

RFP S-16500-00007470

Attachment C

Administrative Proposal Form



MDM (Misinformation, Disinformation, and Mal-information) Analysis Platform Services

Disclaimer:

Some sections are marked as “Required” while others are “Contingent”. Proposers must read the instructions for each section to determine if “Contingent” sections are required or optional for the Proposer.

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Section 1 – Proposer Information and Minimum Qualifications (Required)

Instructions: Proposer is to complete the three subsections:

- **Proposer Information:** Provide the requisite information, to include the primary contact for this Proposal.
- **Commitment to the RFP Schedule:** Given the expedient nature of the schedule, Proposer commits to being expedient, punctual, and responsive during all RFP phases.
- **RFP Minimum Qualifications:** Proposers to check the boxes to indicate they meet the minimum qualifications, as further detailed in **RFP Section 3.1 (Minimum Requirements)**.

1.1 Proposer Information

Legal Name of Proposer; State of Incorporation; and Entity Type	
Oregon Business Registry Number (if required)	
Street Address; City, State, Zip	
Primary Contact Name; Phone; and email	
Contact Information for Demos (if different from above)	

1.2 Statement of Commitment to the RFP Schedule

Does Proposer guarantee that it will be ready and available to provide demos within the schedule specified in **RFP Section 1.3**?

Yes ☐ / No ☐

1.3 Response to Minimum Requirements and Qualifications

No.	Subject	Minimum Requirement/Qualification	Met?	Explanation
1)	3.1.1 Qualification	Proposer must have at least 2 clients currently using the proposed Solution.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
2)	3.1.2 Solution	The Solution must have the capability to monitor online media.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3)	3.1.2 Solution	The Solution must have the capability of providing notifications.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
4)	3.1.2 Solution	The Solution proposed must not exceed \$146,000 for a 16-month Period of Performance.	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Section 2 – References (Required)

Instructions: Proposer shall provide 3 references from client firms using the response form provided below. Agency may check to determine if references provided support Proposer's ability to comply with the requirements of the RFP. Agency may use references to obtain additional information, or verify any information needed. Agency may contact any reference (submitted or not) to verify Proposer's qualifications and accuracy of the information provided in its Proposal.

Reference 1	
Reference Entity	
Reference Contact Name	
Contact Phone Number	
Contact Email Address	
Reference 2	
Reference Entity	
Reference Contact Name	
Contact Phone Number	
Contact Email Address	
Reference 3	
Reference Entity	
Reference Contact Name	
Contact Phone Number	
Contact Email Address	

Section 3 – Certified Disadvantaged Business Outreach Plan (Required)

Instructions: If Proposer *is not* subcontracting any of the Services contemplated under the Contract, then only subsection 3.1 below is required. If Proposer does intend to subcontract any of the Services, then Proposer shall complete both subsections below.

3.1 Certified Disadvantaged Business Information (Required)

“Certified Firm” means a small business certified under ORS 200.055 by the Oregon Certification Office for Business Inclusion and Diversity (COBID) as minority-owned businesses, woman-owned businesses, businesses that service-disabled veterans own, and emerging small businesses.

Certified Firms must have an equal opportunity to participate in the performance of contracts financed with state funds. By submitting its offer, Proposer certifies that it has taken, and if there are further opportunities, will take reasonable steps to ensure that Certified Firms are provided an equal opportunity to compete for and participate in the performance of any subcontracts resulting from this procurement.

The information submitted in response to this clause will not be considered in any scored evaluation.

3.1.1. Is Proposer an [Oregon certified firm](#)? Yes ☐ / No ☐

If yes, indicate all certification type(s):

DBE ☐ / MBE ☐ / WBE ☐ / SDV ☐ / ESB ☐

Oregon State Certification Number: [Click or tap here to enter your number.](#)

3.1.2. Include a list of Certified Firms that Proposer has had a contractual relationship with within the last two years.

[Click or tap here to enter text.](#)

3.1.3. Include a list of firms that Proposer has had a contractual relationship with within the last two years that are not Certified Firms but may be minority-owned, woman-owned, service-disabled veteran-owned or emerging small businesses.

[Click or tap here to enter text.](#)

3.1.4. Does Proposer foresee any subcontracting opportunities for this procurement?
Yes ☐ / No ☐

(If no, do not complete the rest of this form and submit this section 3.1 with your Proposal.)

(If yes, please complete section 3.2 below and submit both sections with your Proposal.)

3.2 Certified Disadvantaged Business Outreach Plan (Contingent)

- 3.2.1.** Describe the steps Proposer will take to solicit Certified Firms for subcontracting opportunities if awarded a contract from this procurement.

[Click or tap here to enter text.](#)

- 3.2.2.** Describe the subcontracting opportunities and the approximate dollar value of each that may be available, if awarded a Contract.

[Click or tap here to enter text.](#)

- 3.2.3.** Would Proposer be willing to report the identity of each subcontractor and the value of each subcontract to COBID if awarded a Contract from this procurement?

Yes ☐ / **No** ☐

[This space intentionally left blank; the Responsibility Inquiry Form follows on the next page.]

Section 4 – Responsibility Inquiry Form (Required)

Agency will determine [responsibility](#) of a Proposer prior to award and execution of a Contract. In addition to this form, Agency may notify Proposer of other documentation required, which may include but is not limited to recent profit-and-loss history, current balance statements and cash flow information, assets-to-liabilities ratio, including number and amount of secured versus unsecured creditor claims, availability of short and long-term financing, bonding capacity, insurability, credit information, materials and equipment, facility capabilities, personnel information, record of performance under previous contracts, etc. Failure to promptly provide requested information or clearly demonstrate responsibility may result in an Agency finding of non-responsibility and rejection.

- 4.1.** Does Proposer have available the appropriate financial, material, equipment, facility and personnel resources and expertise, or ability to obtain the resources and expertise, necessary to demonstrate the capability of Proposer to meet all contractual responsibilities?

YES ☐ / **NO** ☐

- 4.2.** Within the last five years, how many contracts of a similar nature has Proposer completed that, to the extent that the costs associated with and time available to perform the contract remained within Proposer's control, Proposer stayed within the time and budget allotted, and there were no contract claims by any party? **Number:** _____

How many contracts did not meet those standards? **Number:** _____

(If any, please explain using the response field below.)

Response:	
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- 4.3.** Within the last three years has Proposer (incl. a partner or shareholder owning 10% or more of Proposer's firm) or a major subcontractor (receiving 10% or more of a total contract amount) been criminally or civilly charged, indicted or convicted in connection with:
- obtaining, attempting to obtain, or performing a public (Federal, state, or local) contract or subcontract,
 - violation of federal or state antitrust statutes relating to the submission of bids or Proposals, or
 - embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property?

YES ☐ / **NO** ☐

If "YES", indicate the jurisdiction, date of indictment, charge or judgment, and names and summary of charges in the response field below.

Response:	
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4.4. Within the last three years, has Proposer had:

- ? any contracts terminated for default by any government agency; **or**
- ? any lawsuits filed against it by creditors or involving contract disputes?

YES ☐ / **NO** ☐

If "YES", please explain in the response field below. (With regard to judgments, include jurisdiction and date of final judgment or dismissal.)

Response:	
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4.5. Does Proposer have any outstanding or pending judgments against it?

YES ☐ / **NO** ☐

Is Proposer experiencing financial distress or having difficulty securing financing?

YES ☐ / **NO** ☐

Does Proposer have sufficient cash flow to fund day-to-day operations throughout the proposed contract period?

YES ☐ / **NO** ☐

If "YES" on the first question or second question, or "NO" on the third question, please provide additional details in the response field below.

Response:	
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4.6. Within the last three years, has Proposer filed a bankruptcy action, filed for reorganization, made a general assignment of assets for the benefit of creditors, or had an action for insolvency instituted against it?

YES ☐ / **NO** ☐

If "YES", indicate the filing dates, jurisdictions, type of action, ultimate resolution, and dates of judgment or dismissal, if applicable.

Response:	
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- 4.7. Does Proposer have all required licenses, insurance and/or registrations, if any, and is Proposer legally authorized to do business in the State of Oregon?

YES ☐ /NO ☐

If "NO", please explain in the response field below.

Response:	
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[This space intentionally left blank; Proposed Terms and Conditions follows on the next page.]

Section 5 – Proposed Terms and Conditions (Required)

5.1 Redlined Sample Contract

Proposer shall follow the instructions provided within and attach its redlined copy of **RFP Attachment B (Sample Contract)** clearly identifying the requested changes. Proposers should provide justification for each material change. These submittals are to be attached by the Proposer as **Appendix B for RFP Attachment B to the Administrative Proposal**.

If Proposer does not submit a copy of **RFP Attachment B** then Agency will consider the non-submittal as acceptance of those terms and conditions as-is, and they may only be modified by the sole discretion of Agency.

[This space intentionally left blank; Disclosure Exemption Affidavit follows on the next page.]

Section 6 – Disclosure Exemption Affidavit (Contingent)

Instructions: If Proposer believes any of its Proposal is exempt from disclosure under Oregon Public Records Law (ORS 192.311 through 192.478), then Proposer shall complete and submit the Disclosure Exemption Affidavit. In addition, Proposer also shall submit a fully redacted version of its Proposal, clearly identified as the redacted version. **Otherwise, if no information is exempt, then this section is not required.**

[Click or tap here to enter name.](#) (Affiant), being first duly sworn under oath, and representing [insert Proposer name here](#) (hereafter “Proposer”), hereby deposes and swears or affirms under penalty of perjury that:

- 6.1. I am an employee of the Proposer, I have knowledge of the Request for Proposals referenced herein, and I have full authority from the Proposer to submit this affidavit and accept the responsibilities stated herein.
- 6.2. I am aware that the Proposer has submitted a Proposal, dated on or about [Click or tap to enter a date.](#) (the “Proposal”), to the State of Oregon (State) in response to Request for Proposals S-16500-00002374, for The OCVR System Modernization Project, and I am familiar with the contents of the RFP and Proposal.
- 6.3. I have read and am familiar with the provisions of Oregon’s Public Records Law, Oregon Revised Statutes (“ORS”) 192.311 through 192.478, and the Uniform Trade Secrets Act as adopted by the State of Oregon, which is set forth in ORS 646.461 through ORS 646.475. I understand that the Proposal is a public record held by a public body and is subject to disclosure under the Oregon Public Records Law unless specifically exempt from disclosure under that law.
- 6.4. I have reviewed the information contained in the Proposal. The Proposer believes the information listed in Exhibit A to this Section 6 is exempt from public disclosure (collectively, the “Exempt Information”), which is incorporated herein by this reference. It is my opinion that the Exempt Information is exempt from disclosure under Oregon’s Public Records Law under the specifically designated sections as set forth in Exhibit A or constitutes “Trade Secrets” under either the Oregon Public Records Law or the Uniform Trade Secrets Act as adopted in Oregon because that information is either:
 - a. formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information that:
 - i. is not patented;
 - ii. is known only to certain individuals within the Proposer’s organization and that is used in a business the Proposer conducts;
 - iii. has actual or potential commercial value; **and**
 - iv. gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

or

- b. Information, including a drawing, cost data, customer list, formula, pattern, compilation, program, device, method, technique or process that:

- i. derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and
- ii. is the subject of efforts by the Proposer that are reasonable under the circumstances to maintain its secrecy.

6.5. I understand that disclosure of the information referenced in Exhibit A may depend on official or judicial determinations made in accordance with the Public Records Law.

Affiant's Signature

State of _____

) ss:

County of _____

Signed and sworn to before me on _____ (date) by _____ (Affiant's name).

Notary Public for the State of _____

My Commission Expires: _____

[This space intentionally left blank; Exhibit A follows on the next page.]

Exhibit A to Section 6 – Exempt Information

Proposer identifies the following information as exempt from public disclosure under the following designated exemption(s):

Proposal Section (e.g., Technical Proposal Section #n)	Exempt Information	Exemption Designation (Use either A or B)¹

✓ *Proposer may add or delete rows in the table above as needed.*

[This space intentionally left blank; Mandatory Certifications and Authorized Signature follows on the next page.]

¹ See Section 6.4 above.

Section 7 – Mandatory Certifications and Authorized Signature (Required)

Any individual signing below hereby certifies they are an authorized representative of Proposer and that:

- 7.1. Proposer understands and accepts the requirements of this RFP. By submitting a Proposal, Proposer agrees to be bound by the Contract terms and conditions in **RFP Attachment B (Sample Contract)** and as modified by any Addenda, except for those terms and conditions that Agency has reserved for negotiation, as identified in the RFP.
- 7.2. Proposer acknowledges receipt of any and all Addenda to this RFP.
- 7.3. Proposal is a Firm Offer for 180 days following the Closing.
- 7.4. If awarded a Contract, Proposer agrees to perform the scope of work and meet the performance standards set forth in the final negotiated scope of work of the Contract.
- 7.5. I have knowledge regarding Proposer's payment of taxes and by signing below I hereby certify that, to the best of my knowledge, Proposer is not in violation of any tax laws of the state or a political subdivision of the state, including, without limitation, ORS 305.620 and ORS chapters 316, 317 and 318.
- 7.6. Proposer does not discriminate in its employment practices with regard to race, creed, age, religious affiliation, gender, disability, sexual orientation, national origin. When awarding subcontracts, Proposer does not discriminate against any business certified under ORS 200.055 as a disadvantaged business enterprise, a minority-owned business, a woman-owned business, a business that a service-disabled veteran owns or an emerging small business. If applicable, Proposer has, or will have prior to contract execution, a written policy and practice, that meets the requirements described in ORS 279A.112 (formerly HB 3060), of preventing sexual harassment, sexual assault and discrimination against employees who are members of a protected class. Agency may not enter into a contract with an anticipated contract price of \$150,000 or more with a Proposer that does not certify it has such a policy and practice. See <https://www.oregon.gov/DAS/Procurement/Pages/hb3060.aspx> for additional information and sample policy template.
- 7.7. Proposer complies with ORS 652.220 and does not unlawfully discriminate against any of Proposer's employees in the payment of wages or other compensation for work of comparable character on the basis of an employee's membership in a protected class. "Protected class" means a group of persons distinguished by race, color, religion, sex, sexual orientation, national origin, marital status, veteran status, disability or age.
- 7.8. Proposer's continuing compliance constitutes a material element of this Contract and a failure to comply constitutes a breach that entitles Agency to terminate this Contract for cause.
- 7.9. Proposer may not prohibit any of Proposer's employees from discussing the employee's rate of wage, salary, benefits, or other compensation with another employee or another person. Proposer may not retaliate against an employee who discusses the employee's rate of wage, salary, benefits, or other compensation with another employee or another person.

- 7.10.** Proposer is not engaged in the provision of broadband Internet access service, or if at any time Proposer is engaged in or may engage in the provision of broadband Internet access service Proposer is in compliance with Oregon Laws 2018, Chapter 88 (HB 4155) and applicable Public Utility Commission rules and will remain in compliance throughout the term of the Contract.
- 7.11.** Proposer and Proposer's employees, agents, and subcontractors are not included on:
- a.** the [Specially Designated Nationals and Blocked Persons](#) list maintained by the Office of Foreign Assets Control of the United States Department of the Treasury;
 - or**
 - b.** the government wide exclusions list in the [System for Award Management](#).
- 7.12.** Proposer certifies that, to the best of its knowledge, there exists no actual or potential conflict between the business or economic interests of Proposer, its employees, or its agents, on the one hand, and the business or economic interests of the State, on the other hand, arising out of, or relating in any way to, the subject matter of the RFP. If any changes occur with respect to Proposer's status regarding conflict of interest, Proposer shall promptly notify the State in writing.
- 7.13.** Proposer certifies that all contents of the Proposal, and any other forms or documentation, if required under this RFP, are truthful and accurate and have been prepared independently from all other Proposers, and without collusion, fraud, or other dishonesty.
- 7.14.** Proposer understands that any statement or representation it makes, in response to this RFP, if determined to be false or fraudulent, a misrepresentation, or inaccurate because of the omission of material information could result in a "claim" {as defined by the Oregon False Claims Act, ORS 180.750(1)}, made under Contract being a "false claim" {ORS 180.750(2)} subject to the Oregon False Claims Act, ORS 180.750 to 180.785, and to any liabilities or penalties associated with the making of a false claim under that Act.
- 7.15.** Proposer acknowledges these certifications are in addition to any certifications required in the Contract and at the time of Contract execution.

PROPOSER AUTHORIZED SIGNATURE

Authorized Signature

Date

(Printed Name and Title)

Section 8 – Proposer Appendices

Appendix 1 – Proposer-Attached Redlined Sample Contract (Required)

To be attached by Proposer.

- See Section 5 above.
- See **RFP Section 3.2** for more details.

[End of the Administrative Proposal Response Form]