



REQUEST FOR OFFERS (RFO)

TEXAS HIGHER EDUCATION COORDINATING BOARD

Web-based Enterprise Contract Management System

DEADLINE: 9:00 AM C.S.T., July 23, 2009

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**Texas Higher Education Coordinating Board
Request for Offer (RFO)
Fully Web-based Enterprise Contract Management System**

SECTION I INTRODUCTION AND GENERAL INSTRUCTIONS

1.1 INTRODUCTION

This is an announcement of the Texas Higher Education Coordinating Board's (THECB's) intention to evaluate and select offers that are submitted in response to this Request for Offer (RFO) to implement a fully automated enterprise contract management system to become as paperless as feasible and to reduce the overall time for the contract management process.

1.2 SCHEDULE

Task	Date
RFO MADE AVAILABLE	Friday, July 10, 2009
OPEN PERIOD FOR QUESTIONS	July 13-20, 2009
OFFERS DUE	9:00 a.m. CST – Thursday, July 23, 2009
NOTIFICATION TO OFFERORS OF SELECTION FOR ORAL PRESENTATIONS	Thursday, July 23, 2009
ONLINE DEMONSTRATIONS	Friday, July 24, 2009
NEGOTIATE AND FINALIZE CONTRACT	Monday, July 27, 2009
WORK BEGINS	Tuesday, July 28, 2009

1.3 TERM OF CONTRACT

The term of the contract shall be twelve (12) calendar months from the date of signature of the contracted parties. The anticipated starting date is July 28, 2009. The contract that may result from this RFO may be canceled by the THECB at any time if funds are not appropriated or due to unsatisfactory performance. Unless otherwise negotiated, any contract resulting from this RFO will contain all of the specifications, terms, and conditions set forth in this RFO. Any contract resulting from this RFO may be extended for additional periods up to three (3) years, provided both parties agree in writing to do so prior to the expiration date. Any extensions shall be at the same terms and conditions, plus any approved changes.

There are many variations regarding contract terms. Terms should clearly state the duration of the contract.

Contract renewals can only be made when a contract renewal clause is included in the contract. If the contract allows for a price increase, the conditions for requesting and receiving approval for an increase must be spelled out in the original contract.

1.4 RFO COMMUNICATIONS

All communications regarding this RFO must be submitted to the following e-mail address: Patricia.Russo@THECB.state.tx.us. All questions (de-identified) will be responded to via the Electronic State Business Daily (ESBD). This site will allow all interested parties to view all questions and answers.

The deadline for submitting questions is July 20, 2009.

In order to assure that no prospective offeror may obtain a competitive advantage because of acquisition of information unknown to other prospective vendors, any additional information that is different from or in addition to information provided in the RFO will be provided only in response to written inquiries on the Question and Answer website described above.

1.5 RFO SUBMISSION DATE AND TIME

WITHOUT EXCEPTION - OFFER MUST BE RECEIVED VIA EMAIL ON OR BEFORE THURSDAY, JULY 23, 2009 – 9:00 a.m. CST:

Offers must be emailed as attachments in pdf or Microsoft Word document format. THECB size limit per email is set at 4MB; if offer exceeds the email size limit, offeror may compress the file ("zip") or submit multiple emails to comprise a complete offer. If offeror submits multiple emails, the emails must indicate that the offer is complete in the final email.

1.5.1 Email Format

Email must include the RFO number on the subject line along with the offeror's name, RFO number, and closing date included in the body of the email.

Pricing proposals must be submitted in a separate email indicating the offeror's name, RFO number, closing date in the body of the email with "Pricing Proposal" as the subject line.

Facsimile transmissions (FAX) of offers will not be accepted under any circumstances.

Offerors must indicate any General Provisions terms that are not feasible with the submission of the response to this RFO. By signing, the Offeror or the Offeror's legally

authorized agent affirms that all statements within the offer are true and correct. Discovery of any false statement in the offer is a material breach and shall void the submitted offer or any resulting contracts, and Offeror shall also be removed from all vendor lists maintained by the State of Texas. If a response is signed and submitted without including a specific identification of all General Provisions that are not feasible, THECB will not negotiate the General Provisions.

Pursuant to the Provisions of the Texas Government Code Title 10 Subtitle D Chapter 2156.121 – 2156.127, offers will be received until the date and time established for receipt. After receipt, only the names of the respondents will be made known to the public. Prices and other bid details may only be divulged after the award of a contract, if a contract is awarded.

All written requests for information will be communicated to all applicants known to the agency. All responses shall become the property of the State of Texas upon receipt. All addenda to and interpretation of this solicitation shall be in writing. The State shall not be legally bound by an addenda or interpretation that is not in writing.

1.6 RECEIPT OF OFFERS

To be eligible to be considered for funding, offers must be received on or before 9:00 a.m. (Central Time) on the closing date as specified in this RFO. **In establishing the time and date of receipt, the Commissioner of Higher Education will rely solely on the time/date stamp of the email provided by the system.**

1.7 OFFER FORMAT AND CONTENT

Offers must be written entirely on 8 ½" X 11" document and must be limited to 50 pages, including appendices and attachments.

Offers shall include a "Table of Contents" and give page numbers for each part of the qualifications. Number all pages of the offer sequentially using Arabic numerals (e.g., 1, 2, 3). Separate and identify each criteria response in Section 1.8 of this RFO. The offeror is not required to number the pages of the HUB Subcontracting Plan (if any).

1.8 SCOPE OF TECHNICAL SERVICES OFFER

The Scope of Technical Services Offer must NOT include any pricing information. See Pricing instructions below.

Cover Page

The cover page must contain, at a minimum, all information that is included in Section 1.5.1.

Table of Contents

The offeror must include a Table of Contents and provide a unique number on each page of the offer.

Executive Summary

- The offeror must provide a summary of the offer and the major benefits to THECB.
- An Understanding of Requirements and Ability to Deliver must be provided.
- The offeror must provide information on its approach to meet the requirements and deliverables, in sufficient detail, to demonstrate an understanding of the scope of work under this RFO.

Corporate Overview, Direction & Strategy

- The offeror must describe its background and experience with projects of similar size, nature, and scope of this RFO. The offeror must also describe primary areas of strength and excellence and how it positions or differentiates itself within the Business Process and Information Technology industries.
- The offeror must describe its product vision and services vision.

Management Plan

The offeror must provide satisfactory evidence of capability to manage and coordinate the types of activities described in the RFO and to produce the specified product or service on time. To provide information on qualifications to accomplish the described tasks, offerors must include in this section the following information:

- o Statement on the availability and commitment of the offeror and the offeror's assigned personnel to undertake the project;
- o Structure of the organization;
- o Indications of the ability to perform the tasks described in the Task Activity Plan;
- o Evidence that the offeror has gained experience through working on similar projects. The name of the agency or agencies served must be cited, the kinds of activities that were performed by the offeror must be described, and the name and telephone number of a contact person from each employing agency must be provided.

Task Activity Plan

If a product will be customized or newly developed for THECB, the offeror must submit a task/activity plan specifying to the degree possible the tasks and activities that are to be undertaken. Timelines showing beginning and ending dates for the deliverable must be included, as well as the name(s) of person(s) responsible for the deliverable. Activities must be sufficiently designed and outlined in the task/activity plan that will provide evidence of satisfactory delivery of services and products. Timeframes must be logical and appropriate to complete all activities within the beginning and ending dates of the contract. Failure to meet this condition shall result in disqualification of the proposal, and the proposal shall receive no further consideration.

Subcontracts

The offeror must also identify key partnerships and sub-contractors it intends to leverage for this project, and specify the tasks and activities and the level of responsibility each will have with the project. The offer must identify the offeror and any sub-contractors proposed to work on the project that are Historically Underutilized Businesses (HUBs). The definition of a HUB vendor may be found in Section 1.12 of this RFO. Subcontracting opportunities are probable for this contract, and contractors are encouraged to subcontract with HUBs. The contractor is not required to submit a HUB Subcontracting Plan (HSP) unless the work cannot be completed with the contractor's own resources.

1.9 PRICING PROPOSAL

The Pricing Proposal must be submitted as stated in Section 1.51 with the technical proposal. To demonstrate an understanding of what is included in the Pricing Proposal, offerors must list in its pricing proposal all assumptions used to compile the prices given for the project. Offers must be valid for at least 60 working days from the date of submittal of an offer. The system may be an off-the-shelf product customized for THECB or a new developed system for THECB. THECB has approximately 100 end-users who will have access to the system at any given time. The budget must provide detailed costs necessary to accomplish the project requirements and deliverables identified in Sections 2.1-2.3.

1.10 PAYMENT SCHEDULE

As a part of an offer, vendors must provide a schedule for the payment of fees based on the completion and acceptance of deliverables in the Pricing Proposal. This payment schedule is subject to negotiation and must be approved by THECB. Once approved, payments to the selected vendor will be made according to that schedule.

Payment is only by reimbursement upon satisfactory performance of deliverables. Payment will be made upon submission of properly prepared and certified invoices that detail the deliverables provided during the invoice period and associated costs. The information provided on each invoice must coincide with the tasks and cost categories outlined in the approved Pricing Proposal, as negotiated by the THECB.

THECB shall determine whether a payment law prohibits the Comptroller from issuing a warrant or initiating an electronic funds transfer to an offeror before THECB enters into a written contract with that offeror. A vendor who is indebted or owes delinquent taxes to the State will have any payments under the contract applied toward the debt or delinquent taxes owed the State until the amount is paid in full, regardless of when the debt or delinquency was incurred. Contractor may verify its account status by accessing the Comptroller's website at: <http://ecpa.cpa.state.tx.us/vendor/tpsearch1.html>.

If the account status message is “On Vendor Hold,” the offeror is advised to contact the Comptroller’s Warrant Hold Section in the Division of Revenue Accounting at 800-531-5441 ext. 3-4561 for assistance in resolving the issue.

1.11 EVALUATION OF OFFERS AND SELECTION OF CONTRACTOR

THECB, in accordance with Texas Government Code, Section 2157.001, et. Seq., will select an offer that represents the best interest of the State and the best value for the State. THECB reserves the right to negotiate any part of the selected offer (including price, specifications, and terms) in order to obtain a final contract that meets these conditions.

An offer will be selected based on, among other things, demonstrated competence and qualifications of the offeror and on the reasonableness of the proposed price.

When other considerations are equal, preference will be given to an offeror whose primary place of business is in Texas or who will manage the project wholly from its offices in Texas. THECB shall also give preference, among offers that are otherwise comparable, to an offer submitted by a Historically Underutilized Business (HUB).

Following are the criteria and the total number of points and weight of each portion of the contract that will be applied in selecting an offer.

A. Quality of Technical Component - 30 points

1. Clear description of details for carrying out project
2. Adequacy and appropriateness of project design

B. Quality of Management Component - 30 points

1. Offeror’s approach to managing the engagement
2. Evidence of capability to manage project
3. Track record of the offeror in performing similar projects successfully
4. Methods the offeror will use to perform the work
5. Ability of the offeror to acquire quality staff and knowledgeable resources

C. Quality of Task/Activity Plan - 30 points

1. Clear, logical, and appropriate timeframes
2. Activities of sufficient scope and detail to provide evidence of satisfactory delivery of services and products

D. Staffing and Personnel Qualifications - 20 points

1. Knowledge, skills, and abilities of individual candidates as related to the RFO tasks and deliverables
2. Experience of the individual candidates as related to the RFO tasks

3. Experience with web applications handling large numbers of users and transactions involving confidential data

E. Price - 20 points

TOTAL 130 points

Note: Weights are determined by THECB based on the criticality of the particular factor to the selection process. Offerors are cautioned not to minimize the importance of adequate responses in any area because it carries less weight than other areas or no weight at all.

THECB may develop a “short list” of qualified offers invited to the oral presentation phase and, if necessary, to submit a Best and Final Offer. The oral presentation phase will provide the offeror an opportunity for discussion and revision of its offer. Respondents asked to present in the oral presentation phase will be re-evaluated based on the evaluation criteria.

1.12 HISTORICALLY UNDERUTILIZED BUSINESSES (HUB) REQUIREMENTS

It is the policy of the THECB to promote and encourage contracting and subcontracting opportunities for HUBs in all contracts. Accordingly, THECB has adopted the Policy on Utilization of Historically Underutilized Businesses. If the offeror will subcontract any portion of work (unable to complete with its own staff and resources), the offeror is required to make a good faith effort to subcontract with Texas historically underutilized businesses and complete a HUB Subcontracting Plan (HSP). Offerors needing a HSP document may contact Michael McBride at Michael.Mcbride@THECB.state.tx.us.

HOW TO RETRIEVE HUBS ON THE CMBL

- Open <http://www.window.state.tx.us/procurement/prog/hub/>
- Under the e-Services heading, click *Search HUB Directory*
- Determine search criteria
- Click *Submit Search* button

1.13 PROSPECTIVE OFFEROR’S FINANCIAL RESPONSIBILITY

All private sector companies, individuals, and non-profit organizations are required to submit indicators of financial stability along with its offer. For example:

- **Private** companies must submit their most recent audited financial statement or a certified public accountant-compiled financial report;
- **Individuals** must submit those documents that depict their financial stability, such as an audited proprietorship financial statement, statement from a certified public accountant or banker, or a statement from vendors or suppliers.

Offeror shall provide its 9-digit Federal Employer's Identification Number (FEI); Social Security Number (SSN) if the offeror is an individual; or offeror's 14-digit State of Texas Vendor's Identification Number (VIN). If incorporated, offeror shall also provide the corporation's charter number issued by the Texas Secretary of State's office.

SECTION 2 - PROJECT GOALS, OBJECTIVES, AND REQUIREMENTS

2.1 PROJECT GOALS AND OBJECTIVES

Working with an external vendor providing a web-based application service, THECB requires:

- Fully Web-based enterprise contract management system – automates the process throughout the life of a contract; from the beginning stages of the creation of a Request for Proposals (RFP) within the application, review and evaluation of proposals, contract creation within the application, with approval processes in each step of the life of a contract including the management of each contract after execution (both programmatic and financially).
- Roll-based access control that can be customized for each user.
- Policy control that can be customized to each particular type of contract into a workflow for routing and accessibility.
- Maintain a complete audit trail for each creation (RFP, contract, and evaluation) throughout the life of the contract.
- System to be able to offer visibility for all relevant parties (originators, approvers, and vendors) to know the status of their contracts in the process.
- Provision of the necessary technical support for a seamless implementation.
- Time-tracking system integrated into particular contracts to satisfy federal regulations on recordkeeping for federal programs.
- Customizable flat file export to integrate into our accounting system
- System to be user friendly and very customizable to THECB's needs

2.2 SPECIFIC REQUIREMENTS

The vendor selected to work with THECB will provide a Web-based solution that:

- Integrates seamlessly with the THECB Intranet and Internet Web sites
- Allows vendors to submit proposals within the system for a particular posted RFP
- Includes an internal user messaging system for notifications with a log ability to see when messages have been read
- Allows THECB to create a seamless evaluation process for each proposal
- After proposals are reviewed and selected to be funded, allows a separate workflow to be created to route them for internal approval and generates into a Notice of Grant Award (NOGA) created within the application to serve as the official contract
- Allows vendors to log in into the system to communicate with program staff to manage the contract once selected to fund

- Outside the RFP process, allows the ability to create and store a set of legal clauses and templates library or create a contract from scratch within the application to streamline the creation of contracts in a systematic format
- Has the ability to create unlimited amounts of amendments linked to a contract
- Allows THECB to collaborate with vendors within the system on creation and/or approval of contracts
- Tracks unlimited and customizable contract requirements
- Has OCR scan capabilities and allows for copying and extraction of contract text and sophisticated keyword search features
- Allows the input of budgets and tracks complex fee schedules
- Includes ability to store unlimited supporting documents and link to external Web documents
- Utilizes an electronic, paperless review and approval process to replace a paper-based system
- Provides reminders at key points in the review and approval process to keep managers and reviewers/approvers on track
- Includes capability to create automated and customizable tickler and email reminders for expiring contracts
- Has version control features for contracts and contract addendums
- Provides a sophisticated keyword search (or more appropriate technological solution) to scan system for particular contracts/amendments/RFPs
- Generates customizable reports in various formats compatible with other applications (e.g., CSV, pdf, and spreadsheet formats) for THECB Board and end users
- Allows external and internal user access 24/7
- Creates multi-levels of security for users
- Has advanced workflow creation/authoring tools to help automate approvals, escalations, routing, and more
- Provides the capability for a THECB system administrator to add and modify users, reports, and approval flow
- Maintains records for audit trail purposes on every transaction in the system. Has the capability to track who viewed/changed an item and when
- Provides data storage and retrieval capability in line with state and federal records retention requirements
- All network connections used by the system should be encrypted (SSL for the client end, both internal and Internet)
- Encrypts the data in storage
- Upgrades and enhances system

2.3 TRAINING

Training must be provided to THECB staff to utilize the system. Training must include a training resource that THECB may distribute at internal training sessions. THECB uses a train-the-trainer approach to training.

2.4 DEVELOPMENT

All Works are, upon creation, works made for hire and the sole property of THECB. If the Works are, under applicable law, not considered works made for hire, Contractor hereby assigns to THECB all worldwide ownership of all rights, including the Intellectual Property Rights, in the Works, without the necessity of any further consideration, and THECB can obtain and hold in its own name all such rights to the Works.

REQUEST FOR OFFER - EVALUATION

Following are the criteria and the total number of points and weight of each portion of the contract that will be applied in selecting an Offer.

This form is for TMCEC Evaluator Completion Only:		Maximum number of points	Evaluator Score
Name of Offeror: _____			
A	Quality of Technical Component 30 points		
	Did the Offeror provide clear description of details for carrying out project?	15	
	Is the Offeror's quality of its technical component adequate and appropriate of project design?	15	
B	Quality of Management Component 30 points		
	Rate the Offeror's approach to managing the engagement.	5	
	Rate the evidence of the Offeror's capability to manage project.	5	
	Does the Offeror have a successful track record in performing similar projects?	10	
	Rate the methods the company will use to perform the work.	5	
	Rate the ability of the company to acquire quality staff and knowledgeable resources.	5	
C	Quality of Task/Activity Plan 30 points		
	Are clear, logical, and appropriate timeframes used?	15	
	Are activities of sufficient scope and detail to provide evidence of satisfactory delivery of services and products present?	15	
D	Staffing and Personnel Qualifications 20 points		
	Rate the knowledge, skills, and abilities of individual candidates as related to the RFO tasks and deliverables.	5	
	Rate the experience of the individual candidates as related to the RFO tasks.	10	
	Rate the experience with web applications handling large numbers of users and transactions involving confidential data.	5	
E	Price 20 points		
	Does the Offeror demonstrate the ability to provide competent cost for services offered?	20	