

STATE OF OREGON



COVER PAGE

OREGON HEALTH AUTHORITY
EQUITY & INCLUSION DIVISION

Request For Proposals (RFP) 6289
OregonBuys Bid Number S-44300-000017853

for

HEALTH CARE INTERPRETER PROGRAM TECHNICAL ASSISTANCE CONSULTANT

Date of Issue: October 5, 2026

Opening Date & Time (Proposals Due): 1PM on November 5, 2026

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ATTACHMENT E - COBID CERTIFICATION / OUTREACH PLAN

SECTION 1: GENERAL INFORMATION

1.1 INTRODUCTION

The State of Oregon, acting by and through the Oregon Health Authority, (“Agency” or “OHA”), is issuing this Request for Proposals to seek proposals from a qualified Contractor to provide a Health Care Interpreter (HCI) Program Technical Assistance Consultant to provide consultation to the Health Care Interpreter Program (“HCI Program”) on a variety of topics including Senate Bill (SB) 1578 (2024) and its intersection with House Bill 2359 (2021). Additional requirements under the Contract will include:

- Evaluate HCI Oregon Administrative Rules (OAR) [950-050-0160](#) for current requirements for Health Care Providers, Interpreting Service Companies, and Coordinated Care Organizations and recommend strategies for developing, coordinating, and implementing any needed OAR changes.
- Evaluate the impacts and outcomes of the HCI Program; and evaluate the effectiveness and any unintended consequences related to OAR 950-050.
- Provide coordination and collaboration between OHA HCI Program and Oregon Medicaid Division. SB1578 (2024) directed the Medicaid Division to build a health care interpreter scheduling and payment portal; where the Medicaid Division is the contract administrator with a non-profit to support HCI recruitment and retention. The HCI program will be the contract lead, developing deliverables and providing direction to the nonprofit.

Agency anticipates the award of one contract (“Contract”) from this RFP.

The initial term of the Contract is anticipated to be for the period through June 30, 2029 with options to renew for an additional four years through June 30, 2031.

Payments against the proposed Contract will be based on labor-hour. Below is the anticipated Not-to-Exceed (NTE) budget for each period of time listed:

Date of Contract effectiveness through June 30, 2029 – NTE \$239,730.

July 1, 2029 through June 30, 2031 – NTE \$150,000.

Additional details on the Scope of the goods or services or both are included in the Scope of Work/Specifications section.

1.2 SCHEDULE

The table below represents a tentative and approximate schedule of events. All times in this RFP are listed in Pacific Time and days/timeframes are listed in calendar days. All dates listed are subject to change.

Event	Date & Time (if applicable)
Questions / Requests for Clarification Due	10AM on 10/7/2026
Answers to Questions / Requests for Clarification Issued (approximate)	EOD 10/8/2026
RFP Protest Period Ends	7 calendar days prior to RFP Opening
Opening (Proposals Due)	See RFP Cover Page
Public Opening of Proposal(s)	11/5/2026
Issuance of Notice of Intent to Award (approximate)	12/7/2026
Award Protest Period Ends	7 calendar days after Notice of Intent to Award

1.3 SINGLE POINT OF CONTACT (SPC)

The SPC for this RFP is identified on the Cover Page, along with the SPC's contact information. Proposer shall direct all communications related to any provision of the RFP only to the SPC, whether the technical requirements of the RFP, contractual requirements, the RFP process, or any other provision.

SECTION 2: AUTHORITY, OVERVIEW, AND SCOPE

2.1 AUTHORITY AND METHOD

Agency is issuing this RFP pursuant to its authority under ORS 279A.050 and ORS 413.033.

Agency is using the Competitive Sealed Proposal method, pursuant to ORS 279B.060 and OAR 137-047-0260. Agency may use a combination of the methods for Competitive Sealed Proposals, including optional procedures: a) Competitive Range; b) Discussions and Revised Proposals; c) Revised Rounds of Negotiations; d) Negotiations; e) Best and Final Offers; and f) Multistep Sealed Proposals.

2.2 DEFINITION OF TERMS

For the purposes of this RFP, capitalized words are defined in OAR 137-045-0110 or as defined below.

General Definitions

Capitalized terms not specifically defined in this document are defined in OAR 125-246-0110.

Terminology specific to the OregonBuys system may be found at:

<https://www.oregon.gov/das/ORBuys/Documents/Phase1TerminologyCrosswalk.pdf>

Project Specific Definitions –

- Health Care Interpreter (HCI) Program is a legislatively mandated program under *ORS 413.550* that requires the State of Oregon to establish a program to certify and qualify health care interpreters who serve persons with limited English proficiency (LEP) in medical settings.
- Nonprofit entity means an organization that: (A) Is registered in this state; (B) Is exempt from taxation under section 501(c)(3) of the Internal Revenue Code; and (C) Works with certified and qualified health care interpreters and individuals from immigrant, refugee, low-income and rural communities and representatives of urban and rural regional councils of government.
- LEP - Limited English proficiency.

2.3 AGENCY OVERVIEW

The OHA mission is helping people and communities achieve optimum physical, mental and social well-being through partnership, prevention and access to quality, affordable health care.

The OHA Equity & Inclusion Division leads efforts to center equity in public health across the state, providing expertise and technical assistance on equity, inclusion, anti-racism, anti-oppression, inclusive accessibility, and social justice. The OHA Equity & Inclusion Division's Health Care Interpreter Program helps interpreters become trained, qualified, or certified, meeting professional standards to serve in health care settings. The OHA Health Care Interpreter Program promotes equity by supporting interpreters from diverse backgrounds, and seeks to provide accurate, professional interpretation to populations with limited English proficiency LEP.

2.4 PROJECT BACKGROUND, SUMMARY & PURPOSE

Oregon House Bill (HB) 2359 (2021), also known as the Health Care Interpretation Accountability Act, is legislation requiring health care interpreters who provide their services to Oregon medical providers and serve persons with LEP to be qualified or certified in Oregon. These interpreters are listed in a state registry of approved health care interpreters maintained by OHA. The House Bill directs health care providers to work with certified or qualified interpreters from OHA central registry, unless the provider is proficient in the patient's preferred language or the patient declines a credentialed HCI from the registry. The Bill aims to significantly improve quality, accountability, and equity in health care interpretation services, ensure people have access to qualified or certified health care interpreters. It includes other conditions around recordkeeping and requiring health care providers to provide free personal protective equipment (PPE) for on-site interpreters; and it also directs the OHA to develop policies, processes, and rules for improving and enforcing standards.

Senate Bill (SB) 1578 (2024) requires OHA to establish and maintain an online portal called "interpreter management system", which allows providers and coordinated care organizations (CCO) to directly schedule certified or qualified health care interpreters for Oregon Health Plan (OHP) members through a portal which also has a process for online billing and payments for interpreter services. SB 1578 will create a structured program to recruit and retain interpreters to be overseen by the nonprofit organization in partnership with the HCI Program. The legislation also directs OHA to pursue federal financial participation.

The legislative intent is to strengthen the quality and accessibility of health care interpreter services across the state and emphasize the accountability of health care providers to provide professional and credentialed health care interpreter services to their patients, free of charge.

The purpose of this procurement is to eliminate health inequities in Oregon for people who prefer to communicate in languages other than English through developing a professional and linguistically diverse health care interpreter (HCI) workforce; facilitate capacity building and workforce development to address population health inequities through legislatively mandated free HCI training; strengthen access to affordable care by assuring health care will be delivered in the language of choice of the patient at no cost to the patient; and prioritize expanding and sustaining a diverse, credentialed HCI workforce including languages of lesser-diffusion.

Under the proposed Contract award, the successful Contractor will provide consultation to the HCI Program on the intersection of SB 1578 (2024) with HB 2359 (2021). The Contractor will provide technical assistance activities with HCIs, language service companies, health care providers, and licensing boards; develop reports on HCI program evaluation, potential program improvements, recommended OAR updates and related actions; language service companies' webinars; and other related HCI program supports. All these are to make sure that the program outcome reflects the needs of community members and the OHA goal of eliminating health inequities by 2030.

2.5 SCOPE OF WORK (SOW)/SPECIFICATIONS

2.5.1 Technical Assistance (TA) Requirements

Contractor shall:

- a. Submit a Final Workplan that outlines the strategic and creative framework for how the Contractor will comply with and carry-out the SOW to include level-of-effort with schedule and milestones for the Work requirements and submission of Deliverables.
- b. Evaluate HCI OARs for current requirements for Health Care Providers, Interpreting Service Companies, and Coordinated Care Organizations and recommend strategies for developing, coordinating, and implementing any needed OAR changes. Provide OAR facilitation plan, rules change plan, rules that need change, and a plan timeline for rules advisory committee to include (a) Completed comprehensive process for revocation or suspension of HCI credentials, and for other related rule changes.
- c. Provide subject matter expertise on an existing complexity that, pursuant to SB 1578 (2024), requires OHA to enter into a contract with a non-profit entity ("non-profit entity") to develop and administer a health care interpreter recruitment and retention program. Support OHA in successfully carrying out requirements from SB1578 (2024), concerns and questions, from the Medicaid Division and the intersection with HB 2359 (2021) for the Health Care Interpreter (HCI) Program, focusing on the mandated non-profit entity contract.

- d. Track Oregon Medicaid implementation of SB1578 (2024), its coordination and collaboration with OHA HCI Program and on workforce development/non-profit entity contract, HCI scheduling portal development, and related cross-program work development and sustainability.
- e. Maintain regular communications with OHA and attend regularly scheduled meetings for consultation and updates, including participation in a kick-off meeting virtually within **fourteen days** following the effective date of the Contract.
- f. Develop and maintain collaboration with OHA partners via webinar series (partners include but are not limited to HCIs, language service companies, health care providers, licensing boards). These are follow-ups after the passing of the bills and the implementation of HB 2359 (2021) and SB1578 (2024).
- g. Develop and distribute a survey for licensing boards and provide analysis. Compile information from all the licensing boards and other oversight entities about HCI requirements, status of any complaints/concerns received from the public, suggestions and comments for OHA to assure HCI requirements are clear and well understood; and include ideas of how the HCI Program can best work with licensing boards as a follow-up from the 2023 licensing boards survey.
- h. Recommend HCI Program policy and OARs review and related actions. This could pertain to overlap of HB 2359 (2021), HB 2696 (2024), and SB1578 (2024).
- i. Develop standard processes to identify and document updated rules (effective 11/1/2025) on revocation and suspensions, and for other related rule changes. A draft report must be submitted to OHA **by April 30, 2027**.
- j. Complete final report that brings together all parts of this project (that are applicable) including summary of research, data and knowledge, trends, observations, results, interpretation of findings, recommendations, implications.

2.5.2 Deliverables

Contractor shall submit Deliverables as follows:

SOW Section	Deliverable Description	Due Date
a.	Final Workplan	Within 2 business days following the kick-off meeting
b.	Provide facilitation plan, rules change plan, rules that need change, and a plan timeline for rules advisory committee	30-days after signing the contract
c.	The draft report must include recommendations and OAR alignments and overlaps between HCI Program (HB2359), Health Licensing Office (HLO) (HB2696) for American sign language, and Medicaid Division (SB1578) for billing and scheduling HCIs.	60-days after signing the contract
d.	Provide a draft summary report of SB1578 (nonprofit) impacts to HCI workforce development and sustainability.	TBD
e.	Share relevant documents or data gathered related to the contract including meeting notes. Conduct a wrap-up meeting upon completion of TA.	TBD
f.	Provide a project plan including content for webinar series with health care providers, licensing boards and other partners.	TBD
g.	Finalized OHA licensing board survey analysis and report.	TBD
h.	Summary report of SB1578 impacts to HCI workforce development and sustainability.	60-days before the final report
i.	A plan with clear steps for the RAC process; identified rule changes in collaboration with the program.	TBD

j.	Completed technical assistance final draft report. Including a completed comprehensive HCI Program evaluation and identify improvements	30-days before the final report
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SECTION 3: PROCUREMENT REQUIREMENTS

3.1 MINIMUM QUALIFICATIONS

To be considered for evaluation in this solicitation, Proposal must demonstrate how Proposer meets all requirements of this section. These are mandatory requirements for consideration in this RFP.

- a. At least 10 years' experience developing, implementing, interpreting, and enforcing administrative regulations.
- b. At least 10 years' experience coordinating complex regulatory policy activities across state and federal departments and agencies.
- c. At least 10 years' experience collaborating with advisory committees, advocates, providers, consumers, and other partners to bring about public policy changes.
- d. At least 10 years' experience working with state Medicaid programs and federal Medicaid partners (CMS) to assure policy development and implementation is consistent with state and federal program requirements.
- e. At least 5 years' experience working with health care interpreters and related partners on Oregon and federal language accesses requirements, regulations, laws, and other health care interpreting policies.
- f. A minimum of Bachelor's degree in a related field.

3.2 MINIMUM SUBMISSION REQUIREMENTS

To be considered for evaluation, Proposer's OregonBuys Proposal submission must contain each of the following elements:

- Cover Letter
- Technical Proposal – Includes all technical components of Section 3.3 below
- Price Proposal
- Disclosure Exemption Affidavit (Attachment B)
- Proposer Information and Certification Sheet (Attachment C)
- COBID Certification / Outreach Plan (Attachment D)

- Responsibility Inquiry (Attachment E)

3.2.1 Technical Proposal Page Limits

Proposal is limited to 35 pages. Any pages exceeding this limit will not be provided to the evaluation committee or considered in the evaluation. The following items do not count toward the page limit:

- Price Proposal
- Disclosure Exemption Affidavit (Attachment B)
- Proposer Information and Certification Sheet (Attachment C)
- COBID Certification / Outreach Plan (Attachment D)
- Responsibility Inquiry (Attachment E)

3.2.2 Proposal Format and Quantity

- a. 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.
- b. **OregonBuys Electronic Response.** Proposer must submit its Proposal electronically through OregonBuys in one of the following formats: Adobe Acrobat (pdf), Microsoft Word (docx), or Microsoft Excel (xlsx). Do not upload documents using any special characters.
- c. Attachment C, Proposer Information and Certification Sheet, must be submitted bearing the Proposer's authorized representative's Signature. If Proposer believes any of its Proposal is exempt from disclosure under Oregon Public Records Law (ORS 192.311 through 192.478), Proposer shall complete and submit the Disclosure Exemption Affidavit (Attachment B). Proposer shall also mark as "Confidential" in OregonBuys all attachments to its Proposal that Proposer believes are exempt from disclosure.
- d. Proposers will **submit two attachments in OregonBuys** as follows:
 - (1) Attachments B-E and the Price Proposal must be submitted as one single attachment in OregonBuys.
 - (2) The Technical Proposal will be submitted as a separate attachment in OregonBuys that shall include all required elements of this RFP, specifically Section 3.3.

3.2.3 Authorized Representative

Failure of Proposer's authorized representative to sign the Proposal may result in rejection of the Proposal by Agency.

3.3 TECHNICAL 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 extensive artwork, unusual printing or other materials not essential to the utility and clarity of the Proposal. Do not include marketing or advertising material in the Proposal, unless requested. Proposal should be straightforward and address the requests of the RFP. Proposal containing unsolicited marketing or advertising material may receive a lower evaluation score if required information is difficult to locate.

3.3.1 Cover Letter (1 page maximum)

A cover letter shall accompany the proposal to set forth any information that the Proposer wishes to bring to the attention of OHA. The cover letter shall stipulate that the Proposers' proposal is predicated upon all the terms and conditions of this RFP. In addition, it must contain a statement that the Proposers' proposal acceptance period is valid for at least 120 calendar days from the date of receipt by OHA. Cover Letter shall also include the following:

- Identify the Contact person for the Proposer's proposal
- Provide the Contact person's address, phone number, and e-mail address
- Signature of an authorized representative of the Offeror's organization.

3.3.2 Key Person Experience – Maximum 15 Pages

- a. Proposer must submit a resume with additional information for its proposed Consultant (key person) who is expected to perform the Work under the Contract. Resume must include:
 - (1) Candidate's education;
 - (2) Chronological history of employment;
 - (3) Relevant licenses and certifications;

- (4) A clear summary demonstrating Proposer meets or exceeds the experience requirements set forth in this RFP at Section 3.1 above, "Minimum Qualifications". Summary must include identifiable dates for each experience, clearly explaining how each of the experiences total the minimum number of years' experience required under this RFP solicitation.

3.3.3 Project Implementation Plan – Maximum 5 Pages

Submit a written Draft Workplan that outlines the strategic and creative framework for how the Proposer will comply with, and carry-out, the Scope of Work for this RFP at Section 2.5 to include proposed level-of-effort with a schedule and milestones for the Work requirements and submission of Deliverables.

3.3.4 Sample Report – Maximum 10 Pages

Submit a sample report demonstrating the nature and complexity of which this RFP requires.

3.3.5 References – Maximum 4 Pages

Proposer shall submit to OHA with its Technical Proposal a minimum of two (2) Reference Check Forms (Attachment D). These references must be **references of the Consultant being proposed to perform the Work**. Reference forms must be completed by references for which the Consultant successfully and satisfactorily provided identical or similar work as under a contract within the last ten (10) years. Agency reserves the right to contact references in the process of conducting evaluation for this RFP.

3.4 Price Proposal – Maximum 1 Page

The Contract resulting of this RFP will be at a fixed labor-hour rate at the NTE rates shown below. Proposer will submit a Price Proposal to provide fully loaded hourly rates for the periods of time indicated.

Date of Contract effectiveness through June 30, 2029 – NTE \$239,730.
July 1, 2029 through June 30, 2031 – NTE \$150,000.

Description	Unit	Unit Price
HCI Consultant for the period through 6/30/27	Labor Hour	
HCI Consultant for the period 6/30/27-6/30/29	Labor Hour	
HCI Consultant for the period 6/30/29-6/30/31	Labor Hour	

3.5 Proposer Information and Certification Sheet

Proposer shall complete and submit the Proposer Information and Certification Sheet (Attachment C).

Failure to demonstrate compliance with Oregon Tax Laws and sign the Proposer Information and Certification Sheet may result in a finding of non-Responsibility.

SECTION 4: SOLICITATION PROCESS

4.1 PUBLIC NOTICE

The RFP and attachments are published in the State of Oregon's electronic procurement system OregonBuys at <https://oregonbuys.gov/>. Documents will not be mailed to prospective Proposers.

Modifications, if any, to this RFP will be made by written Amendment(s) published in OregonBuys. Prospective Proposer is solely responsible for checking OregonBuys to determine whether or not any Amendment(s) have been issued. Amendment(s) are incorporated into the RFP by this reference.

4.2 PRE-PROPOSAL CONFERENCE

A Pre-Proposal conference will not be held for this RFP.

4.3 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 must:

- Be delivered to the SPC via an OregonBuys submission, email;
- Reference the OregonBuys bid number;
- Identify Proposer's name and contact information;
- Refer to the specific area of the RFP being questioned (i.e. page, section and paragraph number); and
- Be received by the due date and time for Questions/Requests for Clarification identified in the Schedule in Section 1.2.

4.4 SOLICITATION PROTESTS

4.4.1 Protests to RFP

Prospective Proposer may submit a Written protest of anything contained in this RFP, including but not limited to, the RFP process, Specifications, Scope of Work, and the proposed Sample Contract. This is prospective Proposer's only opportunity to protest the provisions of the RFP, except that Proposer may protest Amendment(s) as provided below, and Proposer may take exception to the terms and conditions of the Sample Contract marked as negotiable as set forth in the Negotiations Section.

4.4.2 Protests to Amendment(s)

Prospective Proposer may submit a Written protest of anything contained in an Amendment. Protests to an Amendment, if issued, must be submitted by 5:00 p.m. Pacific Time on the second Business Day following the issuance of the Amendment or the date/time specified in the Amendment, or they will not be considered. Protests of matters not added or modified by the Amendment will not be considered.

4.4.3 Requirements for Protests

a. All protests must:

- Be delivered to the SPC via email;
- Reference the OregonBuys bid number;
- Identify prospective Proposer's name and contact information;
- Be sent by an authorized representative;
- State the reason for the protest, including:
 - The grounds that demonstrate how the Procurement Process is contrary to law, Unnecessarily Restrictive, legally flawed, or improperly specifies a brand name; and
 - evidence or documentation that supports the grounds on which the protest is based; and
- State the proposed changes to the RFP provisions or other relief sought.

b. Protests to the RFP must be received by the due date and time identified in the Schedule.

c. Protests to an Amendment must be received by the due date identified in the

Amendment.

4.5 PROPOSAL DELIVERY OPTIONS

Proposer is solely responsible for ensuring its Proposal is received by the SPC in accordance with the RFP requirements before Opening.

Proposal submission for this RFP must be via electronic submission through OregonBuys at: OregonBuys.gov. A Proposal submitted by any means not authorized below will be rejected.

Detailed instructions on how to submit a Proposal can be found at [OregonBuys Vendor Formal Solicitation Response.pdf](#)

4.6 PROPOSAL MODIFICATION OR WITHDRAWAL

If a Proposer wishes to make modifications to a submitted Proposal, the Proposer must submit its modification in one of the authorized methods listed in Section 4.5 (Proposal Delivery Options). To be effective the modification must include the OregonBuys bid number and be submitted to the SPC prior to Opening.

If a Proposer wishes to withdraw a submitted Proposal, it must submit a Written notice signed by an authorized representative of its intent to withdraw to the SPC via email, or hard copy prior to the Opening in accordance with OAR 137-047-0440. To be effective the notice must include the OregonBuys bid number.

4.7 PROPOSAL DUE

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

A Proposal received after Opening is considered LATE and will NOT be accepted for evaluation. A late Proposal will be returned to the Proposer or destroyed.

4.8 PUBLIC OPENING

A public Opening will be held on the date and time listed in the Schedule set forth in Section 1.2 and in the manner stated on the Cover Page. Only the name of the Proposer will be read at the Opening, no other information will be made available at that time. Proposals received will not be available for inspection until after the evaluation process has been completed and the notice of Intent to Award is issued pursuant to OAR 137-047-0630.

4.9 PROPOSAL REJECTION

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

- 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.
- Proposer has liquidated and delinquent debt owed to the State or any department or agency of the State.
- Proposer fails to meet the responsibility requirements of ORS 279B.110.
- Proposer makes any contact regarding this RFP with State representatives such as State employees or officials other than the SPC or persons authorized by the SPC, or inappropriate contact with the SPC.
- Proposer attempts to influence a member of the Evaluation Committee.
- Proposal is conditioned on Agency'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 Amendment(s).

4.10 EVALUATION PROCESS

4.10.1 Responsiveness and Responsibility Determination

4.10.1.1 Responsiveness determination

A Proposal received prior to Opening will be reviewed to determine if it is Responsive to all RFP requirements including compliance with Section 3.1 (Minimum Submission Requirements) and Section 3.2 (Minimum Qualifications). If the Proposal is unclear, the SPC may request clarification from Proposer. However, clarifications may not be used to rehabilitate a non-Responsive proposal. If the SPC finds the Proposal non-Responsive, the Proposal may be rejected; however, Agency may waive mistakes in accordance with OAR 137-047-0470.

4.10.1.2 Responsibility Determination

Agency will determine if an apparent successful Proposer is Responsible prior to award and execution of the Contract. Proposers shall submit a signed Responsibility Inquiry form (Attachment F) with Proposal.

At any time prior to award, Agency may reject a Proposer found to be not Responsible.

4.10.2 Technical Evaluation

Each Proposal meeting all Responsiveness requirements will be independently evaluated by members of an Evaluation Committee. Evaluation Committee members may change and Agency may have additional or fewer evaluators for optional rounds of competition. Evaluators will assign a score for each evaluation criterion listed below in this Section.

A numeric rating (0 through 5) will be assigned by each evaluator and are based on each respective description in Table 1. below. For example, if an evaluation factor has a point value range of zero (0) to forty (40) points, using the Technical Rating Scale above, if the Agency evaluates the Proposer's response for that evaluation factor is 4/5 of 40, or 32. The offeror's total technical score will be determined by adding the offeror's score in each evaluation criterion as set forth in Table 2. below.

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

Table 1. Scoring Rubric

<u>Numeric Rating</u>	<u>Description</u>
0	Fails to meet minimum requirements; e.g., no demonstrated capacity, major deficiencies which are not correctable; offeror did not address the factor.
1	Marginally meets minimum requirements; major deficiencies which may be correctable.
2	Marginally meets minimum requirements; minor deficiencies which may be correctable.
3	Meets requirements; no deficiencies.
4	Meets requirements and exceeds some requirements; no deficiencies.
5	Exceeds most, if not all requirements; no deficiencies.

Table 2. Technical Evaluation Criteria

Technical proposals will be evaluated based on the criteria set forth below in this Table 2.

EVALUATION CRITERIA		Maximum Weight Possible
Key Person Experience	Key person meets requirements in this RFP at Section 3.3.1. Degree to which experience is relevant; shows clear evidence of skills; is clean and organized; aligned with the needs of this RFP; shows effective communication; and shows growth and increased responsibility.	40
Sample Report	Degree to which sample demonstrates quality work product; quality research; feasible methodologies; findings/results; discussion or analysis; conclusions & recommendations; professional writing quality; citations and source quality; visuals; and how Proposer communicates complex ideas. Degree to which sample is relevant to the Work required under this RFP.	25
Workplan	Degree to which the proposed plan demonstrates feasibility of the approach and advantages to the proposed steps to be taken to carry-out requirements under this RFP.	20
References	Degree to which performance conducted under reference contract is relevant to the work expected to be performed under this RFP. References provided positive feedback related to the satisfaction of the work performed and quality of the past or ongoing work being performed by Proposer.	15

4.10.3 PRICE EVALUATION

The SPC will conduct the price evaluation. The SPC will award a price score to each Price Proposal based upon the percentage of the proposed price as compared to the lowest Proposer’s price using the following formula:

$$\frac{\text{Lowest price of all proposers}}{\text{Price being scored}} \times \text{Price points possible} = \text{Price score}$$

Evaluated price will be based on the Price Proposal attachment that is uploaded as a

separate attachment in OregonBuys.

4.10.4 PREFERENCES

4.10.4.1 Reciprocal Preference

For evaluation purposes per OAR 137-046-0310, Agency shall add a percentage increase to each out-of-state Proposer's Proposal price that is equal to the percentage preference, if any, given to a Resident Proposer in the [Proposer's state](#).

4.10.4.2 Recycled Materials

Agency will give preference to Goods manufactured from Recycled Materials if each of the conditions specified in ORS 279A.125 (2) exists following any adjustments made to the price of the Goods according to any applicable reciprocal preference.

4.10.4.3 Tiebreakers

If Agency receives Proposals identical in price, fitness, availability and quality and chooses to award a Contract, Agency shall award the Contract in accordance with the procedures outlined in OAR 137-046-0300.

4.11 POINT AND SCORE CALCULATIONS

Points are the total possible for each section as listed in the table below.

EVALUATION CRITERIA	Maximum Weight Possible
Key Person Experience	40
Sample Report	20
Implementation Plan	20
References	15
Price	5
Total:	100

4.12 RANKING OF PROPOSERS

The SPC will average the scores for each Proposal in a given round of competition (calculated by totaling the points awarded by each Evaluation Committee member and dividing by the number of members). The SPC will combine the average score for each Proposal with Proposer's price score.

After any applicable preference has been applied, the SPC will determine the rank of each Proposal, with the highest score receiving the highest rank, and successive rank order determined by the next highest score.

Agency may, in Agency's sole discretion, determine an apparent successful Proposer with no additional rounds of competition. If additional rounds are conducted, Agency will rank advancing Proposers at the conclusion of each subsequent round and may determine an apparent successful Proposer at any time during the solicitation process.

4.12.1 NEXT STEP DETERMINATION

At the conclusion of a round of competition, Agency may choose to conduct additional round(s) of competition if in the best interest of the State. Additional rounds of competition may consist of, but will not be limited to:

- Revised within-scope Evaluation Criteria
- Interviews
- Presentations/Demonstrations/Additional Submittal Items
- Discussions and submittal of revised Proposals
- Serial or simultaneous negotiations
- Best and Final Offers

4.12.2 Competitive Range Determination

If Agency, in its sole discretion, determines that one or more additional rounds of competition is necessary, it will select a Competitive Range to indicate the Proposers that will be invited to participate in a subsequent round. The Competitive Range may include all, or at Agency's sole discretion, some (based primarily on a natural break in the distribution of scores), of the Proposers from a previous round. Agency will post a notice in OregonBuys of its Competitive Range Determination and provide details about the process and schedule for the subsequent round.

4.13 SCORING AND RANKING OF PROPOSERS FOR SUBSEQUENT ROUNDS

If Agency conducts two or more rounds of competition, the SPC will determine the cumulative score for Proposers advancing through all rounds of competition by adding the scores from each completed round. The Proposer with the highest cumulative score will receive the highest final ranking.

SECTION 5: AWARD AND NEGOTIATION

5.1 AWARD NOTIFICATION PROCESS

5.1.1 Award Consideration

Agency, if it awards a Contract, will award a Contract to the highest ranking Responsible Proposer(s) based upon the scoring methodology and process described in Section 4. Agency may award less than the full Scope of Work described in this RFP.

5.1.2 Intent to Award Notice

Agency will notify all Proposers in Writing that Agency intends to award a Contract to the selected Proposer(s) subject to successful negotiation of any negotiable provisions.

5.2 INTENT TO AWARD PROTEST

5.2.1 Protest Submission

An Affected Proposer shall have 7 calendar days from the date of the Intent to Award notice to file a Written protest.

A Proposer is an Affected Proposer only if the Proposer would be eligible for Contract award in the event the protest was successful and is protesting for one or more of the following reasons as specified in ORS 279B.410:

- All higher ranked Proposals are non-Responsive.
- Agency has failed to conduct an evaluation of Proposals in accordance with the criteria or process described in the RFP.
- Agency abused its discretion in rejecting the protestor's Proposal as non-Responsive.
- Agency's evaluation of Proposal or determination of award otherwise violates ORS Chapter 279B or ORS Chapter 279A.

If Agency receives only one Proposal, Agency may dispense with the evaluation process and Intent to Award protest period and proceed with Contract Negotiations and award.

5.2.1.1 Protest Requirements

Protests must:

- Be delivered to the SPC via email;
- Reference the OregonBuys bid number;
- Identify Proposer's name and contact information;
- Be signed by an authorized representative of Proposer;
- Specify the grounds for the protest; and
- Be received within 7 calendar days of the Intent to Award notice.

5.2.2 Response to Protest

Agency will address all timely submitted protests within a reasonable time and will issue a Written decision to the respective Proposer. Protests that do not include the required information may not be considered by Agency.

5.3 APPARENT SUCCESSFUL PROPOSER SUBMISSION REQUIREMENTS

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

5.3.1 Insurance

Prior to award, Proposer shall secure and demonstrate to Agency proof of insurance as required in this RFP or as negotiated. Insurance Requirements are found in Exhibit C of Attachment A.

5.3.2 Taxpayer Identification Number

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

5.3.3 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 Contract. Visit <http://sos.oregon.gov/business/pages/register.aspx> for Oregon Business Registry information.

5.3.4 Pay Equity Certification

If selected for award and the Contract value exceeds \$500,000 and Proposer employs 50 or more full-time workers, Proposer shall submit to Agency a true and correct copy of an unexpired Pay Equity Compliance Certificate, issued to the Proposer by the Oregon Department of Administrative Services. For instructions on how to obtain the Certificate, visit

<https://www.oregon.gov/das/Procurement/Pages/PayEquity.aspx>.

ORS 279B.110(2)(f) requires that Proposer provide this prior to execution of the Contract.

5.3.5 Nondiscrimination in Employment

As a condition of receiving the award of a Contract under this RFP, Proposer must certify by its Signature on Attachment C - Proposer Information and Certification Sheet, in accordance with ORS 279A.112, that it has in place a policy and practice of preventing sexual harassment, sexual assault, and discrimination against employees who are members of a protected class. The policy and practice must include giving employees a written notice that the policy both prohibits, and prescribes disciplinary measures for, conduct that constitutes sexual harassment, sexual assault, or unlawful discrimination.

5.4 CONTRACT NEGOTIATION

5.4.1 Negotiation

After selection of a successful Proposer, Agency may enter into Contract negotiations with the successful Proposer. By submitting a Proposal, Proposer agrees to comply with the requirements of the RFP, including the terms and conditions of the Sample Contract (Attachment A), with the exception of those terms listed below for negotiation.

Proposer shall review the attached Sample Contract and note exceptions. Proposer must submit those exceptions to Agency during the Questions / Requests for Clarification period set forth in Section 1.2.

If Agency agrees to make any requested changes to the Sample Contract, Agency will issue an Amendment to notify Proposers of such changes. Unless Agency issues an Amendment modifying any of the terms and conditions, Agency intends to enter into a Contract with the successful Proposer substantially in the form set forth in Sample Contract (Attachment A).

Following the selection of the apparent successful Proposer, Agency may agree to negotiate changes to the negotiable provisions of the Sample Contract listed below. However, Agency is not required to make any changes, and many provisions cannot be changed. Proposer is cautioned that the State of Oregon believes modifications to the standard provisions constitute increased risk and increased cost to the State.

Any subsequent negotiated changes are subject to prior approval of the Oregon Department of Justice.

Agency is willing to negotiate all items, except those listed below:

- Choice of law
- Choice of venue
- Constitutional requirements
- Requirements of applicable federal and State law

In the event that the parties have not reached mutually agreeable terms within 30 calendar days, Agency may terminate Negotiations and commence Negotiations with the next highest ranking Proposer.

SECTION 6: ADDITIONAL INFORMATION

6.1 COMMITMENT TO DIVERSITY, EQUITY, AND INCLUSION

The State of Oregon is committed to taking active steps toward increasing and promoting diversity, equity, and inclusion values across procurement processes for minority, women, emerging small, and service-disabled veteran owned businesses by reducing barriers to compete for and be awarded state contracts. All interested businesses are encouraged to submit proposals for this contracting opportunity.

6.2 CERTIFIED FIRM PARTICIPATION

Pursuant to Oregon Revised Statute (ORS) Chapter 200, Agency encourages the participation of small businesses, certified by the Oregon Certification Office for Business Inclusion and Diversity ("COBID") in all contracting opportunities. This includes certified small businesses in the following categories: disadvantaged business enterprise, minority-owned business, woman-owned business, a business that a service-disabled veteran owns or an emerging small business. Agency also encourages joint ventures or subcontracting with certified small business enterprises. For more information, visit:

<https://oregon4biz.diversitysoftware.com/FrontEnd/VendorSearchPublic.asp?XID=6787&TN=oregon4biz>

If the Contract has potential subcontracting opportunities, the successful Proposer may be required to submit a completed Certified Disadvantaged Business Outreach Plan (Attachment F) prior to execution.

6.3 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 6.2 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 consent to the jurisdiction of any court.

6.4 OWNERSHIP/PERMISSION TO USE MATERIALS

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

All Proposals submitted in response to this RFP become the Property of Agency. 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 a Contract, if awarded to Proposer, or as otherwise needed to administer the RFP process, and to fulfill obligations under Oregon Public Records Law (ORS 192.311 through 192.478). Proposals, including supporting materials, will not be returned to Proposer, except in the case of Proposals that were submitted late and rejected by Agency.

6.5 CANCELLATION OF RFP; REJECTION OF PROPOSAL; NO DAMAGES.

Pursuant to ORS 279B.100, Agency 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 or Agency, as determined by Agency. Neither the State nor any State agency is liable to any Proposer for any loss or expense caused by or resulting from the delay, suspension, or cancellation of the RFP or a Contract award, or the rejection of any Proposal.

6.6 COST OF SUBMITTING A PROPOSAL

Proposer shall pay all costs incurred in connection with 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, and costs associated with protests.

6.7 STATEWIDE E-WASTE/RECOVERY PROCEDURE

If applicable, Proposer shall include information in its Proposal that demonstrates compliance with the Statewide E-Waste/Recovery Procedure #107-011-050_PR. Visit the DAS website www.oregon.gov/das and use the search bar feature to locate the procedure.

6.8 RECYCLABLE PRODUCTS

Proposer shall use recyclable products to the maximum extent economically feasible in the performance of the Services or Work described in this RFP and the subsequent Contract. (ORS 279B.025)

6.9 CHECKLIST DISCLAIMER

Any checklists that may be contained in this RFP are provided only as a courtesy to prospective Proposer. Agency makes no representation as to the completeness or accuracy of any Checklist. Prospective Proposer is solely responsible for reviewing and understanding the RFP and complying with all the requirements of this RFP, whether listed in a checklist or not. Neither the State nor Agency is liable for any claims, or subject to any defenses, asserted by Proposer based upon, resulting from, or related to, Proposer's failure to comprehend all requirements of this RFP.

END.