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Tallahassee, FL 32399-0950
850-488-2786

Ron DeSantis, Governor

STATE OF FLORIDA
DEPARTMENT OF MANAGEMENT SERVICES
REQUEST FOR PROPOSALS
FOR
POST PAYMENT CLAIM AUDIT SERVICES
RFP NO: DMS-20/21-104

Refer ALL Inquiries to:

Procurement Officer: Teresa Daughtry
Departmental Purchasing
Department of Management Services
4050 Esplanade Way, Suite 335.1X
Tallahassee, FL 32399-0950
Email: DMS.Purchasing@dms.myflorida.com

Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under chapter 120, Florida Statutes.

Any protest concerning an agency decision or intended decision must be timely filed with the Department of Management Services' Agency Clerk. Protests may be filed by courier, hand delivery, or regular mail at: Department of Management Services, Office of the General Counsel, Attention: Agency Clerk, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950. Protests may also be filed by fax at 850-922-6312, or by email at agencyclerk@dms.fl.gov. It is the filing party's responsibility to meet all filing deadlines.

NOTICE PURSUANT TO SECTION 287.057(23), FLORIDA STATUTES (F.S.):

Respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the seventy-two (72) hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response. Respondents and potential Respondents are also hereby notified of the contact restrictions specified in section 957.12, F.S.

Table of Contents

SECTION 1. INTRODUCTION	4
1.1 Solicitation Objective.....	4
1.2 Term	4
1.3 Definitions.....	4
1.4 Timeline of Events	5
1.5 Special Accommodations.....	6
1.6 Procurement Officer.....	6
SECTION 2. SOLICITATION PROCESS	6
2.1 General Overview	6
2.2 Questions and Answers	6
2.3 Addendum to the Solicitation	7
2.4 Public Opening	7
2.5 Respondent Mandatory Responsiveness Requirements.....	7
2.6 Contract Formation	7
2.7 Modification or Withdrawal of Proposal	7
2.8 Commitment to Diversity	7
SECTION 3. GENERAL AND SPECIAL INSTRUCTIONS.....	8
3.1 General Instructions.....	8
3.2 Special Instructions.....	8
3.3 MyFloridaMarketPlace (MFMP) Registration.....	11
3.4 Florida Substitute Form W-9 Process.....	11
3.5 How to Submit a Proposal.....	11
3.6 Contents of Proposal	14
3.7 Redacted Submissions	15
3.8 Additional Information	15
3.9 Price Sheet Instructions.....	16
3.10 Subcontracting	16
SECTION 4. SELECTION METHODOLOGY	16
4.1 Evaluation Criteria.....	16
4.2 Evaluation of the Proposal	17
4.3 Scoring of Price Proposal.....	19
4.4 Basis of Award.....	19
4.5 Equal Proposals.....	19
4.6 Proposal Disqualification.....	19

SECTION 5. AWARD.....19
5.1 Department Rights.....20
5.2 Agency Decision20

Attachments:

- ATTACHMENT A – STATEMENT OF WORK
- ATTACHMENT B – DRAFT CONTRACT
- ATTACHMENT C – PRICE SHEET
- ATTACHMENT D – ADMINISTRATIVE REQUIREMENTS
- ATTACHMENT E – PERFORMANCE GUARANTEES
- ATTACHMENT F – PRIVACY, SECURITY, AND CONFIDENTIALITY BUSINESS ASSOCIATE AGREEMENT
- ATTACHMENT G – SUBCONTRACTORS
- ATTACHMENT H – TECHNICAL QUESTIONS

Forms for Completion:

- FORM 1 – CONTACT INFORMATION
- FORM 2 – NOTICE OF CONFLICT OF INTEREST
- FORM 3 – STATEMENT OF NO INVOLVEMENT
- FORM 4 – SUBCONTRACTING
- FORM 5 – MANDATORY RESPONSIVENESS REQUIREMENTS

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SECTION 1. INTRODUCTION

1.1 Solicitation Objective

The Department of Management Services (Department) is issuing this solicitation to establish a contract for Post Payment Claims Audit Services. The Department intends to make a single award; however, the Department reserves the right to award to one or multiple Respondent, statewide or by region, or to make no award, as determined to be in the best interest of the State.

Post Payment Claims Audit Services have an average annual spend of \$90,000. Historical spend is provided for informational purposes only and should not be construed as representing actual, guaranteed, or minimum spend under a new contract.

1.2 Term

The initial term of the Contract will be three (3) years, and the Contract may be renewed for up to three (3) years, in any combination of year(s), upon agreement of the parties. Renewals are contingent upon satisfactory performance evaluations by the Department and subject to the availability of funds. The State is not obligated for any payments to the Contractor beyond current annual appropriations.

1.3 Definitions

Definitions contained in section 287.012, Florida Statutes (F.S.); Rule 60A-1.001, Florida Administrative Code (F.A.C.); Attachment B – Draft Contract, General Contract Conditions; and the PUR 1001, General Instructions to Respondents (10/06) are incorporated by reference. In the event of a conflict, the definitions listed in this section supersede the incorporated definitions. All definitions apply in both their singular and plural sense.

1.3.1 **Business Day** – Monday through Friday, inclusive, except for those holidays specified in section 110.117, F.S., from 8:00 a.m. to 5:00 p.m. Eastern Time.

1.3.2 **Commodity Code** – The State's numeric code for classifying commodities and contractual services which meet specific requirements, specifications, terms, and conditions herein. Florida has adopted the United Nations Standard Products and Services Code (UNSPSC) for classifying commodities and services.

1.3.3 **Confidential Information** – Information that is trade secret or otherwise confidential or exempt from disclosure under Florida or federal law.

1.3.4 **Contract** – The written, binding agreement that results from this competitive procurement, if any, between the Department and the Contractor. (This definition replaces the definition in the PUR 1000).

1.3.5 **Contractor** – The Vendor that enters into a Contract as a result of this solicitation.

1.3.6 **MyFloridaMarketPlace (MFMP)** – The State's eProcurement system. MyFloridaMarketPlace is accessible at https://www.dms.myflorida.com/business_operations/state_purchasing/myfloridamarketplace

1.3.7 **Proposal** – The document(s) submitted by a Respondent in response to this RFP.

1.3.8 **Respondent** – A vendor who submits a Proposal to this solicitation.

1.3.9 **State** – The State of Florida.

1.3.10 **Vendor Bid System (VBS)** – The State’s bidding system developed in accordance with section 287.042(3)(b)2., F.S. The Vendor Bid System is accessible at http://www.myflorida.com/apps/vbs/vbs_www.main_menu

1.4 Timeline of Events

The table below contains the Timeline of Events for this solicitation. The dates and times within the Timeline of Events are subject to change. It is the Respondent’s responsibility to check for any changes. All changes to the Timeline of Events will be made through an addendum to the solicitation. Respondents are responsible for submitting all required documentation by the dates and times specified below.

Timeline of Events	Event Time (Eastern Time)	Event Date
RFP posted on the VBS and MFMP Sourcing		March 9, 2021
Deadline to submit questions in MFMP Sourcing	3:00 PM	March 18, 2021
Department’s anticipated posting of answers to questions on the VBS and MFMP Sourcing		March 26, 2021
Deadline to submit Proposal and all required documents	3:00 PM	April 20, 2021
<p><u>Public Opening via Go-to-Meeting:</u> (insert Go-to-meeting info) Join from your computer, tablet or smartphone: https://global.gotomeeting.com/join/915376869 Join by telephone: United States (Toll Free): 1 866 899 4679 - One-touch: tel:+18668994679,,915376869# United States: +1 (571) 317-3116 - One-touch: tel:+15713173116,,915376869# Access Code: 915-376-869 Join from a video-conferencing room or system. Dial in or type: 67.217.95.2 or inroomlink.goto.com Meeting ID: 915 376 869 Or dial directly: 915376869@67.217.95.2 or 67.217.95.2##915376869</p>	3:30 PM	April 20, 2021

Evaluation Phase		April 20 – May 10, 2021
Anticipated date to post Notice of Intent to Award on the VBS		May 11, 2021
Anticipated Contract start date		July 1, 2021

1.5 Special Accommodations

Any person requiring a special accommodation due to a disability should contact the Department's Americans with Disabilities Act (ADA) Coordinator at (850) 922-7535 or ADA.Coordinator@dms.myflorida.com. Requests for accommodation for meetings must be made at least five (5) Business Days prior to the scheduled event. A person who is hearing or speech impaired can contact the ADA Coordinator by using the Florida Relay Service at (800) 955-8771 (TDD).

1.6 Procurement Officer

The Procurement Officer is the **sole point of contact** for this RFP.

Procurement Officer for this solicitation is:

Teresa Daughtry, Procurement Officer
 Departmental Purchasing
 Florida Department of Management Services
 4050 Esplanade Way, Suite 335.1X
 Tallahassee, FL 32399-0950
 Email: DMS.purchasing@dms.myflorida.com

***** ALL EMAILS TO THE PROCUREMENT OFFICER SHOULD CONTAIN THE SOLICITATION NUMBER IN THE SUBJECT LINE.*****

SECTION 2. SOLICITATION PROCESS

2.1 General Overview

The RFP is a method of competitively soliciting a commodity or contractual service under Chapter 287, F.S. Proposals must be submitted by the date listed in subsection 1.4, Timeline of Events.

The Department will hold a public opening of the Proposals at the date, time, and location in accordance with subsection 1.4, Timeline of Events. After the Department has reviewed and evaluated the Proposals, the Department will post its intended decision on the VBS.

2.2 Questions and Answers

The Department invites interested and registered vendors to submit questions regarding the solicitation. Questions must be submitted in MFMP Sourcing by the time and date listed in subsection 1.4, Timeline of Events.

Question #	Vendor Name	RFP Section	RFP Page #	Question

Questions will not constitute formal protest of the specifications of this RFP.

The Department's answers to the questions will be issued by addendum via the VBS.

2.3 Addendum to the Solicitation

The Department reserves the right to modify this solicitation by issuing addenda posted on the VBS. It is the vendor's responsibility to check VBS for any changes to the solicitation prior to submitting a Proposal.

Respondents should not make any changes to the RFP forms or attachments that it submits in its Proposal. Making such modifications may be grounds for deeming the Respondent non-responsive. The only recognized changes to the RFP, and its forms and attachments, will be those made in a written addendum issued by the Department.

2.4 Public Opening

Proposals will be opened on the date and at the location indicated in the 'Timeline of Events' section. Respondents are not required to attend. The Department does not announce prices or release other materials at this public meeting, in accordance with section 119.071(1)(b), F.S.

2.5 Respondent Mandatory Responsiveness Requirements

The Department will not review Proposals from Respondents who do not meet the mandatory responsiveness requirements listed in Form 5, Mandatory Responsiveness Requirements.

Note: The Department will perform an initial responsiveness check. Proposals found to be non-responsive will not be considered for award. The Department reserves the right to act upon information discovered during and after the initial responsiveness check impacting the responsibility or responsiveness of the Respondent.

2.6 Contract Formation

The Contract will consist of the documents identified in the definition of "Contract" in **Attachment B** – Draft Contract. By submitting a Proposal, the Respondent acknowledges its understanding and acceptance of all terms and conditions of the Contract. If a vendor has questions regarding any of the terms of the Contract, it is encouraged to submit those during the Question & Answer period.

2.7 Modification or Withdrawal of Proposal

Respondents are responsible for the content and accuracy of their Proposals. A Respondent may modify or withdraw its Proposal in MFMP Sourcing at any time prior to the Proposal due date and time set forth in the Timeline of Events section.

2.8 Commitment to Diversity

The State is committed to supporting its diverse business population through involving woman-, veteran-, and minority-owned small businesses in the State's purchasing process. The Department supports diversity in its procurements, and requests that all subcontracting opportunities afforded by this solicitation be shared with certified woman-, veteran-, and minority-owned business enterprises. The award of subcontracts should reflect the vast array of citizens in the State. Respondents can search for certified businesses online at the Office of Supplier Diversity's Certified Vendor Directory or by contacting (850) 487-0915 for information on certified businesses that may be considered for subcontracting

opportunities. The Certified Vendor Directory is accessible at <https://osd.dms.myflorida.com/directories>.

The Office of Supplier Diversity's Mentor-Protégé Program connects certified businesses with private business entities for business development mentoring. The Department strongly encourages Vendors doing business with the State of Florida to consider becoming a Mentor and participating in this initiative. More information on the Mentor-Protégé Program may be obtained by contacting the Office of Supplier Diversity at (850) 487-0915 or osdinfo@dms.fl.gov.

SECTION 3. GENERAL AND SPECIAL INSTRUCTIONS

3.1 General Instructions

The PUR 1001, General Instructions to Respondents (2006 version), is incorporated by reference and can be accessed at:

http://www.dms.myflorida.com/business_operations/state_purchasing/documents_forms_references_resources/purchasing_forms

3.2 Special Instructions

The PUR 1001, General Instructions to Respondents, is superseded to the extent set forth in the following Special Instructions.

Paragraphs 3, 4, 5, 9, 14, 15, 19, and 20 of the PUR 1001 (General Instructions) are inapplicable and are replaced as follows:

3. Electronic Submission of Responses

Proposals shall be submitted in accordance with section 3.5, How to Submit a Proposal, of this RFP.

4. Terms and Conditions.

All Proposals are subject to the terms of this solicitation. In the case of a conflict between the terms of this solicitation and its attachments and the PUR 1001, the terms of this solicitation and its attachments take precedence.

The Department will not accept any unrequested terms or conditions submitted by a Respondent, including any appearing in documents attached as part of a Respondent's Proposal. In submitting its Proposal, a Respondent agrees that any additional terms or conditions, whether submitted intentionally or inadvertently, shall have no force or effect.

5. Questions

Questions shall be submitted in accordance with the "Questions & Answers" section of this solicitation.

9. Respondent's Representation and Authorization.

In submitting a Proposal, the Respondent understands, represents, and acknowledges the following:

- a. The Respondent is not currently under suspension or debarment by the State or any other governmental authority.

- b. To the best of the knowledge of the person signing the response, the Respondent, its affiliates, subsidiaries, directors, officers, and employees are not currently under investigation by any governmental authority and have not in the last ten (10) years been convicted or found liable for any act prohibited by law in any jurisdiction involving conspiracy or collusion with respect to bidding on any public contract.
- c. Respondent currently has no delinquent obligations to the State, including a claim by the State for liquidated damages under any other contract.
- d. The submission is made 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 response.
- e. The prices and amounts have been arrived at independently and without consultation, communication, or agreement with any other Respondent or potential Respondent; neither the prices nor amounts, actual or approximate, have been disclosed to any Respondent or potential Respondent, and they will not be disclosed before the public opening.
- f. No attempt has been made or will be made to induce any firm or person to refrain from submitting a Proposal, or to submit a price(s) higher than the prices in this Proposal, or to submit any intentionally high or noncompetitive price(s) or other form of complementary Proposal.
- g. The Respondent has fully informed the Department in writing of all convictions of the Respondent, its affiliates (as defined in section 287.133(1)(a), F.S.), and all directors, officers, and employees of the Respondent's and its affiliates for violation of state or federal antitrust laws with respect to a public contract for violation of any state or federal law involving fraud, bribery, collusion, conspiracy or material misrepresentation with respect to a public contract. This includes disclosure of the names of current employees who were convicted of contract crimes while in the employ of another company.
- h. Neither the Respondent nor any person associated with it in the capacity of owner, partner, director, officer, principal, investigator, project director, manager, auditor, or position involving the administration of federal funds:
 - 1) Has within the preceding three (3) years been convicted of or had a civil judgment rendered against them or is presently indicted for or otherwise criminally or civilly charged for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local government transaction or public contract; violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
 - 2) Has within the preceding three (3) years had one (1) or more federal, state, or local government contracts terminated for cause or default.
- i. The services or products offered by the Respondent will conform to the specifications without exception.
- j. The Respondent has read and understands the Contract terms and conditions, and the Proposal is made in conformance with those terms and conditions.
- k. If an award is made to the Respondent, the Respondent agrees that it intends to be legally bound to the Contract that is formed with the State.

- l. The Respondent has made a diligent inquiry of its employees and agents responsible for preparing, approving, or submitting the Proposal, and has been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in the Proposal.
- m. The Respondent shall indemnify, defend, and hold harmless the Department and its employees against any cost, damage, or expense which may be incurred or be caused by any error in the Respondent's preparation of its Proposal.
- n. All information provided by, and representations made by, the Respondent are material and important and will be relied upon by the Department in awarding the Contract. Any misstatement shall be treated as fraudulent concealment from the Department of the true facts relating to submission of the Proposal. A misrepresentation may be punishable under law, including, but not limited to, Chapter 817, F.S.
- o. By submitting its Proposal, the Respondent agrees to and waives any objections to requirements contained in the solicitation, including any addenda thereto.

14. Firm Response

The Department may make an award within one hundred twenty (120) days after the date of the opening, during which period Proposals shall remain firm and shall not be withdrawn. If award is not made within one hundred twenty (120) days, the Proposal shall remain firm until the Department enters into a Contract or until the Department receives from the Respondent written notice that the Proposal is withdrawn.

15. Clarifying Information.

The Department may request, and Respondent shall provide, clarifying information or documentation. Failure to supply the information or documentation as requested may result in the Proposal being deemed non-responsive.

19. Public Records.

Article 1, section 24, Florida Constitution, guarantees every person access to all public records, and section 119.011, F.S., provides a broad definition of "public records." As such, the entirety of the Proposals are public records and are subject to disclosure unless exempt from disclosure by law. If the Respondent considers any portion of its Proposal to be Confidential Information, the Respondent is to mark the document as "confidential" and simultaneously provide the Department with a separate, redacted copy of its Proposal. For each portion redacted, the Respondent is to briefly describe in writing the grounds for claiming exemption, including the specific statutory citation for such exemption. On the cover of the redacted copy, the Respondent is to provide its name and the Department's solicitation name and number and clearly title it, "Redacted Copy." Only portions of material that the Respondent claims are Confidential Information are to be redacted.

In accordance with section 119.071, F.S., Proposals are exempt from production in response to public records requests until such time as the Department provides notice of an intended decision or until 30 days after opening the Proposals, whichever is

earlier. After that time, the Department will provide the redacted copy, if any, in response to a public records request.

In the event of a request for public records pursuant to Chapter 119, F.S., the Florida Constitution, or other authority, to which documents that are marked as “confidential” are responsive, the Department will provide the redacted copy to the requestor. If a requestor asserts a right to the redacted Confidential Information, the Department will notify the Respondent such an assertion has been made. It is the Respondent’s responsibility to take the appropriate legal action to assert that the information in question is exempt from disclosure under Chapter 119, F.S., or other applicable law.

If the Department becomes subject to a demand for discovery or disclosure of documents that are marked as “confidential” in a legal proceeding, the Department will give the Respondent notice of the demand or request. It will be the Respondent’s responsibility to take the appropriate legal action in response to the demand and to defend its claims of confidentiality. If the Respondent fails to take appropriate and timely action to protect the materials it has designated as Confidential Information, the Department will provide the unredacted materials to the requester.

By submitting a Proposal, the Respondent agrees to protect, defend, and indemnify the Department for all claims arising from or relating to the Respondent’s determination that the redacted portions of its Proposal are Confidential Information. If a Respondent fails to submit a redacted copy in accordance with this section, of information it claims is Confidential Information, the Department is authorized to produce the entire material submitted to the Department in response to a public records request for, or demand for discovery or disclosure of, these records.

20. Protests

Any protest concerning this solicitation shall be made in accordance with section 120.57(3), F.S., and Rule Chapter 28-110, Florida Administrative Code (F.A.C.). Any communication not in accordance with these sections or the solicitation, including questions to the Procurement Officer, shall not constitute a formal protest.

3.3 MyFloridaMarketPlace (MFMP) Registration

The awarded Respondent must register in MFMP prior to Contract execution. For additional information, please visit: <https://vendor.myfloridamarketplace.com>

The awarded Respondent, if any, will be required to pay the required MFMP transaction fee(s) as specified in Section 14 of the PUR 1000, unless exempt in accordance with Rule 60A-1.031, F.A.C.

3.4 Florida Substitute Form W-9 Process

The awarded Respondent must complete a Florida Substitute Form W-9 prior to Contract execution. The Internal Revenue Service receives and validates the information provided on the Florida Substitute Form W-9. For instructions on how to complete the Florida Substitute Form W-9, please visit: <https://flvendor.myfloridacfo.com/>

3.5 How to Submit a Proposal

3.5.1 MFMP Registration

In order to submit questions regarding this procurement, and to submit a Proposal, a Vendor must be registered in the MFMP Vendor Information Portal (VIP). After registering, the Vendor should log in to MFMP VIP using its username and password to ensure that its contact information is correct and that it has registered with the matching commodity code(s) of the MFMP Sourcing event. To participate in the procurement, a Vendor must also indicate its intent to participate in electronic solicitations in MFMP Sourcing on the 'Solicitation Selections' page of its MFMP VIP account.

If the Vendor is not currently registered with MFMP VIP, the Vendor must:

- a) Create an account through MFMP VIP.
- b) Within MFMP VIP, indicate on the 'Solicitation Selections' page that the Vendor wishes to participate in electronic solicitations.
- c) Within MFMP VIP, in the 'Commodity Codes' section, ensure that the Vendor has selected the matching commodity codes used in this procurement. VBS and MFMP Sourcing may provide automated notifications to the Vendor community, as a courtesy, based on commodity codes that are tied to a Vendor's registration in MFMP VIP. Vendors with a commodity code that matches the commodity code of the MFMP Sourcing event will be able to 'Join' the MFMP Sourcing event. If a Vendor does not have a matching commodity code, VBS and MFMP Sourcing will not provide a courtesy notification and the Vendor will not be able to 'Join' the MFMP Sourcing event. Vendors will not receive notifications for procurements with commodity codes that they have not selected in their MFMP VIP account.

Vendors have the ability to access and update their registration in MFMP VIP by adding commodity codes to their Vendor account. Changes made in MFMP VIP, including new registrations, may take up to 24 hours to take effect.

The MFMP VIP is accessible at <https://vendor.myfloridamarketplace.com/>.

The Department strongly recommends the Vendor set its Microsoft Internet Explorer browser to compatibility mode while using MFMP applications. For more information regarding recommended internet browser settings, please visit https://www.dms.myflorida.com/business_operations/state_purchasing/myfloridamarketplace/mfmp_agency_customers/mfmp_university/job_aids

ALL VENDORS MUST 'JOIN' THE MFMP SOURCING EVENT PRIOR TO THE DEADLINE TO SUBMIT PROPOSAL DATE LISTED IN THE TIMELINE OF EVENTS IN ORDER TO PARTICIPATE IN THIS SOLICITATION.

Once registered in MFMP, to 'Join' the MFMP Sourcing event, Vendors must:

- a) Have a current MFMP Vendor registration within MFMP VIP; and
- b) Select 'Yes' to participate in electronic sourcing events in MFMP Sourcing on the 'Solicitations' page of their MFMP VIP account.
- c) Within MFMP VIP, in the Commodity Selections section, ensure that the Vendor has selected the matching commodity code(s) used in this procurement. Vendors will not be able to join or receive notifications for procurements with commodities codes that they have not selected in their MFMP VIP account.

MFMP Sourcing is accessible at <https://sourcing.myfloridamarketplace.com>

3.5.2 **MFMP Sourcing Phases**

A solicitation formally begins when the Department posts the solicitation on VBS. The Department will also publish the solicitation in MFMP Sourcing. Do not rely on MFMP Sourcing for notices of solicitation or agency decisions. VBS is the centralized procurement website designated by the Department for agency decisions or intended decisions. MFMP Sourcing is the application for submitting formal questions and Proposals in response to the Department's solicitation. The answers to the formal questions will be posted on VBS.

The following are MFMP Sourcing phases:

Preview Status

When this solicitation is published as a 'Public Event' in MFMP Sourcing, it will initially exist in a 'Preview' status. During the 'Preview' status, Vendors without a matching commodity code can only preview the MFMP Sourcing event using the "Public Access" feature. Vendors with a matching commodity code can 'Join' the event, view and download solicitation documents, and accept the 'Respondent's Agreement.'

In accordance with the time stated on the Timeline of Events, Vendors may submit questions to the Procurement Officer in the 'Messages' tab of the MFMP Sourcing event, during the Preview status, after they have joined the event. The solicitation will remain in 'Preview' status until the 'Open' status begins.

Open Status

When a solicitation is in 'Open' status, all registered Vendors with a matching commodity code who 'Join' the MFMP Sourcing event and accept the 'Respondents Agreement' may submit Proposals until the Proposal due date and time listed in the 'Timeline of Events' section, above.

Pending Selection Status

After the Proposal due date and time, the solicitation will enter 'Pending Selection' status. During this phase of the solicitation, the 'Pending Selection' tab will appear in MFMP Sourcing.

Completed Status

If the tab in MFMP Sourcing indicates 'Completed,' either an agency decision or an intended decision has been posted on VBS. However, do not rely on MFMP Sourcing for this information. VBS is the centralized procurement website for the posting of agency decisions.

3.5.3 **MFMP Training**

MFMP University offers Vendor training materials on a variety of topics, including Vendor Registration and Selecting Commodity Codes; training materials are accessible at https://www.dms.myflorida.com/business_operations/state_purchasing/myfloridamarketplace/mfmp_vendors/training_for_vendors.

It is highly recommended that Vendors review the training for 'Responding to Electronic Solicitations' provided at:
https://www.dms.myflorida.com/business_operations/state_purchasing/myfloridamarketplace/mfmp_agency_customers/mfmp_university/course_catalog

3.5.4 MFMP Assistance

Vendors needing assistance with using MFMP may contact the MFMP Customer Service Desk Monday through Friday, 8:00 a.m. to 6:00 p.m. ET, at 866-352-3776 or email at VendorHelp@myfloridamarketplace.com.

3.6 Contents of Proposal

Respondent shall complete each item below in its entirety or the Respondent may be deemed non-responsive. The following sections of the Proposal shall be submitted in accordance with section 3.5, How to Submit a Proposal, of this RFP.

Tab 1 Completed FORMS and SURETY LETTER

FORM 1 – CONTACT INFORMATION

FORM 2 – NOTICE OF CONFLICT OF INTEREST

FORM 3 – STATEMENT OF NO INVOLVEMENT

FORM 4 – SUBCONTRACTING

FORM 5 – MANDATORY RESPONSIVENESS REQUIREMENTS

SURETY LETTER – The Respondent shall submit a letter, signed on or after March 1, 2021 from a surety company or bonding agent authorized to do business in the State of Florida and written on company letterhead that documents the Respondent's present ability to obtain a performance bond or irrevocable letter of credit in the amount of forty-thousand dollars (\$40,000.00).

Tab 2 Technical Proposal: **Attachment H** – Technical Questions

Respondents should restate and respond to all parts of each question and request for information of **Attachment H** – Technical Questions in accordance with the instructions described in this RFP. Respondents must submit the final version in accordance with subsection 3.5. Respondents are encouraged to use at least 11-point Calibri, Arial or Times New Roman, blue font in responding to each question or request for information. Respondents are encouraged to concisely respond to all parts of each question or request for information. See subsection 4.2.1 Scoring of this RFP.

Tab 3 **Attachment C** – Price Sheet:

The Respondent must complete **Attachment C** - Price Sheet, in accordance with the instructions in subsection 3.10 of this RFP. The Respondent may not add additional tabs to the workbook or delete any tabs. Failure to provide **Attachment C** - Price Sheet, with complete pricing information, will result in the Respondent being deemed non-responsive.

3.7 Redacted Submissions

The following subsection supplements Section 19 of the PUR 1001.

Article 1, section 24, Florida Constitution, guarantees every person access to all public records, and section 119.011, F.S., provides a broad definition of “public record.” As such, all Proposals are public records unless exempt by law. If the Respondent considers any portion of the material submitted in response to this solicitation to be trade secret or otherwise confidential or exempt under Florida or federal law from Florida’s public records production requirements, the Respondent is to mark the document as “Confidential” and simultaneously provide the Department with a separate, redacted copy of the document. For each portion of material redacted, the Respondent is to briefly describe in writing the grounds for claiming exemption, including the specific statutory citation for such exemption. On the cover of the redacted copy, the Respondent is to provide its name and the Department’s solicitation name and number shall be clearly titled “Redacted Copy.” Only portions of material that the Respondent claims are confidential are to be redacted.

In accordance with section 119.0701, F.S., sealed Proposals received by an agency pursuant to a competitive solicitation are exempt from public records requests until such time as the Department provides notice of an intended decision or until thirty (30) days after opening the Proposals, whichever is earlier. After that time, the Department will provide the redacted copy, if any, in response to a public records request.

In the event of a request for public records pursuant to Chapter 119, F.S., the Florida Constitution, or other authority, to which documents that are marked as confidential are responsive, the Department will provide the redacted copy to the requestor. If a requestor asserts a right to the confidential information, the Department will notify the Respondent such an assertion has been made. It is the Respondent’s responsibility to take the appropriate legal action to assert that the information in question is exempt from disclosure under Chapter 119, F.S., or other applicable law.

If the Department becomes subject to a demand for discovery or disclosure of the confidential information of the Respondent in a legal proceeding, the Department will give the Respondent prompt notice of the demand or request. It will be the Respondent’s responsibility to take the appropriate legal action in response to the demand and for defending its claims of confidentiality. If the Contractor fails to take appropriate and timely action to protect the materials it has designated as trade secret or otherwise confidential, the Department will produce the materials to the requester.

By submitting a Proposal, the Respondent agrees to protect, defend, and indemnify the Department for all claims arising from or relating to the Respondent’s determination that the redacted portions of its Proposal are trade secret or otherwise confidential. **If a Respondent fails to submit a redacted copy of information it claims is confidential, the Department is authorized to produce the entire documents, data, or records submitted to the Department in response to a public records request for, or demand for discovery or disclosure of, these documents, data, or records.**

3.8 Additional Information

By submitting a Proposal, the Respondent certifies that it agrees to and satisfies all criteria specified in this solicitation. The Department may request, and the Respondent shall

provide, supporting information or documentation. Failure to supply supporting information or documentation as required and requested may result in the Proposal being deemed non-responsive.

Respondents should not condition their Proposals. Any conditions placed on the Proposal documents by the Respondent may result in the Proposal being rejected as a non-responsive conditional Proposal. **DO NOT WRITE IN CHANGES ON ANY SHEET.** The only recognized changes to the RFP prior to proposal opening will be a written Addenda issued by the Department.

3.9 Price Sheet Instructions

The Respondent shall submit a completed **Attachment C** – Price Sheet (Post Payment tab) including the initial and renewal periods.

The Respondent shall propose an overall fixed fee percentage based on the aggregate amount of recoveries for any payment recovery for the Audits.

The Respondent shall provide fixed fee pricing (Initial and Renewal periods) for Post Payment claims auditing.

Post payment fees are to be submitted for all services included in Attachment A – Statement of Work, exclusive of travel expenses. Travel expenses are not permitted under the Contract.

The Respondent shall provide fixed fee (as a percentage up to two decimal places) in each indicated cell of each Price Sheet submitted. **Failure to provide a fixed fee in a cell may deem the Respondent's price sheet(s) non-responsive.**

Note: In the event the Department receives a price sheet containing illegible pricing or a mathematical error(s), the Department reserves the right to seek clarification of the prices received and to receive corrected price sheet(s). In such instance, no material alterations of the original price sheet submitted shall be accepted.

3.10 Subcontracting

The awarded Respondent shall be fully responsible for all work performed under the Contract. If the awarded Respondent wishes to use subcontractors other than those properly and specifically identified in the subcontracting form submitted with the Proposal, the awarded Respondent must follow the approval process specified in the Contract.

SECTION 4. SELECTION METHODOLOGY

4.1 Evaluation Criteria

The Department will appoint an Evaluation Team for the evaluation and scoring of the Responsive Proposals. Each evaluator will be provided a copy of each Respondent's Proposal that is deemed Responsive. The evaluators will evaluate all Responsive Proposals using the assessment scale in subsection 4.2 against all evaluation criteria in the RFP. Evaluators will consider how well Respondent's proposal meets or exceeds the requirements of the RFP and will consider the experience, qualifications, and capabilities

of the Respondent based on the information provided by the Respondent in Tab 2 – Technical Proposal.

4.2 Evaluation of the Proposal

The evaluators will independently review and evaluate Tab 2 – Technical Proposal of the Responsive Proposals. Using the assessment scale below, the evaluators will assign scores zero (0) to four (4) based on the quality of each response to Attachment H – Technical Questions. In determining the quality of the responses, the evaluators will use the following guiding questions:

- How well does the response demonstrate an understanding of the services requested?
- How well does the response demonstrate the Respondent’s ability to provide the services requested?
- How well does the response address the requested services?

Evaluator Score	Assessment	Assessment Criteria
0	Unacceptable	The response does not address the evaluation criterion or does not demonstrate experience related to the criterion.
1	Poor	The response inadequately addresses the evaluation criterion/requirement or demonstrates limited experience related to the criterion/requirement.
2	Adequate	The response minimally addresses the evaluation criterion/requirement or demonstrates nominal experience related to the requirement/criterion.
3	Good	The response adequately addresses the evaluation criterion/requirement or demonstrates sufficient experience related to the criterion/requirement.
4	Exceptional	The response extensively addresses the evaluation criterion/requirement or demonstrates exceptional experience related to the criterion/requirement.

4.2.1 Scoring

Scoring will be an average total of the evaluator’s weighted scores for each Respondent for all sections scored in Tab 2 – Technical Proposal.

The table below demonstrates the calculations the Department will use to determine the Respondent’s Final Weighted Score, based on the raw scores given by the Evaluation Team members while evaluating the Respondent’s Proposal.

The Raw Points scored for each section, by each evaluator, will be averaged together and then multiplied by the Weight Factor in the table below for each section. This calculation will render the Respondent's Weighted Scores for each section. The Respondent's Weighted Scores for each section will be added together to determine the Respondent's Final Weighted Score.

EVALUATION SUMMARY SCORE SHEET					
Attachment H	Maximum Possible Raw Score		Weight Factor		Maximum Possible Weighted Score
I. SERVICE HISTORY					
Q: 1	4	X	5	=	20
2	4	X	15	=	60
3	4	X	10	=	40
4	4	X	15	=	60
5	4	X	15	=	60
6	4	X	5	=	20
7	4	X	5	=	20
II. Project Team					
Q: 8	4	X	10	=	40
9	4	X	15	=	60
III. PROJECT PROPOSAL					
Q: 10	4	X	15	=	60
11	4	X	10	=	40
12	4	X	5	=	20
13	4	X	5	=	20
14	4	X	10	=	40
15	4	X	15	=	60
16	4	X	10	=	40
17	4	X	5	=	20
18	4	X	5	=	20
19	4	X	10	=	40
20	4	X	15	=	60
21	4	X	15	=	60
22	4	X	15	=	60
23	4	X	10	=	40
24	4	X	15	=	60
25	4	X	10	=	40
26	4	X	5	=	20
27	4	X	15	=	60
28	4	X	15	=	60
IV. SECURITY					
Q: 29	4	X	10	=	40
30	4	X	10	=	40
31	4	X	10	=	40
32	4	X	15	=	60
33	4	X	5	=	20
V. REPORTING AND DELIVERABLES					
Q: 34	4	X	15	=	60
35	4	X	10	=	40
Maximum Possible Final Weighted Score:					1500

4.3 Scoring of Price Proposal (50 points)

The Price Proposal will be worth a maximum score of fifty (50) points and will be calculated based on **Attachment C** - Price Sheet.

The Respondent with the lowest average overall fixed fee (6 years total for initial and renewal periods) will receive a maximum of fifty (50) points.

The score of the Price Proposal shall be based upon the following formula:

$(\text{Lowest Avg. overall fixed fee} / \text{Respondent's Avg. overall fixed fee}) \times \text{Price Points (50 Points)} = \text{Respondent's Awarded Points}$

The scoring of the Price Proposal will be completed by the Procurement Officer.

4.4 Basis of Award

The award will be made to the Respondent with the highest scored Proposal, including pricing and technical scoring.

The Department reserves the right to award as determined to be in the best interest of the state and to accept or reject any and all Proposals or separable portions and to waive any minor irregularity if the Department determines that doing so will serve the best interest of the state. An irregularity is not material and therefore, minor, when it does not give the Respondent a substantial advantage over other Respondents and thereby restrict or stifle competition

4.5 Equal Proposals

In the event the Department receives equal Proposals eligible for award, the Department will comply with the following sections, as applicable: 295.187(4)(b), 287.057(11), 295.187(4)(a), 287.087, 287.082, and 287.092, F.S. To clarify the Respondent's status with regard to the applicable statutory preference requirements, the Department may request information from Respondents with equal eligible Proposals. A Respondent will not be permitted to amend or supplement its Proposal in response to such request for clarification.

4.6 Proposal Disqualification

Proposals that do not meet all requirements, specifications, terms, and conditions of the solicitation or fail to provide all required information, documents, or materials may be rejected as non-responsive. The Department will not entertain modifications to the Draft Contract submitted in the Proposals. The Department reserves the right to reject conditional Proposals as non-responsive. A Respondent whose Proposal, past performance, or current status do not reflect the capability, integrity or reliability to fully and in good faith perform the requirements of this solicitation may be rejected as non-responsive or non-responsible. The Department reserves the right to determine which Proposals meet the requirements of this solicitation and which Respondents are responsive and responsible.

SECTION 5. AWARD

5.1 Department Rights

The Department reserves the right to:

- 5.1.1** Select one (1) or multiple Respondent(s) for the services encompassed by this solicitation;
- 5.1.2** Award a contract for less than all services encompassed by this solicitation;
- 5.1.3** Withdraw or cancel the procurement and make no award.
- 5.1.4** Award the Contract to the Respondent with the next highest score in the event the Department is unable to execute a contract with the initially or previously awarded Respondent.

5.2 Agency Decision

If the Department intends to award a contract, the Department will post a Notice of Intent to Award to enter into a contract with the Respondent identified therein, on the VBS website: http://vbs.dms.state.fl.us/vbs/main_menu.

If the Department decides to reject all Proposals, it will post its notice on the VBS website: http://vbs.dms.state.fl.us/vbs/main_menu.

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FORM 1 – CONTACT INFORMATION

By completing and signing this form, the person submitting the Proposal certifies he/she is authorized to respond to this solicitation on the Respondent's behalf.

For solicitation purposes, the Respondent's contact person shall be:

For contractual purposes, should the Respondent be awarded, the contact person shall be (if this column is blank, the contact person for solicitation purposes shall be the contract person for contractual purposes):

Name:	_____	_____
Title:	_____	_____
Company Name:	_____	_____
Address:	_____	_____
Telephone:	_____	_____
Fax:	_____	_____
Email:	_____	_____

Respondent's Name

Signature of Authorized Representative

Date

Print Name/Title

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FORM 2 - NOTICE OF CONFLICT OF INTEREST

For the purpose of participating in the solicitation process and complying with the provisions of Chapter 112, Florida Statutes, the company states the following conflict(s) of interest exists as noted below (if none, write N/A in the applicable section(s) below):

The persons listed below are corporate officers, directors, or agents and are currently employees of the State of Florida or one of its agencies:

_____	_____
_____	_____
_____	_____
_____	_____

The persons listed below are current State of Florida employees who own an interest of five percent (5%) or more in the company named above:

_____	_____
_____	_____
_____	_____
_____	_____

Respondent's Name

Signature of Authorized Representative

Date

Print Name/Title

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FORM 3 - STATEMENT OF NO INVOLVEMENT

I, _____, as an authorized representative of the proposing company, certify that no member of this company nor any person having any interest in this company has been involved with the Department of Management Services to assist it in:

1. Developing this solicitation; or,
2. Performing a feasibility study concerning the statement of work, if applicable.

Respondent's Name

Signature of Authorized Representative

Date

Print Name/Title

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FORM 4 – SUBCONTRACTING

The Respondent is to complete the information below on all subcontractors that shall provide services to the Respondent to meet the requirements of the resultant contract, should the Respondent be awarded. Submission of this form does not indicate the Department’s approval but provides the Department with information on proposed subcontractors for review.

Please complete a separate sheet for each subcontractor.

There will be subcontractors for this solicitation: YES ____ NO ____ (check one)

If **no**, vendor is not required to complete the remainder of this form.

If **yes**, vendor is required to complete the remainder of this form.

Service: _____

Company Name: _____

Contact: _____

Address: _____

Telephone: _____

Fax: _____

Occupational License No: _____

Currently registered as Certified Minority Business Enterprise (CMBE), Women-Owned Business (WBE), or Veteran-Owned? YES ____ NO ____ (check one)

Acknowledgement from Respondent that this subcontractor has successfully complied with the "Subcontractor Acceptance Process"? YES ____ NO ____ (check one)

W-9 verification: YES ____ NO ____ (check one)

In a job description format, describe below the responsibilities and duties of the subcontractor based on the technical specifications outlined in this solicitation.

FORM 5 – MANDATORY RESPONSIVENESS REQUIREMENTS

SOLICITATION SECTION REFERENCE	MANDATORY RESPONSIVENESS REQUIREMENTS	PAGE # OF VENDOR PROPOSAL
N/A	The Respondent certifies that the person submitting the Proposal is authorized to do so on the Respondent’s behalf.	N/A
N/A	The Respondent certifies that it will accept the Contract terms and conditions as stated in the RFP (including any addenda thereto), without qualification or exception.	N/A
N/A	The Respondent certifies that the Respondent is in compliance with Section 9 of the PUR 1001 form, as modified by subsection 3.2 of the RFP.	N/A
N/A	The Respondent certifies that it is not a Discriminatory Vendor or Convicted Vendor as defined in Sections 7 and 8 of the PUR 1001 form .	N/A
N/A	The Respondent certifies that it is not listed on the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List, and that it is not engaged in a boycott of Israel.	N/A
N/A	The Respondent certifies that, if awarded a Contract, prior to Contract execution, it will provide the Department with a PDF file of its current and active registration with (or, if a foreign entity, its Certificate of Authority from) the Florida Department of State, Division of Corporation (www.sunbiz.org); or, if exempt from registration, a statement to that effect noting the basis from the exemption.	N/A
3.6	The Respondent certifies that it has submitted a letter, signed on or after March 1, 2021 from a surety company or bonding agent authorized to do business in the State of Florida and written on company letterhead that documents the Respondent’s present ability to obtain a performance bond or irrevocable letter of credit in the amount of forty-thousand dollars (\$40,000.00).	
3.10	The Respondent certifies that it has submitted Attachment C – Price Sheet , in accordance with subsection 3.10, Price Sheet Instructions.	

Signature below serves as the Respondent’s certification of the foregoing statements.

Respondent’s Name

Signature of Authorized Representative

Date

Print Name/Title