REQUEST FOR PROPOSAL

Issued by
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215

Facilitation requested for The Office of the Ohio Consumers' Counsel

RFP Number 2011-01
Issued June, 4 2010

REQUEST FOR PROPOSAL
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PART ONE: EXECUTIVE SUMMARY

Purpose. This is a Request for Proposal ("RFP") issued by the Office of the Ohio Consumers' Counsel ("OCC") to solicit proposals from Independent Contractors ("Contractor") for professional facilitation services. This project is for one process improvement issue and preparation and is not expected to last for more than one meeting.

Background. The OCC plays an integral part in Ohio's government and economy by fulfilling its role as the advocate agency for residential utility consumers. Established in 1976, the OCC participates in major rate, fuel, rule-making and federal cases affecting the utility service of Ohio's residential consumers.

The law governing the agency's activities is contained in Chapter 4911 of the Ohio Revised Code.

The Consumers' Counsel is appointed by and remains responsible to a nine-member Governing Board. The representative role of the Governing Board can be viewed as incorporating three broad functions: accountability to the Public, the General Assembly and the Attorney General; policy-making in directing the Consumers' Counsel; and oversight of the Consumers' Counsel Office.

The Consumers' Counsel appoints and administers a staff to carry out her legislative mandates. The office works to protect the interests of residential utility consumers, which is accomplished by formal case interventions, informal negotiation and dispute resolution, complaint and inquiry handling, educational efforts and analytical and legal assistance to legislators and others on public utility issues.

OCC'S Mission Statement. The OCC advocates for Ohio's residential utility consumers through representation and education in a variety of forums.

OCC'S Vision Statement. Informed consumers able to choose among a variety of affordable, quality utility services with options to control and customize their utility usage.

PART TWO: GENERAL INSTRUCTIONS

Calendar of Events. The schedule for this RFP and the work is given below. The OCC reserves the right to change this schedule as needed.

Firm Dates	
RFP Issued:	**June 4, 2010**
Proposal Due Date/Time:	**June 13, 2010 at 5:00 p.m.**
Estimated Dates	
Contract Award:	**June 18, 2010**
Work Begins: If Controlling Board approval is not needed	**June 18, 2010**
If Controlling Board approval is needed	**July 19, 2010**
Contract End Date	**June 30, 2011**

If the contractor awarded a contract under this RFP has total contracts or anticipated expenditures during the current state fiscal year totaling $50,000 or more, the OCC will seek approval from the State of Ohio Controlling Board for the use of funds for the contract under this RFP. The timing of that approval is dependent on the dates for submission to the Board and the scheduled meeting of the Board. The "work begins" dates above reflect OCC's current estimate of the timing of that approval process.

Contacts. The following individual will represent the OCC as the primary contact for matters relating to the non-technical aspects of the RFP and during the contract negotiation/award process and subsequent invoicing.

Robin Tedrick
Records Management Coordinator
Office of the Ohio Consumers' Counsel
10 W. Broad Street, Suite 1800
Columbus, Ohio 43215
614-466-9591
E-mail: tedrick@occ.state.oh.us

The following individual will represent the OCC as the primary contact for matters relating to technical aspects of the RFP and throughout the performance of the work upon the awarding of the contract.

Amy Gomberg
Director of Legislative and Government Affairs
Office of the Ohio Consumers' Counsel
10 W. Broad Street, Suite 1800
Columbus, Ohio 43215
614-466-9539
E-mail: gomberg@occ.state.oh.us

Proposal Submission. Proposals are to be mailed or delivered to: Robin Tedrick, Office of the Ohio Consumers' Counsel, 10 W. Broad Street, Suite 1800, Columbus, Ohio 43215-3485. Proposals may also be faxed to (614) 728-7498 or submitted via e-mail to tedrick@occ.state.oh.us. The deadline to submit proposals for this RFP is ***5:00 p.m. on June 13, 2010.***

The OCC may reject any proposals or unsolicited proposal amendments that are received after the deadline. A prospective contractor that mails its proposal must allow for adequate mailing time to ensure its timely receipt.

Each prospective contractor must carefully review the requirements of this RFP and the contents of its proposal. All prospective contractors are on notice that the OCC will not be liable for any costs incurred by any prospective contractor in responding to this RFP, regardless of whether the OCC awards the contract through this process, decides not to go forward with the work, cancels this RFP for any reason, or contracts for the work through some other process or by issuing another RFP.

By submitting a proposal, the prospective contractor acknowledges that it has read this RFP, understands it, and agrees to be bound by its requirements. The prospective contractor also agrees that the contract will be the complete and exclusive statement of the agreement between the OCC and the contractor and will supersede all communications between the parties regarding the contract's subject matter.

The OCC may reject any proposal if the prospective contractor takes exception to the terms and conditions of this RFP, fails to comply with the procedure for participating in the RFP process, or the prospective contractor's proposal fails to meet any requirement of this RFP. The OCC may reject any proposal that is not in the best interest of the OCC to accept. Further, the OCC may decide not to do business with any of the prospective contractors responding to this RFP.

All proposals and other material submitted will become the property of the OCC and may be returned only at the option of the OCC. Proprietary information should not be included in a proposal or supporting materials because the OCC will have the right to use any materials or ideas submitted in any proposal without compensation to the prospective contractor.

The OCC will retain all proposals, or a copy of them, as part of the contract file for at least five (5) years. After the retention period, the OCC may return, destroy, or otherwise dispose of the proposals or the copies.

Waiver of Defects. The OCC has the right to waive any defects in any proposal or in the submission process followed by a prospective contractor. However, the OCC will only do so if it is in the best interest of the OCC and will not cause any material unfairness to other prospective contractors.

Amendments to Proposals. Amendments or withdrawals of proposals will be allowed if the amendment or withdrawal is received before the proposal due date. No amendment or withdrawals will be permitted after the due date, except as expressly authorized by the OCC.

Amendments to the RFP. If the OCC decides to revise this RFP, amendments will be made available to all prospective contractors. When the OCC makes amendments to the RFP after proposals have been submitted, the OCC will permit prospective contractors to withdraw or modify their proposals.

Contract. If this RFP results in contract award/awards, the contract will include by reference this RFP, written amendments to this RFP, the prospective contractor's proposal, and written, authorized amendments to the Contractor's proposal. It will also include any purchase orders and change orders issued under the Contract.

In addition, the prospective contractor will agree to abide by all laws, rules and directives of the State of Ohio, as they pertain to vendors doing business with the State of Ohio.

PART THREE: SCOPE OF WORK AND DELIVERABLES

This section describes the scope of work and what the selected contractor must deliver as part of the completed work (the "Deliverables") to meet the terms and conditions of a subsequent contract.

Scope of Work. The Contractor will be responsible for organizing and facilitating a meeting, tentatively scheduled within the month of July (date to be determined). The Facilitator will assist OCC with group participation and discussions and provide a summary of the collective opinions and comments of the group.

Work Requirements and Deliverables. The Independent Contractor shall undertake the following work and activities as requested and approved by OCC for the identification, analysis and development of all issues related to the meeting.

1. Facilitator shall be guided by the following objectives:
    a. Meet with the Consumers' Counsel and other meeting attendees to obtain background information on issues and prepare an oral report to the group at the meeting.
    b. Assist with the development of a meeting agenda.
    c. Achieve a consensus within the group on the priorities and objectives and participatory process.
    d. Promote the ownership of the group on objectives and priorities through a continuous and open dialog.
    e. Ensure interaction among group participants throughout the process.
    f. Establish minimum conditions for participation of stakeholders in the finalization of the steps going forward to enhance a social cohesion for the group regarding the issues.
    g. Collect and summarize the recommendations by drafting an action plan and proposed solutions of the group to achieve the set objectives.
    h. Evaluate and analyze the comments and contributions proposed by the group to assist the group with the best direction to go moving forward in the process.
    i. Manage the group's time by assisting with staying on track and developing solutions the group supports.

PART FOUR: PROPOSAL REQUIREMENTS

Proposal Format. Each proposal must include sufficient data to allow the OCC to verify the total cost for the work and all of the prospective contractor's claims of meeting the RFP's requirements. These instructions describe the required format for a responsive proposal. The prospective contractor may include any additional information it believes is relevant.

1. **Contractor Profile.** Each proposal must include a general profile of the prospective contractor's relevant experience in facilitation. In the **Contractor Profile**, or in the **Personnel Profile Summary** (see below), details on prior and current similar and/or relevant work projects should be provided, including the scope of such work and names of clients. While detail is generally preferred on a contractor's most recent work, contractors are encouraged to provide detail on all relevant work in Ohio.

   The profile must also include the prospective contractor's legal name, address, and telephone number; home office location; date established; ownership (such as public firm, partnership, or subsidiary); firm leadership (such as corporate officers or partners); total number of employees nationwide and in Ohio; the percentage of women employees nationwide and in Ohio; the percentage of minorities nationwide and in Ohio; number of employees to be engaged in tasks directly related to the work; and any other background information the prospective contractor believes would be useful during the proposal evaluation process.

2. **Work Plan.** The prospective contractor must fully describe its approach, methods, and specific work steps for doing the work and producing the **Work Requirements and Deliverables** set forth in Part Three of this RFP. The OCC encourages responses that demonstrate a thorough understanding of the nature of the work and what the Contractor must do to get the work done well. The prospective contractor must also provide a complete and detailed description of the way it will do the work that addresses the areas of concern identified below. The OCC seeks insightful responses that describe proven, state-of-the-art methods. Recommended solutions should demonstrate the prospective contractor's ability to quickly undertake and successfully complete the required tasks.

   The prospective contractor's work plan **must clearly and specifically identify key personnel assignments and the number of hours by individual for each of the Work Requirements and Deliverables set forth in Part Three of this RFP**.

3. **Personnel Profile Summary.** Each proposal must include a profile and/or resume and must demonstrate the competency of the facilitator by submitting the following information:

   - **Facilitator's Name**
   - **Experience and Qualifications**. Experience and qualifications relevant to this project.
   - **Dates of Employment.** The length of time the facilitator has performed relevant work requiring the necessary expertise.
   - **Project Experience.** The work of the facilitator on projects of similar or greater size and scope.

4. **References.** The prospective contractor must include three references for which the facilitator has successfully provided services on projects that were similar in their nature, size, and scope of work. These references must relate to work that was completed within the past five (5) years.

   Note: Each reference must be willing to discuss the prospective contractor's performance with an OCC representative.

5. **Cost Summary.** Each prospective **contractor must provide a cost summary table showing: (1) Facilitators name, (2) estimated hours, (3) hourly rate and (4) total estimated project costs for each of the Work Requirements and Deliverables** set forth in Part Three of this RFP.

   a) The OCC requires the inclusion of ALL expenses associated with this project within the hourly rates and hours used to determine the costs for the deliverables, thereby eliminating the need for expense billings. Items to be taken into consideration in determining the cost of each deliverable should include supplies and materials, transportation and per diems, copying and overnight mail charges, etc. The successful bidder will be responsible for direct payment to vendors for any requirements for overnight mail (including OCC to Contractor) and any "on-site" photocopying charges.

   b). Contractor may invoice only for actual work performed and documented.

6. The OCC will not be liable for any costs the prospective contractor does not identify in its proposal.

7. Submit an original W9 form along with your response to this RFP so that, if a contract is awarded, the OCC can process any invoices submitted by your company. The Internet link to the form is: http://www.irs.gov/pub/irs-pdf/fw9.pdf. The form must be signed and dated.

8. Submit a statement along with your response to this RFP, affirming that you or members of your staff do not currently owe any money to the state of Ohio or have an unresolved finding for recovery from the Auditor of State.

9. **Declaration of Material Assistance/Non-Assistance.** If you will receive or have received in the aggregate an amount greater than $100,000 from the state of Ohio, you must complete a certification. You can complete the pre-certification process electronically by going to http://www.obg.ohio.gov.

10. **Campaign Contribution.** House Bill 694 requires that every contract for goods or services of more than $500 must contain a certification signed by the contract recipient certifying that the recipient is in compliance with Ohio Revised Code 3517.13. If awarded a contract, contractor will certify the following:

    "Contractor hereby certifies that all applicable parties listed in Division (I)(3) or (J)(3) of Ohio Revised Code Section 3517.13 are in full compliance with Divisions (I)(1) and (J)(1) of Ohio Revised Code Section 3517.13."

For more information please refer to http://www.obm.ohio.gov.

PART FIVE: EVALUATION OF PROPOSALS

Evaluation of Proposals. Generally, the evaluation process may consist of up to four distinct phases:

1. The Initial Review of all proposals for defects
2. The Evaluation of the proposals by the Evaluation Committee
3. Request for More Information (Interviews, Presentations, and Demonstrations)
4. Negotiations

It is within the purview of the OCC Evaluation Committee ("Committee") to decide whether phases three and four are necessary.

Rejection of Proposals. The OCC may reject any proposal that is not in the required format, does not address all the requirements of this RFP, or that the OCC believes is excessive in price or otherwise not in the best interest of the OCC to consider or to accept. In addition, the OCC may cancel this RFP, reject all the proposals, and seek to do the work through a new RFP or other means.

Clarifications: During the evaluation process, clarifications may be requested from any prospective contractor under active consideration and the clarification may give any prospective contractor the opportunity to correct defects in its proposal. This may be done in cases where doing so would not result in an unfair advantage to the prospective contractor and the clarification is in the best interest of the OCC.

1. **Initial Review:** The proposals will be reviewed for their timeliness, format, and completeness. Any late, incomplete, or incorrectly formatted proposals may be rejected. Likewise, any defects may be waived or a prospective contractor may be allowed to submit a correction.

   If a late proposal is received, it will not be opened unless the prospective contractor has received prior OCC approval for a late proposal for good cause shown.

   All timely, complete, and properly formatted proposals will be forwarded to the Evaluation Committee.

2. **Committee Evaluation of the Proposals:** The Committee will evaluate each proposal forwarded to it. The Committee may also have the proposals or portions of them reviewed and evaluated by independent third parties or other OCC personnel with technical or professional experience that relates to the work or to the criteria used in the evaluation process. The Committee may adopt or reject any recommendations it receives from such reviews and evaluations. At any time during this phase, the Committee may ask a prospective contractor to correct, revise, or clarify any portions of its proposal.

Contract Award. The OCC plans to tentatively award the Contract for the work on **June 18, 2010**. The OCC reserves the right to change the contract award date if it becomes necessary. The contract will be awarded to the contractor that demonstrates a clear understanding of OCC's expectations; can complete the scope of work and deliverables within the designated timeframe, and at the lowest or competitive cost.