Cover Page

**Oregon Hemp Commission (OHC)**

ADMINISTRATIVE SERVICES

Request for Proposal (RFP)

HEMP Proposal Number 648-2022-23

Date of Issue: February

Closing Date and Time: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_by 5:00pm PST

Single Point of Contact (SPC): [Name]

[Title]

[Organization]

Send Proposals to: [Name]

Address:

City, State, Zip

Phone (voice)

Email: (For questions only; not for submitting proposals

If sent through carrier other than USPS, please deliver to:

Address

City, State, Zip

Proposal requirements, format and delivery details are in Sections 3, 4, and 5.

The State of Oregon promotes equal opportunity for all individuals without regard to age, color, disability, marital status, national origin, race, religion or creed, sex or gender, sexual orientation, or veteran status.

1. GENERAL INFORMATION
   1. INTRODUCTION

The Oregon Hemp Commission (OHC) is issuing this Request for a Proposal (RFP) for administrative services to be provided from April 1, 2023 to June 30, 2023. The Commission will begin the contract June 1, 2023 for purposes of on-boarding.

Commission’s intent for this RFP is to award separate Personal Services Contracts. Additional details on the Scope of the goods or services or both are included in the Scope of Work/Specifications section below.

Commission must approve all contracts, including the administrative services contract, annually.

* 1. BACKGROUND

The OHC is a state commodity commission created by the 2021 Oregon Legislature under Oregon Revised Statute (ORS) 571.400 through 571.501 and represents licensed hemp growers (producers) in the state of Oregon. The Commission is directed by a board comprised of six producers, two handlers/processors (first purchasers), and a public member who are appointed by the Director of the Oregon Department of Agriculture (ODA). Committed to improving the industry, the Commissioners are volunteers; they have full-time jobs in Oregon’s hemp industries.

While the OHC is continuing to set up its administrative functions, the Commissioners may meet as often as weekly. After the foundational work is completed, the OHC intends to meet at least six times a fiscal year (July 1 through June 30).

As an Oregon commodity commission, the OHC is authorized under ORS 571.447 to collect a mandatory assessment on the sales and transactions of hemp. The growers are assessed 1% of the value of the transaction. They complete an assessment report and submit the assessment to the Commission office on a quarterly basis.

In addition to the mandatory assessments, commodity commissions are permitted to receive funds from other sources, such as grants for special projects.

All commodity commissions are public agencies established by the Oregon legislature. All commodity commissions comply with Oregon’s public meeting and public records law, ORS chapter 192; Oregon government ethics law, ORS chapter 244; and other applicable state laws, rules and required financial reporting. Like other commodity commissions, the Hemp commission must adopt a budget each year in a public hearing process set forth in ORS 571.483. Audits of the Hemp Commission are required; see OAR Chapter 603, Division 42.

The ODA Director appoints all commissioners. The Hemp commissioners must meet qualifications set in ORS 571.406(7) and Oregon Administrative Rule (OAR) Chapter 648, Division 30 (OHC). Oregon State University (OSU) and the Oregon Department of Agriculture (ODA) are represented on the Commissions by ex-officio non-voting members, designated by the OSU Dean and the ODA Director. The ODA Commodity Commission Oversight Program, pursuant to ORS 571.404(2), reviews the Commission’s annual operational plan, all contracts and other agreements, and provides resources and technical advice.

* 1. AUTHORITY AND METHOD

The Hemp Commission is authorized to enter into a contract for personal services pursuant to ORS 571.423 and ORS 571.426, consistent with OAR chapter 122, division 50 and OAR chapter 603, division 42, as applicable. All contracts are reviewed by the ODA pursuant to ORS 571.426 and OAR 603-042-0010(10), and, depending on the anticipated amount of the procurement, the contracts must be approved by the Oregon Department of Justice (DOJ), prior to execution.

A commodity commission is authorized pursuant to ORS 571.426 to contract with an independent contractor for administrative services but may not contract to perform the discretionary functions of the commission. Discretionary functions do not include collecting assessments, scheduling meetings, processing payments or other administrative duties assigned by the commission.

Commodity commission contractors are independent contractors and not employees, eligible employees, public employees or employees of the state for purposes of Oregon law. A contractor may not be considered a public official, public officer, state officer or executive official for purposes of Oregon law.

* 1. SCHEDULE

The table below represents a tentative schedule of events. All times are listed in Pacific Time. All dates listed are subject to change.

|  |  |  |
| --- | --- | --- |
| Event | Date | Time/Location |
| Pre-Proposal Conference | Tuesday,  January 11, 2022 | 2:00 PM  Zoom video conferencing; the meeting link is below and will be posted on oregonalbacore.org  and oregonsalmon.org |
| Questions / Requests for Clarification Due to SPC | Tuesday,  January 18, 2022 | Due by 4:00 PM to SPC via email to nancy@oregonsalmon.org |
| Answers to Questions / Requests for Clarification | Friday,  January 21, 2022 | Posted by 1:00 PM on oregonsalmon.org and oregonalbacore.org |
| Closing (Proposal Due)  to SPC | Friday,  February 4, 2022 | Delivery no later than 5:00 PM |
| Interviews | March 1, 2022 | Via Zoom video conferencing. Successful proposers will be notified of their interview time in advance by February 22. |
| Issuance of Notice of Intent to Award (approximate date) | No later than Friday, March 18, 2022 | Phone and email to highest scoring proposer. Notice via email to all but highest scoring. |

Pre-Proposal Conference Zoom Meeting Link:

https://us02web.zoom.us/j/87429030008?pwd=TDRrOFZFbi9xREhpeGxXNkZZZ05CQT09

Phone: 253-215-8782

Meeting ID: 874 2903 0008

Passcode: 821454

1. SCOPE of WORK
   1. SCOPE OF WORK/SPECIFICATIONS

The Commission, which is a public entity, is seeking an administrative services contractor to carry out the daily business affairs of the Commission.

The Hemp commissioners are public officials volunteering their time to the industry. Each commissioner has a full-time job in addition to their Commission duties. The producer commissioners growers, the handler commissioners work for a processor that is a first purchaser of salmon or albacore, and the public members are interested in the positive economic development of the industries.

The administrative services contractor carries out the policies, procedures and directives previously approved by the Commission during a public meeting. The commission chairperson administers the contract between the Commission and the administrative services contractor. The administrative services contractor frequently consults with Commission chairperson, vice chairperson, secretary/treasurer; and the ODA Commodity Commission Oversight Program manager.

On an annual basis, the Commission evaluates the administrative services contractor’s performance. The Commission must approve the administrative services contract on an annual basis.

ORS 571 authorizes the Hemp Commission to collect mandatory assessments. During public meetings, the commissioners discuss and approve motions to direct funds toward increasing the use and consumption of hemp, educating, communicating, monitoring legislation, conducting research, and for administrative costs.

The Commission’s administrative services needs include:

**2.1.1 Office Facility & Equipment**

1. Providing the office equipment, computer and compatible software, data back-up system, phone and voicemail systems, and personnel the Commission consider necessary;
2. Providing office space for Commission’s records;
3. Performing maintenance of Commissions’ public records in a timely manner pursuant to OAR Chapter 166, Divisions 350, 030, and 300;
4. As required by ORS 571.474, obtaining and filing with Commission a fidelity bond of $50,000. Submitting reimbursement request for the cost of this bond;
5. Paying, and holding the Commission and Commissioners harmless from, all of the contractor's normal operational expenses, including but not limited to salaries, rents, utilities, taxes and fees (such as income, employment, license or others) and other similar expenses;
6. Maintaining compliance with all governmental (local, state, or federal) laws and rules applicable to the operation of Independent Contractor's business.

**2.1.2 Bookkeeping and Financial Management**

1. Establish and manage procedures for the Commission’s assessment program in accordance with OAR Chapter 648, Division 10, which includes providing reporting forms, receiving and depositing assessments, recordkeeping, collecting late assessments, and reporting to the Commission on delinquencies, among other duties;
2. Receiving and depositing other funds;
3. Preparing payment of Commission’s approved expenses for signature by commissioners;
4. Preparing periodic quarterly reports on revenue and providing them to ODA on a timely basis;
5. Maintaining and updating information related to hemp production to forecast the Commission’s future assessment income for budgeting and planning purposes;
6. Assisting the chairperson and commissioners with all functions necessary to prepare annual draft budgets pursuant to ORS 571.483, advertise the budget hearings, conduct the budget hearings, and submit required adopted budget materials to ODA for authorization;
7. Preparing financial reports, state-required year-end financial statements, other reports and related financial records pursuant to ORS 571.483;
8. Monitoring Commission’s finances monthly and providing both written and verbal reports on monthly Commission finances (balance sheet, monthly check activity, monthly transactions, revenue & expenditure statement, reconciliations for a checking account, money market/savings accounts) at Commission each month or quarterly Commission meeting;
9. Alerting Commission’s leadership to critical financial occurrences, for example: revenues are less than forecasted in the annual budget or expenses in a budget category will or are being exceeded;
10. Obtaining information on marketing trends and commodity values at request of Commission; however, contractor must obtain approval of informational content from Commissions before its dissemination;
11. Preparing requests to ODA for emergency fund transfer;
12. Ensuring that commissioners annually complete declaration of eligibility to receive the stipend.
13. Ensuring timely receipt of commissioner expense reports and stipend requests and preparing reimbursements and their recordkeeping;
14. Acting in compliance with applicable laws, OARs, generally accepted accounting principles, and the OHC Policies and Procedures Manual.

**2.1.3 Communications & Meeting Planning**

1. Assisting the chairperson with scheduling meetings;
2. Providing legally required notices of meetings and hearings pursuant to ORS Chapter 192.620 through 192.695 and ORS 571.420;
3. Assisting committee chairpersons with preparing meeting agendas and providing notices of committee meetings when committees are formed;
4. Scheduling and setting up ADA-accessible meeting rooms, and catering service;
5. Preparing and providing copies (digital or paper depending on commissioners wants) of packets for commission and committee meetings;
6. Taking notes and preparing draft minutes of Commission meetings;
7. Providing information to buyers, agencies, industries, news media and others that is consistent with approved Commission positions; however, contractor must obtain approval of informational content from Commissions before its dissemination, as provided by OAR 603-042-0015(6);
8. Representing Commission at hearings or meetings on proposed legislation, rules, or issues affecting Commission and producers/handlers at request of the Commission; however, contractor must obtain prior approval from Commission of all positions that may be taken on behalf of Commission;
9. If approved in advance by Commission, travel to assist Commission to fulfill its promotional, educational, governmental liaison, or research projects. Contractor will submit request for reimbursement of allowable travel expenses in accordance with Exhibit A, the Sample Administrative Services contract, Section 3 and Section II;
10. Creating and maintaining information on the Commission website in a timely manner. Contractor will maintain and update all pages on the Oregon Hemp Commission website.

**2.1.4 Administrative and Time Management**

1. Preparing annual Operational Plan for Commissioner approval and submitting plans to ODA pursuant to OAR 603-042-0015.
2. Establishing and maintaining the domain name for the Oregon Hemp Commission website;
3. Establishing and maintaining Commission’s records and all minutes, actions and other records pursuant to ORS chapter 192 and ORS chapter 571;
4. Establishing and maintaining databases in a timely manner, including grower mailing lists, meeting mailing lists, handler lists, and other lists at the request of the Commissioners;
5. Establishing, maintaining and updating a list of interested parties;
6. After Commission approval, prepare contracts and similar documents in a timely manner according to procedures which include but may not be limited to:
7. completing templates prepared by the Oregon Department of Justice;
8. writing a statement of work;
9. emailing completed document to ODA for review;
10. providing additional information to ODA on a timely basis when requested;
11. after ODA completes review, obtaining contractor and Chairperson signatures;
12. providing one fully signed digital document to ODA;
13. maintaining one fully signed document in OHC records;
14. providing contractor with one fully signed document;
15. When delegated by the Commission, monitoring a contractor’s work to ensure that services are performed and deliverables delivered according to the schedule in the contract;
16. Preparing and filing administrative rules in a timely manner;
17. Participating in training on applicable state laws, policies and other administrative training, and assisting the Commissioners in participating and completing required training;
18. Filing and tracking documents related to intellectual property.

**2.1.5 Interpersonal Skills & Regulatory Compliance Experience**

1. Establishing and maintaining communications and good working relationships with Commissioners;
2. Staying current on state, regional, and national matters that affect Oregon hemp growers and processors, then informing the chairperson in a timely fashion;
3. Informing the chairperson in a timely manner of matters that need to be brought to the Commission’s attention for discussion and action;
4. Informing the chairperson in a timely manner of matters related to delayed assessments, producer and handler concerns and other subjects requiring the Commission’s immediate attention;
5. Establishing and maintaining good communications and working relationships with the Oregon Department of Agriculture, Oregon State University, and other organizations with interests in common with the Commission;
6. Establishing and maintaining good communications and working relationships and acting as liaison with other industry organizations in the state, region, and nation; however, contractor must obtain prior approval from Commissioners of all positions that may be taken on behalf of Commission;
7. Responding to inquiries from growers, handlers, and the public;
8. To the extent that the Commission elects, collaborating with other commodity commissions;
9. Establishing and maintaining good working relationships with, collaborating with, and consulting with the ODA Commodity Commission Oversight Program;
10. Assisting ODA with recruitment of applicants for commissioner positions;
11. Working with ODA to ensure that commissioners successfully complete mandatory trainings;
12. Assisting ODA Commodity Commission Oversight Program with orientation of commissioners;
13. Establishing and maintaining good communications and working relationships with all contractors supplying services and goods to the OHC.

**2.1.6 Intellectual Property and Confidential or Proprietary Information**

1. Ensuring all software used is licensed.
2. Maintaining confidentiality of grower records.
3. Maintaining security of personal information, such as Social Security numbers.
4. Maintaining ownership, use, disposal of and security of Commission-owned intellectual property
   1. ADDITIONAL INFORMATION RELATED TO THE WORK
      1. The successful submitted proposal will be incorporated into final a contract between the Commission and the successful Proposer, which will include the terms and conditions as set forth in the attached Sample Contract (Exhibit A).

2.2.2 The Oregon Hemp Commission was established by the 2021 Oregon Legislature and began operating with seven temporary commissioners in February 2022 to establish administrative rules and policies and procedures. The administrative services contractor will need to establish a website, record-keeping, bookkeeping and other systems for the Commission. The Commission anticipates receiving its first assessments in April 2023 and may receive additional funding through the efforts of the Oregon Industrial Hemp Farmers Association.

1. PROCUREMENT REQUIREMENTS
   1. MINIMUM QUALIFICATIONS
2. Available to begin providing services to Commission April 20, 2023 through June 30, 2023. Subject to Commission and contractor agreement, any future contracts will begin July 1 and continue through June 30 of each fiscal year.
3. Experience in administrative work including financial reporting, arranging for meetings, writing reports or minutes, record-keeping, preparing and distributing communications, and monitoring timely and quality delivery of contracted services.
4. Experience administering volunteer organization(s), working with board members, carrying out direction and priorities set by a board, drafting meeting agendas and other meeting materials, delivering verbal and written reports.
5. Experience in organizing meetings or in event planning.
6. Experience in budget processes, financial reporting, accounts receivable and bookkeeping processes.
7. Experience or familiarity with working with technical subjects such as bylaws, laws, government, government regulations, or research projects.
8. Excellent written and verbal communication skills including public speaking and reporting during meetings.
9. Proven success in prioritizing multiple time-sensitive tasks and meeting deadlines.
10. Ability to provide staff, office equipment, computer software compatible with the State’s existing software (Word, Excel, Powerpoint), high-speed internet, secure data storage space and back-up system, file storage space, and phones with reliable voicemail system.
11. Have a driver’s license and auto insurance, with an acceptable driver’s record and acceptable auto insurance coverage or ability to provide an alternative and reliable means of transportation.
    1. ADDITIONAL CERTIFICATION REQUIREMENT

To submit a Proposal, Proposer must meet the Independent Contractor Certification, shown below. The certification is part of Exhibit A, Sample Contract.

*(Continued on next page)*



SECTION 4: Submission Requirements

* 1. minimum submission requirements
     1. Proposal Submissions

As used in this RFP, “Proposal” refers to the complete package of required materials submitted to the SPC, including Attachments A – G as described below. “Proposal for Services” refers to Attachment B only.

To be considered for evaluation, the Proposal must contain each of the following elements (further detailed in Proposal Requirements section below):

1. Executive Summary of Proposed Services (Label as Attachment A)
2. Proposal for Services (Label as Attachment B)
3. Proposed Timeline for Provision of Services (Label as Attachment C)
4. Proposer Information and Certification Sheet (Exhibit D of RFP, label as Attachment D)
5. Cost Proposal stated as a base fixed fee for administrative services and separately showing any costs for materials. (Label as Attachment E). Place your Cost Proposal in a sealed envelope marked with Proposer Name and RFP number. (\*The OHC will reimburse invoices at cost-only, without mark-up, for commission meeting rooms and related catering for meetings; commission business-related travel, mileage, postage; and the required bond.). (Submit in separate envelope, labeled with RFP title, number and Proposer’s name. Do not include Cost Proposal anywhere in the other attachments.)
6. Key Persons and Resumes (Label as Attachment E)
7. References from 3 current or former clients.
   * 1. Proposal Format and Quantity

Proposer shall send its Proposal to the Single Point of Contact (SPC) listed on the first page by the Closing Date and Time. The Proposal, including all attachments, must be in a sealed package with the Proposer’s name and the RFP Title and Number clearly visible on the outside of the package. Inside the package, the Cost Proposal needs to be in a separate sealed envelope, labeled with the RFP Title, Number, and the Proposer’s name.

Proposal should follow the format and reference the sections listed in the Proposal Requirements section. Responses to each section and subsection should be labeled to indicate the item being addressed.

Proposal shall be submitted to the SPC in two (2) formats:

1. One (1) printed copy of Attachments A – D and F and G on 8 ½” x 11” paper, and one (1) printed copy of Cost Proposal (Attachment E) in a separate sealed envelope labeled with Proposer Name and RFP title and number; and
2. One (1) electronic copy of Attachments A – D and F and G on a USB Drive, with a separate file for the Cost Proposal (Attachment E). Proposer’s electronic copy must be formatted using Adobe Acrobat (pdf), Microsoft Word (docx), or Microsoft Excel (xlsx). The total combined size of Attachments A – G should be compressed so it does not exceed 10 megabytes.

**No emailed Proposals will be accepted**.

The Proposal for Services (Attachment B) should follow the format and reference the sections listed in Section 4.2.2. Responses to each section and subsection should be labeled with the corresponding number to indicate the item being addressed.

The Proposer Information and Certification Sheet (Attachment D) must bear the Proposer’s authorized representative’s Signature. Failure of the authorized representative to sign the Proposal may subject the Proposal to be rejected by the Commission.

* 1. PROPOSAL REQUIREMENTS

Proposal must address each of the items listed in this section and all other requirements set forth in this RFP. Proposer shall describe the Goods to be provided or the Services to be performed or both. A Proposal that merely offers to provide the goods or services as stated in this RFP may be considered non-Responsive to this RFP and will not be considered further.

Proposal should not include materials not essential to the utility and clarity of the Proposal. Proposal should be straightforward and address the requests of the RFP. Proposal containing excess material not addressing the RFP requirements may receive a lower evaluation score if specific information addressing RFP requirements is difficult to locate.

* + 1. Executive Summary (label as Attachment A)

Provide a brief overview of your Proposal.

* + 1. Proposal for Services (label as Attachment B)
       1. Evaluation Item 1 – Office Facility and Equipment

Describe your office facility, equipment and those who will provide administrative services:

1. Office location and equipment including types of software;
2. Phone and voicemail system;
3. Internet speed;
4. Electronic storage system and capacity;
5. Electronic back-up system;
6. Storage capacity for paper records of both a confidential and public nature;
7. Personnel support structure, if any;
8. Identify portions of the required administrative services that you may want to subcontract, if any.
   * + 1. Evaluation Item 2 – Bookkeeping and Financial Management

Identifying all computer software you have used, describe your experience preparing, presenting verbal and written reports on, as well as maintaining records of:

1. Accounts payable and receivable (receiving assessments), identifying who will handle which;
2. Past due account collections, as needed;
3. Monthly financial reports;
4. Bank reconciliations;
5. Annual financial reports;
6. Preparing for and responding to audits;
7. Administering grant funds and reporting;
8. Provide an example of analyzing of annual financial reports and identifying a fiscal trend that called for a decision by the client -- either increasing revenue or modifying spending. Be specific about how you identified the trend, who you reported it to, and what type of changes you recommended.
   * + 1. Evaluation Item 3 – Communications and Meeting Planning

Describe your experience in:

1. Writing and preparing reports, minutes, correspondence, newsletters: identify all computer software you have used and describe your skill level with each;
2. Verbal communication as it relates to public speaking, presenting reports, managing meetings or assisting someone who is managing a meeting;
3. Organizing meetings and events;
4. Maintaining and updating websites and social media in a timely manner;
5. Establishing and maintaining communication with board members, industry, government agencies and regulators, elected officials, academic and scientific researchers, and stakeholders.
   * + 1. Evaluation Item 4 – Time Management
6. Describe your time commitments and requirements to other clients. Include both current and any you anticipate adding during June 2023 through July 1, 2024;
7. Describe the type of time management skills you have used to manage all responsibilities well;
8. Explain how you adjust your work-flow when a client has an unanticipated need that requires immediate attention;
9. Provide an example of your experience delivering projects within specified deadlines;
10. Explain your experience and provide an example of completing tasks with minimal oversight.
    * + 1. Evaluation Item 5 – Developing and Maintaining Professional Relationships
11. Describe your experience working with a variety of people, including:
    1. Boards of directors as a whole and volunteer board members;
    2. The public;
    3. Researchers;
    4. Government staff and elected officials;
    5. Members of an organization or business that you provide administrative services to;
    6. Natural resource organizations;
       * 1. Evaluation Item 6 – Regulatory Compliance Experience
12. Give an example of previous experience complying with rules, regulations, bylaws, policies and/or procedures.

SECTION 5: Additional Requirements

5.1. PROPOSED TIMELINE FOR PROVISION OF SERVICES (LABEL AS ATTACHMENT C)

Describe how you plan to meet the deadlines related to the Commissions’ administrative services work. Address any conflicts your current work may present vis-a-vis the Commissions’ major work elements.

To assist Proposers, the following table highlights the major activities of the Commission’s administrative services work elements. It does so with estimated dates for major work elements. *The following table DOES NOT present a complete calendar of work for the Commission’s administrative services contractor*.

|  |  |  |
| --- | --- | --- |
| **Major Work Elements** | **Date** | **Notes** |
| Regular meetings of Commission | Periodically between September and May (typically no meetings during October and November)  Determine meeting dates. | Schedule meetings -- virtual or a location and catering, draft agenda with chairperson, provide public notice, prepare and make copies of meeting packets to email which include financial reports and other materials, take notes, prepare draft minutes and follow-up on meeting actions and requests. |
| Assessment Process  Prior to the dates listed, update assessment form if necessary and provide to growers via mail/email/web.  Receiving assessments involves record-keeping and bank deposits. | Receive assessment checks – the commission’s source of operational revenue – by April 15, July 15, October 15, and January 15. | Reconcile list of assessment payers with list of licensed growers to identify any who did not report and pay the assessment.  Utilize collection procedures as necessary. |
| Income Reports – ODA Census Reports – form provided by ODA and submitted via email | Approximately January 15, April 15, July 15 and October 15. | Report total monthly assessments and other funds received for the quarter. Email Excel form to ODA. This report is required even when revenue is zero. |
| Budget Preparation & Adoption Process – ODA provided template | Work occurs sporadically from February through late May. The mandatory public hearing notice requires publication a specific number of days before the budget hearing. | Process includes drafting a budget, holding a budget committee meeting, notification, public hearing, adoption of budget, notarizing budget affidavit, submitting required documents to ODA for authorization. |
| Year-end Financial Statement and other state-required financial and online risk reports | This work takes place approximately July 1 through July 18 and continues sporadically through September. | State of Oregon requirement. Some forms provided by ODA about three weeks before due date. |
| Add newly appointed commissioner(s) to commission records. | As early as April and as late as June | ODA provides a copy of commissioner appointment letter(s) and application(s). |
| With ODA, provide an hour-long orientation to commissioners. | Prior to or during first Commission meeting of the new fiscal year or virtually | Orientation covers commission budgeting, selection process for research and promotional projects. Also covers Oregon public records and meeting law, Oregon ethics law. |
| Assist newly appointed and reappointed commissioners to ensure successful completion of mandatory Workday Learning - Oregon training. | Approximately August -September | Governor requires all commissioners and public employees to complete training on specific state policies. |
|  |  |  |

5.2 PROPOSER INFORMATION AND CERTIFICATION SHEET (LABEL AS ATTACHMENT D)

Complete the Proposer Information and Certification Sheet, attached to this RFP as Exhibit D. Label your completed Proposer Information and Certification Sheet as Attachment D. As provided in the Proposer Information and Certification Sheet, Proposers must certify that their Proposal constitutes a firm offer for 180 days following Closing of this RFP.

5.3. COST PROPOSAL (LABEL AS ATTACHMENT E)

In a separate sealed envelope labeled with the Proposer’s name and the RFP title and number, provide one hard copy of the proposed cost bid expressed as a base fixed fee for administrative services. The fixed fee should not exceed the funds that the Commission ($20,000-$55,000) has budgeted as a maximum fixed cost. Do not include reimbursable items as part of the base fixed fee. The OHC will reimburse invoices for the cost only for meeting rooms and catering for meetings, travel, mileage, and postage related to Commissions’ business and the required bond.

5.4. REFERENCES

Provide three (3) references from current or former relevant volunteer or professional organizations for similar work within the last 10 years. Proposer shall submit reference names and contact information. References must be able to verify the quality of previous, related Work. Commission will make three attempts to contact each of the references provided by the Proposer. If these attempts are unsuccessful, the Proposer will receive a score of zero for that reference.

Commission may also check to determine if references provided support Proposer’s ability to comply with the requirements of this RFP. Commission may use references to obtain additional information, or verify any information needed. Commission may contact any reference (submitted or not) to verify Proposer’s qualifications.

5.5. KEY PERSON(S) AND THEIR RESUME(S)

Specify key person(s) to be assigned to this project (if applicable), and include a current resume (not to exceed 2 pages each) for each individual who demonstrates qualifications and experience for the Work described.

SECTION 6: RFP SOLICITATION PROCESS

* 1. PUBLIC NOTICE

Notification of the availability of this RFP was mailed to the entities on the Oregon Agriculture Commodity Commission (OACC) RFP Mailing List and Oregon Buys (state procurement website) and advertised in appropriate periodicals, as well as the Commission mailing list.

Modifications, if any, to this RFP will be made through posting on the ODA Commodity Commission Oversight Program website. Prospective Proposers are solely responsible for checking with the Single Point of Contact prior to the RFP Closing Date to determine whether any Addenda have been issued. Addenda are incorporated into the RFP by this reference.

* 1. PRE-PROPOSAL CONFERENCE

A pre-Proposal conference will be held at the date and time listed in the Schedule. Prospective Proposers’ participation in this conference is highly encouraged but not mandatory.

The purpose of the pre-Proposal conference is to:

* 1. Provide additional description of the project;
  2. Explain the RFP process; and
  3. Answer any questions Proposers may have related to the project or the process.

Statements made at the pre-Proposal conference are not binding upon Commissions. Proposers may be asked to submit questions in Writing.

Interested parties may participate in the Preproposal Conference through a Zoom video conference to be held **Tuesday, January 11, 2022 at 2:00 PM**. The link is posted on page 4 and will be posted on oregonsalmon.org and oregonalbacore.org

* 1. QUESTIONS / REQUESTS FOR CLARIFICATIONS

All inquiries, whether relating to the RFP process, administration, deadline or method of award, or to the intent or technical aspects of the RFP, or relating to the potential Contract terms and conditions, or both, must:

* 1. Be delivered to the SPC via email
  2. Reference the RFP Title and Number
  3. Identify Proposer’s name, phone, and email information
  4. Refer to the specific area of the RFP being questioned (i.e. page, section and paragraph number) or Contract term or condition, as applicable; and
  5. Be received by the due date and time for Questions/Requests for Clarification identified in the Schedule
  6. PROPOSAL DELIVERY

Proposer is solely responsible for ensuring its Proposal is received by the SPC before Closing.

Commissions are not responsible for any delays in mail or by common carriers or by transmission errors or delays, or for any mis-delivery for any reason. A Proposal submitted by any means not authorized below will be rejected:

A Proposal must be submitted through the mail or via parcel carrier, and must be clearly labeled and submitted in a sealed envelope, package or box. The outside of the sealed submission must clearly identify the Proposer’s name and the RFP title and number. It must be sent to the attention of the SPC at the address listed on the Cover Page.

* 1. PROPOSAL DUE

A Proposal (including all required submittal items) must be received by the SPC on or before Closing. All Proposal modifications or withdrawals must be received prior to Closing.

* 1. PROPOSAL REJECTION

Commissions may reject a Proposal for any of the following reasons:

* 1. Proposer fails to substantially comply with all prescribed RFP procedures and requirements, including but not limited to the requirement that Proposer’s authorized representative sign the Proposal.
  2. Proposer makes any contact regarding this RFP with State representatives such as but not limited to Commissioners or officials other than the SPC or those the SPC authorizes, or inappropriate contact with the SPC.
  3. Proposer attempts to influence a member of the Evaluation Committee or a Commissioner.
  4. Proposal is conditioned on Commission’s acceptance of any other terms and conditions or rights to negotiate any alternative terms and conditions that are not reasonably related to those expressly authorized for negotiation in the RFP or Addenda.
  5. EVALUATION PROCESS
     1. Responsiveness determination

A Proposal will be reviewed to determine if it meets all RFP requirements. If an aspect of the Proposal is unclear, the SPC may request clarification from Proposer. If the SPC finds the Proposal does not meet any one or more requirements of the RFP, including but not limited to compliance with requirement for submission by Closing, the Proposal may be rejected; however, either Commission may waive mistakes in its sole discretion.

* + 1. Evaluation Criteria

Each Proposal that the Commissions find meets RFP requirements will be independently evaluated by members of an Evaluation Committee. Evaluation Committee members may change. Evaluators will assign a score for each evaluation criterion listed below in this section up to the maximum points available in the Point and Score Calculation section.

SPC may request further clarification to assist the Evaluation Committee in gaining additional understanding of a Proposal. A response to a clarification request must be to clarify or explain portions of the already submitted Proposal and may not contain new information not included in the original Proposal.

The Commissions reserve the right to investigate references and past performance of any Proposer with respect to the Proposer’s (a) successful performance of similar projects; (b) compliance with specifications and contractual obligations; (c) completion or delivery of a project on schedule; and (d) lawful payment of suppliers, subcontractors, and workers. The Commissions reserve the right to postpone the award in order to complete its investigation.

*(Continued on next page.)*

Proposals considered responsive and complete will be evaluated by the Committee using a point scale on the evaluation criteria listed below:

|  |  |
| --- | --- |
| **Maximum**  **Possible Points** | **Qualifications-Based Evaluation Criteria** |
| 5 | Evaluation Item 1 – Office Facility and Equipment |
| 20 | Evaluation Item 2 – Bookkeeping and Financial Management |
| 20 | Evaluation Item 3 – Communications & Meeting Planning |
| 15 | Evaluation Item 4 – Time Management |
| 20 | Evaluation Item 5 –Developing and Maintaining Professional Relationships |
| 10 | Evaluation 6 – Regulatory Compliance Experience |
| 90 | SUBTOTAL of Qualifications-Based Evaluation Score |
| 15 | Cost Proposal Score Added |
| 105 | SUBTOTAL of Qualifications-Based Evaluation Score and Cost Proposal Score |
| 35 | Top scoring Proposals will be invited to interview. The interview score will be added to the SUBTOTAL of the Qualifications-Based Evaluation Score and Cost Proposal Score. |
| 5 | References scored for Proposals invited to interview. |
| 145 | TOTAL POSSIBLE POINTS |

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|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| EVALUATOR USE THIS COLUMN WHEN  35 POINTS IS MAXIMUM SCORE | EVALUATOR USE THIS COLUMN WHEN  30 POINTS  IS MAXIMUM SCORE | EVALUATOR USE THIS COLUMN WHEN  20 POINTS  IS MAXIMUM SCORE | EVALUATOR USE THIS COLUMN WHEN  15 POINTS  IS MAXIMUM SCORE | EVALUATOR USE THIS COLUMN WHEN  5 POINTS  IS MAXIMUM SCORE | EXPLANATION |
| 35 | 30 | 20 | 15 | 5 | OUTSTANDING - Response meets all the requirements and has demonstrated in a clear and concise manner a thorough knowledge and understanding of the subject matter and project. The Proposer provides insight into its expertise, knowledge, and understanding of the subject matter. |
| 34 - 21 | 29 - 19 | 19 - 12 | 14 - 9 | 4 - 3 | VERY GOOD – Response provides useful information, while showing experience and knowledge within the category. Response demonstrates above average knowledge and ability with no apparent deficiencies noted. |
| 20 - 8 | 18 - 7 | 11 - 5 | 8 - 4 | 2 | ADEQUATE – Response meets all requirements in an adequate manner. Response demonstrates an ability to comply with guidelines, parameters, and requirements with no additional information put forth by the Proposer. |
| 7 - 1 | 6 - 1 | 4 - 1 | 3 - 1 | 1 | FAIR – Proposer meets minimum requirements, but does not demonstrate sufficient knowledge of the subject matter. |
| 0 | 0 | 0 | 0 | 0 | RESPONSE OF NO VALUE – An unacceptable response that does not meet the requirements set forth in the RFP. Proposer has not demonstrated knowledge of the subject matter. |

* + - 1. Evaluation Item 1 - Office Facility & Equipment - 5 pts. maximum

1. Is Proposer’s computer software compatible with the software used by the Commission?
2. Is the phone, voicemail system, and the internet speed at Proposer’s office adequate for OSC/OAC needs?
3. For both electronic and paper records, will the Proposer’s storage system and capacity meet the Commissions’ needs?
4. Does the proposer’s office meet the Commissions’ needs?
5. What, if any, personnel support structure does the Proposer have? How well will the Proposer’s personnel structure meet the Commission’s needs?
   * + 1. Evaluation Item 2 – Bookkeeping & Financial Management - 20 pts. maximum
6. What software does Proposer use for bookkeeping and financial management; how many years’ experience do they have in:
7. Preparing accounts payable and receivable;
8. Preparing monthly financial reports (balance sheet, accounts payable, monthly transactions, revenue & expenditure statement, reconciling a checking account), and presenting a verbal summary of those reports;
9. Reconciling bank statements;
10. Preparing annual financial reports and completing report forms as provided by others;
11. Preparing for and responding to an independent audit;
12. Administering grants funds and preparing reports;
13. Score the Proposer’s example of analyzing several years of annual financial reports and identifying a fiscal trend that called for a decision by the client -- either increasing revenue or modifying spending. Proposers should be specific about how they identified the trend, whose attention they brought it to, and what type of changes they recommended.
    * + 1. Evaluation Item 3 - Communications & Meeting Planning - 20 pts. Maximum
14. How well does Proposer’s preferred method of communicating with clients, both individuals and boards, fit the Commission’s needs? Does the Proposer’s example of how well they have established and maintained communication with board members, industry, government agencies, elected officials, and stakeholders fit the Commission’s needs?
15. Score the Proposal’s information about their ability to write and prepare reports, minutes, correspondence, newsletters. Does the computer software used and skill level with each software work well for the Commission?
16. Does the Proposal’s description of their comfort level and experience with public speaking, presenting verbal and written reports, managing meetings, or assisting someone who is managing a meeting suit the Commission’s needs?
17. How well does the Proposal explain their skills and experience for organizing meetings of boards and meetings for larger groups?
    * + 1. Evaluation Item 4 – Time Management - 15 pts. Maximum
18. How well does Proposal respond to the table showing the Commission’s major administrative work elements on pages 13-15 and their ability to balance competing priorities and multiple deadlines on work for other clients?
19. How well does Proposal demonstrate adjusting work flow when a client has an unanticipated need that requires immediate attention?
20. How well does Proposal communicate their ability to perform well in delivering projects within specified deadlines?
21. Does Proposal assure evaluator that Proposer has performed well in completing tasks with minimal oversight?
    * + 1. Evaluation Item 5 – Interpersonal Skills & Regulatory Compliance - 20 pts. maximum
22. How well does Proposal illustrate the ability to address a client’s specified needs while also going above and beyond requirements to provide value-added assistance?
23. Does Proposer’s experience indicate they work with a wide variety of personality types?
24. How well has Proposer worked with boards? Review examples of the type of boards Proposer worked with in the last five (5) years. Consider the largest number of board members and the smallest number of board members Proposer worked with. Were the boards non-profit, corporate, association, governmental, etc.?
25. Does Proposal illustrate previous professional experience complying with rules, regulations, bylaws, policies and/or procedures?

Proposers may be invited to participate in Proposer interviews. Interviews may be in person at a location determined by Commissions; however, Commissions may elect to conduct interviews via teleconference or virtual conferencing.

* + 1. COST EVALUATION

Following scoring and ranking of Proposals, based on the qualifications-based criteria, the cost proposals will be scored as follows:

1. Proposer with the lowest price proposal will receive 15 points.
2. Proposer with the second lowest price proposal will receive 10 points.
3. Proposer with the third lowest price proposal will receive 5 points.
4. All other Proposers will receive 0 points.
   1. POINT AND SCORE CALCULATIONS

Scores are the points assigned by each evaluator.

The maximum points possible for each evaluation item are listed in the table below.

The SPC will average all scores for each evaluation criterion.

Cost points are calculated as stated in the Cost Evaluation section.

|  |  |  |
| --- | --- | --- |
| TOTAL POINTS POSSIBLE: | | 145 |
|  | |  |
| POINTS POSSIBLE – of Qualification-Based Evaluation Score | | 90 |
| 6.7.2.1. | Evaluation Item 1- Office Facility & Equipment | 5 |
| 6.7.2.2. | Evaluation item 2 – Bookkeeping & Financial Management | 30 |
| 6.7.2.3. | Evaluation Item 3 – Communications & Meeting Planning | 20 |
| 6.7.2.4. | Evaluation Item 4 – Time Management | 15 |
| 6.7.2.5. | Evaluation Item 5 – Interpersonal Skills & Regulatory Compliance Experience | 20 |
|  | |  |
|  | |  |
| 6.7.3. | COST POINTS POSSIBLE | 15 |
|  | Top Scoring Proposals will be invited to interview | 35 |
| 5.4 | References | 5 |

* 1. RANKING OF PROPOSERS

The SPC will average the scores for each Proposal (calculated by totaling the points awarded by each Evaluation Committee member and dividing by the number of members).

If Commissions receive only one Proposal, Commissions may dispense with the evaluation process and intent to award protest period and proceed with Contract award, as Commissions deem in its best interest.

1. AWARD
   1. AWARD NOTIFICATION PROCESS
      1. Award

Commissions, if awarding a Contract, shall award a Contract to the highest-ranking Proposer(s) based upon the scoring methodology and process described in Section 6.

* + 1. Intent to Award Notice

Commissions will notify all Proposers in Writing that Commissions intend to award Contract(s) to the selected Proposer(s) subject to successful negotiation of any negotiable provisions, if any.

Notwithstanding the foregoing, the Commissions reserve the right at its sole discretion and without any liability: (1) to amend this RFP, among other reasons, to revise the scope of work or to extend the resulting Contract; (2) to extend the deadline for proposal submission; (3) to determine whether a proposal does or does not substantially comply with the requirements of this RFP; (4) to waive any minor irregularity, informality, or nonconformance with this RFP’s requirements; (5) to request references from other public agencies or private businesses regarding the Proposer’s previous contract performance; and (6) at any time prior to contract execution (including after announcement of the tentative award): (a) to reject any proposal that fails to substantially comply with all prescribed RFP procedures and requirements; and (b) to reject all proposals received and cancel this RFP upon a finding by Commissions that there is good cause and that such cancellation would be in the best interest of the Commissions.

* 1. APPARENT SUCCESSFUL PROPOSER SUBMISSION REQUIREMENTS

Proposers who are selected for Contract award(s) under this RFP will be required to submit additional information and comply with the following:

* + 1. Insurance

Prior to award, Proposers shall secure and demonstrate to Commissions proof of insurance as required in the Sample Contract (Exhibit A), if any.

* + 1. Taxpayer Identification Number

The apparent successful Proposer shall provide its Taxpayer Identification Number (TIN) and backup withholding status on a completed W-9 form when requested by Commissions or when the backup withholding status or any other relevant information of Proposer has changed since the last submitted W-9 form, if any.

* + 1. Business Registry

If selected for award, Proposer shall be duly authorized by the State of Oregon to transact business in the State of Oregon before executing the Contracts. Information about these requirements may be found at <http://sos.oregon.gov/business/pages/register.aspx>

7.2.4 Independent Contractor Certification

When submitting a Proposal, the Proposer must certify that they are an Independent Contractor.

1. ADDITIONAL INFORMATION
   1. GOVERNING LAWS AND REGULATIONS

This RFP is governed by the laws of the State of Oregon. Venue for any administrative or judicial action relating to this RFP, evaluation and award is the Circuit Court of Marion County for the State of Oregon; provided, however, if a proceeding must be brought in a federal forum, then it must be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. In no event shall this Section be construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United States or otherwise, to or from any Claim or from the jurisdiction of any court.

* 1. OWNERSHIP/PERMISSION TO USE MATERIALS

All Proposals are public record and are subject to public inspection after Commissions issue the Notice of the Intent to Award. Application of the Oregon Public Records Law will determine whether any information is actually exempt from disclosure.

All Proposals submitted in response to this RFP become the Property of Commissions. By submitting a Proposal in response to this RFP, Proposer grants the State a non-exclusive, perpetual, irrevocable, royalty-free license for the rights to copy, distribute, display, prepare derivative works of and transmit the Proposal solely for the purpose of evaluating the Proposal, negotiating an Agreement, if awarded to Proposer, or as otherwise needed to administer the RFP process, and to fulfill obligations under Oregon Public Records Law (ORS 192.410 through 192.505). Proposals, including supporting materials, will not be returned to Proposer.

* 1. CANCELLATION OF RFP; REJECTION OF PROPOSAL; NO DAMAGES.

Commissions may reject any or all Proposals in-whole or in-part, or may cancel this RFP at any time when the rejection or cancellation is in the best interest of the State, as determined by Commissions. Neither the State nor Commissions is liable to any Proposer for any loss or expense caused by or resulting from the delay, suspension, or cancellation of the RFP, award, or rejection of any Proposal.

* 1. COST OF SUBMITTING A PROPOSAL

Proposer shall pay all the costs in submitting its Proposal, including, but not limited to, the costs to prepare and submit the Proposal, costs of samples and other supporting materials, costs to participate in demonstrations, or costs associated with protests.

* 1. SAMPLE CONTRACT STANDARD TERMS AND CONDITIONS (Exhibit A)

The successful submitted proposal will be incorporated into the final contracts between the Commissions and the awarded proposer, which will include the terms and conditions as set forth in the attached Sample Contract (Exhibit A), which is incorporated here into this RFP by this reference. The statement of work may be modified.

* 1. OSC and OAC BUDGETS FOR 2017-22 – (Exhibit B, incorporated into this RFP by this reference)
  2. OSC and OAC ADMINISTRATIVE RULES ON ASSESSMENTS – (Exhibit C, incorporated into this RFP by this reference)
  3. PROPOSER INFORMATION AND CERTIFICATION SHEET– (Exhibit D, incorporated into this RFP by this reference)
  4. LINKS

Websites: [www.oregonsalmon.org](http://www.oregonsalmon.org)

[www.oregonalbacore.org](http://www.oregonalbacore.org)

Oregon Administrative Rules Website: <https://sos.oregon.gov/archives/pages/default.aspx?utm_source=SOS&utm_medium=egov_redirect&utm_campaign=http%3A//arcweb.sos.state.or.us>

Oregon Revised Statutes Chapter 576 Website: <https://www.oregonlegislature.gov/bills_laws/ors/ors576.html>

Oregon Public Records and Meetings Manual: <https://www.doj.state.or.us/wp-content/uploads/2019/07/public_records_and_meetings_manual.pdf>

ODA Commodity Commission Program Website: [www.oda.direct/commissions](http://www.oda.direct/commissions)