

REQUEST FOR PROPOSAL (RFP)

RFP No. 237-26

COMPENSATION STUDY CONSULTANT

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TABLE OF CONTENTS

SECTION A: SCHEDULE, PURCHASING ANALYST OF RECORD, AND GENERAL SUMMARY OF NEEDS.....	4
A.1 SCHEDULE OF EVENTS:.....	4
A.2 PURCHASING ANALYST OF RECORD:	4
A.3 GENERAL SUMMARY OF PROCUREMENT NEEDS:	4
SECTION B: CURRENT STATE, SCOPE OF WORK, AND SPECIAL CONSIDERATIONS ..	5
B.1 CURRENT STATE:	5
B.2 GOALS FROM THIS RFP:	5
B.3 SCOPE OF WORK – GENERAL PROJECT DELIVERABLES:.....	6
B.4 PROJECT MEETINGS:	6
B.5 FINAL REPORT AND RECOMMENDATIONS:	7
B.6 THORNTON’S INTENDED PROEJCT MILESTONES:.....	7
B.7 F.O.B. POINT:	8
B.8 PREVIOUS WORK SAMPLES:	8
B.9 VENDOR INTERVIEWS:	8
B.10 INVOICING REQUIREMENTS:	8
B.11 FUTURE WORK CONSIDERATIONS:	9
B.12 VENDOR PERFORMANCE MANAGEMENT:	10
B.13 COOPERATIVE PURCHASING:	10
SECTION C: PROPOSAL QUESTIONS TO PROSPECTIVE VENDOR	11
C.1 INSTRUCTIONS FOR ANSWERING QUESTIONS:.....	11
C.2 PROPOSAL QUESTIONS:	11
SECTION D: PRICING AND PROPOSAL ITEMS	15
D.1 PRICING INFORMATION:	15
D.2 BEST AND FINAL OFFER:.....	15
D.3 PRICING:.....	15
D.4 REIMBURSABLE EXPENSES:	15
D.5 PROPOSAL ITEMS:	16
SECTION E: PROPOSAL INSTRUCTIONS, EVALUATION, AND AWARD.....	17
E.1 PROPOSAL POSTED LOCATIONS:.....	17
E.2 PROPOSAL QUESTIONS:.....	17
E.3 ADDENDA:.....	17

E.4 SUBMISSION OF PROPOSALS:	17
E.5 DOCUMENTS FOR FINAL VENDOR SUBMISSION:	18
E.6 PAGE LENGTHS FOR FINAL VENDOR SUBMISSION:	18
E.7 CONFIDENTIAL AND PROPRIETARY INFORMATION	19
E.8 LATE PROPOSAL SUBMISSIONS:	20
E.9 AWARD:	20
E.10 ACCEPTANCE PERIOD:	20
E.11 EVALUATION OF PROPOSALS:	20
E.12 EVALUATION CRITERIA:	21
E.13 POST AWARD PURCHASE ORDER:	21
E.14 STANDARD PROPOSAL CONSIDERATIONS:	21
SECTION F: SAMPLE AGREEMENT	22
F.1 SAMPLE AGREEMENT:	22
SECTION G: REQUIRED VENDOR SIGNATURE FORMS	23
G.1 ACCEPTANCE AND ADDENDA ACKNOWLEDGEMENT FORM:	23
G.2 SAMPLE AGREEMENT ACKNOWLEDGEMENT FORM	24
G.3 REFERENCES AND AUTHORIZATION AND RELEASE FORM:	25
SECTION H: AUTHORIZATION FOR SOLICITATION POSTING	26
H.1 PURCHASING MANAGER FORM:	26

SECTION A: SCHEDULE, PURCHASING ANALYST OF RECORD, AND GENERAL SUMMARY OF NEEDS**A.1 SCHEDULE OF EVENTS:**

The following is a list of important items, dates, and times that pertain to this solicitation. All times listed below are in reference to the local Thornton, Colorado time.

<u>Solicitation Item</u>	<u>Date</u>	<u>Time</u>
Proposal Issued	June 22, 2026	
Deadline to Submit Additional Questions	July 8, 2026	11:00 P.M.
Response to Written Questions	July 13, 2026	
Proposal Due Date	July 21, 2026	11:00 P.M.

A.2 PURCHASING ANALYST OF RECORD:

The Purchasing Analyst of Record for this solicitation will be the central point of contact throughout the solicitation process. All questions and inquiries must be submitted in writing via a direct email to the Purchasing Analyst. No communication is to be directed to any other Thornton personnel.

The Purchasing Analyst of Record's contact information is as follows:

Name: Andrew Miskell, CPPB
Title: Purchasing Manager
Email: Andrew.Miskell@ThorntonCO.gov

A.3 GENERAL SUMMARY OF PROCUREMENT NEEDS:

The City of Thornton, CO ("Thornton") is seeking Proposals from interested firms for the purchase of services from a consulting firm that has experience performing studies on existing compensation systems (non-software) for government clients.

SECTION B: CURRENT STATE, SCOPE OF WORK, AND SPECIAL CONSIDERATIONS

B.1 CURRENT STATE:

Thornton is a home-rule city of almost one hundred fifty thousand plus (150,000+) citizens located northeast of Denver in Adams County, Colorado, which includes four (4) wards. Thornton is currently governed by an elected City Council of nine (9) members, which include eight (8) ward representatives and also the Mayor, and its operations are managed by a City Manager who serves at the pleasure of the City Council. The City of Thornton has experienced large growth over the past forty years and is projected to become the 5th largest city in Colorado within the next few years, with population growth projections exceeding two hundred forty thousand (240,000) citizens by 2065.

The City completed an organizational review in mid-2025 to ensure that the City's structure meets the current needs and priorities of the organization. As a result of that organizational review, the City is currently in the process of restructuring the whole organization, with varying degrees between each department. The City currently employs one thousand one hundred seventy-nine and a half (1179.5) full-time employees, or "FTEs" with over four hundred (400) job classifications.

The City is soliciting proposals for a study of modern and emerging compensation systems and trends, to assist with employee attraction, retention, and development. The City is seeking research of best practices, including effectiveness, and potential recommendations on compensation structures that transparently illustrate trade-offs and decision-making points local governments are facing today.

This RFP does **not** intend on soliciting proposals from prospective firms for compensation software systems/platforms, nor a traditional compensation and classification study.

B.2 GOALS FROM THIS RFP:

Thornton's desired outcome from this RFP is to find a Vendor that can meet or exceed our goals as a compensation study consulting firm. These goals include, but are not limited to:

- 1) Ability to partner with a consulting firm that has experience in reviewing public sector compensation structures.
- 2) Providing guidance and recommendations to Thornton regarding the analysis and financial impact of various compensation structures.
- 3) Conducting and analyzing results from feedback that has been solicited by the Vendor from an employee group that has been identified by Thornton's Management team.
- 4) Providing recommendations to Thornton regarding compensation structures and methodologies, including the presentation of these findings and a summary report.

B.3 SCOPE OF WORK – GENERAL PROJECT DELIVERABLES:

Thornton's expectation is that the awarded Vendor from this solicitation will be performing a study that:

- 1) Includes compensation systems and frameworks that balance the following competing but interrelated interests:
 - a) Systems to influence and reward performance (e.g. merit/lumpsum/bonus);
 - b) Systems to recognize service and longevity (e.g. range, structure, promotion, progression);
 - c) Systems to keep up with the labor market (e.g. COLA/benchmarking process);
 - d) Systems that are equitable and comply with local, state, and federal law (e.g. Equal Pay for Equal Work Act); and
 - e) Systems that are financially affordable and sustainable long-term.
- 2) Shall include solutions that have an innovative, structured approach to compensation design that is lasting and improves transparency and consistency.
- 3) Will clearly identify the best practices and value tradeoffs associated with the different compensation models, including consideration of total compensation values (fringe benefits).
- 4) Will have a target population that will be all City of Thornton employees, with the initial focus on the non-union represented employees.
- 5) Shall outline how compensation structures can support employee development and advancement pathways.
- 6) Shall focus on regular employees, but will also consider application to seasonal, and contract employees.

The Vendor should expect to participate in meetings with key stakeholders from the City Manager's Office and HR Division to discuss data used, key performance indicators, findings/results, etc.

Thornton will provide copies of all salary schedules and benefits summaries for the calendar year of 2026, including electronic copies/links to all Collective Bargaining agreements for all unions. Thornton will also provide any other relevant information to the awarded Vendor that is available in-house, upon request by the awarded Vendor, to complete the compensation study.

B.4 PROJECT MEETINGS:

The awarded Vendor will be expected to attend and manage the meetings for this project, including but not limited to the sharing and collection of information, development of meeting materials and handouts, graphic illustrations, preparing and disseminating meeting notes, preparing presentations, reports, and recommendations for different Thornton groups of personnel.

Thornton's expectation is for the awarded Vendor to attend both in-person and virtual meetings, with the meeting style to be dependent on the audience and material to be discussed. Thornton is generally flexible with a meeting's format (in-person or virtual); however, Thornton may require certain meetings to be in-person meetings. Proposing Vendors are highly encouraged to address how they would meet Thornton's needs and what their recommendations are for meetings with Thornton's Leadership.

Upon completion of each meeting with Thornton, the Vendor will create a meeting summary and disseminate (email) that summary to those Thornton individuals who were in attendance of the meeting. This requirement is to ensure that there is minimal miscommunication between both Parties during this project.

B.5 FINAL REPORT AND RECOMMENDATIONS:

The awarded Vendor will be expected to provide a final report of their process analysis, including recommendations and potential outcomes for each recommendation, to Thornton. The final report will be provided in conjunction with the awarded Vendor's presentation of the report to Thornton's leadership.

Thornton's initial expectation of the report is that it should include at least the following:

- Explanation and outline of methodology used;
- Summary and assessment of the City's data relative to the market data points;
- Review of current compensation structures relative to market data points and recommendations of any possible changes;
- Identification of key issues that may need to be addressed, such as compression, range overlap, and other modifications;
- Recommendations that include rationale for each key issue and a proposal for implementation; and
- Review of the City's total compensation including health benefits compared to market data points and/or recommendations of possible change(s).

As part of the final report and recommendations, the awarded Vendor will also be expected to provide a cost analysis and quantify projected fiscal impacts of any/all proposed recommendations and the timeline for implementing such recommendations.

All reports provided by the Vendor to Thornton shall be in an electronic format that is usable to Thornton (e.g., Adobe PDF, Microsoft Office, etc.) either through email or download, which shall become the property of Thornton.

B.6 THORNTON'S INTENDED PROJECT MILESTONES:

Thornton has listed its intended project payment milestones that it would assume to be agreeable to the Vendor. The proposing Vendor may provide an alternative recommendation of payment milestones, however, Thornton reserves at its sole discretion to negotiate a final set of payment

milestones with the awarded Vendor to find a mutually agreeable payment structure for this project.

- 1) Milestone # 1 – Project initiation and kick-off meeting with stakeholders.
- 2) Milestone # 2 – Employee engagement, including surveys and focus groups.
- 3) Milestone # 3 – Analysis of research, findings and potential recommendations.
- 4) Milestone # 4 – Drafting and final presentation to Thornton's Leadership of findings and recommendations.

B.7 F.O.B. POINT:

Prices quoted for all meetings, reports, deliverables, etc., shall be F.O.B. Destination and delivered, as required, to the following points:

Thornton City Hall
9500 Civic Center Drive
Thornton, CO 80229
Attention: City Manager's Office

B.8 PREVIOUS WORK SAMPLES:

As part of their submittal in response to this RFP, proposing Vendors are required to furnish samples of previous work/reports provided to other clients, which are to be supplied at no cost to Thornton. Any sample submitted shall create an express warranty that the whole of the goods and/or services shall conform to the sample submitted. Thornton will not return any samples to the proposing Vendor at the conclusion of this solicitation.

B.9 VENDOR INTERVIEWS:

Thornton may elect to conduct Vendor interviews in order to clarify and answer additional questions. All interviews will be held at a physical/virtual location at Thornton's sole discretion and shall be at Thornton's decision if an interview is deemed as being necessary.

Thornton shall not compensate a proposing Vendor for any costs incurred by a Vendor that are related to An interview conducted by Thornton during this RFP process.

B.10 INVOICING REQUIREMENTS:

Thornton's Accounts Payable Division is the only division within Thornton that issues payments to Vendors who have submitted invoices. Thornton only issues payments from invoices and will not issue payments to Vendors off of quotes.

Thornton's standard payment terms are net thirty (30) Calendar Days after receipt of an invoice. All invoices submitted shall be emailed to AP.Invoices@ThorntonCO.gov. In lieu of email, physical copies may be submitted to City of Thornton – Accounts Payable, 9500 Civic Center Drive, Thornton, CO 80229-4326. Invoices sent to anyone other than Accounts Payable are not considered to be properly submitted and will not be paid until they are properly submitted.

B.11 FUTURE WORK CONSIDERATIONS:

The Agreement that results from this solicitation with the awarded Vendor shall serve as the basis for the agreed upon terms and conditions and general expectations for all projects under this award. For future work, where funding has been appropriated by Thornton's City Council, will likely follow the general process below between the awarded Vendor and Thornton:

- 1) An initial needs assessment and design meeting with the Thornton PM personnel that is assigned to the project, and the Vendor personnel.
- 2) An initial Vendor recommendation and quoted SOW with pricing that reflects the agreement's pricing structure and requirements that is to be sent to the Thornton PM for review.
 - a) Each Scope of Work shall contain at a minimum:
 - i) Detailed line-item pricing with units, descriptions, quantities, estimated labor hours, etc.;
 - ii) Confirmation of the agreement's pricing structure having been utilized;
 - iii) Project schedule;
 - iv) Milestone payments with detailed Scope of Work deliverables under each milestone payment; and
 - v) Any additional special considerations regarding the job environment.
 - (1) Note, it is at this stage that the PM and the Vendor may have revisions of the Scope of Work, pricing, and any required documentation to reach a final fulfillment of Thornton's needs.
- 3) Once the Thornton PM finds the quote satisfactory, the Thornton PM will enter a requisition into Thornton's financial system for the finalized Scope of Work and pricing, which will flow to a Contracts/Purchasing Analyst in the Contracts and Purchasing Division for review.
- 4) Upon review and approval from Contracts and Purchasing Division, the Purchasing Analyst will coordinate with the Vendor to execute a signed Change Order Form.
- 5) Once the Change Order Form has been fully executed, the Purchasing Analyst will then create a Purchase Order based upon the finalized Scope of Work and pricing, which the Analyst will disseminate to the Vendor and the PM.
 - a) Once the Purchase Order has been issued and disseminated, the work may then proceed between the Vendor and the Thornton PM.

B.12 VENDOR PERFORMANCE MANAGEMENT:

Thornton may administer a Vendor performance management program as part of this proposal and resulting agreement. The purpose of this program is to create a method for documenting and advising Thornton of exceptional performance or any problems related to the purchased goods and services.

B.13 COOPERATIVE PURCHASING:

Thornton encourages the proper use of cooperative purchasing and reserves the right to make results of this solicitation available to other governmental agencies seeking like equipment, goods, or services. Other agencies using this solicitation must do so according to regulations established by their individual organizations and accept sole responsibility for its use. The terms and conditions of any resulting transaction shall be exclusively between the buyer and the seller. Buyers and sellers from other municipalities and political subdivisions using this solicitation in a cooperative or "piggy-back" fashion, agree to defend and hold harmless Thornton from any dispute or action arising from its use.

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SECTION C: PROPOSAL QUESTIONS TO PROSPECTIVE VENDOR**C.1 INSTRUCTIONS FOR ANSWERING QUESTIONS:**

Your proposal response must specifically address each of the questions/issues that are listed within this RFP. The **quality and detail** of your responses, along with how closely your firm can meet or exceed Thornton's Scope of Work expectations from Section B, will be considered in the overall evaluation of your proposal. Proposers are encouraged to give examples and provide comprehensive information to support your compliance on each point.

All answers provided by the awarded Vendor may be incorporated into the final agreement between the Vendor and Thornton as an additional exhibit or as part of a finalized Scope of Work.

C.2 PROPOSAL QUESTIONS:

To standardize the format of all proposals for evaluation, Proposers are required to respond to all questions **in the order given** and to list the item number and restate the question prior to giving their answer. Failure to comply with this requirement may result in your proposal being declared non-responsive.

A. General Vendor Questions**1) General Vendor Summary**

Please provide a brief description of the following:

- a) Full legal company name;
- b) Your headquarters address;
- c) Primary company contact including name, phone number, and email address;
- d) The year your firm was established;
- e) A brief listing of your Vendor core competencies; and
- f) A current copy of your firm's W-9 (IRS version October 2018).

B. Experience and References**1) Experience**

Please provide a brief narrative, preferably four (4) pages or less, on your experience and your expertise surrounding an ability to review and provide recommendations for municipalities on compensation studies, recommendations, and development and implementation thereof.

2) References

Please provide five (5) current client references that you have provided the same or like consulting services to in the past five (5) years. Of these references, please list as many Colorado governmental clients as available, followed by others governmental municipalities as available.

- a) Include in your reference information:
 - i) Name of the municipality or firm;
 - ii) Client's headquarters address;
 - iii) Current reference contact information, including the Reference's:
 - (1) Name;
 - (2) Title;
 - (3) Phone number;
 - (4) Email address;
 - iv) Project start date (date of signed agreement);
 - v) Project end date (project close-out date); and
 - vi) Project description including all services performed.
- b) Please provide at least three (3) previous municipal compensation study project reports/results that your firm has completed in the last five (5) years for other cities, preferably those cities listed above in your references.
 - i) Proposing Vendors will upload these examples as separate files when submitting through BidNet Direct's Vendor portal.

C. Proposed Services Personnel**1) Vendor Engagement Team**

Please provide the following:

- a) Each team member in the project engagement team's role;
- b) The responsibilities for each role; and
- c) Information regarding the team member's professional background.
 - i) Resumes may be included as an appendix, but each resume shall not exceed one (1) page in length.

2) Vendor Recommended Roles and Responsibilities of Thornton's Project Personnel

Please provide the following:

- a) Identify the recommended Thornton personnel project team roles; and
- b) The responsibilities of each role.

D. Proposed Services Engagement Methodology**1) Engagement Methodology**

Thornton's expectation is that the awarded Vendor will use their expertise to provide proactive leadership, guidance, and direction to the Thornton, CO team throughout each phase of the project life cycle while working collaboratively to plan and implement the solution.

- a) What steps does your firm recommend to a municipal client prior to engaging in a compensation study?
- b) How does your firm intend on engaging and coordinating with various levels of City staff, including the City Manager's Office, Human Resources, supervisors and managers, full-time staff, and part-time/contracted staff?
- c) What steps does your firm plan on taking in gathering of information from employees?
 - i) Please include any prospective information gathering practices you would recommend to perform for a client like Thornton, and also, any prospective questions you may seek to ask a set of Thornton employees.
- d) What is your firm's approach for selecting appropriate labor and geographic markets and survey sources, conducting market pricing analysis, and evaluating internal alignment and pay structure design for a municipal client?
- e) What are key characteristics and methodologies of your analysis when reviewing a client's current compensation structure?
- f) What types of factors does your firm consider when compiling and making recommendations to a municipal client regarding their compensation study, both current and prospective changes?

E. Proposed Schedule and Payment Milestones**1) Project Schedule**

Please provide the following:

- a) A **proposed** project schedule via a Gantt chart or other type of chart, in terms of calendar days based upon the RFP Scope of Work and your proposed engagement methodology.
 - i) Use “Day 1” as the date of a fully executed agreement being signed by both Parties, with no prior work having been completed prior to a signed agreement being put into place.
 - ii) Ensure that you list the number of calendar days are expected for each portion of the project schedule.
 - iii) Ensure that you include all proposed milestones and deliverables that are required to complete this project.

2) Project Payment Milestones

- a) Please provide either of the following:
 - i) Confirmation that Thornton’s proposed milestones and deliverables listed within this RFP are acceptable to your firm; or
 - ii) Provide a **proposed** set of milestones and deliverables for Thornton’s consideration.
- (1) **Note:** Appendix No. 1 – Pricing Form, is set up as an open text field for your firm to insert your proposed set of payment milestones, along with each milestone’s corresponding requested payment amount. Your firm must complete Appendix No. 1 to be considered responsive.

F. Additional Details and Closing Statement**1) Additional Details**

- a) Please describe in detail any areas that Thornton has not included in this RFP’s Scope of Work (best practices, missed requirements, etc.) that your team considers to be beneficial, important, relevant, or crucial to the successful implementation of your proposed solution.

2) Closing Statement

- a) Please provide a brief narrative (one [1] page or less) of how you believe your company’s proposed solution will best serve Thornton’s needs both now, and in the future of the contractual agreement.

The remainder of this page has been left blank intentionally.

SECTION D: PRICING AND PROPOSAL ITEMS**D.1 PRICING INFORMATION:**

This section shall include a description of the proposed costs and prices. All pricing information shall be limited solely to this section of your proposal. This section should address all requirements set forth in Section B as well as any other items pertinent to your proposal pricing such as additional discounts for increased quantities, service requirements, etc. The requirements have been developed to allow Thornton to uniformly evaluate prices submitted for the work. Accordingly, you should follow these instructions carefully and provide all data requested in the formats specified herein and in any referenced attachments.

Any omissions in this proposal shall be identified by each Vendor and incorporated into their proposal including any omissions for hardware, service, support, software, travel, shipping, etc. which is necessary to the success of the project. All items must be identified as a separate line item with pricing and included as part of this RFP, unless otherwise requested by Thornton. Thornton will not increase any subsequent agreement or purchase order (neither dollar amount or time) for items not included in the submitted proposal documents. Thornton reserves the right to purchase part or the entire proposal.

D.2 BEST AND FINAL OFFER:

Thornton reserves the right after review and evaluation of Vendors, including after all interviews and demonstrations that have been conducted, to go back to the "short list" of Vendors to conduct a Best and Final Offer ('BAFO'). If issued, the BAFO may be included as a final pricing evaluation tool by Thornton to aid in the award decision process.

D.3 PRICING:

All prices quoted shall be firm and fixed for the entire period of time it takes to complete the original project that includes all portions of the scope of work listed in Section B of this solicitation, and any other scope of work that becomes adopted as part of this solicitation through clarifications, interviews, proposal submittals, etc.

D.4 REIMBURSABLE EXPENSES:

Reimbursable expenses for travel time, fuel, hotel and lodging accommodations, meals, photocopying, and printing will not be applicable. All proposed Vendor rates shall be inclusive of standard office equipment, supplies, travel, mileage, insurance, etc. incurred by the awarded Vendor during their service to Thornton that is required to complete the project.

D.5 PROPOSAL ITEMS:

The pricing form for this RFP will be in a Microsoft Excel format, with a free-type ability for the Vendor to complete the form if there are any additional costs associated with your proposal. The form is under separate cover and is entitled “237-26 RFP Appendix No. 1 Pricing Form”.

All pricing is to be reflective of the Scope of Work and proposal questions listed within this solicitation. Do not include pricing in any other portion of your proposal.

It is the proposing Vendor’s responsibility to list all applicable employee costs for this Project. All items not itemized and listed by the proposing Vendor that are instrumental in completing this Project will be at the cost to the Vendor and supplied to Thornton at no additional cost.

Proposing Vendors are asked to provide hourly rate pricing for each of their employee positions that will be applicable to Thornton for this project. These hourly employee rates will be used for this Scope of Work, as well as for any meetings, presentations, or other hours accumulated by the awarded Vendor that may fall out of the Scope of Work listed within this RFP which would require a written change order.

The remainder of this page has been left blank intentionally.

SECTION E: PROPOSAL INSTRUCTIONS, EVALUATION, AND AWARD

E.1 PROPOSAL POSTED LOCATIONS:

This Request for Proposal (RFP) has been posted publicly to the following locations:

- BidNet® Direct: www.BidNetDirect.com
- Thornton's Purchasing website: <https://solicitations.thorntonco.gov/solicitations>

Thornton currently uses BidNet Direct® and its own website to distribute official records for all copies of publicly posted proposals for viewing. Both websites operate as a free to view and download option for prospective Vendors.

Upon request by a Proposing Vendor, the Purchasing Division will also make this solicitation available for viewing at the Contracts and Purchasing Division office. The address for the office is located on the cover page of this RFP.

E.2 PROPOSAL QUESTIONS:

Thornton shall not be bound by and the Vendor shall not request or rely on any oral interpretation or clarification of this RFP. Therefore, any questions regarding this RFP are encouraged and shall be submitted in writing by email to the Purchasing Analyst of Record listed within this RFP.

Questions received up to deadline to submit question in the Schedule of Events will be answered in writing per the Schedule of Events. Answers to questions from any Vendor will be provided to all Vendors via a written addendum.

E.3 ADDENDA:

In the event it becomes necessary to revise, change, modify or cancel this RFP or to provide additional information, addenda will be issued and made available on BidNet® Direct and on Thornton's website. Changes, clarifications, and answers to RFP questions that have been posted in a written addendum that affect or change the RFP's Scope of Work shall be considered as to have replaced and superseded the original proposal's Scope of Work.

It is the responsibility of the proposer/ contractor to confirm that they have acquired all addenda related to this proposal and they have reviewed/ complied with the requirements therein.

E.4 SUBMISSION OF PROPOSALS:

Submission of proposals for this RFP may be done electronically through a Vendor portal (currently done via BidNet Direct®). Proposals can be submitted at www.bidnetdirect.com, but shall not be completely submitted later than the date and time indicated in the Schedule of Events.

If you experience problems with BidNet Direct®, please call 1-800-835-4603 for assistance. There is no charge by BidNet Direct® for this service.

Proposing Vendors who are unable to submit a proposal through BidNet®, may request to submit a physical copy of their proposal for consideration. A proposing Vendor shall email the Purchasing Analyst of Record prior to the question due date listed in the Schedule of Events, for instructions on where and how to submit their physical proposal. All physical proposal submissions shall be submitted and recorded no later than the date and time indicated in the Schedule of Events.

E.5 DOCUMENTS FOR FINAL VENDOR SUBMISSION:

Proposing Vendors are solely responsible to ensure that their submission is complete and responsive prior to a final submission. As a reminder this RFP contains the following documents that will require completion by the proposing Vendor to be considered as initially responsive:

- 1) Section C.2 – Proposal Questions – Answers provided by the proposing Vendor;
- 2) Section D.5 – Proposal Items;
- 3) All additional technical information in support of your proposal;
- 4) Section G.1 – Acceptance and Addenda Acknowledgement Form;
- 5) Section G.2 – Sample Agreement Acknowledgement Form; and
- 6) Section G.3 – References and Authorization Release Form.

It is not necessary for a proposing Vendor to submit this entire RFP document that has been provided by Thornton with the Vendor's response. Only the above-mentioned items are currently required with your proposal submission. Thornton reserves the right to request any clarification, ask any questions, or request additional documents that may aid in the evaluation of your proposal.

E.6 PAGE LENGTHS FOR FINAL VENDOR SUBMISSION:

Thornton is seeking proposals from qualified firms with proposals from prospective Vendors that contain relevant information, answers to proposal questions, pricing, technical information, sample reports, and other items that support that Vendor's proposal submission.

With this in mind, Thornton is requesting that proposing Vendors work to limit their submissions to twenty-five (25) pages or less, not inclusive of any sample works that are required to be provided as part of your firm's proposal submission.

E.7 CONFIDENTIAL AND PROPRIETARY INFORMATION

As a Colorado home rule municipality, Thornton is subject to and must comply with the Colorado Open Records Act ("CORA"), C.R.S. § 24-72-201 *et seq.* All Vendor submitted documents are subject to requests for public records pursuant to CORA. **Proposing Vendors must clearly identify within their submissions any information that is confidential and proprietary by marking such information as "Confidential" or "Proprietary" information.** Any information a Vendor marks as confidential or proprietary shall comply with CORA and any other applicable statute(s).

Prior to a final award and agreement, Vendor submitted information that is contained within the proposal may be held by Thornton as confidential and proprietary at Thornton's sole discretion. **In accordance with CORA, upon the conclusion of a final award and agreement, Thornton may, in its sole discretion, release any and all portions of Vendor submissions not marked as confidential or proprietary.** Thornton shall be held harmless from any claims arising from the release of confidential and proprietary information not clearly designated as such by the proposing Vendor within their proposal documents to Thornton that are submitted to Thornton as part of their final submission package or any subsequent clarification documents during Thornton's evaluation of the Vendor's submitted proposal.

In general, it is not acceptable to Thornton for a proposing Vendor to mark information other than the following items as confidential or proprietary:

- 1) Financial statements;
- 2) Project financing data;
- 3) Litigation history;
- 4) Tax audit history; and
- 5) Client lists and references.

Thornton does not generally find it acceptable to mark proposal pricing, nor the entirety of your proposal, as confidential or proprietary. Failure to adhere to these restrictions may result in your proposal being deemed non-responsive.

For more information about Thornton's processes related to CORA, including using Thornton's Public Records Request Form or for submission of a CORA request, please visit the website of the office of Thornton's City Clerk at <https://www.thorntonco.gov/government/city-clerk/Pages/default.aspx> or you can reach the Clerk's office by email at Clerk@ThorntonCO.gov or by phone at (303) 538-7615.

E.8 LATE PROPOSAL SUBMISSIONS:

Proposing Vendors are expected to allow adequate time to upload a complete submission for consideration through the electronic Vendor portal (currently BidNet Direct®). The Vendor portal will not allow a Vendor to modify, save, nor upload their proposal after the submittal date and time have passed. It is highly recommended that as a proposing Vendor you do not wait until the last minute to submit your proposal.

Late proposals will not be accepted. Sole responsibility rests with the proposing Vendor to ensure that its proposal is completely uploaded through the Vendor portal or is received in the Purchasing Office prior to the submission deadline. Proposals that are left in a "Draft" status in the Vendor portal will not be accepted by Thornton for consideration.

All physical proposals received in the Purchasing Office after the submittal date and time will be immediately rejected without consideration.

E.9 AWARD:

Award will be made on an "all or none" basis. Prices must be shown for each item listed. Proposals submitted without individual item prices listed will be considered as non-responsive and rejected.

E.10 ACCEPTANCE PERIOD:

Submissions in response to this proposal shall remain valid until an award has been made to a proposing Vendor or at a minimum of one hundred twenty (120) Calendar Days from the time of submission, whichever date comes last.

E.11 EVALUATION OF PROPOSALS:

All proposals will be evaluated by a Selection Committee assigned by the City Manager, or their designee. Proposals shall be evaluated on the basis of qualifications, experience, and the applicability of the solutions offered to meet Thornton's needs as they pertain to the Evaluation Criteria noted herein and in the context of best value received for the required goods and/or services. Note that any tools utilized by the Selection Committee in their evaluation process are only intended to facilitate the understanding of the submissions received and facilitate the member's ability to weigh the merits of each proposal. Therefore, any tools utilized by the Selection Committee have no binding effect on their vote or the final award made by Thornton as a result of this RFP.

In addition, other pertinent information which becomes available during the evaluation, interview, or negotiations may be considered in the evaluation. The committee may make a selection on the basis of the Proposals received, or may choose to "short list" prospective firms for further consideration, which may include interviews and or negotiations. The firm selected for the Award will be chosen on the basis of the apparent greatest operational and financial benefit to Thornton,

and not necessarily on the basis of lowest price. The City Manager, or their designee, shall make the final determination of the firm selected.

E.12 EVALUATION CRITERIA:

Evaluation criteria for this RFP may include, but is not limited to, the following items:

- 1) Responsiveness to the needs of Thornton, including the time required to complete the implementation of the awarded Vendor's solution.
- 2) Responsibility of the proposing Vendor.
- 3) The written responses provided by the proposing Vendor to the Proposal Questions – Section C.2, and all clarification questions asked by Thornton during the RFP evaluation.
- 4) The proposing Vendor's submitted pricing.
- 5) The results of the Vendor's reference checks.
- 6) The degree to which the Vendor's proposal meets or exceeds the needs as defined in the RFP, including any additional value-add items.
- 7) The results of any Vendor samples, and/or interviews from this RFP.
- 8) The agreeability of the Vendor to Thornton's terms and conditions and the ability to contract with the awarded Vendor through either the terms and conditions of a purchase order or an agreement.
- 9) All other applicable information and documents submitted by the Vendor and received by Thornton in the evaluation of the proposal.

E.13 POST AWARD PURCHASE ORDER:

The resulting award from this proposal will be a Purchase Order (PO) generated by Thornton's Contracts and Purchasing Division.

E.14 STANDARD PROPOSAL CONSIDERATIONS:

Thornton maintains a standard set of RFP considerations and terms and conditions for RFPs that are non-federally funded and are not through a cooperative awarded process. These considerations are static between each RFP process. It is the sole responsibility of the proposing Vendor to have read all RFP considerations. A copy of these standard RFP considerations has been uploaded with this RFP document as a separate cover.

The remainder of this page has been left blank intentionally.

SECTION F: SAMPLE AGREEMENT**F.1 SAMPLE AGREEMENT:**

At Thornton's sole discretion, the Vendor may be awarded through the issue of a purchase order, with Thornton's simplified purchase order terms and conditions as the ruling document, or through the completion of a formal agreement. A sample General Services Agreement has been provided under separate cover as part of this solicitation. This Sample Agreement has been provided to inform the proposing Vendor of Thornton's terms and conditions expectations for the awarded Vendor from this solicitation. This Sample Agreement is subject to change at Thornton's sole discretion.

The Sample Agreement that has been provided by Thornton may serve as the overarching agreement for this project, and all work performed by the Vendor and if applicable, their subcontractors for the duration of the entire agreement period. The opportunity for a prospective Vendor to provide any proposed redlines to Thornton's Sample Agreement is during the submittal process and all Vendor proposed redlines shall be submitted with the Vendor's final proposal. This Sample Agreement is subject to change at Thornton's sole discretion.

Thornton does not anticipate signing any separate Vendor contractual documents, including separate general or online terms and conditions, Vendor agreements, Vendor quotations with separate terms and conditions, etc. Vendors who have such documents that are required for their solution must submit these documents for Thornton's review and potential incorporation into the final agreement between both Parties as part of their final proposal submission.

The Vendor does not need to complete any of the information within the Sample Agreement as part of the initial proposal submission process. At Thornton's sole discretion and as part of a final evaluation process by Selection Committee, the Purchasing Analyst of Record may contact a proposing Vendor for any clarifications.

The remainder of this page has been left blank intentionally.

SECTION G: REQUIRED VENDOR SIGNATURE FORMS**G.1 ACCEPTANCE AND ADDENDA ACKNOWLEDGEMENT FORM:**

- 1) Vendor indicates acceptance of the following conditions:

City of Thornton Charter Section 7.4 prohibits Thornton from issuing a Purchase Order to firms which employ certain family members of employees unless the Thornton Council determines it is in Thornton's best interest. For the purposes of this Charter Section, a domestic partner shall be considered equivalent to a family member. The Vendor attests to the following:

No City Council Member, member of a board or commission, Municipal Judge, City Manager, City Attorney, or employee of the City of Thornton, or any such person's family member, domestic partner, or person assuming a relationship being the substantial equivalent of the above, has an existing or pending, direct or indirect, financial, pecuniary or personal interest in the proposing firm or this Invitation for Bid, except as follows: (list, if any) _____

- 2) The undersigned Vendor, having examined the Proposal Documents, and having full knowledge of the product and/or services requested and described herein, hereby proposes that it will fulfill the obligations contained herein specifications set forth; and that it will furnish all required products and pay all incidental costs all in strict conformity with these Proposal Documents, for the stated prices as payment in full. Yes ☐ No ☐
- 3) I acknowledge receipt of any and all published addenda and a copy of the Sample Agreement as provided by Thornton : Yes ☐ No ☐
- 4) I acknowledge that I have submitted all items and documents as required of the final proposal submission Yes ☐ No ☐

Proposing Vendor's Name: _____

Date: _____

Submitted By (Printed): _____

Submitted By (Signature): _____

Title: _____

Telephone Number: _____

Email: _____

G.2 SAMPLE AGREEMENT ACKNOWLEDGEMENT FORM

Regarding Thornton's Sample Agreement, the undersigned Vendor acknowledges the following:

- 1) The proposing Vendor has received a copy of Thornton's Sample Agreement.
Yes ☐ No ☐
- 2) All proposed exceptions to Thornton's Sample Agreement and all proposed Vendor agreements may be included as part of Thornton's final evaluation process.
Yes ☐ No ☐
- 3) All proposed exceptions or redlines to Thornton's Sample Agreement by the Vendor, and all proposed terms and conditions have been uploaded with the Vendor's final proposal as a separate file and has been clearly marked as so.
Yes ☐ No ☐
- 4) If chosen for award, that Thornton may accept, reject, or negotiate all proposed changes to the terms and conditions of the Sample Agreement and all other Vendor proposed terms and conditions.

Should an Agreement be unable to be reached between Thornton and my firm, I acknowledge that Thornton retains the sole discretion to reject the award made and move to another Vendor for award and contractual negotiations.

Yes ☐ No ☐

Proposing Vendor's Name: _____

Date: _____

Submitted By (Printed): _____

Submitted By (Signature): _____

Title: _____

G.3 REFERENCES AND AUTHORIZATION AND RELEASE FORM:**REFERENCE AUTHORIZATION FORM**

By: _____, A Corporation
(Proposing firm) A Partnership whose address is _____
An Individual (Circle One)

Proposing firm has submitted a sealed Proposal to the City of Thornton (Thornton) for this solicitation.

Proposing firm hereby authorizes Thornton to perform such investigation of proposing firm as Thornton deems necessary to establish the qualifications, responsibility, trustworthiness, and financial ability of the proposing firm. By its signature hereon, the proposing firm authorizes Thornton to obtain reference information concerning the proposing firm and releases the party providing such information named above and Thornton from any and all liability to the proposing firm as a result of any reference information provided.

Proposing firm further authorizes Thornton to discuss and release any and all information regarding the Proposing firm's performance on its forthcoming services related to this project or other past projects upon receiving a request for such information. Proposing firm releases Thornton from any and all liability associated with such a release of information.

Proposing firm further waives any right to receive copies of reference information provided to Thornton. A copy or facsimile of this executed Reference Authorization and Release Form may be used with the same effectiveness as an original.

Proposing Vendor's Name: _____

Submitted By (Printed): _____

Submitted By (Signature): _____

Title: _____

Date: _____

SECTION H: AUTHORIZATION FOR SOLICITATION POSTING**H.1 PURCHASING MANAGER FORM:**

All communications regarding this solicitation shall be directed to the Purchasing Analyst of Record listed within this solicitation in Section A.2 – Purchasing Analyst of Record.

This solicitation has been reviewed and approved for a public posting by the Thornton Purchasing Manager.

Andrew Miskell, CPPB
Purchasing Manager