



**UNIVERSITY OF
BALTIMORE**

Competitive Sealed Proposal

**Request For Proposals (RFP)
RFP UB-24-HR-3**

Catering and Food Services

[e-MMA Solicitation No. BPM039909]

WARNING: Prospective Proposers who have received this document from a source other than the Issuing Office are advised to contact the Issuing Office. This is a courtesy; the University does not take responsibility if any Prospective Proposer is not informed of communication issued under this RFP. It is the sole responsibility of any Prospective Proposer to visit the University's website for all documents relating to this RFP. Visit: <http://www.ubalt.edu/about-ub/offices-and-services/procurement/information-for-merchants/current-ub-solicitations.cfm>

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SOLICITATION SCHEDULE

Solicitation Issued Date:	September 19, 2023
Virtual Pre-Proposal Conference:	September 28, 2023 at 2:00 PM EDT
Vendor's Questions Due Date and Time:	October 9, 2023 at 3:00 PM EDT
Proposal Due Date and Time:	October 20, 2023 at 3:00 PM EDT

Note: Proposals are to be provided by the due date noted above. Proposals are to be submitted electronically as noted in this RFP.

SECTION I.

GENERAL INFORMATION

1.1 OBJECTIVE.

The University of Baltimore (herein called the “University” or “UBalt”) is soliciting proposals from multiple caterers and food suppliers to offer services and food-related products for diverse University events serving students, faculty, and staff, as required.

The RFP intends to establish multiple indefinite delivery and quantity contracts. This is not requirements contract, as such the University retains the right to procure catering, food service, and other related items from vendors other than the Contractor(s) awarded a contract(s) through this RFP, as and when required.

1.2 OVERVIEW OF THE UNIVERSITY OF BALTIMORE.

Established in 1925, the University of Baltimore is part of the University System of Maryland, one of the nation's largest. We offer career-oriented graduate, doctoral, and undergraduate programs in law, business, public affairs, and the applied arts and sciences, catering to working adults with flexible in-person, online, and hybrid options. Our commitment to excellence extends to our four schools/colleges: the School of Law, Merrick School of Business, Yale Gordon College of Arts and Sciences, and College of Public Affairs.

We serve a diverse and non-traditional student body, with 3,288 students in fall 2022, including 1,919 graduate students. Our 11-acre campus in midtown Baltimore near Penn Station houses eight main buildings and structured parking totaling 1 million square feet. UBalt, a non-residential campus, primarily serves older, working adults.

As a city-focused institution, we're dedicated to the community and positioned for the future of higher education. UBalt aims to be not just The University of Baltimore but also The University for Baltimore. Learn more at <http://www.ubalt.edu>.

Explore our campus map here <http://www.ubalt.edu/uploads/pdfs/campusmap.pdf>.

See UBalt’s hours of operation here http://www.ubalt.edu/campus-life/student_center/Operational%20Calendar.cfm

1.3 ISSUING OFFICE.

The Issuing Office shall be the sole point of contact with the University for purposes of the preparation and submittal of proposals in response to this solicitation.

Hanta Ralay
Associate Director of Procurement

University of Baltimore
Office of Procurement
1420 N. Charles Street, Baltimore, MD 21201
hralay@ubalt.edu

1.4 MINIMUM QUALIFICATIONS.

To qualify, all Proposers must hold an active food service operating license issued by the Baltimore City Health Department or from the jurisdiction in which the Proposer is located. **A copy the license must be included with the Proposer's Technical Proposal as proof of compliance with this requirement.**

1.5 QUESTIONS AND INQUIRIES.

Any questions or inquiries related to this procurement must be directed to the designated individual(s)/Procurement Officer referenced in the Issuing Office section above. Questions must be submitted in writing via the link provided below. Only written communications relative to the procurement shall be considered.

All questions will be addressed in writing through an addendum to the RFP. Both questions and answers, without disclosing the source of the inquiry, will be shared with all prospective Contractors who have received this RFP from the Procurement Officer.

Submitted inquiries that are not confirmed by the University may not have been received. It is the sole responsibility of potential Proposers to ensure inquiries are received.

If there are any discrepancies or uncertainties in the specifications or contract terms, Proposers are encouraged to seek clarification from the individual(s) referenced in the Issuing Office section above. Failure to do so before the due date will waive any claims related to later interpretations of the contract documents, and Proposers will be bound by the University's interpretation.

Please be aware that the University retains the discretion to decide whether or not to respond to questions received before or after the specified cutoff date for inquiries. All questions and inquiries must be submitted by the date mentioned in the RFP or as updated through an addendum.

All Questions must be sent via a Word attachment to the following link: [RFP Questions](#)

1.6 RFP REVISIONS OR AMENDMENTS TO THIS RFP.

The University reserves the right to amend this solicitation at any time prior to the proposal due date. If it does become necessary to amend any part of this solicitation, the Procurement Officer will furnish an amendment or addendum to all prospective Proposers listed by the University as having received a copy of the RFP. All amendments/addenda will be identified as such. If necessary, the proposal due date may be extended. **Proposers are required to acknowledge the receipt of all amendments, addenda, and clarifications issued. (Reference Appendix A, provided under a separate cover)**

1.7 VIRTUAL PRE-PROPOSAL CONFERENCE.

There will be a Virtual Pre-Proposal Conference held via Microsoft Teams in conjunction with the RFP. Attendance at the Virtual Pre-Proposal Conference is not mandatory.

If your firm is interested in attending the Virtual Pre-Proposal please click on this link [Pre-Proposal Conference Registration](#) to register for the Virtual Pre-Proposal Conference to be held on **September 28, 2023 at 2:00 PM EDT**. Below is the Microsoft Teams Meeting information:

Join on your computer, mobile app or room device

Meeting Link: [Click here to join the meeting](#)

Meeting ID: 274 344 902 127

Meeting Passcode: NyRsZj

Or call in (audio only)

Dial in Number: [+1 443-409-5287,,266006622#](#) United States, Baltimore

Phone Conference ID: 266 006 622#

While attendance at the Virtual Pre-Proposal Conference is not mandatory, information presented may be highly informative; therefore, all interested Proposers are encouraged to attend in order to be able to better prepare acceptable proposals. A list of the attendees will be shared via an addendum.

The Virtual Pre-Proposal Conference time is subject to change. Proposers are advised to visit the University's Procurement website daily for the most updated information.

SPECIAL ACCESS: Any attendees requiring special assistance in attending the Virtual Pre-Proposal Conference, should contact the Issuing Office within five (5) business days prior to the Pre-Proposal Conference date.

1.8 PRE-PROPOSAL MODIFICATION OR WITHDRAWAL OF OFFER.

Proposals may be modified or withdrawn by written notice received at the Issuing Office before the proposal due date and time.

1.9 CLOSING DATE.

Proposals must be submitted no later than **October 20, 2023 at 3:00 PM EDT**. Proposals in digital format, as well as transactions, and communication, in specified format, are permitted for this procurement. Proposals must be sent to the Issuing Office by the date and time noted in this RFP or as amended via an addendum. Attachments must not be zipped or compressed. Proposals, amendments to proposals, or requests for withdrawal of proposals arriving after the closing time and date shall not be considered. The names of Contractors will not be released until after award. At the University's sole discretion, the solicitation schedule may be modified.

1.10 NO PUBLIC OPENING OF PROPOSALS.

A public opening of technical and price proposals will not be held.

1.11 PUBLIC INFORMATION ACT NOTICE.

Contractors should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification why such materials, upon request, should not be disclosed by the State under the Access to Public Records Act, State Government Article, Title 10, Subtitle 6, Annotated Code of Maryland.

Contractors must clearly identify each and every section that is deemed to be confidential, proprietary or a trade secret (it is NOT sufficient to preface your proposal with a statement that the entire content is proprietary, or to use a page header or footer that arbitrarily marks all pages as confidential). Any individual section of the proposal that is not labeled as confidential with an accompanying statement concerning the rationale for its claimed confidentiality shall be considered public information.

1.12 PROCUREMENT METHOD.

This solicitation shall be conducted in accordance with the provisions of the University System of Maryland's (USM) Procurement Policies and Procedures. Specifically, the procurement method employed shall be Competitive Sealed Proposals.

1.13 ECONOMY OF PREPARATION.

Each proposal should be prepared simply and economically, providing a straightforward, concise description of the Contractor's offer and capabilities to satisfy the requirements of this RFP. Emphasis should be on completeness and clarity of content.

1.14 CONTRACT TERM.

The initial contract term will be for **twelve (12) months** from the date of contract award and, commencing on the date the contract is signed on behalf of the University or such later date as the University directs. The University reserves the right to renew the contract for up to **four (4) additional, separately exercisable, 12-month periods**, with the same contract terms and conditions at the pricing finalized at contract award.

The University reserves the unilateral right to renew the contract at the same basis of pricing, terms and conditions, on a month to month basis, or for several months, not to exceed twelve (12) months, from the end of the fourth renewal period.

1.15 PAYMENT SCHEDULE.

Payment will predominantly be on an open account basis, though occasional payment by credit card, at the University's option, is possible.

Payments to the Contractor pursuant to the contract shall be made no later than thirty (30) days after the University's receipt of a proper invoice from the Contractor. Charges for late payment of invoices, other than as prescribed by Title 15, Subtitle 1, of the State Finance and Procurement Article, Annotated Code of Maryland, or by the Public Service Commission of Maryland with respect to regulated public utilities as applicable, are prohibited.

1.16 CONTRACT ADMINISTRATION.

A system for contract administration shall be maintained to ensure Contractor conformance with the terms, conditions and specification of the contract and to ensure adequate and timely follow up.

1.17 CONFIDENTIALITY STATEMENT FOR CONTRACTORS.

The successful Proposer will be required to sign the Confidentiality Statement for Contractors. See Appendix C (provided under a separate cover) for the contractual confidentiality obligations.

1.18 ACCEPTANCE OF TERMS AND CONDITIONS.

By submitting a Proposal, a Proposer shall be deemed to have accepted the terms, conditions, and requirements set forth in this RFP. The RFP including all addenda in total shall be incorporated into the Contract by reference. Any exceptions to the terms and conditions shall be submitted as specified in the Response Requirements section of this Solicitation. Contract exceptions not provided in the format required under this RFP shall not be accepted nor be made part of any Contract, if awarded.

1.19 MINORITY BUSINESS ENTERPRISES (MBE).

An MBE goal is not required under this RFP.

Minority participation is important to UBalt and the State of Maryland. State-certified Minority Business Enterprises (MBE) are strongly encouraged to respond to this solicitation notice. If not certified by the Maryland Department of Transportation (MDOT), MBEs are encouraged to initiate certification as soon as possible. For more information on the State's MBE program or questions related to certification, please contact MDOT's Office of Minority Business Enterprise/Equal Opportunity, telephone 800-544-6056 or call direct 410-865-1269 or view the MDOT', website at: <https://www.mdot.maryland.gov/tso/pages/index.aspx?pageid=97>.

1.20 OFFER.

The Technical Proposal and/or Price Proposal, either individually or collectively, is considered by UBalt to be an Offer.

1.21 ALTERNATE SOLUTION PROPOSALS.

A Proposer may not submit an alternate solution to the approach depicted in the RFP.

1.22 MULTIPLE PROPOSALS.

A Proposer may only submit one proposal.

END OF SECTION I

SECTION II.

STATEMENT OF WORK

2.1. OVERVIEW AND SCOPE OF WORK.

The University seeks contracts with multiple caterers and food suppliers for various UBalt events involving students, faculty, and staff. This RFP aims to establish multiple indefinite delivery and quantity awards while preserving the option to procure catering and related items from other vendors as needed.

In this RFP, "catering" refers to the provision of food, beverages, table settings, and dining-related items. The primary goal is to secure Contractors for food and beverage supply.

Please note that the resulting contract(s) from this RFP will be classified as a "Supply Contract," not a "Service Contract" as defined by COMAR.

<https://dsd.maryland.gov/regulations/Pages/21.01.02.01.aspx>

(79) Services.

(a) "Services" means the rendering of time, effort, or work, rather than the furnishing of a specific physical product other than reports incidental to the required performance. It includes, but is not limited to, the professional, personal, and/or contractual services provided by attorneys, accountants, physicians, consultants, and other professionals who are independent Contractors.

(b) "Services" does not include maintenance, construction-related services, architectural services, engineering services, or energy performance contract services.

2.2. DINING SERVICE BACKGROUND.

The University does not have University owned residence halls or dormitories. Therefore, Contractor provided, on-campus foodservice is not economically viable. Instead, the University depends on contract vendors to provide catering services for meetings and events.

2.3. ANNUAL PURCHASES – FISCAL YEAR 2022.

In fiscal year 2022, UBalt spent around \$160,000 on about 125 catering transactions, with an inner-quartile average purchase was about \$400. While no guarantees are made and as the campus undergoes a physical reopening process, it's worth noting that pre-pandemic catering expenses were usually higher than the fiscal 2022 amounts.

Note: UBalt no holds exclusive pouring rights agreements, or contractual preference for beverage brands.

2.4. REQUIREMENTS.

Contractor must:

2.4.0 Provide catering and food for students, faculty, and staff at the University and provide catering for other groups holding events at the University.

2.4.1. Provide a copy of the most current Health Department license per section 1.4 Minimum Qualification above with their Technical Proposal. If a Contractor receives a warning from the Health Department or their license is revoked, the Contractor must promptly inform the UBalt Procurement Office in writing (email is acceptable) within fourteen (14) days of receiving the warning or license revocation.

2.4.2. Provide a menu or sample menu showcasing the catering items available. The menu or sample menu must be included with the Proposer's Technical Proposal.

2.4.3. Maintain comprehensive records of all transactions, including properly numbered orders and invoices, (which may be alpha numeric), along with order dates and the contact information (name, business email address, and phone number) of the designated UBalt contract person. Successful caterers awarded a contract as a result of this RFP are encouraged to verify the validity of orders by contacting UBalt Procurement Office before fulfilling an order.

2.4.4 Provide separate invoices and reports for any transactions involving alcoholic beverages as state funding is prohibited to pay for alcoholic beverages.

2.4.5. Deliver to the University, including inside delivery to specific rooms within UBalt buildings and UBalt leased spaces, at no additional or separate fee. In other words, the price provided must be inclusive of delivery.

UBalt Campus Map: <http://www.ubalt.edu/uploads/pdfs/campusmap.pdf>

A list of UBalt's buildings and their addresses is available at: <http://www.ubalt.edu/campus-building-hours.cfm>.

If a bonafide UBalt entity requests delivery to a location not listed on the UBalt Campus Map, the Contractor may impose a separate charge for delivery. However, this additional charge must be communicated and agreed upon in advance by both parties in writing.

At the request of a UBalt Department/Unit, the Contractor must be prepared to schedule and accommodate pick-up of food and/or supplies by the requestor.

2.4.6. Include allergy warnings where applicable. For individually packaged items that may cause allergic reactions, ensure each item is appropriately labeled with its allergen information.

2.4.7. If necessary and available, provide additional service at an additional cost to include, but not limited to, table and room decoration, choice of reusable or eco-friendly disposable flatware, plates, and related items, and other related items. However, this additional cost must be communicated and agreed upon in advance by both parties in writing.

2.4.8. Provide the cost of flatware (disposable or recyclable), plates (disposable or recyclable), napkins, and serving pieces, and other related items typically provided with catered food in the price proposal.

2.4.9. Provide periodic reports detailing items purchased, issued invoices, and payments. The reports will be required annually, with the possibilities of more frequent requests, typically not exceeding quarterly. Additionally, reports on exceptions or issues may be requested by the University at any time. The University reserves the right to audit the Contractor's records of orders and sales to the University.

2.4.10. Provide policy regarding customer complaint handling. This policy should outline a procedure for refunds in the event of unsatisfactory food. It should also address item substitutions, including the circumstances, methods, and reasons for making substitutions, along with whether advance notification or approval by the customer (UBalt) is required.

2.4.11. Include the name, contact information, and resume or curriculum vita of the Project Manager/Lead who will have prime responsibility and final authority for the work under the proposed contract.

2.4.12. Provide at least three (3) references from clients who are capable of documenting the Contractor's ability to provide the goods and services in this RFP that is similar in size and scope. Each reference shall be from a client from whom the Contractor has provided goods and services within the past five (5) years.

References for other institutions of higher education are desirable.

The University reserves the right to request additional references or utilize references not provided by the Contractor, reject a proposal based on an unsatisfactory reference, and arrange visits to reference sites for demonstrations. Furthermore, the University may serve as its own reference, using input from faculty, staff, and contract employees who have experience with the Contractor's catering services for UBalt.

2.4.13 When providing a quote to UBalt the price/quote shall be fully loaded or all-inclusive, but is not limited to, all: labor, profit/overhead, general operating expense, administrative, and all other expenses and costs necessary to perform the SOW set forth in the solicitation unless otherwise indicated. If labor rates are requested, those amounts shall be fully-loaded rates; no overtime amounts will be paid.

Desirable Contractor requirements:

2.4.13. Diverse food and beverage options required for various catering events (breakfast, lunch, dinner, receptions, etc.), including hot and cold foods, non-alcoholic beverages, appetizers, main courses, box lunches, continental breakfast, desserts, and snacks.

2.4.14. An online standard menu or readily available menu with accurate descriptions, which include portion sizes, serving suggestions, number of servings, and prices.

2.4.15. Student-friendly catering menus, considering budget restrictions of student organizations.

2.4.16. Caterer should take and fulfill orders within four (4) hours, with faster turnaround preferred.

2.4.17. Caterer to provide clean-up and removal of serving items within two (2) hours after an event.

- 2.4.18. Commitment to use environmentally preferable products and processes.
- 2.4.19. Preferably hire workers who live Baltimore City or Baltimore County.
- 2.4.20. Caterer to have a recruitment and training program for entry-level workers.
- 2.4.21. Online ordering system for UBalt groups/Departments to order food on an open account basis.
- 2.4.22. Caterer to offer a variety of ethnic foods and alternative options, including vegetarian, vegan, kosher, halal, gluten-free, locally sourced, etc.
- 2.4.23. Caterer to provide a variety of beverages, including alcoholic beverages.
- 2.4.24. Nutrition information made available for all menu items.
- 2.4.25. Delivery to off-campus locations within a 25-mile radius available at an additional charge.
- 2.4.26. Prior experience in catering for institutions of higher education in the last two (2) years preferred.

2.5. PRICE INCREASES.

The successful Contractor may request price increases each quarter (January, April, July, October) not exceeding 3% per quarter or 6% in any 12-month period, unless a written justification for pass-through costs increases is presented to the UBalt Procurement Officer thirty (30) days in advance for review and approval.

Menu items may be changed at the Contractor's discretion.

END OF SECTION II

SECTION III.

GENERAL SUBMISSION REQUIREMENTS

3.1. GENERAL REQUIREMENTS

Proposals are to be provided to the Issuing Office in accordance with the Solicitation Schedule. Submit Proposals using the following Team Dynamix link [Proposal Submission](#).

Proposal documents are to be submitted as an attachment in PDF format (no zipped files). Hyperlinks to software products sent to the Issuing Office that indicate that the Proposal is posted by the Proposer on an electronic site may be rejected or considered non-responsive if contract terms and conditions (i.e., a Click-Through Agreement) are required to be accepted by the University in order to download the Proposal. By providing the Proposal to the University electronically, the Proposer grants the University the unlimited right to generate additional electronic and/or paper copies for distribution for the purposes of review, evaluation and archive.

The University may deem a submission non-responsive if received after the due date and time. The date and time of the submission is time stamped by the Team Dynamix link portal and shall be the official date and time of submission to Procurement.

3.2 TWO VOLUME PROPOSAL:

The selection procedure for this procurement requires an independent evaluation of the Technical and Financial Proposals. That independence allows for unbiased evaluation of Technical Proposals on their technical merit only. Consequently, each proposal must be submitted as two separately sealed volumes as indicated below

3.3 VOLUME I – TECHNICAL PROPOSAL:

This volume should be prepared in a clear and concise manner with pages numbered. It should address all appropriate points of this RFP except the financial information.

SUBMIT ONE PDF TITLED: “YOUR FIRM NAME _ TECHNICAL PROPOSAL”

3.3.1 Transmittal Letter: Each proposal must include a transmittal letter, prepared on the Contractor's business stationery, which must be included in the Technical proposal. The purpose of this letter is to confirm that proposal is a bona fide offer, that the Proposer firm intends to enter into a contract with the University based on the terms and conditions in the RFP and the pricing terms and conditions in the Offeror's proposal, and to be bound to all statements, including services and prices, contained in the proposal. The letter should be brief and must be signed by an individual who is authorized to bind the Contractor to all statements, including services and prices, contained in the proposal. The transmittal letter should include

appropriate point of contact names, addresses, telephone numbers, and e-mail addresses.

3.3.2 Executive Summary: The technical volume should include a brief executive summary which acknowledges the requirements of the RFP and Contractor must complete the **Questionnaire Form in Appendix A.**

3.3.3 References: Complete the **Reference Form in Appendix A.**

Contractors must provide at least three (3) references. Cited references must be able to confirm, without reservation, the Contractor's ability to provide the goods and services specified in this solicitation. Each reference shall be from a client for whom the Offeror has provided goods and services within the past five (5) years.

References should be from firms that are at least the size of the University of Baltimore. References for other institutions of higher education are desirable.

The University reserves the right to take any or all of the following actions: to reject a proposal based on an unsatisfactory reference, to contact any person or persons associated with the referenced site, to request additional references or contact any known organization using the services supplied by the Contractor or the Contractor's subcontractors, to contact independent consulting firms for additional information about the Contractor or the Contractor's subcontractors, and to have members of the Evaluation Committee visit any or all of the reference sites for demonstrations. The University may act as its own reference based on past procurements or other associations with the Proposer.

3.3.4 Resume or Curriculum Vita

Contractor must provide the following information:

Project Manager(s)/Lead: State the name(s), title or position, telephone number(s), and email addresses of the individual(s) who would have primary responsibility and final authority for the work under the proposed contract for the projects resulting from the RFP. Name any other individuals proposed to provide service under the contract. Provide a resume or curriculum vita for the Project Manager(s)/Lead.

3.3.5 Company Profile: Complete the **Company Profile Form in Appendix A.**

3.3.6 Other Requirements and Forms to include with Technical Proposal.

- **Per section 1.4 Minimum Qualifications.** A copy of your firm's active food service operating license issued by the Baltimore City Health Department or from the jurisdiction in which the Proposer is located. A copy the license must be included with the Proposer's Technical Proposal as proof of compliance with this requirement.

- **Per section 2.4.2. Provide a sample menu of items available for catering.**
- **Acknowledgement of Receipt of Addenda Form (see Appendix A).**
If any addenda to the RFP documents are issued prior to the due date and time for Proposals, this form must be completed, signed, and included in the Proposer's Technical Proposal.
- **Bid Proposal Affidavit Form (see Appendix A).**
Complete and sign the Proposal Affidavit and enclose with the Technical Proposal.
- **Conflict of Interest Affidavit and Disclosure Form (see Appendix A).**
- **Acknowledgement of Review of Contract Statement.**
The University Contract for this Procurement will contain the provisions in Appendix C as well as any additional terms required by the University. By submitting a Proposal, the Proposer warrants that they have reviewed Appendix C and will execute a contract: a) in substantially the same form; and b) with these terms and conditions. The University will issue a purchase order in its financial system for accounting purposes only.

Proposers are to include a statement that the University’s Contract terms and condition were reviewed and accepted.

Any exceptions to the Contract or terms and conditions are to be addressed and provided in this section of the Proposer’s proposal/submission.

3.4 VOLUME II – FINANCIAL PROPOSAL:

This volume consists of and must contain the following the **Price Proposal Form** provided in **Appendix B**.

SUBMIT FILE TITLED: “YOUR FIRM NAME_ FINANCIAL PROPOSAL”

3.4.1 Price Proposal Section: The financial proposal shall provide prices that will be used to evaluate price competitiveness of each offer.

Not all Proposers will be able to provide a quote for all items. If your proposal is limited in scope (for example, if you are only offering pizza or deserts) please add a comment in the Comments section provided in the Price Proposal Form to specify the limitations of your offer.

The Price Proposal Form must be signed by an individual authorized to bind the Contractor and must include the Contractor's name, typed or written legibly.

3.4.2 Proposals are required to be executed as follows, depending on the Proposer's form of business organization:

- Sole Proprietorship - signed by proprietor with full name and address.
- Partnership and Joint Venture -If a proposal is submitted by a partnership (including a joint venture), it must be submitted in the partnership name. The partnership name and the identity of each general partner must be made clear and all affidavits and certificates must be executed on behalf of the partnership or on behalf of each general partner. No provision of any agreement among partners will be binding on the University unless it is disclosed in the proposal. Reasonable evidence satisfactory to the University of the authority of one partner to bind other purported partners also must be given in the proposal. It is recommended that the proposal contain a copy of the partnership agreement, if one exists. If no partnership agreement exists and if the number of general partners is reasonably small, each general partner should execute all required documents included in the proposal. At the University's option, all general partners may be required to sign the proposal. Failure to present the University with satisfactory information concerning a purported partnership may be grounds for finding a proposal unacceptable.
- Corporation - An officer or authorized agent of the corporation shall sign his/her full name, indicate his/her title and include the name and address of the corporation. In the case of an authorized agent, a letter from an officer of the corporation authorizing said individual to act on behalf of the corporation may be required. If the Procurement officer requires such a letter, the Proposer must promptly provide the letter.

SECTION III EVALUATION PROCESS

INITIAL TECHNICAL EVALUATION AND SELECTION PROCESS

3.1 Evaluation Committee

All Proposals received by the closing deadline will be evaluated. The Procurement Officer shall establish an Evaluation Committee to review and rate the proposals. The Committee may request additional technical assistance from any source within the State.

3.2 Classification of Proposals

The Procurement Officer shall review each proposal for compliance with all necessary specifications and requirements of this RFP. Failure to comply with any specification or requirement will normally disqualify a firm's proposal. The term, "qualified firm" includes only those responsible firms that submitted proposals initially classified by the Procurement Officer as reasonably susceptible of being selected for award. The term does not include those firms that submitted proposals not reasonably susceptible of being selected for award or that are not deemed responsible.

The Procurement Officer shall have the sole authority to determine whether any deviation from the requirements of this RFP is substantial in nature. The Procurement Officer may waive or permit to be cured minor irregularities in a proposal, which are immaterial or inconsequential in nature whenever it is determined to be in the University's best interest.

3.3 Evaluation and Recommendation

The evaluation shall be based on the evaluation factors set forth in the RFP. Technical Proposals and Financial Proposals shall be evaluated independently of each other. **Firms are advised that for purposes of evaluation, technical merit is of greater importance than financial merit.** Based on its evaluation of the technical and financial proposals, the Evaluation Committee will make a recommendation to the procurement officer for the award of the contracts to the responsible Proposers whose proposal are determined to be the most advantageous to the University, considering both technical and financial factors as set forth in the RFP.

3.4 Technical Evaluation Criteria

The evaluation of proposals will be made from the criteria as listed below. The criteria for the proposal evaluation are listed below in descending order of importance. Please see Section III, Article I for submission of information required in Firm's proposals. Technical considerations are of greater importance than the financial considerations.

1. Questionnaire Form

2. References/Firms Experience Form
3. Company Profile/Background Information Form

Proposals cannot be modified, supplemented, or changed in any way after the due date and time for proposals, unless specifically requested by the University.

3.6 Oral Presentations

Offerors may be required to make an oral presentation of their offer in order to clarify their proposals. If the University feels that such a presentation is needed, the Issuing Office will schedule a time and place for oral presentation. Each Contractor should be prepared to discuss and substantiate any of the areas of the proposal submitted, as well as its own qualifications to furnish the specified products and services.

Contractors are to submit a complete and comprehensive response to this solicitation and should not rely on the possibility of oral presentations for a further opportunity to present information requested in this RFP.

SECTION III

PRICE PROPOSALS AND FINAL EVALUATION PROCESS

3.1 Price Evaluation

Price Proposals will not be opened publicly.

The University may elect to request Best & Final Price Proposal(s).

The University will establish a financial ranking of the proposals from lowest to highest total offers.

Discussions. The University reserves the right to recommend an Offeror for contract award based upon the Offeror's technical proposal and price proposal without further discussion. However, should the Committee find that further discussion would benefit the University and the State, the Committee shall recommend such discussions to the Procurement Officer. Should the Procurement Officer determine that further discussion would be in the best interest of the University and the State, the Procurement Officer shall establish procedures and schedules for conducting discussions and will notify responsible Offerors.

3.2 Best and Final Offers. When in the best interest of the University and the State, the Committee may recommend and the Procurement Officer may permit qualified Offerors to revise their proposals by submitting "Best and Final" offers.

3.3 Final Ranking and Selection

Following evaluation of the Technical Proposals and the price proposals, the Evaluation and Selection Committee will make an initial overall ranking of the proposals and recommend to the Procurement Officer the award of the contract to the responsible Offeror whose proposal is determined to be the most advantageous to the University and the State of Maryland based on the results of the final technical and financial evaluation in accordance with the University System of Maryland Procurement Policies and Procedures. Technical merit will have a greater weight than financial in the final ranking.

Award may be made to the proposal with a higher technical ranking even if its cost proposal is not the lowest. The decision of the award of the contract will be made at the discretion of the Procurement Officer and will depend on the facts and circumstances of the procurement. The Procurement Officer retains the discretion to examine all factors to determine the award of the contract. The goal is to contract with Contractors that provide the best overall value to the University. The University reserves the right to make multiple contract awards.

The University may select one or more Contractors to further engage in negotiations, including terms of a contract and other issues to be incorporated into the contract. The University reserves the right to make an award with or without negotiations.

- 3.4 Negotiations.** The University may select for award one or more Proposer(s) to negotiate the terms and conditions of the Contract. The University reserves the right to make an award with or without negotiation. In the event negotiations between the selected Contractor and the University fail to mutually agree on any terms and conditions, the University may rescind the award and conduct negotiations with the 2nd highest ranked firm/Contractor. Additionally, if the Contractor fails to actively pursue the finalization and execution of the Contract, the University may rescind the Contract, at any time prior to the full execution of the Contract.

END OF SECTION III