

**RFP No. BLR-170003: Questions/Answers August 5, 2017 through August 11, 2017:**

**Q1.** Would the selected respondent be precluded from participating in any future procurements that may be conducted according to the recommendations of this project and subsequently adopted by the State?

**A1.** With regard to a hypothetical solicitation, nothing would preclude the consultant from bidding or submitting proposals. However, there is no way of predicting at this time the recommendations that will come out of the consultant's work or whether they will result in recommendations adopted by the General Assembly. The question that may arise is whether the bid or proposal constitutes a breach of procurement ethics. This would depend on whether Arkansas Code § 19-11-709(b) would apply to the consultant with regard to the hypothetical solicitation. Although I cannot provide your company with legal advice, it is possible that the consultant, when seeking to submit a bid or proposal under any new procurement process for which it may have made recommendations, could seek a formal advisory opinion from the Director of the Department of Finance and Administration and ask for a waiver of any possible technical violations.

**Q2.** Page 4 of the RFP, 1.3 Caution to Vendors, 3<sup>rd</sup> bullet, states that "Vendors must submit one (1) signed hard copy of the proposal on or before the date specified on page one of the RFP. In addition, the Vendor should submit, on or before the date specified on page one of this RFP, two (2) electronic versions of the proposal (one (1) redacted electronic version and one (1) unredacted electronic version), preferably in MS Word/Excel format, on CD, flash drive or via e-mail." The Requirements List asks for 25 hard copies of the redacted response, including OPPS, for use by the Task Force. Would you please clarify the BLR's preferred method of response and number of required hard copies?

**A2.** Vendors should submit an unredacted hard copy of the proposal and the OPPS, and 25 redacted hard copies of the proposal and OPPS. The 25 redacted hard copies are for use by the Subcommittee and staff in conducting the evaluation of the proposals. In addition, electronic versions of the redacted and unredacted proposals and OPPS should also be submitted. Hard copies and electronic versions must all be received by the Bureau prior to the 4:30 p.m., August 18, 2017 deadline for submission.

**Q3.** Page 4 of the RFP, 1.4 RFP Format recommends "that Vendors respond to each item or paragraph of the RFP in sequence. Items not needing a specific vendor statement may be responded to by concurrence or acknowledgement..." Is BLR looking for Vendors to respond to all numbered sections beginning with 1.0 Introduction or just to items within Section 4. Cost Proposal and Section 5. Additional Vendor Requirements?

**A3.** The Vendor should respond to all numbered paragraphs from the beginning of the RFP through to the end, starting with Section 1. There are various important issues covered in some of the earlier paragraphs that the Vendor must acknowledge.

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**Q.** When the required information requests a "response to each numbered paragraph of the RFP . . .", should this be a separate document? Or should it constitute the format of the overall proposal?

**A.** The format of your proposal will be up to you. However, responses should be written in a way that the reader is able to easily discern that each of the numbered paragraphs of the RFP, beginning with Section 1, has received a response.

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**Q1.** The solicitation document references email responses throughout. It is assumed the originals must be mailed, but can the electronic responses be submitted via email?

**A1.** Yes.

**Q2.** If yes, do the pricing responses need to be submitted in a separate email or simply as a separate file in the submission email?

**A2.** Section 1.3 of the RFP reads, "The electronic version of the Official Proposal Price Sheet must also be separately sealed and submitted separately from the electronic version of the proposal and, if submitted via e-mail, the e-mail must clearly state that the attachment contains pricing information." As such, the electronic version of the pricing response should be submitted in a separate email from the proposal.

**Q3.** If we are subcontracting work, does our subcontractor also need to provide any of the required forms or disclosures in our response?

**A3.** Yes. Section 1.18 of the RFP reads, "If any part of the work is to be subcontracted, the Vendor must disclose the same information for the subcontractor as for itself. Responses to this RFP must include a list of subcontractors, including firm name and address, contact person, complete description of work to be subcontracted, and descriptive information concerning subcontractor's business organization." Please see throughout the RFP, the various requirements with regard to forms and documentation to be submitted with regard to subcontractors, as well as the statement in Section 1.18 that the "Subcommittee reserves the right to approve subcontractors for this project and require primary contractors to replace subcontractors that are found to be unacceptable."

**Q4.** The solicitation document references that a requirement for response is "Response to each numbered paragraph of the RFP, including statements that the paragraph has been read and is agreed to if no other response is required." Is it possible to provide a blanket statement to this fact in the Executive Summary or in a Submittal Letter to meet this requirement?

**A4.** Responses should be written in such a way that the reader is able to easily discern that each of the numbered paragraphs of the RFP has received a written response.

**Q5.** The RFP references that the successful vendor will provide "Assistance with draft legislation based on recommendations adopted by the Subcommittee." Can the BLR provide some guidance on a time frame for when draft legislation would be drafted and if there is a deadline for the drafting of legislation for consideration in the following legislative session? We are trying to determine when this activity would occur in relationship to the report since it is listed prior to development of the final report in the list of activities.

**A5.** The timeline for this work will be a determination to be made by the Subcommittee, however, this task would be completed prior to the end of the contract term, which is December 31, 2018. The consultant's role with regard to draft legislation would be limited to review and advice on draft bills. The Bureau of Legislative Research staff will draft all bills upon request of a member of the General Assembly. Past studies by legislative bodies have incorporated legislative recommendations in the form of draft bills as part of their final reports and recommendations.