

**CONSULTING SERVICES ITQ  
CONTRACT 4400007410**

**REQUEST FOR QUOTATIONS FOR  
PROFESSIONAL SERVICES FOR THE BALANCE OF STATE EASTERN AND WESTERN  
CONTINUUMS OF CARE**

**ISSUING OFFICE  
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT  
FINANCIAL MANAGEMENT CENTER  
COMMONWEALTH KEYSTONE BLDG., 4<sup>TH</sup> FLOOR  
HARRISBURG, PA 17120-0225**

**RFQ NUMBER  
024-2015-18**

**DATE OF ISSUANCE  
APRIL 14, 2016**

**This is a restricted solicitation under the Commonwealth's Consulting Services, Invitation to Qualify (ITQ), - Contract #4400007410. Only those contractors qualified in the following service category(s) under Contract #4400007410 may submit a proposal in response to this RFQ.**

- **Technical Assistance - Federal Grant or Loan Programs**

**For more information about the Consulting Services ITQ, please click on the following link. <https://www.dgs.internet.state.pa.us/ITQ/>**

**REQUEST FOR QUOTATIONS**

**FOR  
024-2015-18**

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## CALENDAR OF EVENTS

The Commonwealth will make every effort to adhere to the following schedule:

Activity	Responsibility	Date
Deadline to submit Questions via email to: labbott@pa.gov.	Contractors	April 21, 2016
Answers to Potential Contractor questions posted to the DGS website at: <a href="http://www.emarketplace.state.pa.us/Search.aspx">http://www.emarketplace.state.pa.us/Search.aspx</a> no later than this date.	Issuing Office	April 28, 2016
Please monitor the DGS website for all communications regarding the RFQ.	Contractors	
Sealed proposal must be received no later than 5:00pm by the Issuing Office at: Financial Management Center Department of Community & Economic Development Commonwealth Keystone Bldg., 4 <sup>th</sup> Floor 400 North Street Harrisburg, PA 17120-0225 Attention: Lorie Abbott	Contractors	May 16, 2016

PART I  
GENERAL INFORMATION

**I-1. Purpose**

This Request for Quotes ("RFQ") provides sufficient information to qualified Contractors to enable them to prepare and submit proposals for the Department of Community and Economic Development's (DCED's) consideration on behalf of the Commonwealth of Pennsylvania ("Commonwealth") to satisfy a need for professional services for the Balance of State Eastern and Western Continuums of Care ("Project").

**I-2. Issuing Office**

The DCED's ("Issuing Office") has issued this RFQ on behalf of the Commonwealth. The sole point of contact in the Commonwealth for this RFQ shall be Lorie Abbott, Financial Management Center, Department of Community and Economic Development, Commonwealth Keystone Bldg., 4<sup>th</sup> Floor, 400 North Street, Harrisburg, PA 17120-0225, the Issuing Officer for this RFQ. Please refer all inquiries to the Issuing Officer.

**I-3. Scope**

This RFQ contains instructions governing the requested proposals, including the requirements for the information and material to be included; a description of the service to be provided; requirements which Contractors must meet to be eligible for consideration; general evaluation criteria; and other requirements specific to this RFQ.

**I-4. Problem Statement**

The Department of Community & Economic Development ("DCED") is seeking a contractor to assist DCED with professional services for the Balance of State ("BOS") Eastern and Western Continuums of Care ("COCs"). The contractor will be required to: (1) prepare and submit two separate annual applications requesting federal assistance through the McKinney-Vento Homeless Assistance Act as amended by S. 896 The Homeless Emergency Assistance and Rapid Transition to Housing ("HEARTH") Act of 2009; (2) coordinate logistics for the annual Point-In Time ("PIT") count and the Housing Inventory Count ("HIC"); (3) assist with planning the BOS COC Governing Boards ("Board" or "Boards") meetings and related Regional Housing Advisory Board ("RHAB") activities, as requested; (4) assist in the development of two Strategic Plans/Action Plans; (5) assist with the development of performance measures for the Continuum of Care ("COC") HEARTH program and in concert with the Emergency Solutions Grant ("ESG"); (6) assist with the development of project evaluation methods for both the COC and ESG programs; and (7) provide training, technical assistance, and administrative support.

Additional detail is provided in **Part IV** of this RFQ

**I-5. Preproposal Conference.**

There will be no preproposal conference for this RFQ. If there are any questions, please forward them to the Issuing Officer in accordance with Section I-6.

### **I-6. Questions and Answers**

If a Contractor has any questions regarding this RFQ, the Contractor must submit the questions by email (with the subject line "Consulting Services ITQ RFQ 024-2015-18 Question") to the Issuing Officer. If the Contractor has questions, they must be submitted via email no later than the date and time specified in the Calendar of Events. The Contractor shall not attempt to contact the Issuing Officer by any other means. The Issuing Officer shall post the answers to the DGS website.

A Contractor who submits a question *after* the deadline date for receipt of questions indicated on the Calendar of Events assumes the risk that its proposal will not be responsive or competitive because the Commonwealth is not able to respond before the proposal receipt date or in sufficient time for the Contractor to prepare a responsive or competitive proposal. When submitted after the deadline date for receipt of questions indicated on the Calendar of Events, the Issuing Officer *may* respond to questions of an administrative nature by directing the questioning Contractor to specific provisions in the RFQ. To the extent that the Issuing Office decides to respond to a non-administrative question *after* the deadline date for receipt of questions indicated on the Calendar of Events, the answer will be provided to all Contractors through an addendum.

All questions and responses as posted on the DGS website are considered as an addendum to, and part of, this RFQ. Each Contractor shall be responsible to monitor the DGS website for new or revised RFQ information. The Issuing Office shall not be bound by any verbal information nor shall it be bound by any written information that is not either contained within the RFQ or formally issued as an addendum by the Issuing Office.

### **I-7. Addenda to RFQ**

If the Issuing Office deems it necessary to revise any part of this RFQ before the proposal response date, the Issuing Office will post an addendum to the DGS website. Answers to the questions asked during the Questions & Answers period also will be posted to the DGS website as an addendum to the RFQ.

### **I-8. Electronic Version of RFQ**

This RFQ is being made available by electronic means. The Contractor acknowledges and accepts full responsibility to insure that no changes are made to the RFQ. In the event of a conflict between a version of the RFQ in the Contractor's possession and the Issuing Office's version of the RFQ, the Issuing Office's version shall govern.

### **I-9. Response Date**

To be considered, proposals must arrive at the Issuing Office on or before the time and date specified in the RFQ Calendar of Events. Contractors who mail proposals should allow sufficient mail delivery time to ensure timely receipt of their proposals. If, due to inclement weather, natural disaster, or any other cause, the Issuing Office location to which proposals are to be returned is closed on the proposal response date, the deadline for submission shall be automatically extended until the next Commonwealth business day on which the office is open, unless the Contractors are otherwise notified by the Commonwealth. The

time for submission of proposals shall remain the same. Late proposals shall not be considered.

#### **I-10. Incurring Costs**

The Issuing Office is not liable for any costs the Contractor incurs in preparation and submission of its proposal, in participating in the RFQ process or in anticipation of receipt of the purchase order.

#### **I-11. Economy Of Preparation**

Contractors should prepare proposals simply and economically, providing a straightforward, concise description of the Contractor's ability to meet the requirements of the RFQ. The number of pages in the proposal should not exceed fifty (50) pages.

#### **I-12. Small Diverse Business Information.**

The Issuing Office encourages participation by small diverse businesses as prime contractors, and encourages all prime contractors to make a significant commitment to use small diverse businesses as subcontractors and suppliers.

A Small Diverse Business is a DGS-verified minority-owned business, woman-owned business, veteran-owned business or service-disabled veteran-owned business.

A small business is a business in the United States which is independently owned, not dominant in its field of operation, employs no more than 100 full-time or full-time equivalent employees, and earns less than \$7 million in gross annual revenues for building design, \$20 million in gross annual revenues for sales and services and \$25 million in gross annual revenues for those businesses in the information technology sales or service business.

Questions regarding this Program can be directed to:

Department of General Services  
Bureau of Diversity, Inclusion and Small Business Opportunities  
Room 611, North Office Building  
Harrisburg, PA 17125  
Phone: (717) 783-3119  
Fax: (717) 787-7052  
Email: [gs-bsbo@pa.gov](mailto:gs-bsbo@pa.gov)  
Website: [www.dgs.state.pa.us](http://www.dgs.state.pa.us)

The Department's directory of BDISBO-verified minority, women, veteran and service disabled veteran-owned businesses can be accessed from: [Searching for Small Diverse Businesses](#).

#### **I-13. Proposals**

To be considered, Contractors must submit a complete proposal to this RFQ, using the format provided in PART II, providing **five (5) paper copies of the Technical Submittal and two (2) paper copies of the Cost Submittal and two (2) paper copies of the Small**

**Diverse Business Submittal.** In addition to the paper copies of the proposal, Contractors shall submit **two (2) complete and exact copies of the entire proposal** (Technical, Cost and Small Diverse Business Submittals, along with all requested documents) on CD-ROM or Flash drive in Microsoft Office or Microsoft Office-compatible format. The electronic copy must be a mirror image of the paper copy and any spreadsheets must be in Microsoft Excel. The Contractors may not lock or protect any cells or tabs. Contractors should ensure that there is no costing information in the technical submittal. Contractors should not reiterate technical information in the cost submittal. The CD or Flash drive should clearly identify the Contractor and include the name and version number of the virus scanning software that was used to scan the CD or Flash drive before it was submitted. The Contractor shall make no other distribution of its proposal to any other Contractor or Commonwealth official or Commonwealth consultant. Each proposal page should be numbered for ease of reference. An official authorized to bind the Contractor to its provisions must sign the proposal. If the official signs the Proposal Cover Sheet (**Appendix A** to this RFQ) and the Proposal Cover Sheet is attached to the Contractor's proposal, the requirement will be met. For this RFQ, the proposal must remain valid for one hundred and twenty (120) days or until a purchase order is executed. If the Issuing Office selects the Contractor's proposal as the best value, the contents of the selected Contractor's proposal will become, except to the extent the contents are changed through Best and Final Offers or negotiations, contractual obligations.

Each Contractor submitting a proposal specifically waives any right to withdraw or modify it, except that the Contractor may withdraw its proposal by written notice received at the Issuing Office's address for proposal delivery prior to the exact hour and date specified for proposal receipt. A Contractor or its authorized representative may withdraw its proposal in person prior to the exact hour and date set for proposal receipt, provided the withdrawing person provides appropriate identification and signs a receipt for the proposal. A Contractor may modify its submitted proposal prior to the exact hour and date set for proposal receipt only by submitting a new sealed proposal or sealed modification which complies with the RFQ requirements.

#### **I-14. Alternate Proposals.**

The Issuing Office has identified the basic approach to meeting its requirements, allowing Contractors to be creative and propose their best solution to meeting these requirements. The Issuing Office will not accept alternate proposals.

#### **I-15. Proposal Contents**

- a. Confidential Information. The Commonwealth is not requesting, and does not require, confidential proprietary information or trade secrets to be included as part of Contractors' submissions in order to evaluate proposals submitted in response to this RFQ. Accordingly, except as provided herein, Contractors should not label proposal submissions as confidential or proprietary or trade secret protected. Any Contractor who determines that it must divulge such information as part of its proposal must submit the signed written statement described in subsection c. below and must additionally provide a redacted version of its proposal, which removes only

the confidential proprietary information and trade secrets, for required public disclosure purposes.

- b. Commonwealth Use. All material submitted with the proposal shall be considered the property of the Commonwealth of Pennsylvania and may be returned only at the Issuing Office's option. The Commonwealth has the right to use any or all ideas not protected by intellectual property rights that are presented in any proposal regardless of whether the proposal becomes part of a contract. Notwithstanding any Contractor copyright designations contained on proposals, the Commonwealth shall have the right to make copies and distribute proposals internally and to comply with public record or other disclosure requirements under the provisions of any Commonwealth or United States statute or regulation, or rule or order of any court of competent jurisdiction.
- c. Public Disclosure. After the issuance of a purchase order pursuant to this RFQ, all proposal submissions are subject to disclosure in response to a request for public records made under the Pennsylvania Right-to-Know-Law, 65 P.S. § 67.101, et seq. If a proposal submission contains confidential proprietary information or trade secrets, a signed written statement to this effect must be provided with the submission in accordance with 65 P.S. § 67.707(b) for the information to be considered exempt under 65 P.S. § 67.708(b)(11) from public records requests (**See Appendix E, Trade Secret/Confidential Proprietary Information Notice**). Financial capability information submitted in response to Part II, Section II-8 of this RFQ is exempt from public records disclosure under 65 P.S. § 67.708(b)(26).

#### **I-16. Contractor's Representations and Authorizations**

By submitting its proposal, each Contractor understands, represents, and acknowledges that:

- a. All of the Contractor's information and representations in the proposal are material and important, and the Issuing Office may rely upon the contents of the proposal in making a best value selection. The Commonwealth shall treat any misstatement, omission or misrepresentation as fraudulent concealment of the true facts relating to the proposal submission, punishable pursuant to 18 Pa. C.S. § 4904.
- b. The Contractor has arrived at the price(s) and amounts in its proposal independently and without consultation, communication, or agreement with any other Contractor or potential Contractor.
- c. The Contractor has not disclosed the price(s), the amount of the proposal, nor the approximate price(s) or amount(s) of its proposal to any other firm or person who is a Contractor or potential Contractor for this RFQ, and the Contractor shall not disclose any of these items on or before the proposal submission deadline specified in the Calendar of Events of this RFQ.



- d. The Contractor has not attempted, nor will it attempt, to induce any firm or person to refrain from submitting a proposal on this contract, or to submit a proposal higher than this proposal, or to submit any intentionally high or noncompetitive proposal or other form of complementary proposal.
- e. The Contractor makes its proposal in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive proposal.
- f. To the best knowledge of the person signing the proposal for the Contractor, the Contractor, its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any governmental agency and have not in the last **four** years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding or proposing on any public contract, except as the Contractor has disclosed in its proposal.
- g. To the best of the knowledge of the person signing the proposal for the Contractor and except as the Contractor has otherwise disclosed in its proposal, the Contractor has no outstanding, delinquent obligations to the Commonwealth including, but not limited to, any state tax liability not being contested on appeal or other obligation of the Contractor that is owed to the Commonwealth.
- h. The Contractor is not currently under suspension or debarment by the Commonwealth, any other state or the federal government, and if the Contractor cannot so certify, then it shall submit along with its proposal a written explanation of why it cannot make such certification.
- i. The Contractor has not made, under separate contract with the Issuing Office, any recommendations to the Issuing Office concerning the need for the services described in its proposal or the specifications for the services described in the proposal.
- j. Each Contractor, by submitting its proposal, authorizes Commonwealth agencies to release to the Commonwealth information concerning the Contractor's Pennsylvania taxes, unemployment compensation and workers' compensation liabilities.
- k. Until the selected Contractor receives a fully executed purchase order from the Issuing Office, there is no legal and valid contract, in law or in equity, and the Contractor shall not begin to perform work, for the Project.

**I-17. Restriction Of Contact**

From the issue date of this RFQ until the Issuing Office selects a proposal as the best value, the Issuing Officer is the sole point of contact concerning this RFQ. Any violation of this condition may be cause for the Issuing Office to reject the offending Contractor's proposal. If the Issuing Office later discovers that the Contractor has engaged in any violations of this condition, the Issuing Office may reject the offending Contractor's proposal or rescind its

purchase order. Contractors must agree not to distribute any part of their proposals beyond the Issuing Office. A Contractor who shares information contained in its proposal with other Commonwealth personnel and/or competing Contractor personnel may be disqualified.

**I-18. Prime Contractor Responsibilities**

The selected Contractor will be required to assume responsibility for all services offered in the proposal whether it produces them itself or by subcontract. The Issuing Office and Project Manager will consider the selected Contractor to be the sole point of contact with regard to contractual and purchase order matters.

**I-19. Resources**

Contractors shall provide all services, supplies, facilities, and other support necessary to complete the identified work, except as otherwise provided in this Section I-19.

**I-20. Rejection Of Proposals**

The Issuing Office reserves the right, in its sole and complete discretion, to reject any proposal received in response to this RFQ, or to negotiate separately with competing Contractors.

**I-21. Discussions for Clarification**

Contractors may be required to make an oral or written clarification of their proposals to the Issuing Office to ensure thorough mutual understanding and contractor responsiveness to the RFQ requirements. The Issuing Office will initiate requests for clarification.

**I-22. Best and Final Offer (BAFO)**

- a. While not required, the Issuing Office reserves the right to conduct discussions with Contractors for the purpose of obtaining "Best and Final Offers." To obtain Best and Final Offers from Contractors, the Issuing Office may do one or more of the following, in combination and in any order:
  1. Schedule oral presentations;
  2. Request revised proposals;
  3. Conduct a reverse online auction; and
  4. Enter into pre-selection negotiations.
- b. The following Contractors will **not** be invited by the Issuing Office to submit a Best and Final Offer:
  1. Those Contractors which the Issuing Office has determined to be not responsible or whose proposals the Issuing Office has determined to be not responsive.

2. Those Contractors, which the Issuing Office has determined in accordance with **Part III, Section III-4**, from the submitted and gathered financial and other information, do not possess the financial capability, experience or qualifications to assure good faith performance of the Project.
3. Those Contractors whose score for their technical submittal of the proposal is less than 70% of the total amount of technical points allotted to the technical criterion.

The Issuing Office may further limit participation in the Best and Final Offers process to those remaining responsible Contractors which the Issuing Office has, within its discretion, determined to be within the top competitive range of responsive proposals.

- c. Evaluation Criteria found in **Part III, Section III-3**, shall also be used to evaluate the Best and Final Offers.
- d. Price reductions offered through any reverse online auction shall have no effect upon the Contractor's Technical Submittal. Dollar commitments to Small Diverse Businesses can be reduced only in the same percentage as the percent reduction in the total price offered through any reverse online auction or negotiations.

#### **I-23. Notification of Selection**

The Issuing Office will notify the selected Contractor in writing of its selection as the best value contractor after the Issuing Office has determined, taking into consideration all of the evaluation factors, the proposal that is the most advantageous to the Issuing Office.

#### **I-24. Purchase Order**

The successful Contractor will be issued a purchase order with reference to Consulting Services ITQ Contract 4400007410. The term of the purchase order will commence on the Effective Date and will end on June 30, 2017 with the option to renew for an additional four years. No work may begin or be reimbursed prior to the date of issuance of the purchase order. The selected Contractor will be paid after submitting invoices, provided it is in accordance with the work plan and approved by the Commonwealth Project Manager. Final payment will not be made until all Project work has been successfully completed.

#### **I-25. Debriefing Conferences**

Contractors whose proposals are not selected will be notified of the name of the selected contractor and given the opportunity to be debriefed. The Issuing Office will schedule the time and location of the debriefing. The debriefing will not compare the contractor with other contractors, other than the position of the Contractor's proposal in relation to all other contractor proposals.

#### **I-26. News Releases**

Contractors shall not issue news releases, internet postings, advertisements or any other public communications pertaining to this Project without prior written approval of the Issuing Office, and then only in coordination with the Issuing Office.

**I-27. Terms and Conditions**

The requirements and terms and conditions of Consulting Services ITQ #4400007410 shall govern all work conducted as a result of this RFQ.

PART II  
PROPOSAL REQUIREMENTS

**II-1. General Requirements**

Contractors must submit their proposals in the format, including heading descriptions, outlined below. To be considered, the proposal must respond to all requirements in this part of the RFQ. Contractors should provide any other information thought to be relevant, but not applicable to the enumerated categories, as an appendix to the Proposal. All cost data relating to this proposal and all Small Diverse Business cost data should be kept separate from and not included in the Technical Submittal. Each Proposal shall consist of the following **three** separately sealed submittals:

- a. Technical Submittal, which shall be a response to RFQ **Part II, Sections II-1 through II-9**;
- b. Small Diverse Business Submittal, in response to RFQ **Part II, Section II-10**; and
- c. Cost Submittal, in response to RFQ **Part II, Section II-11**.

The Issuing Office reserves the right to request additional information which, in the Issuing Office's opinion, is necessary to assure that the Contractor's competence, number of qualified employees, business organization, and financial resources are adequate to perform according to the RFQ.

The Issuing Office may make investigations as deemed necessary to determine the ability of the Contractor to perform the Project, and the Contractor shall furnish to the Issuing Office all requested information and data. The Issuing Office reserves the right to reject any proposal if the evidence submitted by, or investigation of, such Contractor fails to satisfy the Issuing Office that such Contractor is properly qualified to carry out the obligations of the RFQ and to complete the Project as specified.

**II-2. Statement of the Problem**

State in succinct terms your understanding of the problem presented or the service required by this RFQ.

**II-3. Management Summary**

Include a narrative description of the proposed effort and a list of the items to be delivered or services to be provided.

**II-4. Work Plan**

Describe in narrative form your technical plan for accomplishing the work. Use the task descriptions in **Part IV** of this RFQ as your reference point. Modifications of the task descriptions are permitted; however, reasons for changes should be fully explained. Indicate the number of person hours allocated to each task. Include a Program Evaluation

and Review Technique (PERT) or similar type display, time related, showing each event. If more than one approach is apparent, comment on why you chose this approach.

#### **II-5. Prior Experience**

Includes experience (minimum ten years) working with a multi county COC and extensive experience putting together multi-million dollar grant applications and working on multi county regional projects. Experience shown should be work done by individuals who will be assigned to this project as well as that of your company. Studies or projects referred to must be identified and the name of the customer shown, including the name, address, and telephone number of the responsible official of the customer, company, or agency who may be contacted.

#### **II-6. Personnel**

Include the number of executive and professional personnel, analysts, auditors, researchers, programmers, consultants, etc., who will be engaged in the work. Show where these personnel will be physically located during the time they are engaged in the Project. For key personnel, include the employee's name and, through a resume or similar document, the employee's education and experience working with a multi county COC, putting together multi-million dollar grant applications, and working on multi county regional projects. Indicate the responsibilities each individual will have in this Project and how long each has been with your company. Identify by name any subcontractors you intend to use and the services they will perform.

Resumes are not to include personal information that will, or will be likely to, require redaction prior to release of the proposal under the Right to Know Law. This includes home addresses and phone numbers, Social Security Numbers, Drivers' License numbers or numbers from state ID cards issued in lieu of a Drivers' License, financial account numbers, etc. If the Commonwealth requires any of this information for security verification or other purposes, the information will be requested separately and as necessary.

#### **II-7. Training**

If appropriate, indicate recommended training of agency personnel. Include the agency personnel to be trained, the number to be trained, duration of the program, place of training, curricula, training materials to be used, number and frequency of sessions, and number and level of instructors.

#### **II-8. Financial Capability**

Describe your company's financial stability and economic capability to perform the Project requirements. Provide your company's financial statements (audited, if available) for the past three fiscal years. Financial statements must include the company's Balance Sheet and Income Statement or Profit/Loss Statements. Also include a Dun & Bradstreet comprehensive report, if available. If your company is a publicly traded company, please provide a link to your financial records on your company website in lieu of providing hardcopies. The Commonwealth reserves the right to request additional information it deems necessary to evaluate a Contractor's financial capability.

## **II-9. Emergency Preparedness.**

To support continuity of operations during an emergency, including a pandemic, the Commonwealth needs a strategy for maintaining operations for an extended period of time. One part of this strategy is to ensure that essential contracts that provide critical business services to the Commonwealth have planned for such an emergency and put contingencies in place to provide needed goods and services.

- a. Describe how you anticipate such a crisis will impact your operations.
- b. Describe your emergency response continuity of operations plan. Please attach a copy of your plan, or at a minimum, summarize how your plan addresses the following aspects of pandemic preparedness:
  - i) Employee training (describe your organization's training plan, and how frequently your plan will be shared with employees)
  - ii) Identified essential business functions and key employees (within your organization) necessary to carry them out
  - iii) Contingency plans for:
    - How your organization will handle staffing issues when a portion of key employees are incapacitated due to illness.
    - How employees in your organization will carry out the essential functions if contagion control measures prevent them from coming to the primary workplace.
  - iv) How your organization will communicate with staff and suppliers when primary communications systems are overloaded or otherwise fail, including key contacts, chain of communications (including suppliers), etc.
  - v) How and when your emergency plan will be tested, and if the plan will be tested by a third-party.

## **II-10. Small Diverse Business Participation Submittal**

- A. To receive credit for being a Small Diverse Business or for subcontracting with a Small Diverse Business (including purchasing supplies and/or services through a purchase agreement), an Offeror must include proof of Small Diverse Business qualification in the Small Diverse Business participation submittal of the proposal, as indicated below:
  1. A Small Diverse Business verified by BDISBO as a Small Diverse Business must provide a photocopy of its DGS issued certificate entitled "Notice of Small Business Self-Certification and Small Diverse Business Verification" indicating its diverse status.
- B. In addition to the above certificate, the Offeror must include in the Small Diverse Business participation submittal of the proposal the following information:

2. *All* Contractors must include a numerical percentage which represents the total percentage of the work (as a percentage of the total cost in the Cost Submittal) to be performed by the Contractor and not by subcontractors and suppliers.
3. *All* Contractors must include a numerical percentage which represents the total percentage of the total cost in the Cost Submittal that the Contractor commits to paying to Small Diverse Businesses (SDBs) as subcontractors. To support its total percentage SDB subcontractor commitment, Contractor must also include:
  - 1) The percentage and dollar amount of each subcontract commitment to a Small Diverse Business;
  - 2) The name of each Small Diverse Business. The Contractor will not receive credit for stating that after the purchase order is awarded it will find a Small Diverse Business.
  - 3) The services or supplies each Small Diverse Business will provide, including the timeframe for providing the services or supplies.
  - 4) The location where each Small Diverse Business will perform services.
  - 5) The timeframe for each Small Diverse Business to provide or deliver the goods or services.
  - 6) A subcontract or letter of intent signed by the Contractor and the Small Diverse Business (SDB) for each SDB identified in the SDB Submittal. The subcontract or letter of intent must identify the specific work, goods or services the SDB will perform, how the work, goods or services relates to the project, and the specific timeframe during the term of the purchase order and any option/renewal periods when the work, goods or services will be performed or provided. In addition, the subcontract or letter of intent must identify the fixed percentage commitment and associated estimated dollar value that each SDB will receive based on the total value of the initial term of the purchase order as provided in the Contractor's cost submittal. Attached is a Letter of Intent template which may be used to satisfy these requirements.
  - 7) The name, address and telephone number of the primary contact person for each Small Diverse Business.
4. The total percentages and each SDB subcontractor commitment will become contractual obligations once the purchase order is issued.
5. The name and telephone number of the Contractor's project (contact) person for the Small Diverse Business information.
- C. The Contractor is required to submit two copies of its Small Diverse Business participation submittal. The submittal shall be clearly identified as Small Diverse Business information and sealed in its own envelope, separate from the remainder of the proposal.
- D. A Small Diverse Business can be included as a subcontractor with as many prime contractors as it chooses in separate proposals.



- E. A Contractor that qualifies as a Small Diverse Business and submits a proposal as a prime Contractor is not prohibited from being included as a subcontractor in separate proposals submitted by other Contractors.

## II-11. Cost Submittal

The information requested in this Section II-11 and **Appendix C** (Cost Matrix) shall constitute the Cost Submittal. The Cost Submittal shall be placed in a separate sealed envelope within the sealed proposal and kept separate from the technical submittal. The total cost you are proposing must be broken down into the components listed on **Appendix C**.

- a. Direct Labor Costs. Itemize to show the following for each category of personnel with a different hourly rate:
  - i) Category (e.g., partner, project manager, analyst, senior auditor, research associate)
  - ii) Estimated hours
  - iii) Rate per hour
  - iv) Total cost for each category and for all direct labor costs
- b. Labor Overhead. Specify what is included and rate used.
- c. Travel and Subsistence. Itemize transportation, lodging and meals per diem costs separately. Travel and subsistence costs must conform with the requirements of the most current version of Commonwealth Management Directive 230.10, *Travel and Subsistence Allowances*. The Issuing Office may accept higher rates normally paid by a Contractor, if those rates were approved by the Contractor's officials and published prior to submitting this proposal to the Issuing Office.
- d. Consultant Costs. Itemize as in (a) above.
- e. Subcontract Costs. Itemize as in (a) above.
- f. Cost of Supplies and Materials. Itemize.
- g. Other Direct Costs. Itemize.
- h. General Overhead Costs. Overhead includes **two** major categories of cost, operations overhead and general and administrative overhead. Operations overhead includes costs that are not **100%** attributable to the service being completed, but are generally associated with the recurring management or support of the service.

General and administrative overhead includes salaries, equipment and other costs related to headquarters management external to the service, but in support of the activity being completed. Specify what specific items are included and the rates used.

- i. Fee or Profit.
- j. Total Cost.

Contractors should **not** include any assumptions in their cost submittals. If the Contractor includes assumptions in its cost submittal, the Issuing Office may reject the proposal. Contractors should direct in writing to the Issuing Office pursuant to **Part I, Section I-6** of this RFQ, any questions about whether a cost or other component is included or applies. All Contractors will then have the benefit of the Issuing Office's written answer so that all proposals are submitted on the same basis.

#### **II-12. Domestic Workforce Utilization**

Contractors must complete and sign the Domestic Workforce Utilization Certification attached to and made a part of this RFQ as Appendix B. Contractors who seek consideration for the Domestic Workforce Utilization Certification criterion must complete, sign and submit the Domestic Workforce Utilization Certification Form in the same sealed envelope with the Technical Submittal.

#### **II-13. Lobbying Certification and Disclosure of Lobbying Activities**

This Project will be funded, in whole or in part, with federal monies. Public Law 101-121, Section 319, prohibits federal funds from being expended by the recipient or by any lower tier sub-recipients of a federal contract, grant, loan, or a cooperative agreement to pay any person for influencing, or attempting to influence a federal agency or Congress in connection with the awarding of any federal contract, the making of any federal grant or loan, or entering into any cooperative agreement. All parties who submit proposals in response to this RFQ must sign the "Lobbying Certification Form," (attached as **Appendix D**) and, if applicable, complete the "Disclosure of Lobbying Activities" form available at: <http://www.whitehouse.gov/omb/assets/omb/grants/sfillin.pdf>.

## PART III

### CRITERIA FOR SELECTION

**III-1. Mandatory Responsiveness Requirements.** To be eligible for selection, a proposal must be:

- A. Timely received from an Contractor;
- B. Properly signed by the Contractor.

**III-2. Technical Nonconforming Proposals.** The two (2) Mandatory Responsiveness Requirements set forth in **Section III-1** above (A-B) are the only RFQ requirements that the Commonwealth will consider to be *non-waivable*. The Issuing Office reserves the right, in its sole discretion, to (1) waive any other technical or immaterial nonconformities in an Contractor's proposal, (2) allow the Contractor to cure the nonconformity, or (3) consider the nonconformity in the scoring of the Contractor's proposal.

**III-3. Evaluation.** The Issuing Office has selected a committee of qualified personnel to review and evaluate timely submitted proposals. Independent of the committee, BDISBO will evaluate the Small Diverse Business participation submittal and provide the Issuing Office with a rating for this component of each proposal. The Issuing Office will notify in writing the responsible Contractor whose proposal is determined to offer the best value to the Commonwealth as determined by the Issuing Office after taking into consideration all of the evaluation factors.

**III-4. Evaluation Criteria.** The following criteria will be used in evaluating each proposal:

- A. **Technical:** The Issuing Office has established the weight for the Technical criterion for this RFQ as 50% of the total points. Evaluation will be based upon the following in order of importance:
  - i. **Soundness of Approach.** Emphasis here is on the techniques for collecting and analyzing data, sequence and relationships of major steps, and methods for managing the service. Of equal importance is whether the technical approach is completely responsive to all written specifications and requirements contained in the RFQ and it appears to meet the Issuing Office's objectives.
  - ii. **Contractor Qualifications.** This refers to the ability of the Contractor to meet the terms of the RFQ, especially the time constraints and the quality, relevancy, and recency of studies and projects completed by the Contractor. This also includes the Contractor's financial ability to undertake a project of this size.

iii. **Understanding the Problem.** This refers to the Contractor's understanding of the Issuing Office's needs that generated the RFQ; the Issuing Office's objectives in asking for the services; and the nature and scope of the work involved.

iv. **Personnel Qualifications.** This refers to the competency of professional personnel would be assigned to the job by the Contractor. Qualifications of professional personnel will be measured by experience and education, with particular reference to experience with services similar to that described in the RFQ. Particular emphasis is places on the qualifications of the project manager.

The final Technical scores are determined by giving the maximum number of technical points available to the proposal with the highest raw technical score. The remaining proposals are rated by applying the Technical Scoring Formula set forth at the following webpage:

[http://www.portal.state.pa.us/portal/server.pt/community/RFQ\\_scoring\\_formulas\\_overview/20124](http://www.portal.state.pa.us/portal/server.pt/community/RFQ_scoring_formulas_overview/20124).

B. **Cost:** The Issuing Office has established the weight for the Cost criterion for this RFQ as 30% of the total points. The cost criterion is rated by giving the proposal with the lowest total cost the maximum number of Cost points available. The remaining proposals are rated by applying the Cost Formula set forth at the following webpage:  
[http://www.portal.state.pa.us/portal/server.pt/community/RFQ\\_scoring\\_formulas\\_overview/20124](http://www.portal.state.pa.us/portal/server.pt/community/RFQ_scoring_formulas_overview/20124)

C. **Small Diverse Business Participation:**

BDISBO has established the weight for the Small Diverse Business (SDB) participation criterion for this RFQ as 20% of the total points. Each SDB participation submittal will be rated for its approach to enhancing the utilization of SDBs in accordance with the below-listed priority ranking and subject to the following requirements:

1. A business submitting a proposal as a prime contractor must perform 60% of the total contract value to receive points for this criterion under any priority ranking.
2. To receive credit for an SDB subcontracting commitment, the SDB subcontractor must perform at least fifty percent (50%) of the work subcontracted to it.
3. A significant subcontracting commitment is a minimum of five percent (5%) of the total Purchase Order value.
4. A subcontracting commitment less than five percent (5%) of the total Purchase Order value is considered nominal and will receive reduced or no additional SDB points depending on the priority ranking.

**Priority Rank 1:** Proposals submitted by SDBs as prime Contractors will receive 150 points. In addition, SDB prime Contractors that have significant subcontracting commitments to additional SDBs may receive up to an additional 50 points (200 points total available).

Subcontracting commitments to additional SDBs are evaluated based on the proposal offering the highest total percentage SDB subcontracting commitment. All other Contractors will be scored in proportion to the highest total percentage SDB subcontracting commitment within this ranking. *See formula below.*

**Priority Rank 2:** Proposals submitted by SDBs as prime contractors, with no or nominal subcontracting commitments to additional SDBs, will receive 150 points.

**Priority Rank 3:** Proposals submitted by non-small diverse businesses as prime contractors, with significant subcontracting commitments to SDBs, will receive up to 100 points. Proposals submitted with nominal subcontracting commitments to SDBs will receive points equal to the percentage level of their total SDB subcontracting commitment.

SDB subcontracting commitments are evaluated based on the proposal offering the highest total percentage SDB subcontracting commitment. All other Contractors will be scored in proportion to the highest total percentage SDB subcontracting commitment within this ranking. *See formula below.*

**Priority Rank 4:** Proposals by non-small diverse businesses as prime contractors with no SDB subcontracting commitments shall receive no points under this criterion.

To the extent that there are multiple SDB Participation submittals in Priority Rank 1 and/or Priority Rank 3 that offer significant subcontracting commitments to SDBs, the proposal offering the highest total percentage SDB subcontracting commitment shall receive the highest score (or additional points) available in that Priority Rank category and the other proposal(s) in that category shall be scored in proportion to the highest total percentage SDB subcontracting commitment. Proportional scoring is determined by applying the following formula:

$$\frac{\text{SDB \% Being Scored}}{\text{Highest \% SDB Commitment}} \times \frac{\text{Points/Additional}}{\text{Points Available}^*} = \frac{\text{Awarded/Additional}}{\text{SDB Points}}$$

*Priority Rank 1 = 50 Additional Points Available*

*Priority Rank 3 = 100 Total Points Available*

Please refer to the following webpage for an illustrative chart which shows SDB scoring based on a hypothetical situation in which the Commonwealth receives proposals for each Priority Rank:

[http://www.portal.state.pa.us/portal/server.pt/community/RFQ\\_scoring\\_formulas\\_overview/20124](http://www.portal.state.pa.us/portal/server.pt/community/RFQ_scoring_formulas_overview/20124)

- D. **Domestic Workforce Utilization:** Any points received for the Domestic Workforce Utilization criterion are bonus points in addition to the total points for this RFQ. The maximum amount of bonus points available for this criterion is 3% of the total points for this RFQ.

To the extent permitted by the laws and treaties of the United States, each proposal will be scored for its commitment to use domestic workforce in the fulfillment of the project. Maximum consideration will be given to those Contractors who will perform the contracted direct labor exclusively within the geographical boundaries of the United States or within the geographical boundaries of a country that is a party to the World Trade Organization Government Procurement Agreement. Those who propose to perform a portion of the direct labor outside of the United States and not within the geographical boundaries of a party to the World Trade Organization Government Procurement Agreement will receive a correspondingly smaller score for this criterion. See the following webpage for the Domestic Workforce Utilization Formula:

[http://www.portal.state.pa.us/portal/server.pt/community/rfp\\_scoring\\_formulas\\_overview/20124](http://www.portal.state.pa.us/portal/server.pt/community/rfp_scoring_formulas_overview/20124). Contractors who seek consideration for this criterion must submit in hardcopy the signed Domestic Workforce Utilization Certification Form in the same sealed envelope with the Technical Submittal. The certification will be included as a contractual obligation when the Purchase Order is executed.

**III-5. Contractor Responsibility.** To be responsible, a Contractor must submit a responsive proposal and possess the capability to fully perform the project requirements in all respects and the integrity and reliability to assure good faith performance of the project.

In order for an Contractor to be considered responsible for this RFQ and therefore eligible for selection for best and final offers or selection for contract negotiations:

- A. The total score for the technical submittal of the Contractor's proposal must be greater than or equal to **70%** of the **available technical points**; and
- B. The Contractor's financial information must demonstrate that the Contractor possesses the financial capability to assure good faith performance of the project. The Issuing Office will review the Contractor's previous three financial statements, any additional information received from the Contractor, and any other publicly-available financial information concerning the Contractor, and assess each Contractor's financial capacity based on calculating and analyzing various financial ratios, and comparison with industry standards and trends.

A Contractor which fails to demonstrate sufficient financial capability to assure good faith performance of the project as specified herein may be considered by the Issuing Office, in its sole discretion, for Best and Final Offers or project negotiation contingent upon such Contractor providing project performance security for the first project year cost proposed by the Contractor in a form acceptable to the Issuing Office. Based on the financial condition of the Contractor,

the Issuing Office may require a certified or bank (cashier's) check, letter of credit, or a performance bond conditioned upon the faithful performance of the project by the Contractor. The required performance security must be issued or executed by a bank or surety company authorized to do business in the Commonwealth. The cost of the required performance security will be the sole responsibility of the Contractor and cannot increase the Contractor's cost proposal or the project cost to the Commonwealth.

Further, the Issuing Office will award a project only to a Contractor determined to be responsible in accordance with the most current version of Commonwealth Management Directive 215.9, Contractor Responsibility Program.

### **III-6. Final Ranking and Award.**

- A. After any best and final offer process conducted, the Issuing Office will combine the evaluation committee's final technical scores, BDISBO's final small diverse business participation scores, the final cost scores, and (when applicable) the domestic workforce utilization scores, in accordance with the relative weights assigned to these areas as set forth in this Part.
- B. The Issuing Office will rank responsible Contractors according to the total overall score assigned to each, in descending order.
- C. The Issuing Office must select as the Best Value Contractor the Contractor with the highest overall score; PROVIDED, HOWEVER, THAT A PURCHASE ORDER WILL NOT BE ISSUED TO A CONTRACTOR WHOSE PROPOSAL RECEIVED THE LOWEST TECHNICAL SCORE AND HAD THE LOWEST COST SCORE OF THE RESPONSIVE PROPOSALS RECEIVED FROM RESPONSIBLE CONTRACTORS. IN THE EVENT SUCH A PROPOSAL ACHIEVES THE HIGHEST OVERALL SCORE, IT SHALL BE ELIMINATED FROM CONSIDERATION AND A PURCHASE ORDER MAY BE ISSUED TO THE CONTRACTOR WITH THE NEXT HIGHEST OVERALL SCORE.
- D. The Issuing Office has the discretion to reject all proposals or cancel the request for quotes, at any time prior to the time a purchase order is issued, when it is in the best interests of the Commonwealth. The reasons for the rejection or cancellation shall be made part of the contract file.

**PART IV**  
**WORK STATEMENT**

**IV-1. Objectives.**

- a. **General.** The Department of Community & Economic Development (“DCED”) is seeking a contractor to assist DCED with professional services for the Balance of State (“BOS”) Eastern and Western Continuums of Care (“COCs”). The contractor will be required to:
- prepare and submit two separate annual applications requesting federal assistance through the McKinney-Vento Homeless Assistance Act as amended by S. 896 The Homeless Emergency Assistance and Rapid Transition to Housing (“HEARTH”) Act of 2009;
  - coordinate logistics for the annual Point-In Time (“PIT”) count and the Housing Inventory Count (“HIC”);
  - assist with planning the BOS COC Governing Boards (“Board” or “Boards”) meetings and related Regional Housing Advisory Board (“RHAB”) activities, as requested;
  - assist in the development of two Strategic Plans/Action Plans;
  - assist with the development of performance measures for the Continuum of Care (“COC”) HEARTH program and in concert with the Emergency Solutions Grant (“ESG”);
  - assist with the development of project evaluation methods for both the COC and ESG programs; and
  - provide training, technical assistance, and administrative support.
- b. **Specific.** The contractor will be required to assist with measures to ensure compliance with all HEARTH requirements for DCED and the BOS COC. The BOS COC includes the following 53 counties:

Eastern Continuum of Care region:

Tioga, Bradford, Susquehanna, Clinton, Lycoming, Sullivan, Wyoming, Wayne, Pike, Monroe, Carbon, Centre, Cambria, Blair, Huntingdon, Somerset, Bedford, Fulton, Franklin, Adams, Lehigh, Northampton, Columbia, Montour, Northumberland, Union, Snyder, Schuylkill, Lebanon, Mifflin, Juniata, Perry, Cumberland; and

Western Continuum of Care region:

Crawford, Warren, McKean, Potter, Mercer, Lawrence, Venango, Forest, Clarion, Elk, Cameron, Jefferson, Clearfield, Butler, Armstrong, Indiana, Westmoreland, Washington, Greene, and Fayette counties



## IV-2. Nature and Scope of the Project.

DCED has identified a need to engage a contractor to assist DCED with the following tasks:

- addressing the BOS COC regional and local community planning;
- identifying service gaps;
- monitoring the Annual Progress Report (“APR”) data;
- completing applications for the Notice of Funding Availability (“NOFA”);
- providing training and technical assistance and assisting HEARTH Act grantees, and other homeless assistance providers, to plan and administer their projects as aligned with COC strategies as needed and directed by the Boards and DCED;
- assisting in the development of performance targets;
- developing training materials for RHAB meetings;
- coordinating administrative tasks, including:
  - scheduling meetings and locations;
  - preparing meeting agendas in coordination with the executive committees of the Boards;
  - taking meeting minutes and preparing them for circulation; and
  - providing progress reports for all activities included in this RFQ at each Board and COC meeting.

## IV-3. Requirements.

The contractor must be available to begin work June 20, 2016 with identification of a timeframe/schedule to accomplish each deliverable. The contractor must have a minimum of ten (10) years’ experience working with a multi-county Continuum of Care, and extensive experience putting together multi-million dollar grant applications and working on multi-county/regional projects. The contractor must provide to DCED a complete schedule with timeframes for completion of all deliverables in this RFQ. Where dates are unknown based on a release of information from the federal Department of Housing and Urban Development (“HUD”), the contractor must provide projected schedules for deliverables.

### a. Emergency Preparedness

To support continuity of operations during an emergency, including a pandemic, the Commonwealth needs a strategy for maintaining operations for an extended period of time. One part of this strategy is to ensure that essential contracts that provide critical business services to the Commonwealth have planned for such an emergency and put contingencies in place to provide needed goods and services.

1. Describe how you anticipate such a crisis will impact your operations.
2. Describe your emergency response continuity of operations plan. Please attach a copy of your plan, or at a minimum, summarize how your plan addresses the following aspects of pandemic preparedness:

- employee training (describe your organization's training plan, and how frequently your plan will be shared with employees)
- identified essential business functions and key employees (within your organization) necessary to carry them out
- contingency plans for:
  - How your organization will handle staffing issues when a portion of key employees are incapacitated due to illness.
  - How employees in your organization will carry out the essential functions if contagion control measures prevent them from coming to the primary workplace.
- How your organization will communicate with staff and suppliers when primary communications systems are overloaded or otherwise fail, including key contacts, chain of communications (including suppliers), etc.
- How and when your emergency plan will be tested, and if the plan will be tested by a third-party.

#### **IV-4. Tasks.**

The contractor must be familiar with and understand the HUD regulations and applications requirements of the McKinney-Vento Homeless Assistance Act as amended by S. 896 The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009, as well as any significant changes in the application processes for these programs. The contractor will be required to provide assistance to the BOS COC and Boards in consultation with DCED.

1. The contractor must annually prepare and submit two COC applications for the McKinney-Vento Homeless Assistance Act as amended by S. 896, The Homeless Emergency Assistance Act, and Rapid Transition to Housing (HEARTH) Act of 2009. Submission of the applications must be made in e-snaps on or before the application submission deadline with the assistance of the BOS COCs and DCED.

The contractor will forward to DCED and the Boards, a copy of each BOS COC application submitted for funding on or before the submission deadline. They will also prepare a presentation to each Board following the submission of the application.

The contractor will be responsible for assisting all applicants in the COC, conditionally selected, with the preparation of their technical submission applications. A draft of the application must be presented to DCED and the Boards seven days in advance of the final submission.

The contractor will participate in the COC Ranking process during grant application submission periods to the BOS COCs to ensure the best utilization of COC grant funds,

as directed by the Executive teams of the Boards. Costs must be provided separately for each BOS COC.

Costs for the preparation of each annual application must be provided separately for each BOS COC: one for the Eastern Continuum of Care; and, one for the Western Continuum of Care.

Contractor may request 50% of total deliverable cost when applications are submitted and an additional 50% upon completion of deliverable.

2. The contractor must consult with each of the respective Boards to develop a five year strategic plan outlining goals and objectives for each BOS COC within 60 days of the execution of the purchase order or as agreed upon by each Board. The contractor will work with and provide technical assistance and support to each BOS COC in establishing an annual action plan to address performance measures, to identify attainable goals and/or objectives as outlined in the strategic plan to be met each year. The strategic/action plans shall be modified by the contractor, as necessary, after the application process and as requested by each Board. Costs shall be provided separately for the development of each BOS COC plan;
3. The contractor will collect, prepare, analyze, and submit to HUD data provided by providers of homeless services for the Annual PIT and the HIC. The contractor shall work closely with the PA Homeless Management Information System Lead at DCED in this endeavor. The contractor will provide a copy of a draft report of the data to DCED and the Boards no later than 60 days after the counts are completed or as agreed upon by the Boards. A schedule of activity for the count process must be included with the RFQ. Contractor may request 25% of total deliverable cost by demonstrating that technical assistance is provided to local providers leading to the count. An additional 50% of total project costs may be requisitioned upon completion of the PIT and HIC. The remaining 25% may be requisitioned upon final HUD approval of report. Costs must be broken out separately for each BOS COC;
4. Contractor will develop a monitoring plan to ensure the coordination of monitoring, evaluation, and the development of performance measures for Rapid Rehousing, Homeless Prevention, Shelter, and Street Outreach between the Eastern and Western COCs grants and the Emergency Solution Grant program administered at DCED. The contractor will work closely with each Board and the DCED ESG program manager during the development of this monitoring plan. The monitoring plan must be provided to the Boards and DCED not later than December 31, 2016. Costs must be broken out separately for each BOS COC;
5. The contractor will work in consultation with COC/DCED Data Committee to develop a monitoring tool that will be used in conjunction with the approved monitoring plan that will be used to measure performance and compliance of COC grantees. This deliverable must be provided with the delivery of the monitoring plan. Costs must be broken out separately for each BOS COC;

6. The contractor will, in consultation with each Board, develop and deliver 5 training sessions for each BOS COC. Two shall be conducted in a classroom setting in their respective COC region. Three will be conducted via webinar. One webinar will be designated specifically for the PIT count. The training shall be relevant for homeless service providers, the Boards, RHABs, and/or other stakeholders of affordable and safe housing for the homeless. Training topics and delivery dates shall be approved by each respective BOS COC. Contractor may submit for reimbursement after the completion of each training. Costs for the provision of training must be broken out separately for each BOS COC;
7. The contractor will provide administrative support services for each BOS COC. Administrative support services will at a minimum include: logistics and costs related to securing facilities and related equipment necessary to conduct four Board meetings and two annual general membership meetings for each BOS COC. Meetings shall be conducted in the respective regions of each BOS COC and the site location, date and time of each meeting must be agreed upon by each Board. The contractor shall also be responsible for the preparation of meeting materials and agendas and ensuring that minutes of the meeting are taken, transcribed and distributed to the Boards and DCED within 30 days of the date of the meeting. Contractor will present the status report of all COC activities to date. Costs should be provided separately for each BOS COC; and

Each BOS COC requires on-site administrative support services be provided in their region for not less than 20 hours per week and, not less than 1,040 hours total for the duration of the purchase order. Administrative support services shall be extended to RHABs for meeting support as requested by the BOS COC. The Western COC could provide office space for the contractor during this period; however, the location has not yet been determined. Cost for this level of administrative support shall be provided for each BOS COC.

#### **IV-5. Reports and Project Control.**

1. The contractor will be required to furnish to DCED and the BOS COC a list of all applicants that submit a Notice of Intent to apply within 15 days of receiving such information. This Notice of Intent will include the names, addresses, phone numbers, and e-mail addresses of all applicants interested in participating in the COC Process.
2. The contractor will be required to furnish the Department with updated contact information for all applicants.
3. The contractor will be required to maintain a list of all applicants submitting applications for review and ranking by each RHAB and BOS COC.

4. The contractor must provide all information below in an emailed electronic format:

- a. **Deliverables Plan.** A proposed monthly work plan that identifies all work elements included in the RFQ, the resources assigned to complete it, the timeframe allotted to each element, and the deliverables to be produced.
- b. **Status Report.** A Progress Report must be submitted at least one week prior to the Board meeting to each respective Board and DCED. The report must include progress to date on all COC activities that must include at a minimum all items listed in the Scope of Work in this RFQ. The report should be aligned with the work plan and deliverables the Contractor outlined in its proposal, as amended or approved by the Board.
- c. **Problem Identification Report.** An "as required" report, identifying problem areas. The report should describe the problem and its impact on the overall project and on each affected task. It should list possible courses of action with advantages and disadvantages of each, and include the contractor recommendations with supporting rationale.
- d. **Annual Report.** An annual report will be provided by the contractor to DCED and each Board within 30 days of the end of each fiscal year. The final report should summarize, in detail, the work plan activities accomplished throughout the contract time period.
  - i) Abstract or summarize the result of the study or service in terminology that will be meaningful to management and others generally familiar with the subject areas.
  - ii) Summarize findings, conclusions and recommendations developed in the monitoring of the work plan and performance measures.
  - iii) Include all supporting documentation; e.g., flow-charts, forms, questionnaires, etc.
  - iv) Recommend a timeline for future deliverables.

#### **IV-6. Contract Requirements—Small Diverse Business Participation**

All contracts containing Small Diverse Business participation must also include a provision requiring the selected contractor to meet and maintain those commitments made to Small Diverse Businesses at the time of proposal submittal or contract negotiation, unless a change in the commitment is approved by the BDISBO. All contracts containing Small Diverse Business participation must include a provision requiring Small Diverse Business subcontractors to perform at least **50%** of the subcontract.

The selected contractor's commitments to Small Diverse Businesses made at the time of proposal submittal or contract negotiation shall, to the extent so provided in the commitment, be maintained throughout the term of the contract and through any renewal

or extension of the contract. Any proposed change must be submitted to BDISBO, which will make a recommendation to the Contracting Officer regarding a course of action:

If a contract is assigned to another contractor, the new contractor must maintain the Small Diverse Business participation of the original contract.

The selected contractor shall complete the Prime Contractor's Quarterly Utilization Report (or similar type document containing the same information) and submit it to the contracting officer of the Issuing Office and BDISBO within 10 workdays at the end of each quarter the contract is in force. This information will be used to determine the actual dollar amount paid to Small Diverse Business subcontractors and suppliers. Also, this information will serve as a record of fulfillment of the commitment the selected contractor made and for which it received Small Diverse Business participation points. If there was no activity during the quarter then the form must be completed by stating "No activity in this quarter."

NOTE: EQUAL EMPLOYMENT OPPORTUNITY AND CONTRACT COMPLIANCE STATEMENTS REFERRING TO COMPANY EQUAL EMPLOYMENT OPPORTUNITY POLICIES OR PAST CONTRACT COMPLIANCE PRACTICES DO NOT CONSTITUTE PROOF OF SMALL DIVERSE BUSINESSES STATUS OR ENTITLE A CONTRACTOR TO RECEIVE CREDIT FOR SMALL DIVERSE BUSINESSES UTILIZATION.

**CONSULTING SERVICES ITQ CONTRACT 4400007410  
REQUEST FOR QUOTES APPENDIX A**

**PROPOSAL COVER SHEET  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
RFQ# 024-2015-18**

Enclosed in three separately sealed submittals is the proposal of the Contractor identified below for the above-referenced RFQ:

<b>Contractor Information:</b>	
Contractor Name	
Contractor Mailing Address	
Contractor Website	
Contractor Contact Person	
Contact Person's Phone Number	
Contact Person's Facsimile Number	
Contact Person's E-Mail Address	
Contractor Federal ID Number	

<b>Submittals Enclosed and Separately Sealed:</b>	
<input type="checkbox"/>	Technical Submittal
<input type="checkbox"/>	Small Diverse Business Participation Submittal
<input type="checkbox"/>	Cost Submittal

<i><b>Signature</b></i>	
Signature of an official authorized to bind the Contractor to the provisions contained in the Contractor's proposal:	
Printed Name	
Title	

**APPENDIX B**  
**DOMESTIC WORKFORCE UTILIZATION CERTIFICATION**

To the extent permitted by the laws and treaties of the United States, each proposal will be scored for its commitment to use the domestic workforce in the fulfillment of the contract. Maximum consideration will be given to those Contractors who will perform the contracted direct labor exclusively within the geographical boundaries of the United States or within the geographical boundaries of a country that is a party to the World Trade Organization Government Procurement Agreement. Those who propose to perform a portion of the direct labor outside of the United States and not within the geographical boundaries of a party to the World Trade Organization Government Procurement Agreement will receive a correspondingly smaller score for this criterion. In order to be eligible for any consideration for this criterion, Contractors must complete and sign the following certification. This certification will be included as a contractual obligation when the contract is executed. Failure to complete and sign this certification will result in no consideration being given to the Contractor for this criterion.

I, \_\_\_\_\_ [title] of \_\_\_\_\_ [name of Contractor] a \_\_\_\_\_ [place of incorporation] corporation or other legal entity, ("Contractor") located at

\_\_\_\_\_, having a Social Security or Federal Identification Number of \_\_\_\_\_, do hereby certify and represent to the Commonwealth of Pennsylvania ("Commonwealth") (Check **one** of the boxes below):

- All of the direct labor performed within the scope of services under the contract will be performed exclusively within the geographical boundaries of the United States or one of the following countries that is a party to the World Trade Organization Government Procurement Agreement: Aruba, Austria, Belgium, Bulgaria, Canada, Chinese Taipei, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hong Kong, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Liechtenstein, Lithuania, Luxemburg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Singapore, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, and the United Kingdom

OR

- \_\_\_\_\_ percent (\_\_\_\_%) [Contractor must specify the percentage] of the direct labor performed within the scope of services under the contract will be performed within the geographical boundaries of the United States or within the geographical boundaries of one of the countries listed above that is a party to the World Trade Organization Government Procurement Agreement. Please identify the direct labor performed under the contract that will be performed outside the United States and not within the geographical boundaries of a party to the World Trade Organization Government Procurement Agreement and identify the country where the direct labor will be performed: \_\_\_\_\_

\_\_\_\_\_  
 [Use additional sheets if necessary]

The Department of General Services [or other purchasing agency] shall treat any misstatement as fraudulent concealment of the true facts punishable under Section 4904 of the *Pennsylvania Crimes Code*, Title 18, of Pa. Consolidated Statutes.

Attest or Witness:

\_\_\_\_\_  
 Corporate or Legal Entity's Name

\_\_\_\_\_  
 Signature/Date

\_\_\_\_\_  
 Signature/Date

\_\_\_\_\_  
 Printed Name/Title

\_\_\_\_\_  
 Printed Name/Title



**SMALL DIVERSE BUSINESS  
LETTER OF INTENT**

[DATE]

[SDB Contact Name  
Title  
SDB Company Name  
Address  
City, State, Zip]

Dear [SDB Contact Name]:

This letter serves as confirmation of the intent of [Offeror] to utilize [Small Diverse Business (SDB)] on RFP [RFP number and Title] issued by the [Commonwealth agency name].

If [Offeror] is the successful vendor, [SDB] shall provide [identify the specific work, goods or services the SDB will perform, and the specific timeframe during the term of the contract and any option/renewal periods when the work, goods or services will be performed or provided].

These services represent [identify fixed numerical percentage commitment] of the total cost in the [Offeror's] cost submittal for the initial term of the contract. Dependent on final negotiated contract pricing and actual contract usage or volume, it is expected that [SDB] will receive an estimated [identify associated estimated dollar value that the fixed percentage commitment represents] during the initial contract term.

[SDB] represents that it meets the small diverse business requirements set forth in the RFP and all required documentation has been provided to [Offeror] for its SDB submission.

We look forward to the opportunity to serve the [Commonwealth agency name] on this project. If you have any questions concerning our small diverse business commitment, please feel free to contact me at the number below.

Sincerely,

Acknowledged,

Offeror Name  
Title  
Company  
Phone number

SDB Name  
Title  
Company  
Phone number

APPENDIX C COST MATRIX

Costs should be presented based on deliverables to be provided pursuant to this RFQ, using the format set forth below.

1 <sup>ST</sup> Year – July 1, 2016 to June 30, 2017	Deliverable	Cost
	Application preparation and submission in e-snaps and Board presentation	\$0.00
	Eastern COC	\$0.00
	Western COC	
	Assist COC Applicants with preparation and submission of technical submission applications	\$0.00
	Eastern COC	\$0.00
	Western COC	
	COC Ranking Process	\$0.00
	Eastern COC	\$0.00
	Western COC	
	Five Year Strategic Plan Development	\$0.00
	Eastern COC	\$0.00
	Western COC	
	Annual action plan assistance and support	\$0.00
	Eastern COC	\$0.00
	Western COC	
	Annual PIT and HIC	\$0.00
	Eastern COC	\$0.00
	Western COC	

Monitoring Plan and Tool Development		
Eastern COC		\$0.00
Western COC		\$0.00
Develop and Deliver Training Sessions		
Eastern COC		
1 Classroom Training		\$0.00
2 Classroom Training		\$0.00
1 Webinar		\$0.00
2 Webinar		\$0.00
3 Webinar		\$0.00
Western COC		
1 Classroom Training		\$0.00
2 Classroom Training		\$0.00
1 Webinar		\$0.00
2 Webinar		\$0.00
3 Webinar		\$0.00
Administrative support		
Eastern COC		
Board meetings (4)		\$0.00
General Membership meetings (2)		\$0.00
On-site administrative support (blended hourly rate)		\$0.00
Western COC		
Board meetings (4)		\$0.00
General Membership (2)		\$0.00
On-site administrative support (blended hourly rate)		\$0.00
<b>2nd Year – July 1, 2017 to June 30, 2018 (ESTIMATE)</b>		
<b>Deliverable</b>	<b>Cost</b>	
Application preparation and submission in e-snaps and Board presentation		
Eastern COC		\$0.00

Western COC		\$0.00
Assist COC Applicants with preparation and submission of technical submission applications		
Eastern COC		\$0.00
Western COC		\$0.00
COC Ranking Process		
Eastern COC		\$0.00
Western COC		\$0.00
Five Year Strategic Plan Updates as Needed		
Eastern COC		\$0.00
Western COC		\$0.00
Annual action plan assistance and support		
Eastern COC		\$0.00
Western COC		\$0.00
Annual PIT and HIC		
Eastern COC		\$0.00
Western COC		\$0.00
Monitoring Plan and Tool Development		
Eastern COC		\$0.00
Western COC		\$0.00
Develop and Deliver Training Sessions		
Eastern COC		
1 Classroom Training		\$0.00
2 Classroom Training		\$0.00
1 Webinar		\$0.00
2 Webinar		\$0.00

3 Webinar		\$0.00
Western COC		
1 Classroom Training		\$0.00
2 Classroom Training		\$0.00
1 Webinar		\$0.00
2 Webinar		\$0.00
3 Webinar		\$0.00
Administrative support		
Eastern COC		\$0.00
Board meetings (4)		\$0.00
General Membership meetings (2)		\$0.00
On-site administrative support (blended hourly rate)		\$0.00
Western COC		
Board meetings (4)		\$0.00
General Membership (2)		\$0.00
On-site administrative support (blended hourly rate)		\$0.00
<b>3<sup>rd</sup> Year – July 1, 2018 to June 30, 2019 (ESTIMATE)</b>		
<b>Deliverable</b>	<b>Cost</b>	
Application preparation and submission in e-snaps and Board presentation		
Eastern COC		\$0.00
Western COC		\$0.00
Assist COC Applicants with preparation and submission of technical submission applications		
Eastern COC		\$0.00
Western COC		\$0.00
COC Ranking Process		
Eastern COC		\$0.00
Western COC		\$0.00

	Five Year Strategic Plan Updates as Needed	
Eastern COC		\$0.00
Western COC		\$0.00
	Annual action plan assistance and support	
Eastern COC		\$0.00
Western COC		\$0.00
	Annual PIT and HIC	
Eastern COC		\$0.00
Western COC		\$0.00
	Monitoring Plan and Tool Development	
Eastern COC		\$0.00
Western COC		\$0.00
	Develop and Deliver Training Sessions	
Eastern COC		
1 Classroom Training		\$0.00
2 Classroom Training		\$0.00
1 Webinar		\$0.00
2 Webinar		\$0.00
3 Webinar		\$0.00
Western COC		
1 Classroom Training		\$0.00
2 Classroom Training		\$0.00
1 Webinar		\$0.00
2 Webinar		\$0.00
3 Webinar		\$0.00
	Administrative support	
Eastern COC		

Board meetings (4)		\$0.00
General Membership (2)		\$0.00
On-site administrative support (blended hourly rate)		\$0.00
Western COC		
Board meetings (4)		\$0.00
General Membership (2)		\$0.00
On-site administrative support (blended hourly rate)		\$0.00
Eastern COC		\$0.00
Western COC		\$0.00
<b>4th Year – July 1, 2019 to June 30, 2020 (ESTIMATE)</b>		
	<b>Deliverable</b>	<b>Cost</b>
	Application preparation and submission in e-snaps and Board presentation	
Eastern COC		\$0.00
Western COC		\$0.00
	Assist COC Applicants with preparation and submission of technical submission applications	
Eastern COC		\$0.00
Western COC		\$0.00
	COC Ranking Process	
Eastern COC		\$0.00
Western COC		\$0.00
	Five Year Strategic Plan Updates as Needed	
Eastern COC		\$0.00
Western COC		\$0.00
	Annual action plan assistance and support	
Eastern COC		\$0.00
Western COC		\$0.00

Annual PIT and HIC		
Eastern COC		\$0.00
Western COC		\$0.00
Monitoring Plan and Tool Development		
Eastern COC		\$0.00
Western COC		\$0.00
Develop and Deliver Training Sessions		
Eastern COC		
1 Classroom Training		\$0.00
2 Classroom Training		\$0.00
1 Webinar		\$0.00
2 Webinar		\$0.00
3 Webinar		\$0.00
Western COC		
1 Classroom Training		\$0.00
2 Classroom Training		\$0.00
1 Webinar		\$0.00
2 Webinar		\$0.00
3 Webinar		\$0.00
Administrative support		
Eastern COC		
Board meetings (4)		\$0.00
General Membership (2)		\$0.00
On-site administrative support (blended hourly rate)		\$0.00
Western COC		
Board meetings (4)		\$0.00
General Membership (2)		\$0.00
On-site administrative support (blended hourly rate)		\$0.00



5th Year – July 1, 2020 to June 30, 2021 (ESTIMATE)	
Deliverable	
Application preparation and submission in e-snaps and Board presentation	
Eastern COC	\$0.00
Western COC	\$0.00
Assist COC Applicants with preparation and submission of technical submission applications	
Eastern COC	\$0.00
Western COC	\$0.00
COC Ranking Process	
Eastern COC	\$0.00
Western COC	\$0.00
Five Year Strategic Plan Updates as Needed	
Eastern COC	\$0.00
Western COC	\$0.00
Annual action plan assistance and support	
Eastern COC	\$0.00
Western COC	\$0.00
Annual PIT and HIC	
Eastern COC	\$0.00
Western COC	\$0.00
Monitoring Plan and Tool Development	
Eastern COC	\$0.00
Western COC	\$0.00
Develop and Deliver Training Sessions	

Eastern COC		
1 Classroom Training		\$0.00
2 Classroom Training		\$0.00
1 Webinar		\$0.00
2 Webinar		\$0.00
3 Webinar		\$0.00
Western COC		
1 Classroom Training		\$0.00
2 Classroom Training		\$0.00
1 Webinar		\$0.00
2 Webinar		\$0.00
3 Webinar		\$0.00
Administrative support		
Eastern COC		
Board meetings (4)		\$0.00
General Membership (2)		\$0.00
On-site administrative support (blended hourly rate)		\$0.00
Western COC		
Board meetings (4)		\$0.00
General Membership (2)		\$0.00
On-site administrative support (blended hourly rate)		\$0.00

## APPENDIX D

### DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  Congressional District, if known: 4c	<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b>  Congressional District, if known:	
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable: _____	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b> \$ _____	
<b>10. a. Name and Address of Lobbying Registrant</b> <i>(if individual, last name, first name, MI):</i>	<b>b. Individuals Performing Services</b> <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
<b>11.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
<b>Federal Use Only:</b>		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

## APPENDIX E

### Trade Secret/Confidential Proprietary Information Notice

**Instructions:**

The Commonwealth may not assert on behalf of a third party an exception to the public release of materials that contain trade secrets or confidential proprietary information unless the materials are accompanied, at the time they are submitted, by this form or a document containing similar information.

It is the responsibility of the party submitting this form to ensure that all statements and assertions made below are legally defensible and accurate. The Commonwealth will not provide a submitting party any advice with regard to trade secret law.

**Name of submitting party:**

**Contact information for submitting party:**

**Please provide a brief overview of the materials that you are submitting (e.g. bid proposal, grant application, technical schematics):**

**Please provide a brief explanation of why the materials are being submitted to the Commonwealth (e.g. response to bid #12345, application for grant XYZ being offered by the Department of Health, documents required to be submitted under law ABC)**



## Acknowledgment

The undersigned party hereby agrees that it has read and completed this form, and has marked the material being submitted in accordance with the instructions above. The undersigned party acknowledges that the Commonwealth is not liable for the use or disclosure of trade secret data or confidential proprietary information that has not been clearly marked as such, and which was not accompanied by a specific explanation included with this form.

The undersigned agrees to defend any action seeking release of the materials it believes to be trade secret or confidential, and indemnify and hold harmless the Commonwealth, its agents and employees, from any judgments awarded against the Commonwealth in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives so long as the Commonwealth has possession of the submitted material, and will apply to all costs unless and until the undersigned provides a written statement or similar notice to the Commonwealth stating that it no longer wishes to exempt the submitted material from public disclosure.

The undersigned acknowledges that the Commonwealth is required to keep all records for at least as long as specified in its published records retention schedule.

The undersigned acknowledges that the Commonwealth reserves the right to reject the undersigned's claim of trade secret/confidential proprietary information if the Commonwealth determines that the undersigned has not met the burden of establishing that the information constitutes a trade secret or is confidential. The undersigned also acknowledges that if only a certain part of the submitted material is found to constitute a trade secret or is confidential, the remainder of the submitted material will become public; only the protected information will be removed and remain nonpublic.

If being submitted electronically, the undersigned agrees that the mark below is a valid electronic signature.

---

Signature

Title

Date