

**REQUEST FOR PROPOSALS (RFP) 20012**

# **EXECUTIVE EVALUATION SERVICES**

**CITY OF LIVINGSTON  
220 E. Park Street  
Livingston, MT 59047  
(406) 823-6000**

**Key RFP Dates**

<b>Issue Date:</b>	<b>March 22, 2023</b>
<b>Question Submittal Date:</b>	<b>March 29, 2023</b>
<b>Proposal Submittal Date:</b>	<b>April 6, 2023</b>

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**SECTION I:INSTRUCTIONS TO PROPOSERS**

**SECTION I. INSTRUCTIONS TO PROPOSERS**

**A. PRE-PROPOSAL CONFERENCE**

A pre-proposal conference will not be held for this procurement. Proposers may submit questions or clarifications as noted in Section E., below.

**B. EXAMINATION OF PROPOSAL DOCUMENTS**

By submitting a proposal, Proposer represents that it has thoroughly examined and become familiar with the work required under this RFP and that it is capable of performing quality work to achieve the City's objectives.

**C. ADDENDA**

The City reserves the right to revise the RFP documents. Any City changes to the requirements will be made by written addendum to this RFP. Any written addenda issued pertaining to this RFP shall be incorporated into the terms and conditions of any resulting Agreement. The City will not be bound to any modifications to or deviations from the requirements set forth in this RFP as the result of oral instructions. Proposers shall acknowledge receipt of addenda in their proposals. Failure to acknowledge receipt of Addenda may cause the proposal to be deemed non-responsive to this RFP and be rejected.

**D. CITY CONTACT**

All communication and/or contacts with City staff regarding this RFP are to be directed to the following:

Lisa Lowy  
220 E. Park Street  
Livingston, MT 59047  
Phone: (406) 823-6000

Commencing on the date of the issuance of this RFP and continuing until award of the contract or cancellation of this RFP, no proposer, subcontractor, lobbyist or agent hired by the proposer shall have any contact or communications regarding this RFP with any City's staff; member of the evaluation committee for this RFP; or any contractor or consultant involved with the procurement, other than the point of contact named above or unless expressly permitted by this RFP. Contact includes face-to-face, telephone, electronic mail (e-mail) or formal written communication. Any proposer, subcontractor, lobbyist or agent hired by the proposer that engages in such prohibited communications may result in disqualification of the proposer at the sole discretion of the City.

**E. CLARIFICATIONS**

**1. Examination of Documents**

Should a Proposer require clarifications of this RFP, the Proposer shall notify the City in writing in accordance with Section E.2. below. Should it be found that the point in question is not clearly and fully set forth, the City will issue a written addendum clarifying the matter posted on the City website.

**2. Submitting Requests**

- a. All questions must be put in writing and must be received by the City no later than 2:00 p.m., on March 29, 2023.
- b. Requests for clarifications, questions and comments must be clearly labeled, "RFP 20012 Questions". The City is not responsible for failure to respond to a request that has not been labeled as such.
- c. Any of the following methods of delivering written questions are acceptable as long as the questions are received no later than the date and time specified above:
  - (1) U.S. Mail: CITY OF LIVINGSTON, 220 E. Park Street, Livingston MT 59047.
  - (2) Personal Delivery: City of Livingston, Lobby Receptionist, Livingston MT 59047.
  - (3) Email: LLowy@LivingstonMontana.org

**3. City Responses**

Responses from the City will be posted on the website no later than March 31 at 5:00pm. Inquiries received after 2:00 p.m. on March 29, 2023, will not be responded to.

**F. SUBMISSION OF PROPOSALS**

**1. Date and Time**

Proposals must be received in the City's office at or before 2:00 p.m. on April 6, 2023

Proposals received after the above-specified date and time will be returned to Proposers unopened.

**2. Address**

Proposals delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**CITY OF LIVINGSTON  
220 E. Park Street  
Livingston, MT 59047  
Attention: Lisa Lowy**

Or proposals delivered using the U.S. Postal Services shall be addressed as follows:

**CITY OF LIVINGSTON  
220 E. Park Street  
Livingston, MT 59047  
Attention: Lisa Lowy**

Or proposals delivered electronically shall be addressed as follows:

**LLOWY@LIVINGSTONMONTANA.ORG**

### **3. Identification of Proposals**

Proposer shall submit an **original and 3 copies** of its proposal in a sealed package, addressed as shown above in F.2. The outer envelope must show the Proposer's name and address and clearly marked with RFP number (20012). In addition to the above, Proposers shall also include one (1) electronic copy of their entire RFP submittal package in "PDF" format, on a flash drive. If electronic method is utilized, one PDF copy is appropriate.

### **4. Acceptance of Proposals**

- a. The City reserves the right to accept or reject any and all proposals, or any item or part thereof, or to waive any informalities or irregularities in proposals.
- b. The City reserves the right to withdraw or cancel this RFP at any time without prior notice and the City makes no representations that any contract will be awarded to any Proposer responding to this RFP.
- c. The City reserves the right to issue a new RFP for the project.
- d. The City reserves the right to postpone proposal openings for its own convenience.
- e. Each proposal will be received with the understanding that acceptance by the City of the proposal to provide the services

described herein shall constitute a contract between the Proposer and City which shall bind the Proposer on its part to furnish and deliver at the prices given and in accordance with conditions of said accepted proposal and specifications.

- f. The City reserves the right to investigate the qualifications of any Proposer, and/or require additional evidence of qualifications to perform the work.
- g. Submitted proposals are not to be copyrighted.

**G. PRE-CONTRACTUAL EXPENSES**

The City shall not, in any event, be liable for any pre-contractual expenses incurred by Proposer in the preparation of its proposal. Proposer shall not include any such expenses as part of its proposal.

Pre-contractual expenses are defined as expenses incurred by Proposer in:

- 1. Preparing its proposal in response to this RFP;
- 2. Submitting that proposal to the City;
- 3. Negotiating with the City any matter related to this proposal; or
- 4. Any other expenses incurred by Proposer prior to date of award, if any, of the Agreement.

**H. JOINT OFFERS**

Where two or more firms desire to submit a single proposal in response to this RFP, they should do so on a prime-subcontractor basis rather than as a joint venture. The City intends to contract with a single firm and not with multiple firms doing business as a joint venture.

**I. TAXES**

The City is a tax-exempt political subdivision of the State of Montana.

**J. PROTEST PROCEDURES**

The City has on file a set of written protest procedures applicable to this solicitation that may be obtained by contacting the City point of contact responsible for this procurement. Any protests filed by a Proposer in connection with this RFP must be submitted in accordance with the City's written procedures.

**K. CONTRACT TYPE**

It is anticipated that the Agreement resulting from this solicitation, if awarded, will be a firm-fixed price contract specifying firm-fixed prices for individual tasks specified in the Scope of Work, included in this RFP as Exhibit A. The City

anticipates a contract that covers the initial scope of work as well as optional years to provide subsequent annual reviews.

**L. CONFLICT OF INTEREST**

All Proposers responding to this RFP must avoid organizational conflicts of interest which would restrict full and open competition in this procurement. An organizational conflict of interest means that due to other activities, relationships or contracts, a Proposer is unable, or potentially unable to render impartial assistance or advice to the City; a Proposer's objectivity in performing the work identified in the Scope of Work is or might be otherwise impaired; or a Proposer has an unfair competitive advantage. Conflict of Interest issues must be fully disclosed in the Proposer's proposal.

All Proposers must disclose in their proposal and immediately throughout the course of the evaluation process if they have hired or retained an advocate to lobby City staff or the City Commission on their behalf.

Proposers hired to perform services for the City are prohibited from concurrently acting as an advocate for another firm who is competing for a contract with the City, either as a prime or subcontractor.

**M. CODE OF CONDUCT**

All Proposers agree to comply with the City's Code of Conduct which is hereby referenced and by this reference is incorporated herein.



**SECTION II: PROPOSAL CONTENT**

## SECTION II. PROPOSAL CONTENT

### A. PROPOSAL FORMAT AND CONTENT

#### 1. Format

Proposals should be typed with a standard 12-point font, double-spaced and submitted on 8 1/2" x 11" size paper, using a single method of fastening. Charts and schedules may be included in 11"x17" format. Proposals should not include any unnecessarily elaborate or promotional materials. Proposals should not exceed twenty-five (25) pages in length.

#### 2. Letter of Transmittal

The Letter of Transmittal shall be addressed to Lisa Lowy and must, at a minimum, contain the following:

- a. Identification of Proposer that will have contractual responsibility with the City. Identification shall include legal name of company, corporate address, telephone number, and email address. Include name, title, address, email address, and telephone number of the contact person identified during period of proposal evaluation.
- b. Identification of all proposed subcontractors including legal name of company, whether the firm is a Disadvantaged Business Enterprise (DBE), contact person's name and address, phone number and fax number, and email address; relationship between Proposer and subcontractors, if applicable.
- c. Acknowledgement of receipt of all RFP addenda, if any.
- d. A statement to the effect that the proposal shall remain valid for a period of not less than ninety (90) days from the date of submittal.
- e. Signature of a person authorized to bind Proposer to the terms of the proposal.
- f. Signed statement attesting that all information submitted with the proposal is true and correct.

#### 3. Technical Proposal

- a. Qualifications, Related Experience and References of Proposer

This section of the proposal should establish the ability of Proposer to satisfactorily perform the required work by reasons of: experience in performing work of a similar nature; demonstrated competence in

the services to be provided; strength and stability of the firm; staffing capability; work load; record of meeting schedules on similar projects; and supportive client references.

Proposer to:

- (1) Provide a brief profile of the firm, including the types of services offered; the year founded; form of the organization (corporation, partnership, sole proprietorship); number, size and location of offices; and number of employees.
- (2) Describe the firm's experience in performing work of a similar nature to that solicited in this RFP, and highlight the participation in such work by the key personnel proposed for assignment to this project.
- (3) Identify subcontractors by company name, address, contact person, telephone number, email, and project function. Describe Proposer's experience working with each subcontractor.
- (4) Provide as a minimum three (3) references for the projects cited as related experience, and furnish the name, title, address, telephone number, and email address of the person(s) at the client organization who is most knowledgeable about the work performed. Proposer may also supply references from other work not cited in this section as related experience.

b. Proposed Staffing and Project Organization

This section of the proposal should establish the method, which will be used by the Proposer to manage the project as well as identify key personnel assigned.

Proposer to:

- (1) Identify key personnel proposed to perform the work in the specified tasks and include major areas of subcontract work. Include the person's name, current location, proposed position for this project, current assignment, level of commitment to that assignment, availability for this assignment and how long each person has been with the firm.
- (2) Furnish brief resumes (not more than two [2] pages each) for the proposed Project Manager and other key personnel that includes education, experience, and applicable professional credentials.

- (3) Indicate adequacy of labor resources utilizing a table projecting the labor-hour allocation to the project by individual task.
- (4) Include a project organization chart, which clearly delineates communication/reporting relationships among the project staff.
- (5) Include a statement that key personnel will be available to the extent proposed for the duration of the project acknowledging that no person designated as "key" to the project shall be removed or replaced without the prior written concurrence of the City.

c. Work Plan

Proposer should provide a narrative, which addresses the Scope of Work, and shows Proposer's understanding of City's needs and requirements.

Proposer to:

- (1) Describe the approach to completing the tasks specified in the Scope of Work. The approach to the work plan shall be of such detail to demonstrate the Proposer's ability to accomplish the project objectives and overall schedule.
- (2) Furnish a project schedule for completing the tasks in terms of elapsed weeks.
- (3) Identify methods that Proposer will use to ensure quality control as well as budget and schedule control for the project.
- (4) Identify any special issues or problems that are likely to be encountered in this project and how the Proposer would propose to address them.
- (5) Proposer is encouraged to propose enhancements or procedural or technical innovations to the Scope of Work that do not materially deviate from the objectives or required content of the project.

d. Exceptions/Deviations

State any technical and/or contractual exceptions and/or deviations from the requirements of this RFP. If no technical or contractual exceptions and/or deviations are submitted as part of the original proposal, Proposers are deemed to have accepted the City's technical requirements set forth in the Scope of Work (Exhibit A).

**4. Cost and Price Proposal**

As part of the cost and price proposal, the Proposer shall submit proposed pricing to provide the services for each work task described in Exhibit A, Scope of Work.

The Proposer shall complete the "Price Summary Sheet" form included with this RFP (Exhibit B), and furnish any narrative required to explain the prices quoted in the schedules. It is anticipated that the City will issue a firm-fixed-price contract specifying firm-fixed-prices for individual tasks.

**5. Appendices**

Information considered by Proposer to be pertinent to this project and which has not been specifically solicited in any of the aforementioned sections may be placed in a separate appendix section. Proposers are cautioned, however, that this does not constitute an invitation to submit large amounts of extraneous materials. Appendices should be relevant and brief.

**SECTION III: EVALUATION AND AWARD**

### SECTION III. EVALUATION AND AWARD

#### A. EVALUATION CRITERIA

The City will evaluate the offers received based on the following criteria:

1. **Qualifications of the Firm** **30 %**  
  
 Technical experience in performing work of a closely similar nature; strength and stability of the firm; strength, stability, experience and technical competence of subcontractors; assessment by client references.
  
2. **Staffing and Project Organization** **30 %**  
  
 Qualifications of project staff, particularly key personnel and especially the Project Manager; key personnel's level of involvement in performing related work cited in "Qualifications of the Firm" section; logic of project organization; adequacy of labor commitment; concurrence in the restrictions on changes in key personnel.
  
3. **Work Plan** **30 %**  
  
 Depth of Proposer's understanding of City's requirements and overall quality of work plan; logic, clarity and specificity of work plan; appropriateness of resource allocation among the tasks; reasonableness of proposed schedule; utility of suggested technical or procedural innovations.
  
4. **Cost and Price** **10 %**  
  
 Reasonableness of the total price as well as the individual tasks; competitiveness with other offers received; adequacy of data in support of figures quoted.

#### B. EVALUATION PROCEDURE

An evaluation committee will be appointed to review all proposals received for this RFP. The committee is comprised of the City Commission and may include outside personnel. The committee members will evaluate the written proposals using criteria identified in Section III A. A list of top-ranked proposals, firms within a competitive range, will be developed based upon the totals of each committee members' score for each proposal.

During the evaluation period, the City may interview some or all of the proposing firms. The interview may consist of a short presentation by the Proposer after which the evaluation committee will ask questions related to the firm's proposal and qualifications.

At the conclusion of the proposal evaluations, Proposers remaining within the competitive range may be asked to submit a Best and Final Offer (BAFO). In the BAFO request, the firms may be asked to provide additional information, confirm or clarify issues and submit a final cost/price offer. A deadline for submission will be stipulated.

At the conclusion of the evaluation process, the evaluation committee will recommend to City's management the Proposer whose proposal is most advantageous to the City.

**C. AWARD**

The City may negotiate contract terms with the selected Proposer prior to award, and expressly reserves the right to negotiate with several Proposers simultaneously and, thereafter, to award a contract to the Proposer offering the most favorable terms to the City.

Negotiations may or may not be conducted with Proposers; therefore, the proposal submitted should contain Proposer's most favorable terms and conditions, since the selection and award may be made without discussion with any Proposer.

The selected Proposer will be required to submit to the City's Accounting department a current IRS W-9 form prior to commencing work.

**D. NOTIFICATION OF AWARD AND DEBRIEFING**

Proposers who submit a proposal in response to this RFP shall be notified via email of the contract award. Such notification shall be made within three (3) business days of the date the contract is awarded.

Proposers who were not awarded the contract may obtain a debriefing concerning the strengths and weaknesses of their proposal. Unsuccessful Proposers, who wish to be debriefed, must request the debriefing in writing or electronic mail and the City must receive it within three (3) business days of notification of the contract award.



**EXHIBIT A: SCOPE OF WORK**

## **EXECUTIVE EVALUATION SERVICES**

### **A. OBJECTIVE**

The City of Livingston is seeking a qualified consultant or professional to facilitate the contractually required executive evaluation process for the City Manager. The ideal consultant or professional will possess a high degree of professionalism and experience providing meaningful feedback to top executives. The project consists of an evaluation of the initial six-month term of employment (which will end on May 2, 2023) and also a subsequent evaluation at the one-year anniversary (on November 2, 2023). The City intends to prepare a contract with two (2) one-year options for possible additional evaluations in subsequent years of the City Manager's contract.

### **B. SCOPE OF WORK**

The City is seeking a qualified Consultant to facilitate the annual executive evaluation process for the City Manager. The intention is to provide meaningful feedback to the executive branch leadership after six-months in the position. The Consultant needs to be familiar with various evaluation instruments including technology enabled ones. While public sector experience is desired, the City will consider Consultants who are uniquely skilled in executive evaluations.

The annual evaluation process shall conform to the requirements of the City Manager's contract and will include, but not be limited to, the following tasks to be performed by the awarded Consultant:

- Review current evaluation instruments to understand the existing City process.
- Finalize the evaluation instruments and process with City Commission, or their designated working group.
- Provide the evaluation instrument to the evaluators.
- Conduct evaluation interviews with City Commission and others, as requested
- If requested, facilitate a development session with City Commission
- Prepare written evaluation summary
- Debrief summary with City Manager
- Debrief evaluations with City Commission and City Manager
- If requested, facilitate feedback and evaluation sessions.
- Prepare public summary of the evaluation process and outcome
- If requested, provide contract modification support to the Commission.
- Prepare minutes of all closed sessions of the Commission that are held.

### **C. SCHEDULE**

The six-month period of employment ends on May 2, 2023. The evaluation for this period should be complete no later than May 31, 2023. The year anniversary will occur on November 2, 2023 and this evaluation should be complete by November 30, 2023.

**EXHIBIT B: COST AND PRICE FORMS**

**PRICE SUMMARY SHEET**

**REQUEST FOR PROPOSALS (RFP) 20012**

Enter below the proposed price for each of the work phases described in the Scope of Work, Exhibit A. Prices shall include direct costs, indirect costs, and profits. The City's intention is to award a firm-fixed price contract.

**PRICE FOR SIX-MONTH EVALUATION:** \_\_\_\_\_

**PRICE FOR ONE-YEAR ANNIVERSARY EVALUATION:** \_\_\_\_\_

**OPTION A: PRICE FOR FY 25 ANNUAL EVALUATION:** \_\_\_\_\_

**OPTION B: PRICE FOR FY 26 ANNUAL EVALUATION:** \_\_\_\_\_

\_\_\_\_\_

1. I acknowledge receipt of RFP 20012 and Addenda No.(s) \_\_\_\_\_

2. This offer shall remain firm for \_\_\_\_\_ days from the date of proposal  
(Minimum 90)

COMPANY NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

SIGNATURE OF PERSON  
AUTHORIZED TO BIND PROPOSER \_\_\_\_\_

NAME AND TITLE OF PERSON  
AUTHORIZED TO BIND PROPOSER \_\_\_\_\_

DATE SIGNED \_\_\_\_\_