



April 4, 2019

REQUEST FOR PROPOSALS

**HUMAN RESOURCE SERVICES FOR COUNCIL OF GOVERNMENTS
(Central Midlands, Santee-Lyches and PeeDee Councils of Governments)**

**Due Date:
May 16, 2019 at 2:00 pm**

**Receipt Location:
Central Midland Council of Governments
236 Stoneridge Drive
Columbia, SC 29210**

**Official Contact:
Jessica Foster
Operations Coordinator
(803)744-5139
jfoster@cmcog.org**

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1. INTRODUCTION

The Central Midlands, Pee-Dee and Santee-Lynches Council of Governments (COGS) are soliciting responses from firms to provide “on-call” Human Resources Advisory Services. The Councils of Government are made up of administrative and professional staff. Firms responding must demonstrate a history of providing expert advice to governmental agencies, including but not limited to advice in the areas of: Employment Laws and Regulations, Performance Management, Conflict Management and Resolution, Organizational Enhancement, and Benefits and Compensation.

The COGS will use the services of the successful respondent (contractor) from time to time as needed. The COGS have designated what it believes to be estimated services it will require in some of the Human Resource (HR) areas that are the subject matter of this solicitation. At any time during the term of the contract awarded hereunder, the COGS may increase or decrease the scope of the services necessary to accomplish the general purpose of the contract.

The Councils of Government (COGS) are regional entities of county and municipal governments, established by the South Carolina General Assembly in 1967. The COGS provide a regional forum to discuss issues that are particular to their region. In banding together at the regional level, the voice of one community becomes the voice of many, this providing a better opportunity for those issues to be addressed.

2. RFP INSTRUCTIONS AND REQUIREMENTS

2.1. Submittal of Proposals

The COGS are hereby issuing this Request for Proposals (RFP) to certified HR contractors that have the capability and interest in undertaking and performing the scope of work described in this RFP. The RFP will be publicly advertised and released in accordance with the Central Midlands Council of Governments’ procurement policy. The official contact for this solicitation is:

Jessica Foster
Operations Coordinator
Central Midlands Council of Governments
236 Stoneridge Drive
Columbia, SC 29210
Phone: (803) 744-51
jfoster@cmcog.org

Each firm responding to this solicitation is officially a RESPONDENT. Each RESPONDENT must submit a sealed proposal package containing an original and five (5) copies plus one (1) digital copy of its proposal to Jessica Foster at the address above no later than **May 16, 2019 at 2:00 pm**. Proposals may be submitted in person, by messenger, or by regular mail. All proposals will be logged in and date and time stamped. **Any proposal**

package that is received after the date and time specified will be logged and date and time stamped as “late” and returned unopened to the RESPONDENT.

2.2. Proposed Procurement Timeline

Release date for RFP	April 4, 2019
Mandatory Pre-Bid Conference	April 11, 2019 at 10:am CMCOG offices
Final Date to Receive Written Questions/Clarifications	April 18, 2019
RFP Closing Date	May 2, 2019
Evaluation Committee Recommendation	May 9, 2019
Intent to Award Released	May 16, 2019

2.3. Labeling of Proposals

All proposals must be submitted in a sealed envelope or package clearly marked “Proposal for HR Services” ATTN: Jessica Foster, and name and address of the RESPONDENT in the upper left hand corner. No responsibility will attach to CMCOG or any official or employee thereof, for the pre-opening, post-opening, or failure to open a proposal not properly addressed and identified.

2.4. Mandatory Pre-Bid Conference

All potential Respondents **must attend** a pre-bid conference held on **April 11, 2019** at 10:00 am, 236 Stoneridge Drive, Columbia, SC 29210.

2.5. Questions/Requests for Clarification

All questions and/or requests for clarification regarding this RFP should be provided in writing to Jessica Foster no later than **April 18, 2019 at 5:00 p.m. ET**. All questions submitted and their answers will be posted on the CMCOG website at www.centralmidlands.org as an addendum to this RFP. No telephone inquiries will be accepted.

2.6. Addenda

If it becomes necessary to revise any part of this RFP, a written addendum will be issued. All addenda issued by CMCOG will become part of the official RFP and will be posted on the CMCOG website.

2.7. Contact Policy

No direct or indirect contact regarding this solicitation may be made with any representatives of the CMCOG Board of Directors and staff other than the OFFICIAL CONTACT identified in this RFP. If such contact is made, CMCOG reserves the right to reject a proposal submitted by that RESPONDENT. All questions and/or requests for clarification must be provided in accordance with Section 2.4 of the RFP.

2.8. Acceptance and Rejection of Proposals

Any proposals that do not conform to the essential requirements of the RFP shall be rejected. CMCOG reserves the right to waive informalities and minor irregularities in submittals and reserves the sole right to determine what constitutes informalities and minor irregularities. CMCOG also reserves the right to accept or reject any or all proposals received in response to this RFP and to negotiate separately with competing RESPONDENTS. CMCOG is not obligated to enter into any contract on the basis of any submittal in response to this RFP. The CMCOG reserves the right to request additional information from any firm submitting under this RFP if such information is necessary to further evaluate the firm's qualifications.

2.9. Rejection/Cancellation

CMCOG may cancel this RFP in whole or in part at any time if it is determined to be in the best interest of CMCOG. CMCOG may reject any or all proposals in whole or in part if it is determined to be in the best interest of CMCOG.

2.10. Conflict of Interest

RESPONDENTS shall promptly notify CMCOG in writing of all potential conflicts of interest for any prospective business association, interest, or other circumstance, which may influence or appear to influence the RESPONDENT'S judgment or quality of services being provided hereunder. Such written notification shall identify the prospective business association, interest, or circumstance, the nature of work that such a person may undertake, and request an opinion of CMCOG as to whether the association, interest, or circumstance would, in the opinion of CMCOG, constitute a conflict of interest. By submitting this proposal, the respondent certifies that it has no conflict of interest with any employee, agent, elected official or officer of the city or any other conflict as may be set forth herein.

2.11. Collusion

More than one proposal from an individual, firm partnership, corporation, association or related parties under the same or different names will not be considered. If CMCOG believes that collusion exists among RESPONDENTS, all proposals from the suspected firms will be rejected. "Related parties" means RESPONDENTS or the principals thereof, which have a direct or indirect ownership or profit sharing interest in another RESPONDENT.

RESPONDENTS shall comply with all local, state, and federal directives, orders, and laws as applicable to this RFP and any resulting contract.

By responding to this RFP, RESPONDENTS certify that the response is made without previous understanding, agreement, or connection with any person, firm or corporation making a proposal for the same item, and they certify the knowledge that this would constitute an illegal action.

2.12. Proprietary/Confidential Information

Trade secrets or proprietary information submitted by a RESPONDENT in connection with a procurement transaction shall not be subject to public disclosure under the Freedom of Information Act; however, the RESPONDENT must invoke the protections of this section prior to or upon submission of the data or other materials, and must identify the data or other materials to be protected and state reasons why protection is necessary. Disposition of material after award is made should be stated by the RESPONDENT. No information, materials or other documents relating to this procurement will be presented or made otherwise available to any other person, agency, or organization until after award.

All RESPONDENTS must visibly mark as "Confidential" each part of their proposal that they consider to contain proprietary information. All unmarked pages will be subject to release in accordance with the guidelines set forth under Chapter 4 of Title 30 (The Freedom of Information Act) South Carolina Code of Laws and Section 11-35-410 of the South Carolina Consolidated Procurement Code. Privileged and confidential information is defined as "information in specific detail not customarily released to the general public, the release of which might cause harm to the competitive position of the part supplying the information." The examples of such information provided in the statute includes: customer lists, design recommendations and identification of prospective problem areas under an RFP, design concepts to include methods and procedures, and biographical data on key employees of the RESPONDENT.

Evaluative documents pre-decisional in nature such as inter or intra-agency memoranda containing technical evaluations and recommendations are exempted so long as the contract award does not expressly adopt or incorporate the inter- or intra-agency memoranda reflecting the pre-decisional deliberations.

Marking the entire proposal confidential/proprietary is not in conformance with the South Carolina Freedom of Information Act.

2.13. Disadvantaged Business Enterprise

It is the policy of the CMCOG to ensure nondiscrimination in the award and administration of contracts and to use Disadvantaged Business Enterprises (DBEs) in all types of contracting and procurement activities according to State and Federal laws. To that end the CMCOG has established a DBE program in accordance with regulations of the United States Department of Transportation found in 49 CFR Part 26. Each RESPONDENT is encouraged to use DBEs to meet the tasks and milestones of all procurement requests.

3. PROPOSAL FORMAT AND CONTENTS

RESPONDENTS interested in providing the services outlined in this RFP must prepare and submit a proposal that adheres to the following requirements:

3.1. Number of Pages

Proposals must not be more than the equivalent of 20 single sided 8 ½ by 11 inch pages in length (not counting the front and back covers of the proposal, section dividers that contain no information, and SF 330 forms).

3.2. Cover Letter

The response should contain a cover letter signed by a person who is authorized to commit the RESPONDENT to perform the work included in the proposal and should identify all sub-contractors, materials, and enclosures being forwarded in response to the RFP.

1. General firm information and principal contact.
2. Background information on the Firm as it relates to the requirements of the RFP to include:
 - a. Location of the office from which the work will be done,
 - b. Number of full time employees,
 - c. Business license #,
 - d. Federal ID #,
 - e. Number of years the firm has been providing the requested services with a brief description of recently performed projects that indicate the past performance and abilities of the proposed team;

3.3. Key Personnel

Provide a proposed project management structure that identifies the project manager/supervisors and all personnel who will be assigned to provide HR (human resource services), including a description of their abilities, qualifications, and experience. Include

resumes showing contact information, certifications, relevant experience, and continuing education for all key individuals (including sub-consultants) who will be completing a portion of the scope of work.

3.4. Project Proposal

Firm responses must include the following information and should present this information in the same order as appears below:

1. Name and contact information for the proposed project manager who will be the sole point of contact for COGS during day to day operations;
2. Summary of how the firm charges fees for the services described in this RFP, including specific hourly rates for key personnel and/or alternative proposed fees or fee structures, including an all-inclusive fee for services. The proposal should be based on the prospect that the HR Consultant(s) may be engaged for an initial term of 3 years and may include 2 renewal options for a period of 1 year each, terminable at the desire of either party with 60 days notice.
3. Evidence that the firm has previous experience in providing human resource services, specifically in Evaluating and providing advice concerning employee compensation and benefits, including conducting compensation surveys, providing general employment information and guidance, assisting COGS with recruitment efforts, advising COGS on employee relations matters and all other services usually necessary and required of HR Consultant(s), whether specifically outlined in the scope of services or not.
3. Experience, if any, providing specifically, support to non-profits and governmental entities;
4. Statement of the firm's equal employment opportunity policy to include recruiting policies and hiring practices
5. Provide three (3) client references for recently performed, relevant projects within the last 5 years that indicate the past performances and abilities of the proposed team. Include a key client contact person for each project with their current daytime phone number and email address.
6. Key personnel to be assigned to this engagement, with the anticipated role of each person. Include brief biographies of each individual;
7. Identify SC public entities that have engaged the firm as HR Consultants since 2015. Indicate whether the firm continues to serve as HR Consultants to such entities and state whether any such entities have terminated the HR Consultants relationship and why.
8. Identify any litigation (including any formal administrative proceedings) in which the firm is currently involved or has been involved since 2015. Indicate the current status or disposition of such litigation proceedings.

9. Identify all lawsuits, complaints or other filings against the firm regarding equal employment, discrimination or sexual harassment and the disposition of any such matter.
10. Disclose all contractual or informal business arrangements/agreements, including fee arrangements and consulting agreements, between the responding firm and COGS and/or the Board, or any entity that provides services to COGS;
11. Indicate any formal or informal relationship the firm or staff has with any corporation, consultant, or other person which could create a conflict of interest or the appearance of a conflict with the firm's services as HR Consultants;

3.5. Fee Schedule/Cost Proposal

State the total cost and all inclusive fees for the Human Resource Advisory Services. *The cost proposal must be submitted under separate, sealed cover, and must be clearly identified as such with the words "COST PROPOSAL for HR Services" labeled on the front of the cost proposal package.*

4. SCOPE OF SERVICES

- 4.1. The services to be provided by HR Consultant may include, but shall not be limited to, the following:
 1. Evaluating and providing advice concerning employee compensation and benefits, including conducting compensation surveys.
 2. Providing general employment information and guidance.
 3. Complete HR Compliance Review (review/update Employee Handbook)
 4. Advising COGS on employee relations matters.
 5. All other services usually necessary and required of HR Consultant(s), whether specifically outlined in the scope of services or not.

4.2. Evaluation and Award Process

Selection Committee

CMCOG/COGS will conduct a formal selection process to determine the best qualified RESPONDENT. This process will include the formation of a selection committee and the appointment of other technical advisors as needed, to review and evaluate all of the responsive proposals. Each proposal will then be scored and ranked based on the established selection criteria outlined herein. A recommendation for award will be made to the highest ranked, responsive and responsible RESPONDENT whose proposal is determined to be the most advantageous to CMCOG/COGS

CMCOG reserves the right to contact a firm to obtain written clarification of information submitted in their proposal and to contact references to obtain information regarding performance reliability and integrity.

4.3. Notice of Award

Once the evaluation committee has made a recommendation to CMCOG, a notice of “Intent to Award” will be posted on the CMCOG website. A notice will also be emailed to all RESPONDENTS informing them of the success, or lack thereof, of their proposal to receive an award.

4.4. Appeal Policy

RESPONDENTS dissatisfied with the decisions regarding contract award can appeal to CMCOG. The protest must be filed in writing by the authorized signatory official for the RESPONDENT addressed to Ben Mauldin, Executive Director, CMCOG within ten working days of the announcement of the “Intent to Award.” Announcement of our “Intent to Award” will be posted on the CMCOG web site. The ten working days to file appeals will begin on the date the “Intent to Award” is posted on the web site. All RESPONDENTS are encouraged to review CMCOG’S website (www.centralmidlands.org) daily during the RFP evaluation period. CMCOG will not consider appeals from individuals or organizations that do not have standing to appeal nor from sub-contractors of RESPONDENTS. The signature of a party on an appeal document constitutes a certification by the signer that the signer has read the document and to the best of their knowledge, information, and belief and, after reasonable inquiry, it is well grounded in fact. It must be warranted by existing law or by a good faith argument, and that it is not submitted for any improper purpose such as to harass, limit competition, or cause unnecessary delay or needless increase in the cost of the procurement or the appeal. The cost of the appeal will be borne solely by the appealing organization or individual. CMCOG will issue a written decision in accordance with its contract appeals procedures. Frivolous appeals will not be addressed by CMCOG. The decision of CMCOG is final. There will be no formal debriefing on CMCOG decisions on the appeal.

4.5. Contract Negotiations

After the close of the appeal period, if no appeals were received or successfully granted, the highest ranked, responsive and responsible RESPONDENT identified in the “Intent to Award” will be invited to enter into contract negotiations with CMCOG to finalize the scope of work, personnel, hours, hourly rates, use of sub-consultants, and other direct costs that will be required to complete the agreement between CMCOG and the selected RESPONDENT. If an agreement cannot be reached with the selected RESPONDENT, CMCOG will select the next highest ranked, responsive, and responsible RESPONDENT and the negotiation phase will be repeated. This process will continue until an agreement is reached with a qualified firm that can provide the required scope of services.

CMCOG has and shall retain all such authority and responsibility for contract negotiations and award. Any contracts awarded as a result of this procurement process will be between the RESPONDENT and CMCOG.

5. EVALUATION CRITERIA

RESPONDENTS will be evaluated using only the factors stated below. Evaluation factors are stated in the relative order of importance.

5.1. Qualifications and Experience (25%)

The ability of a prospective RESPONDENT will be evaluated under the terms of the RFP relative to having demonstrated experience and capabilities needed to successfully perform all aspects of the Project.

5.2. Technical Proposal (25%)

This refers to the technical soundness and suitability of the RESPONDENT'S stated approach to the project, the comprehensiveness of the proposed approach, and the techniques to be used. A determination will also be made as to the RESPONDENT'S understanding of the project purpose and goals as presented in the RFP. Evaluation will be based on the data presented in the RESPONDENT'S proposal, and the approach and allocation of time on specific tasks. RESPONDENTS should feel free to suggest other requirements and problems that may have been overlooked.

5.3. Cost Proposal (50%)

Points for cost will be assigned by the procurement officer and will not be subject to review by the evaluation committee. The lowest total cost proposal for the proposed services will receive the maximum points allowed and all other RESPONDENTS will be assigned points on a pro rata basis.

COST OF RESPONSES

All costs directly or indirectly related to preparation of a response to this RFP or any later presentations required to supplement and/or clarify the RFP response shall be the sole responsibility of and shall be borne by responders.

RESPONDER'S ACKNOWLEDGEMENT

By submitting a response to this RFP, each responder unequivocally acknowledges that the responder has read and fully understands this RFP, and that the responder has asked questions and received satisfactory answers from COGS regarding any provision of this RFP with regard to which the responder desired clarification. All written and electronic correspondence, printed material, exhibits, appendices, photographs, and reports submitted in response to all sections of this RFP process are, upon their receipt by CMCOG/COGS, the property of CMCOG and may not be returned.