



CITY OF AUSTIN, TEXAS
Purchasing Office
REQUEST FOR PROPOSAL (RFP)
OFFER SHEET

SOLICITATION NO: PAX0125

DATE ISSUED: 03/16/2015

COMMODITY/SERVICE DESCRIPTION: Consultant Cooperatively-Owned Businesses Study

REQUISITION NO.: 15022600392

COMMODITY CODE: 91812

PRE-PROPOSAL CONFERENCE TIME AND DATE: N/A

LOCATION: N/A

**FOR CONTRACTUAL AND TECHNICAL
ISSUES CONTACT THE FOLLOWING
AUTHORIZED CONTACT PERSON:**

Sai Xoomsai Purcell
Senior Buyer Specialist
Phone: (512) 972-4016
E-Mail: sai.xoomsai@austintexas.gov

PROPOSAL DUE PRIOR TO: 04/01/2015, 2:00 pm, local time

LOCATION: MUNICIPAL BUILDING, 124 W 8th STREET
RM 308, AUSTIN, TEXAS 78701

When submitting a sealed Offer and/or Compliance Plan, use the proper address for the type of service desired, as shown below:

Address for US Mail (Only)	Address for Fedex, UPS, Hand Delivery or Courier Service
City of Austin	City of Austin, Municipal Building
Purchasing Office-Response Enclosed for Solicitation # PAX0125	Purchasing Office-Response Enclosed for Solicitation # PAX0125
P.O. Box 1088	124 W 8 th Street, Rm 308
Austin, Texas 78767-8845	Austin, Texas 78701
	Reception Phone: (512) 974-2500

NOTE: Offers must be received and time stamped in the Purchasing Office prior to the Due Date and Time. It is the responsibility of the Offeror to ensure that their Offer arrives at the receptionist's desk in the Purchasing Office prior to the time and date indicated. Arrival at the City's mailroom, mail terminal, or post office box will not constitute the Offer arriving on time. See Section 0200 for additional solicitation instructions.

All Offers (including Compliance Plans) that are not submitted in a sealed envelope or container will not be considered.

SUBMIT 1 ORIGINAL AND 4 ELECTRONIC COPIES OF YOUR RESPONSE
The electronic version must be on flash drive in PDF format.

*****SIGNATURE FOR SUBMITTAL REQUIRED ON PAGE 3 OF THIS DOCUMENT*****

This solicitation is comprised of the following required sections. Please ensure to carefully read each section including those incorporated by reference. By signing this document, you are agreeing to all the items contained herein and will be bound to all terms.

SECTION NO.	TITLE	PAGES
0100	STANDARD PURCHASE DEFINITIONS	*
0200	STANDARD SOLICITATION INSTRUCTIONS	*
0300	STANDARD PURCHASE TERMS AND CONDITIONS	*
0400	SUPPLEMENTAL PURCHASE PROVISIONS	
0500	SCOPE OF WORK	3
0600	PROPOSAL PREPARATION INSTRUCTIONS & EVALUATION FACTORS	5
0605	LOCAL BUSINESS PRESENCE IDENTIFICATION FORM – Complete and return	1
0700	REFERENCE SHEET – Complete and return if required	2
0800	NON-DISCRIMINATION CERTIFICATION	*
0805	NON-SUSPENSION OR DEBARMENT CERTIFICATION	*
0810	NON-COLLUSION, NON-CONFLICT OF INTEREST, AND ANTI-LOBBYING CERTIFICATION	*
0835	NONRESIDENT BIDDER PROVISIONS – Complete and return	1

*** Documents are hereby incorporated into this Solicitation by reference, with the same force and effect as if they were incorporated in full text. The full text versions of these Sections are available, on the Internet at the following online address:**

http://www.austintexas.gov/financeonline/vendor_connection/index.cfm#STANDARDBIDDOCUMENTS

If you do not have access to the Internet, you may obtain a copy of these Sections from the City of Austin Purchasing Office located in the Municipal Building, 124 West 8th Street, Room #308 Austin, Texas 78701; phone (512) 974-2500. Please have the Solicitation number available so that the staff can select the proper documents. These documents can be mailed, expressed mailed, or faxed to you.

I agree to abide by the City's MBE/WBE Procurement Program Ordinance and Rules. In cases where the City has established that there are no M/WBE subcontracting goals for a solicitation, I agree that by submitting this offer my firm is completing all the work for the project and not subcontracting any portion. If any service is needed to perform the contract that my firm does not perform with its own workforce or supplies, I agree to contact the Small and Minority Business Resources Department (SMBR) at (512) 974-7600 to obtain a list of MBE and WBE firms available to perform the service and am including the completed No Goals Utilization Plan with my submittal. This form can be found Under the Standard Bid Document Tab on the Vendor Connection Website:

http://www.austintexas.gov/financeonline/vendor_connection/index.cfm#STANDARDBIDDOCUMENTS

If I am awarded the contract I agree to continue complying with the City's MBE/WBE Procurement Program Ordinance and Rules including contacting SMBR if any subcontracting is later identified.

The undersigned, by his/her signature, represents that he/she is submitting a binding offer and is authorized to bind the respondent to fully comply with the solicitation document contained herein. The Respondent, by submitting and signing below, acknowledges that he/she has received and read the entire document packet sections defined above including all documents incorporated by reference, and agrees to be bound by the terms therein.

Company Name: _____

Company Address: _____

City, State, Zip: _____

Federal Tax ID No. _____

Printed Name of Officer or Authorized Representative: _____

Title: _____

Signature of Officer or Authorized Representative: _____

Date: _____

Email Address: _____

Phone Number: _____

*** Proposal response must be submitted with this Offer sheet to be considered for award**

Section 0605: Local Business Presence Identification

A firm (Offeror or Subcontractor) is considered to have a Local Business Presence if the firm is headquartered in the Austin Corporate City Limits, or has a branch office located in the Austin Corporate City Limits in operation for the last five (5) years. The City defines headquarters as the administrative center where most of the important functions and full responsibility for managing and coordinating the business activities of the firm are located. The City defines branch office as a smaller, remotely located office that is separate from a firm's headquarters that offers the services requested and required under this solicitation.

OFFEROR MUST SUBMIT THE FOLLOWING INFORMATION FOR EACH LOCAL BUSINESS (INCLUDING THE OFFEROR, IF APPLICABLE) TO BE CONSIDERED FOR LOCAL PRESENCE.

NOTE: ALL FIRMS MUST BE IDENTIFIED ON THE MBE/WBE COMPLIANCE PLAN OR NO GOALS UTILIZATION PLAN, SECTION 0900 OF THE SOLICITATION.

USE ADDITIONAL PAGES AS NECESSARY

OFFEROR:

Name of Local Firm						
Physical Address						
Is Firm located in the Corporate City Limits? (circle one)	Yes			No		
In business at this location for past 5 yrs?	Yes			No		
Location Type:	Headquarters	Yes	No	Branch	Yes	No

SUBCONTRACTOR(S):

Name of Local Firm						
Physical Address						
Is Firm located in the Corporate City Limits? (circle one)	Yes			No		
In business at this location for past 5 yrs?	Yes			No		
Location Type:	Headquarters	Yes	No	Branch	Yes	No

SUBCONTRACTOR(S):

Name of Local Firm						
Physical Address						
Is Firm located in the Corporate City Limits? (circle one)	Yes			No		
In business at this location for past 5 yrs?	Yes			No		
Location Type:	Headquarters	Yes	No	Branch	Yes	No

Section 0700: Reference Sheet

Please include the following information if required in the solicitation:

Responding Company Name _____

1. Company's Name _____
Name and Title of Contact _____
Present Address _____
City, State, Zip Code _____
Telephone Number (_____) _____ Fax Number (_____) _____
Email Address _____

2. Company's Name _____
Name and Title of Contact _____
Present Address _____
City, State, Zip Code _____
Telephone Number (_____) _____ Fax Number (_____) _____
Email Address _____

3. Company's Name _____
Name and Title of Contact _____
Present Address _____
City, State, Zip Code _____
Telephone Number (_____) _____ Fax Number (_____) _____
Email Address _____

4. Company's Name _____
Name and Title of Contact _____
Present Address _____
City, State, Zip Code _____
Telephone Number (_____) _____ Fax Number (_____) _____
Email Address _____

5. Company's Name _____
Name and Title of Contact _____
Present Address _____
City, State, Zip Code _____
Telephone Number (_____) _____ Fax Number (_____) _____
Email Address _____

Section 0835: Non-Resident Bidder Provisions

Company Name _____

- A. Bidder must answer the following questions in accordance with Vernon's Texas Statutes and Codes Annotated Government Code 2252.002, as amended:

Is the Bidder that is making and submitting this Bid a "Resident Bidder" or a "non-resident Bidder"?

Answer: _____

- (1) Texas Resident Bidder- A Bidder whose principle place of business is in Texas and includes a Contractor whose ultimate parent company or majority owner has its principal place of business in Texas.
(2) Nonresident Bidder- A Bidder who is not a Texas Resident Bidder.

- B. If the Bidder is a "Nonresident Bidder" does the state, in which the Nonresident Bidder's principal place of business is located, have a law requiring a Nonresident Bidder of that state to bid a certain amount or percentage under the Bid of a Resident Bidder of that state in order for the nonresident Bidder of that state to be awarded a Contract on such bid in said state?

Answer: _____ Which State: _____

- C. If the answer to Question B is "yes", then what amount or percentage must a Texas Resident Bidder bid under the bid price of a Resident Bidder of that state in order to be awarded a Contract on such bid in said state?

Answer: _____

**CITY OF AUSTIN
PURCHASING OFFICE
SUPPLEMENTAL PURCHASE PROVISIONS**

**CITY OF AUSTIN
PURCHASING OFFICE
SUPPLEMENTAL PURCHASE PROVISIONS**

The following Supplemental Purchasing Provisions apply to this solicitation:

1. **EXPLANATIONS OR CLARIFICATIONS:** (reference paragraph 5 in Section 0200)

All requests for explanations or clarifications must be submitted in writing to the Purchasing Office by five business days prior to the proposal due date to Sai.Xoomsai@austintexas.gov.

2. **INSURANCE:** Insurance is required for this solicitation.

A. **General Requirements:** See Section 0300, Standard Purchase Terms and Conditions, paragraph 32, entitled Insurance, for general insurance requirements.

- i. The Contractor shall provide a Certificate of Insurance as verification of coverages required below to the City at the below address prior to contract execution and within 14 calendar days after written request from the City. Failure to provide the required Certificate of Insurance may subject the Offer to disqualification from consideration for award
- ii. The Contractor shall not commence work until the required insurance is obtained and until such insurance has been reviewed by the City. Approval of insurance by the City shall not relieve or decrease the liability of the Contractor hereunder and shall not be construed to be a limitation of liability on the part of the Contractor.
- iii. The Contractor must also forward a Certificate of Insurance to the City whenever a previously identified policy period has expired, or an extension option or holdover period is exercised, as verification of continuing coverage.
- iv. The Certificate of Insurance, and updates, shall be mailed to the following address:

City of Austin Purchasing Office
P. O. Box 1088
Austin, Texas 78767

B. **Specific Coverage Requirements:** The Contractor shall at a minimum carry insurance in the types and amounts indicated below for the duration of the Contract, including extension options and hold over periods, and during any warranty period. These insurance coverages are required minimums and are not intended to limit the responsibility or liability of the Contractor.

- i. **Worker's Compensation and Employers' Liability Insurance:** Coverage shall be consistent with statutory benefits outlined in the Texas Worker's Compensation Act (Section 401). The minimum policy limits for Employer's Liability are \$100,000 bodily injury each accident, \$500,000 bodily injury by disease policy limit and \$100,000 bodily injury by disease each employee.
 - (1) The Contractor's policy shall apply to the State of Texas and include these endorsements in favor of the City of Austin:
 - (a) Waiver of Subrogation, Form WC420304, or equivalent coverage
 - (b) Thirty (30) days Notice of Cancellation, Form WC420601, or equivalent coverage
- ii. **Commercial General Liability Insurance:** The minimum bodily injury and property damage per occurrence are \$500,000 for coverages A (Bodily Injury and Property Damage) and B (Personal and Advertising Injury).
 - (1) The policy shall contain the following provisions:
 - (a) Contractual liability coverage for liability assumed under the Contract and all other Contracts related to the project.
 - (b) Contractor/Subcontracted Work.
 - (c) Products/Completed Operations Liability for the duration of the warranty period.
 - (d) If the project involves digging or drilling provisions must be included that provide Explosion, Collapse, and/or Underground Coverage.
 - (2) The policy shall also include these endorsements in favor of the City of Austin:
 - (a) Waiver of Subrogation, Endorsement CG 2404, or equivalent coverage

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- (b) Thirty (30) days Notice of Cancellation, Endorsement CG 0205, or equivalent coverage
 - (c) The City of Austin listed as an additional insured, Endorsement CG 2010, or equivalent coverage
 - iii. **Business Automobile Liability Insurance:** The Contractor shall provide coverage for all owned, non-owned and hired vehicles with a minimum combined single limit of \$500,000 per occurrence for bodily injury and property damage. Alternate acceptable limits are \$250,000 bodily injury per person, \$500,000 bodily injury per occurrence and at least \$100,000 property damage liability per accident.
 - (1) The policy shall include these endorsements in favor of the City of Austin:
 - (a) Waiver of Subrogation, Endorsement CA0444, or equivalent coverage
 - (b) Thirty (30) days Notice of Cancellation, Endorsement CA0244, or equivalent coverage
 - (c) The City of Austin listed as an additional insured, Endorsement CA2048, or equivalent coverage.
 - C. **Endorsements:** The specific insurance coverage endorsements specified above, or their equivalents must be provided. In the event that endorsements, which are the equivalent of the required coverage, are proposed to be substituted for the required coverage, copies of the equivalent endorsements must be provided for the City's review and approval.
3. **INVOICES and PAYMENT:** (reference paragraphs 12 and 13 in Section 0300)
- A. Invoices shall contain a unique invoice number and the information required in Section 0300, paragraph 12, entitled "Invoices." Invoices received without all required information cannot be processed and will be returned to the vendor.
- Invoices shall be mailed to the below address:
- | | |
|----------------------|---------------------------------|
| | City of Austin |
| Department | Economic Development Department |
| Attn: | Account Payable |
| Address | P.O. Box 1088 |
| City, State Zip Code | Austin, TX 78767 |
- B. The Contractor agrees to accept payment by either credit card, check or Electronic Funds Transfer (EFT) for all goods and/or services provided under the Contract. The Contractor shall factor the cost of processing credit card payments into the Offer. There shall be no additional charges, surcharges, or penalties to the City for payments made by credit card.
4. **NON-COLLUSION, NON-CONFLICT OF INTEREST, AND ANTI-LOBBYING:**
- A. On November 10, 2011, the Austin City Council adopted Ordinance No. 20111110-052 amending Chapter 2.7, Article 6 of the City Code relating to Anti-Lobbying and Procurement. The policy defined in this Code applies to Solicitations for goods and/or services requiring City Council approval under City Charter Article VII, Section 15 (Purchase Procedures). During the No-Contact Period, Offerors or potential Offerors are prohibited from making a representation to anyone other than the Authorized Contact Person in the Solicitation as the contact for questions and comments regarding the Solicitation.

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- B. If during the No-Contact Period an Offeror makes a representation to anyone other than the Authorized Contact Person for the Solicitation, the Offeror's Offer is disqualified from further consideration except as permitted in the Ordinance.
 - C. If an Offeror has been disqualified under this article more than two times in a sixty (60) month period, the Purchasing Officer shall debar the Offeror from doing business with the City for a period not to exceed three (3) years, provided the Offeror is given written notice and a hearing in advance of the debarment.
 - D. The City requires Offerors submitting Offers on this Solicitation to certify that the Offeror has not in any way directly or indirectly made representations to anyone other than the Authorized Contact Person during the No-Contact Period as defined in the Ordinance. The text of the City Ordinance is posted on the Internet at: <http://www.ci.austin.tx.us/edims/document.cfm?id=161145>
38. **CONTRACT MANAGER:** The following person is designated as Contract Manager, and will act as the contact point between the City and the Contractor during the term of the Contract:

Blake Smith

blake.smith@austintexas.gov

512-974-7618

*Note: The above listed Contract Manager is not the authorized Contact Person for purposes of the **NON-COLLUSION, NON-CONFLICT OF INTEREST, AND ANTI-LOBBYING Provision** of this Section; and therefore, contact with the Contract Manager is prohibited during the no contact period.

**Scope of Work
Cooperatively-owned Businesses Study
RFP No. PAX0125**

1.0. PURPOSE

The City of Austin (“the City”) is seeking proposals from Consultants qualified to conduct research on national “Best Practices” for government support for the creation and development of cooperatively-owned businesses.

2.0. BACKGROUND

On June 12, 2014, the Austin City Council adopted Resolution 20140612-072, which directed the City Manager to convene stakeholders to develop recommendations that detail ways the City can promote the development of new and existing cooperatively-owned businesses. On August 14, 2014, staff from the City’s Economic Development Department (EDD), and two other departments, convened the stakeholder meeting with 28 representatives of local cooperatively-owned businesses. The stakeholders made the following major recommendations:

- Educate City departments and policy makers about Co-Ops and develop cooperatively-owned business friendly policies and services.
- Promote cooperatively-owned businesses’ public visibility.
- Provide business educational resources and access to funding.

Based on the stakeholders’ input, EDD staff recommended conducting a Request for Proposal (RFP) to hire a Consultant to research national “Best Practices” related to cooperatively-owned businesses, develop recommendations for the City and local cooperatively-owned businesses to follow, and to write a report on the research findings and recommendations.

The research data, final report and all other aspects of this study will be the property of the City of Austin and may not be used, referenced, published or distributed by the Consultant without the express written consent of the City of Austin.

The research and report(s) for this project must be completed within six (6) months of contract execution. Payment will be made based on milestones established at the initial meeting described in Section 2.1.

2.0. SCOPE OF WORK

2.1 Within ten (10) business days of award and execution of the contract, EDD will hold an initial meeting with the Consultant to:

- 2.1.1.1 Discuss and finalize the schedule for completing the research and submitting the report.
- 2.1.1.2 Finalize the project’s progress reporting schedule. The progress reports should describe achievements to date, next steps, and any problems that may affect the project’s schedule or cost.
- 2.1.1.3 Finalize the project’s payment milestones and amounts.
- 2.1.1.4 Appoint the EDD and Consultant’s primary points of contact for questions and operational issues.

Scope of Work
Cooperatively-owned Businesses Study
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2.1.1.5 At the meeting, EDD will provide the Consultant with background data accumulated so far – a complete list of local cooperatively-owned businesses and the stakeholder recommendations from the August 2014 meeting.

2.2 Following the meeting, Consultant shall conduct research on “Best Practices” used by and on behalf of cooperatively-owned businesses in the following areas:

- 2.2.1 Governmental support of cooperatively-owned businesses, particularly support by municipal and local governments.
- 2.2.2 Marketing strategies and techniques used for promoting the benefits of cooperatively-owned businesses to the public.
- 2.2.3 Types of training used to promote the creation and development of cooperatively-owned businesses.
- 2.2.4 Funding methods currently and potentially available to cooperatively-owned businesses, including any solution(s) to traditional lending guarantor requirements.

2.3 Based on Best Practices identified through the research conducted under Section 2.2, Consultant shall develop recommendations on the following:

- 2.3.1 Specific ways the City of Austin can support cooperatively-owned businesses.
- 2.3.2 A marketing strategy for promoting the benefits of cooperatively-owned businesses to the public.
- 2.3.3 A training curriculum to promote the creation and development of cooperatively-owned businesses.
- 2.3.4 Current and potential funding methods available to cooperatively-owned businesses, including any solution(s) to traditional lending guarantor requirements.

2.4 Consultant shall submit a report of the findings to the City that includes the following:

- 2.4.1 A synopsis of the research findings that describes the overall themes or trends identified.
- 2.4.2 The recommendations developed under Section 2.3. All recommendations should be based on Best Practices identified by the Consultant’s research and fully supported by examples from successful programs.
- 2.4.3 The supporting details of the research findings.
- 2.4.4 Report submittal requirements:
 - 2.4.4.1 Based on decisions to be made at the kick-off meeting (Section 2.1), the City may request that the Consultant submit each section of the report as they are completed.
 - 2.4.4.2 Consultant shall provide the written final report(s) in MS Word and Adobe PDF.

2.5 Following submission of the final report, the Consultant may be requested to prepare and deliver a presentation(s) on the research, findings, and recommendations. The most likely audiences for this presentation are EDD’s upper management, a Committee of the City Council or the full City Council. If

**Scope of Work
Cooperatively-owned Businesses Study
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requested, the presentation(s) will likely occur four to eight weeks after the final report is submitted by the Consultant.

3.0 Minimum Qualifications

- 3.1 Consultant shall have successfully completed two (2) comparable research projects within the past five (5) years (Section 0600, item C).
- 3.2 Consultant shall have experience in conducting research projects related to cooperatively-owned businesses, small or locally-owned business, or an applicable business-related subject (Section 0600, item D).
- 3.3 Consultant shall provide three (3) non-City references that can verify experience in working with them and substantiate the Consultant's success in conducting the study and completing all deliverables within budget and schedule.

**CITY OF AUSTIN
PURCHASING OFFICE
PROPOSAL PREPARATION INSTRUCTIONS AND EVALUATION FACTORS
SOLICITATION NUMBER: PAX0125**

1. PROPOSAL FORMAT:

The Proposer will submit six (6) copies of the proposal. The proposal shall be organized in the following format and informational sequence:

- A. Business Organization:** State the full name and address of your organization and identify the parent company if you are a subsidiary. Specify the branch office or other subordinate element which will perform, or assist in performing, work herein.
- B. Authorized Negotiator:** Include the name, address, email, and telephone number of the person in your organization authorized to negotiate Contract terms and render binding decisions on Contract matters.
- C. Prior Experience:** Per Section 3.0 of the Section 0500 Scope of Work, the City will evaluate the Proposer's experience in conducting research projects related to cooperatively-owned businesses, small or local businesses, or an applicable business-related subject.
 - 1. List two (2) comparable research projects that the Proposer has conducted within the past five (5), and include a brief description for each project that includes:
 - a. Project Name
 - b. Name of Proposer's key personnel that worked on the study
 - c. The client and the study's purpose
 - d. Budget of each project and final cost invoiced for each project
 - e. Time required to complete each project
 - f. The methods used to conduct the research
 - g. Name, title, and current phone number for principal person for whom each prior project was accomplished
 - 2. List three (3) non-City references in Section 0700 Reference Sheet that can verify experience in working with your firm and substantiate your success in conducting the study and completing all deliverables within budget and schedule.
- D. Personnel:** The City will evaluate each Proposal based on the experience and qualifications of the professional staff that will be assigned to perform the Scopes of Work.
 - 1. Include the names and qualifications of all personnel who will be assigned to this project. Include the staff of sub-consultant firms, if applicable. Identify key persons by name and title.
 - 2. Describe each person's role, title, and percentage of time each person will devote in conducting the study. Provide resumes for all personnel assigned to the project.
- E. Concept and Solution:** State your understanding of the requirement presented in the Scope of Work of this RFP and describes in detail your proposed solution. Provide all details as required

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in the Scope of Work and any additional information you deem necessary to evaluate your proposal. The City will meet with the successful Proposer following award and execution of the contract to finalize the research strategies to be used.

- F. Work Plan:** Describe your Work Plan for achieving the RFP's Scope of Work, within the prescribed six-month timeframe and within budget. Include a deliverable schedule that identifies the approximate amount of time needed to complete each major task. Include any time-related displays, graphs, and charts as necessary to show tasks, sub-tasks, milestones, and decision points related to the Scope of Work and your plan for accomplishment. The City will meet with the successful Proposer following award and execution of the contract to finalize the project schedule, per Section 2.1 of the Section 0500 Scope of Work.
- G. Project Management Structure:** The City will require the Proposer to demonstrate that it has a good organizational and management structure. Submit an organizational chart that:
1. Shows the supervisory and reporting structure for personnel assigned to carry out this RFP's Scope of Work.
 2. Identifies a single-point-of-contact for billing, follow-up and problem resolution.
 3. Demonstrates that the loss or absence of key staff members will not compromise the quality of the research and report, or the schedule for completion.
- H. Cost Proposal:** A firm fixed price or not-to-exceed contract is contemplated, with progress payments as mutually determined to be appropriate.
1. The City has established a budget in an amount not to exceed of **\$60,000** for this project. However, cost will be an evaluation factor used to select the successful Proposer, so the cost should reflect the Proposer's "best offer". Proposer with the lowest cost to the City will be given the maximum number of points with the remaining points given on a percentage ratio basis.
 2. The cost should include all expenses necessary to perform the scope of work.

2. PROPOSAL TERMS:

- A. Local Business Presence:** The City seeks opportunities for businesses in the Austin Corporate City Limits to participate on City contracts. A firm (Offeror or Subcontractor) is considered to have a Local Business Presence if the firm is headquartered in the Austin Corporate City Limits, or has a branch office located in the Austin Corporate City Limits in operation for the last five (5) years. The City defines headquarters as the administrative center where most of the important functions and full responsibility for managing and coordinating the business activities of the firm are located. The City defines branch office as a smaller, remotely located office that is separate from a firm's headquarters that offers the services requested and required under this solicitation. Points will be awarded through a combination of the Offeror's Local Business Presence and/or the Local Business Presence of their subcontractors. Evaluation of the Team's

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Percentage of Local Business Presence will be based on the dollar amount of work as reflected in the Offeror's MBE/WBE Compliance Plan or MBE/WBE Utilization Plan. Specify if and by which definition the Offeror or Subcontractor(s) have a local business presence.

B. Non-Collusion, Non-Conflict of Interest, and Anti-Lobbying:

1. On November 10, 2011, the Austin City Council adopted Ordinance No. 20111110-052 amending Chapter 2-7, Article 6 of the City Code relating to Anti-Lobbying and Procurement. The policy defined in this Code applies to Solicitations for goods and/or services requiring City Council approval under City Charter Article VII, Section 15 (Purchase Procedures). During the No-Contact Period, Offerors or potential Offerors are prohibited from making a representation to anyone other than the Authorized Contact Person in the Solicitation as the contact for questions and comments regarding the Solicitation.
2. If during the No-Contact Period an Offeror makes a representation to anyone other than the Authorized Contact Person for the Solicitation, the Offeror's Offer is disqualified from further consideration except as permitted in the Ordinance.
3. If a Respondent has been disqualified under this article more than two times in a sixty (60) month period, the Purchasing Officer shall debar the Offeror from doing business with the City for a period not to exceed three (3) years, provided the Respondent is given written notice and a hearing in advance of the debarment.
4. The City requires Offerors submitting Offers on this Solicitation to provide a signed Section 0810, Non-Collusion, Non-Conflict of Interest, and Anti-Lobbying Affidavit certifying that the Offeror has not in any way directly or indirectly made representations to anyone other than the Authorized Contact Person during the No-Contact Period as defined in the Ordinance. The text of the City Ordinance is posted on the Internet at: <http://www.ci.austin.tx.us/edims/document.cfm?id=161145>

C. Proposal Acceptance Period: All proposals are valid for a period of one hundred and sixty (160) calendar days subsequent to the RFP closing date unless a longer acceptance period is offered in the proposal.

D. Proprietary Information: All material submitted to the City becomes public property and is subject to the Texas Open Records Act upon receipt. If a Proposer does not desire proprietary information in the proposal to be disclosed, each page must be identified and marked proprietary at time of submittal. The City will, to the extent allowed by law, endeavor to protect such information from disclosure. The final decision as to what information must be disclosed, however, lies with the Texas Attorney General. Failure to identify proprietary information will result in all unmarked sections being deemed non-proprietary and available upon public request.

3. EXCEPTIONS:

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Be advised that exceptions to any portion of the Solicitation may jeopardize acceptance of the Proposal.

If any exceptions are taken by a Proposer to any term or condition of this RFP, the Proposer must clearly indicate each specific exception taken, include a full explanation of the reason for said exception, and include any proposed language for any alternative term as a separate attachment to the Proposal, stating clearly in writing that the Proposer's Contract or Legal staff have reviewed and proposed all such terms in the Proposer's exceptions. The failure to identify exceptions or proposed changes with a full explanation and substitute language shall constitute acceptance by the Proposer of the Solicitation as proposed by the City. The City reserves the right to reject a proposal containing exceptions, additions, qualifications or conditions not called for in the Solicitation.

Any exceptions should be identified and explained in the proposal.

4. PROPOSAL PREPARATION COSTS

All costs directly or indirectly related to preparation of a response to the RFP or any oral presentation required to supplement and/or clarify a proposal which may be required by the City shall be the sole responsibility of the Proposer.

5. EVALUATION FACTORS AND AWARD

A. **Competitive Selection:** This procurement will comply with applicable City Policy. The successful Proposer will be selected by the City on a rational basis. Evaluation factors outlined in Paragraph B below shall be applied to all eligible, responsive Proposers in comparing proposals and selecting the Best Offeror. Award of a Contract may be made without discussion with Proposers after proposals are received. Proposals should, therefore, be submitted on the most favorable terms.

B. Evaluation Factors:

- i. 100 points.
 - a. Demonstrated Applicable Experience – 30 points
 - b. Strength of Personnel Qualifications – 20 points
 - c. Strength of Concept and Proposed Solution – 15 points
 - d. Strength of Work Plan – 15 points
 - e. Total Cost – 10 points
 - f. Local Business Presence – 10 points

Proposer's Local Business Presence	Points Awarded
Local business presence of 90% to 100%	10

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Local business presence of 75% to 89%	8
Local business presence of 50% to 74%	6
Local business presence of 25% to 49%	4
Local presence of between 1 and 24%	2
No local presence	0

- ii. The City will score proposals based on items “a” through “f” above. The City may select a “short list” of Proposers based on those scores. Short-listed Proposers may be invited for interviews with the City. The City reserves the right to rescore short-listed proposals as a result of the interviews and to make an award recommendation on that basis. The City reserves the right to negotiate the actual contract scope of work and cost after submission.