

COUNTY OF ROANOKE

GENERAL TERMS FOR SUBMITTING PROPOSALS

Communication with County Personnel

Until an award is announced, direct contact with any County or Owner employee regarding this proposal, without express permission from the Purchasing Division Director or their designated representative, is strictly prohibited. Violation of this rule may result in disqualification of the Offerors proposal.

Unless participating in an active solicitation, prospective vendors may visit County or Owner departments without prior approval from the Purchasing Division to make sales calls, distribute literature, or conduct demonstrations. However, advance appointments must be confirmed with the Director or their designee for the department to be visited. During active solicitations for specific goods or services, vendors are restricted from contacting departments. All communications (e.g., email, phone, text, letter) must be conducted through the Purchasing Division, which will coordinate responses to inquiries as needed. Violation of this communication protocol by a vendor involved in a pending solicitation or bid may result in rejection of their submittals at the discretion of the Purchasing Division.

Proposal Submission Requirements

Prospective Offerors, referred to as providers, operators, contractors, consultants, or vendors, must address the following criteria in their submitted proposals. Each proposal should include a transmittal letter and a management overview. Proposals may be evaluated based on these factors, along with others that protect and preserve the interests of the Owner, including:

- **Organizational Structure and Management Qualifications:** Offerors should provide details on the length of time in business, corporate experience, industry strengths, business philosophy, and organizational structure. Include an organizational chart showing all positions and the number of personnel in each for the management and operation of the requested services or items.
- **Financial Condition:** Demonstrate the sufficiency of financial resources and the ability to fulfill all obligations of any resulting contract. Submit a current annual financial report, the previous years report, and a statement regarding any recent or foreseeable mergers or acquisitions. Financial statements may be marked confidential as outlined in the confidentiality section below.
- **Experience:** Detail experience in providing the services or items requested in the RFP, particularly with similar local government operations.
- **References:** Provide at least three references, including organizational name, official address, contact person, title, and phone number, related to supplying the requested services or items, especially for similar local government operations.
- **Proposal Conditions or Exceptions:** Specify any conditions or exceptions to the

sample contract.

- **Conflict of Interest:** Disclose whether any owners, officers, employees, agents, or their immediate family members are currently or have been within the past year County or Owner employees, or have any responsibility or authority with the County or Owner that might affect the procurement or any resulting claims. Provide the complete name, address, and connection to the County or Owner for each such person. The Ethics in Public Contracting and Conflict of Interests Act of the Virginia Code applies to the RFP.
- **Debarment or Non-Responsibility:** Disclose any instances where the Offeror has been debarred, fined, had a contract terminated, or been found not to be a responsible bidder or Offeror by any federal, state, local government, or private entity, including details of each matter.
- **Capability and Timeliness:** Demonstrate the ability, capacity, and skill to provide the services or items promptly and without delay or interference.
- **Character and Reputation:** Provide evidence of the Offerors character, integrity, reputation, judgment, experience, efficiency, and effectiveness.
- **Past Performance Quality:** Detail the quality and timeliness of performance on previous contracts or services similar to those described in the RFP.
- **Legal Compliance:** Show compliance with laws and ordinances regarding prior contracts, purchases, or services.
- **Pricing:** Submit the proposed price for providing the required services or items, including all fees, costs, and their calculation method. If applicable, include proposed benefits or revenue payments to the Owner.
- **Marketing and Effectiveness (if applicable):** Describe the marketing approach and promotions intended to maximize revenues from the requested services or items, including examples of promotional materials.
- **Revenue Control (if applicable):** Explain the method for controlling, securing, and maximizing revenues at the specified locations.

Additional Submission Requirements

Offerors may include any additional materials relevant to their proposal response. Proposals must follow the prescribed format provided in the RFP. Offerors shall provide one redacted copy of their proposal suitable for public dissemination in response to a Freedom of Information Act request. Marking an entire proposal as confidential or redacting it entirely may result in disqualification. If applicable, each proposal must include a completed and properly signed Fee Proposal Form.

Owners Rights and Responsibilities

The Owner may request additional information, clarifications, or presentations from Offerors after reviewing proposals. The Owner reserves the right to use any ideas presented in response to the RFP, subject to limitations on proprietary or confidential data. The Owner is not liable for any costs incurred by Offerors in preparing, submitting, or presenting proposals, which are the sole responsibility of the Offeror. Only the County or Owner will issue news releases regarding the RFP or any proposed contract award. Offerors that are stock or nonstock corporations, limited liability companies, business trusts, limited partnerships, or other business entities must be authorized to transact business in the Commonwealth of Virginia as required by law. Such Offerors shall include their Virginia State Corporation Commission (SCC) Identification Number and business entity name as listed with the SCC in their proposal. Offerors not required to be authorized to transact business in Virginia shall provide a statement explaining why.

Ownership and Confidentiality of Materials

All data, materials, and documentation prepared for the County pursuant to the RFP shall belong exclusively to the County and be subject to public inspection under the Virginia Freedom of Information Act, unless otherwise required by law. Trade secrets or proprietary information submitted by an Offeror are not subject to public disclosure if the Offeror invokes the protections of Section 2.2-4342(F) of the Code of Virginia in writing, either before or at the time of submission. The written notice must specifically identify the data or materials to be protected and state the reason for protection. Proprietary or trade secret material must be clearly marked (e.g., by highlighting or underlining) and limited to specific words, figures, or paragraphs. Classifying an entire proposal, line-item prices, or total proposal prices as proprietary or trade secrets is not acceptable and may result in rejection of the proposal.

Addendums and Notices of Award

Any interpretations, corrections, or changes to the RFP will be made through an addendum issued by the County Purchasing Division or its designee and posted on the eVA website. Prospective Offerors are responsible for regularly checking the eVA website for addenda and other updates, as the County does not provide direct notifications of changes to solicitation documents. The County is not responsible for third-party postings of solicitations or related information. Interpretations, corrections, or changes made in any other manner are not binding, and Offerors must not rely on them.

Ethical and Legal Compliance

No Offeror shall offer any public employee with purchasing responsibilities any payment, loan, subscription, advance, deposit, service, or anything of more than nominal value unless equivalent or greater consideration is exchanged. The County and Owner may investigate an Offerors ability to perform or supply the requested services or items and reserve the right to reject any proposal if the Offeror fails to demonstrate qualification to fulfill contract obligations. The successful Offeror must comply with the nondiscrimination provisions of

Virginia Code Section 2.2-4311 and the drug-free workplace provisions of Virginia Code Section 2.2-4312, both incorporated herein by reference. The County encourages participation by minority and women-owned business enterprises in all contracting opportunities. The successful Offeror shall comply with all applicable County, State, and Federal laws, codes, and regulations, and shall not knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986. Any subcontractors must adhere to the same legal and regulatory compliance requirements, and the Owner reserves the right to approve all subcontract work, including associated costs. The provisions of the Ethics in Public Contracting and Conflict of Interests Act (Virginia Code Sections 2.2-4367 through 2.2-4377 and 2.2-3100 et seq.) and the Virginia Public Procurement Act, along with the Roanoke County Procurement Manual, apply to the RFP unless specifically modified herein.

Insurance Requirements

The successful Offeror and any subcontractors shall, at their sole expense, obtain and maintain required insurance policies and/or bonds throughout the contract term. These must be effective before any work or performance begins under the contract and shall be primary and noncontributory to any insurance or self-insurance held by the Owner.

Protest Procedures

Any Offeror wishing to protest or object to an award or other decision related to the RFP may do so only in accordance with the provisions of Virginia Code Sections 2.2-4357, 4358, 4359, 4360, 4363, and 4364, if applicable. Such protests or objections must be in writing, signed by a representative of the protesting entity, contain the required information, and be delivered to the County Purchasing Division Director within the required time period.

Required Services or Items

The services or items the successful Offeror will be required to provide are those outlined in the RFP, referenced in the sample contract, terms and conditions, or any attachments. Offerors should carefully review and address these items in their proposals. The final description of services or items is subject to negotiations with the successful Offeror and final approval by the Owner.

Evaluation Criteria

Offerors will be evaluated based on their qualifications to meet the RFP requirements. The County does not use a numerical or weighted scoring system. Major criteria may include:

- Background, education, and experience in providing similar services or items, particularly with municipalities, and the quality of past performance.
- Reasonableness and competitiveness of proposed fees or benefits to the Owner, though the Owner is not obligated to select the lowest-priced proposal. Fees and benefits may be negotiated with the selected Offeror(s).

- Responsiveness and compliance with RFP requirements and conditions.
- Absence of contractual relationships that would result in a conflict of interest with the Owners contract.
- Ability, capacity, and skill to fully and satisfactorily provide the required services or items.
- Quality of performance in comparable or similar projects.
- Ability to provide services or deliver items promptly and in a timely manner.
- Willingness to accept the sample contract, if applicable.

Selection Process

The selection process will follow Virginia Code Section 2.2-4302.2(A)(4):

- The Owners designee will engage in individual discussions with two or more Offerors deemed fully qualified, responsible, and suitable based on initial responses, focusing on professional competence. Repetitive informal interviews are permissible, and Offerors may elaborate on qualifications, performance data, staff expertise, alternative concepts, and nonbinding cost estimates. Proprietary information will not be disclosed to the public or competitors, except as required by law.
- Based on the evaluation factors in the RFP and information from the selection process, the two or more most meritorious Offerors will be ranked in order of preference.
- Negotiations will begin with the top-ranked Offeror. If a fair and reasonable contract is negotiated, the award will be made to that Offeror. If not, negotiations will proceed with the next-ranked Offeror, and so on, until a satisfactory contract is achieved.
- If the Owner determines in writing that only one Offeror is fully qualified or clearly more qualified than others, a contract may be negotiated and awarded to that Offeror.

All proposals will be reviewed by the Purchasing Division or its designee for responsiveness before referral to a selection committee or individual. A committee or individual will evaluate responsive proposals, conduct negotiations, and make recommendations to the Owner. The award, if made, will be to the Offeror whose proposal best serves the Owners interests. The Owner reserves the right to reject any or all proposals, waive informalities or irregularities, and make multiple awards if deemed in the Owners best interest. Offerors may be required to give an oral presentation to clarify or elaborate on their proposal, at the Owners discretion, for fact-finding purposes only, not for negotiation.

Cooperative Procurement

This procurement is conducted pursuant to Virginia Code Section 2.2-4304 on behalf of other public bodies in Virginia. Unless prohibited by the awarded Offeror, the resulting contract may be used by other Virginia public bodies as allowed by law. The awarded Offeror shall deal directly with each public agency or body seeking to obtain goods or services,

and the Owner is not responsible for any costs, expenses, or other matters related to such transactions.

Contract Terms

The sample contract attached to the RFP contains terms and conditions the Owner will include in any awarded contract, subject to changes, additions, deletions, or modifications agreed upon during negotiations. Offerors should specify any objections, changes, or additions to the sample contract in their proposal. Otherwise, the successful Offeror will be obligated to enter a contract with the same or substantially similar terms. Additional terms and conditions, if necessary, will be negotiated with the successful Offeror.