and/or completeness of the applicant’s response and usually constitute the major portion of the evaluation criteria.

- (b) Inclusion of evaluation criteria for every element of the RFP that requires a response, and is not included in the “Fatal Items” section. These criteria should be written clearly and concretely so both the evaluation team and the applicant understand what they measure. The criteria should be organized in the same order as the required responses. Examples: How well do the applicant’s statements of need and purpose reflect general understanding and knowledge of the services to be provided? How well does or to what extent does the applicant provide adequate evidence of ability to meet the project objectives as specified?
- (c) Assignment of values to each evaluation criterion reflecting its importance. Below are two sample approaches to assigning weights to the evaluation criteria:

Approach Number 1. List and weight individual criterion.

- i. List each criterion that needs to be included, in the order in which the responses should be organized.
- ii. Determine a standard rating scale for all the criteria, the same scale should be used for each criterion. Commonly used rating scales are 0–5 or 0-4 (each level of scoring must be clearly defined as to its meaning).
- iii. Determine which criteria are the least important, assign a “weighted” value of “1” to these. This means that whatever points the criteria are given from the rating scale will be multiplied by “1”.
- iv. Determine the relative value of each criterion and assign a weighted value. For example, the second least important item would have a weighted value of “2”.
- v. The formula for this approach is: Rating Scale Value x Weighted Value = Total Weighted Points.
- vi. Example: the statement of need, as expressed by the applicant, displays a general understanding of the project, on a rating scale of 0-10 is given a “7” applicant “X,” the weighted value assigned this criterion is “2”. The total points for applicant “X” on this criterion is “14” (7 x 2 = 14).

Approach Number 2. Organize criteria into major categories, assigning a “weighted value” to each category.

- i. Determine the major categories to be evaluated in the applicant’s response, such as: Introduction, Statement of Work, Organizational Capability, etc.
- ii. Determine the evaluation criteria within each category to evaluate the applicant’s response to that category. For example, under the major category “Introduction,” the evaluation criteria may consist of: “Applicant’s response to statement of need,” which indicates a general understanding of why the project is being pursued, and “Applicant’s response to statement of purpose,” which indicates a general understanding of what the project is to accomplish.
- iii. Determine the standard rating scale to be used for all the criteria regardless of the category.
- iv. Determine the weighted value for each of the major categories, as described in the first approach. The difference is that in this approach the weighted values are assigned to the major categories rather than each individual criterion.
- v. The total for each category is derived by adding the rating scale values given each criteria and multiplying that total by the weighted value for that category.

(d) Establishment of a minimum score below which proposals will not be considered in order to assume minimum competence.

7. *Contracted Provisions.

(701) *Standard Contract or List of Required Contract Provisions. All contract terms and conditions must be included in the RFP. The Coalition’s Standard Contract contains universal administrative, financial, and non-programmatic terms and conditions usually mandated by federal and state law, rules or regulations, and/or Coalitional policy. In those instances where the Coalition’s Standard Contract will be used in contracting, it is recommended that you include a copy as an attachment to the RFP.

Chapter 2

The Request for Proposal Process

A. Advertisement of Solicitations. The availability of all solicitations for contractual services must be advertised in the Florida Administrative Weekly (FAW) **NOTE:** Per Rule 60A-1.002(4)(b), F.A.C., advertisement in the FAW is not required for the re-issuance of a solicitation if the original solicitation was advertised in the FAW and the Coalition mails a notice of the re-issuance of the solicitation to all applicants that were mailed notice of the original solicitation and to all applicants that responded to the original solicitation, excluding any applicant that responded with an indication of no interest. In addition, all solicitations for contractual services must be advertised in major Hernando and Pasco County Newspapers (*Hernando and Pasco Times, Hernando Today*).

1. FAW Advertisements.

(a) Competitive solicitations must be advertised in the FAW no less than ten (1) calendar days prior to the opening of the responses to the solicitation. **NOTE:** while ten (10) days is the minimum length of time the solicitation must be advertised, the procurement manager may find it practical and advantageous to increase this length of advertisement, especially in the instance of large procurements.

(b) The advertisement announcing the availability of the solicitation must consist of at least the following: the title of the solicitation, the purpose, the procurement manager's name and address from which copies of the solicitation will be available, the date and time by which Notices of Intent to Submit a Solicitation must be submitted, the date and time by which all documents must be received and will be opened, the address to which responses must be submitted, a statement which reads "Certified Minority Business Enterprises are encouraged to participate in any Applicant Conferences which are scheduled," and a statement that the Coalition reserves the right to reject any and all solicitations or ignore or correct minor irregularities when it is in the best interest of the Coalition.

2. Specifications for Advertisements in the Florida Administrative Weekly.

(a) Advertisement for the FAW must be submitted by noon Wednesday for publication on Friday of the following week. Where Wednesday falls on a holiday, the advertisement must be submitted by noon on Monday, Prior to the holiday. The advertisement must be submitted as an original and one (1) copy, typed with Prestige Elite (10 or 12 pitch), Letter Gothic (10 or 12 pitch), Courier 10 (10 pitch), Courier 12 (10 or 12 pitch), Pica (10 pitch), Prestige Pica (10 pitch), OCR-B (10 or 12 pitch), or Elite (10 or 12 pitch) typing element on white letter size (8-1/2" x 11") paper, double-spaced, without corrections. Margins of at least one (1) inch shall be left at the top and bottom and on each side of the page. The option of submitting notices by means of electronic media is also available.

Telecommunicated advertisements must be submitted as ASCII text on 5.25" or 3/5" magnetic media compatible with PC-DOS microcomputers. The number for telecommunicating material to be published in the FAW is SunCom 227-4199 or (850) 487-4199. A bracketed hard copy is not required when rules or other documents are telecommunicated or submitted as ASCII text on 5.25" or 3.5" magnetic media. In addition to the bracketed copies, two (2) coded pages are required in which new language shall be underlined and deleted material shall be struck through. The coded pages of the rule shall be numbered. Inquires regarding advertising the FAW may be made by calling SunCom 278-8427 or (850) 488-8427. The mailing address to use for submission of advertisements is:

Florida Administrative Weekly
Department of State
The Elliot Building
Tallahassee, FL 32399-0250

(b) It is recommended that, prior to submitting an advertisement to the FAW, a call be made to the FAW office, as requirements for submitting such advertisements may change without notice.

3. Local News Papers Advertisements: The local news papers advertisements should meet the same requirements stated in paragraph 1 and 2 above.

B. Distribution Protocol for solicitations. In order to document timely receipt, it is recommended that all solicitations, unless hand delivered or picked up, be sent certified mail, return receipt requested, to person requesting copies of them. A log must be kept of all who receive solicitations and when they are received.

C. Inquires and Applicant Conference. The purpose of these two (2) activities is to ensure that applicants understand the contract requirements and can submit responsive solicitation responses. The applicants should be advised in the solicitation document of the process for handling questions or concerns, for example, only written questions will be entertained, or an Applicant Conference will be held (indicate the time and place of the conference in the schedule found in the general information section of the solicitation document). **NOTE:** If it becomes necessary to make any changes to the solicitation when responding to inquiries, an addendum to that document must be sent by certified mail, return receipt requested, to all persons who requested, in writing, copies of information distributed regarding the solicitation. This modification becomes a part of the solicitation document. If changes necessitate delaying the solicitation response opening date in order to allow sufficient time for responses, this should be accomplished in the addendum. Late or improper notification to the applicants could

give cause for a re-solicitation. If practical, verbal notification should precede the delivery of a solicitation.

1. Written Inquiries. The procurement manager is responsible for receiving written inquiries, giving inquiries a number, and listing inquiries in a log in order of receipt. The procurement manager should then prepare responses to the inquiries in the order in which they were received. Upon transmitting a response to an inquiry, a copy of the response **must** be placed in the procurement file.

2. Telephone Inquires. The Coalition discourages telephone inquiries, and suggests that all inquires be in writing. All Coalition responses must be writing and documented in the procurement file.

3. Distribution of Information Resulting from Inquires. Copies of responses to written inquiries, referenced above, **must** be distributed to (1) all who attend the Applicant Conference; (2) all who requested a solicitation document; (3) all who received the original solicitation document; (4) all who sent Notices of Intent to Submit a Response to a Solicitation; and (5) anyone who requests it in writing. **NOTE:** The procurement manager has a maximum of two (2) weeks to respond to inquiries.

4. Changes to the Solicitation. Occasionally, after a solicitation document has been mailed, it becomes necessary to make a change or modification to the solicitation requirements. Changes should be accomplished through an addendum letter explaining the revised requirement and delivered in the most practical manner to all potential applicants. Properly delivered, this modification becomes a part of the solicitation document. If changes necessitate delaying the solicitation response opening date in order to allow sufficient time for responses, this should be accomplished in the addendum. Upon transmitting changes to a solicitation document, a copy of the changes must be placed in the procurement file and sent to (1) all who attend the Applicant Conference; (2) all who requests a solicitation document; (3) all who received the original solicitation document; (4) all who sent Notices of Intent to Submit a Response to a Solicitation; and (5) anyone who requests it in writing. Adherence to this procedure should eliminate any potential re-solicitation.

5. Applicant Conference. The purpose of the Applicant Conference is to review the solicitation with interested applicants so that areas of misunderstanding or ambiguity are clarified. An Applicant Conference may be held at the discretion of the procurement manager or contract signer. The time and place of the Applicant Conference must be included in the schedule found in the general information section of the solicitation. An agenda of items to be discussed, such as clarification of the statement or work provisions,

billing and payment procedures, reporting requirements, and allowable cost determinations should be developed and distributed at the Applicant Conference. The name, title, and group or firm affiliation of attendees at the Applicant Conference must be recorded. The procurement manager or other authorized Coalition representative should present the items listed in the agenda. After the presentation, the floor should be open for questions. Minutes must be taken, or the Applicant Conference recorded on tape so that written minutes of the questions and answers discussed at the conference may be made. Copies of the minutes **must** be sent to all attendees and other interested applicants, as well as retained in the procurement file. **NOTE:** An Applicant Conference is not mandatory. A solicitation may still be submitted and accepted from an individual or firm who has not requested one or indicated prior interest in that document, providing there is no contradictory wording in the solicitation.

D. Response to a Solicitation Opening.

1. Opening Procedure. The procurement manager is responsible for overseeing the opening of all solicitation responses. As responses to the solicitation are received, they must be stamped indicating the date and time of receipt. They should then be logged on the Solicitation Response log (**Appendix H**) showing the applicant's name, address, and the date and time of receipt. Responses to the solicitation, upon receipt by the Coalition shall be maintained, unopened, in a secure location until the opening time and date. Responses to the solicitation must be opened on the day and time specified in the solicitation.

(a) Procedure for Late Responses. All responses to solicitations that were not in the care, custody, and control of the procurement manager at the time of the solicitation response opening must be returned, unopened with a letter to the applicant indicating the time of arrival and that the response to the solicitation cannot be considered because it did not meet the solicitation response receipt deadline as stipulated in the solicitation document. **NOTE:** If responses to solicitations must be returned, retain one copy for the records.

(b) Definition of Timely Responses. If the response to the solicitation is in the possession of the Coalition (i.e., at the location listed in the solicitation), it is considered to be in the care, custody, and control of the procurement manger. It is to be treated as a timely response.

2. Opening Process. The opening shall be conducted by the procurement manager, a Coalition Board member, and witnessed by at least one (1) other person. The response to the solicitation opening process is open to the public and may be attended by anyone. Documentation must be maintained evidencing the following: the date, time and place of

opening, and names of persons in attendance and their role. See **Appendix I** Opening Process Log.

All present at the opening shall be advised that the reading of the names received does not imply or constitute an award. After responses to solicitations are opened, the procurement manager will make them and the log part of the procurement file. Responses to solicitations are exempt from public inspection or discussion at that time. Sealed responses to solicitations received by the Coalition pursuant to a solicitation are exempt from public inspection and examination until such time as the Coalition provides notice of decision, or intended decision. If the solicitation required the submission of a separate cost proposal, it must not be opened until the technical proposal is scored and the minimum required score is achieved. The same opening process must be followed for the cost proposal.

E. Receipt of Less Than Two (2) or Equal Responses to a Solicitation.

1. Receipt of Less Than Two (2) Responses to a Solicitation. When no sealed responses to a solicitation are received for the purchase of contractual services or commodities in response to a formal competitive solicitation, the Coalition shall review the situation in order to determine the reasons, if any, why none were received before issuing a second solicitation. If the Coalition determines that the contractual service or commodity is available only from a single source, or that conditions and circumstances warrant negotiation on the best terms and conditions, the Coalition's intended decision shall be posted in accordance with subsection 120.57(3), F.S., before the Coalition may proceed with the procurement. The conditions and circumstances used to determine the decision to proceed without a second call for competition **must** be documented in the procurement file.

2. Receipt of Equal Responses to a Solicitation. In accordance with subsection 287.057(10), F.S., if two (2) equal responses to a solicitation are received and one (1) response is from a certified minority business enterprise, the contract shall be awarded to the certified minority business enterprise. If both, otherwise, equal responses are from certified minority business enterprises, the contract shall be awarded to the CMBE whose solicitation comes closest to meeting the needs of the Coalition. If equal responses are received from parties that are not CMBEs, the contract shall be awarded to the party whose solicitation comes closest to meeting the needs of the Coalition.

F. Evaluation of Responses.

1. An evaluation team of at least three (3) Coalition Board members who have experience and knowledge in the program area(s) and service requirements for which contractual services are sought, and who serve on the Contracting for Services Committee will aid in the selection of applicants for contracts.

2. It is required that each prospective member of the evaluation team complete the Conflict of Interest Questionnaire (**Appendix G**) to ensure that no team member has any conflict of interest which would interfere in selection of a provider. If a proposed team member answers “yes” to any question, his/her participation on the evaluation team must be reviewed by the procurement manager in conjunction with the Coalition Board.

3. While the Coalition does not recommend that evaluation team members participate in the development of the solicitation and its evaluation criteria, if these circumstances can not be avoided, the Conflict of Interest Questionnaire must be completed prior to such involvement.

4. Meetings of the evaluation team are subject to the provisions of the Government in the Sunshine Law, Section 286.011, F.S. any meetings of two (2) or more members of the evaluation team must be advertised and open to the public and are governed by the provisions of Chapter 286, F.S. If the Calendar of Events and Deadlines in the solicitation includes the location, date, and time of evaluation team meetings, this serves as the required public notification.

5. The evaluation team must evaluate competitive solicitation responses in the following ways:

(2) RFPs must be evaluated using the weighted evaluation sheet contained in the published RFP. The evaluation team, upon completion of their review, may be required to submit their recommendation (a ranked list of all applicants) to the contract signer for review. The contract signer will then decide which person or firm is to be awarded the contract based upon the recommendation made by the evaluation team and taking into consideration which offer is most advantageous to the Coalition. If the highest ranked applicant, as reported by the evaluation team, is not selected, the reason for the selection of another applicant must be set forth in writing and included in the procurement file.

G. Rejection of All Responses to the Solicitation. If the contract signer, at the recommendation of the evaluation team decides to reject all responses to (1) solicitation(s), the reason(s) for rejection must be stated, in writing, and a copy of this statement placed in the procurement file. The statement must also indicate whether or not the solicitation will be reissued at a latter date.

H. Awarding the Contract.

1. The RFP shall be awarded to the applicant who was ranked highest using the evaluation criteria in the RFP and who presents the best offer for the contractual service sought.

2. Notice of the intended award shall be given by posting, as described below. The method of notice of intended contract award must be specified in the solicitation document. It is recommended that the notice of the intended contract award, including rejection of some or all of the solicitation responses received, be made by posting the solicitation response tabulation where the responses to the solicitation are opened. The notice must be posted for 72 hours (not including Saturdays, Sundays, or legal holidays). Since weekends are not counted in this 72-hour period, the notice should be posted on either Monday or Tuesday of a week in which there are not official State holidays. If no written notice of protest is filed during this posting period, the intended contract award becomes final. If the solicitation response tabulation method is used, the solicitation response tabulation must also show beginning and ending posting time and date.

3. Recommended and Required Solicitation Response Tabulation and Notice Statements. The following statement is recommended in the posting of solicitation response tabulations and all notices of intended contract award: All offers submitted in response to this solicitation received by the Coalition after the specified date and time are here rejected. As a result of the solicitation response evaluation procedure for solicitation number _____, the Coalition has selected _____ (Contractor) as the prospective provider with which it will seek to contract.

I. Coalition's Response to Protest. Upon receipt of a formal written notice of protest, the procurement manager shall immediately notify the Coalition Board. With legal counsel, the Coalition must determine the process for setting the protest.

**APPENDIX A
FATAL CRITERIA CHECKLIST**

Title of Application

Provider Name

Services/Functions Applied For

Provider Contact Person – Title

Provider Address – City – State – Zip

Telephone

Fax

FATAL CRITERIA CHECKLIST	PROVIDER Check	EVALUATION Committee Check
Were one original and ten copies of the proposal submitted?		
Did the proposal include the signed Statement of No Involvement?		
Did the proposal include the signed Acceptance of Contract Terms and Conditions, indicating that the Applicant agrees to all Coalition requirements, terms and conditions in the RFP and Coalition's Core Contract?		
Did the response include the signed Statement of Assurances?		
Did the proposal include the signed Certification Regarding Debarment, Supervision, Ineligibility and Voluntary Exclusion Contracts/Subcontracts?		
Did the proposal include a signed Public Entity Crime Form:		
Did the proposal include a signed Discrimination Statement?		
Did the proposal include a signed Certification Regarding Lobbying?		
Did the proposal include a signed Certification Regarding Drug-free Work Place?		
Did the proposal include the original signed and dated Request for Proposal Acknowledgement Form?		
Did the proposal include the Applicant's Cost Allocation Plan?		
Did the proposal include the Applicant's Continuity of Operations Plan?		
Was the proposal (including all accompanying forms requiring signature) signed by a duly authorized officer of the applying organization, and was proof of authorization included, if needed?		
Did the Applicant include the required Proposal Guarantee in the amount of \$100,000 or 1% of the requested budget amount (which ever is less) of the requested budget amount as specified in Section 2.11 of this RFP?		
Did the Applicant use only the forms in the format attached to this RFP document in the response?		

**APPENDIX B
NOTICE OF INTENT TO SUBMIT A PROPSAL**

Title of Application

Provider Name

Services/Functions Applies For

Provider Contact Person – Title

Provider Address – City – State – Zip Code

Telephone

Fax

Name of Project Director (if known)

APPENDIX C

**REQUEST FOR PROPOSAL
ACKNOWLEDGEMENT**

Applicant Name

Applicant Mailing Address

City

State

Zip Code

Total number of pages

I certify that this proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting an offer for the same material, supplies, equipment, or services and in all respects fair and without collusion or fraud. I agree to abide by all conditions of this proposal and certify that I am authorized to sign this response and that the offer is in compliance with all requirements of the Request for Proposal, including but not limited to, certification requirements.

Authorized Signature

Authorized Signature and Title

APPENDIX D

RFP EVALUATION RATING TOOL

Request for Proposal #

Name of Organization:

_____ (Legal Name from Request for Proposal Acknowledgement Form)

Evaluation Committee Member: _____

Scoring Criteria and Procedure

An evaluation committee will assess each proposal utilizing this evaluation tool. Section A of the criteria lists the minimum requirements (FATAL CRITERIA) that all proposals must satisfy. Points are **not** awarded for this section; however, a proposal with a **NO** response to one or more of these requirements will automatically be disqualified from further consideration.

Criteria B-H has been assigned a weighted value based on their relative importance¹. Applicants' response to each criterion will be individually assessed and awarded appoint value as follows:

¹ Explanation of Weight Factors:

Five (5)	Sections related to critical criteria that are essential for the organization to meet the requirements of the program within the funding limitations.
Four (4)	Sections related to the Applicant's ability to perform the required project services.
Three (3)	Sections related to the criterion that evidences the Applicant's understanding and approach to providing the required project services
Two (2)	Sections related to temporary or one time required project services.
One (1)	Sections related to enhanced services related to the project services but not required.

1. Exceptional (3 points): Exceeds minimum requirements, demonstrates superior understanding of the project, exhibits clarity in presentation, and organizational and programmatic capability. Includes creativity and “out-of-the-box” ideas and strategies to accomplish goals and objectives.
2. Adequate (2 points): Meets minimum requirements, demonstrates understanding of the project, and presents organizational and programmatic information in a manner that can be comprehended.
3. Poor (1 point): Falls below minimum requirements, demonstrates insufficient understanding of the project, organizational and programmatic capability is not clearly presented.
4. Omitted (0-points): Not included in response as required and Applicant fails to provide and adequate justification for the omission.

The total points awarded for each item in Sections B-H will equal the assigned weighted value times the point value. Each section contains information regarding the total maximum score possible for that and the minimum score accepted for that section. Each proposal will be awarded a total point value by each committee member. The total score for each proposal that is the highest and the lowest will be thrown out. The remaining scores for each proposal will be averaged to assign one (1) score to each proposal. The total possible score for the entire proposal is _____.

Footnote continued:

Evaluation Tool by Percentage Values:

Section	Percentage
B: Response to Need, Purpose and Goals	4%
C. Response to Description of Approach	29%
D. Response to Description of Staffing	19%
E. Response to History and Experience	24%
F. Response to Transition Plan	5%
G. Cost Proposal	18%
H. Response to Additional Non-Required Services	1%

APPENDIX E
ACCEPTANCE OF CONTRACT TERMS AND CONDITIONS

If we should be awarded this Contract, we will comply with all the terms and conditions specified in the Request for Proposal and contained in the Standard Contract.

Signature of Authorized Official

Date

Name (print)

Title (print)

* An authorized official is an officer of the Applicant's organization who has legal authority to bind the Applicant to the provisions of the proposal. This usually is the President, Chairman of the Board, Executive Director, or owner of the entity. A document establishing delegated authority must be included with the proposal if signed other than the President, Chairman, Executive Director, or owner.

**APPENDIX F
STATEMENT OF NO INVOLVEMENT**

I, _____, as an authorized representative of _____, certify that no member of this firm nor any person having interest in this firm has been awarded a Contract by the Early Learning Coalition of Pasco and Hernando Counties, Inc. on a non-competitive basis to:

- a. develop the Request for Proposal
 - b. perform a feasibility study concerning the scope of work contained in this RFP;
- or
- c. develop a program similar to what is contained in this RFP.

Signature of Authorized Official

Date

**APPENDIX G
CONFLICT OF INTEREST QUESTIONNAIRE**

(Title of Solicitation/Contract)

- | | | | | | |
|---|--------------------------|-----|--|--------------------------|----|
| 1. Do you, your immediate Family, or business partner have financial or other interests in any of the applicants listed? | <input type="checkbox"/> | Yes | | <input type="checkbox"/> | No |
| 2. Have gratuities, favors, or anything of monetary value been offered to you or accepted by you from any of the applicants listed? | <input type="checkbox"/> | Yes | | <input type="checkbox"/> | No |
| 3. Have you been employed by any of the applicants listed within the last 24 months? | <input type="checkbox"/> | Yes | | <input type="checkbox"/> | No |
| 4. Do you plan to obtain a financial interest, e.g., stock, in any of applicants listed? | <input type="checkbox"/> | Yes | | <input type="checkbox"/> | No |
| 5. Do you plan to seek or accept future employment with any of the applicants listed? | <input type="checkbox"/> | Yes | | <input type="checkbox"/> | No |
| 6. Are there any other conditions which may cause a conflict of interest? | <input type="checkbox"/> | Yes | | <input type="checkbox"/> | No |

If you answered “yes” to any of the above questions, attached to this questionnaire a written explanation of your answer below:

I declare all of the above questions are answered truthfully and to the best of my knowledge.

Name (type or print)

Signature

Date