



REQUEST FOR PROPOSALS
for
NICOTINE TAX COLLECTION AND ADMINISTRATION

Proposals Due:

October 14, 2019 by 5 p.m. MST

Overview

Summit County Government (“County”) is soliciting bids from qualified contractors to provide services for the following collection, administration and distribution of a local nicotine tax.

The award of this project is contingent on a countywide nicotine sales tax referendum being passed within Summit County, Colorado. If approved, this sales tax would be effective 1.1.2020. It is necessary to begin the RFP process to select a sales tax collection and compliance vendor at this time to meet the 1.1.2020 effective date.

Copies of the request are available at www.SummitCountyCO.gov under ‘Bids & Proposals’ or by request at the County Finance Department. Contact Martina Ferris, Finance Director for additional project information at martina.ferris@summitcountyco.gov or 970-453-3434.

Scope of Services

Contractor shall furnish all labor, transportation, and incidentals necessary to perform the sales tax administration services.

Work shall be completed as set forth in a contract for this project to be negotiated with the County based upon the contractor’s written proposal.

Indemnification and Insurance

Contractor shall indemnify and hold harmless the County from and against all claims, damages, losses, and expenses arising out of or resulting from acts or omissions of the Contractor, Contractor’s sub-contractors or otherwise arising out of the performance of services by Contractor. No later than seven (7) days following the execution of an Independent Contractor Agreement between the County and Contractor, the Contractor shall provide the County with certificates of insurance evidencing the types and amounts of insurance specified below:

- Standard Workers’ Compensation as required by law in the State of Colorado; and
- Comprehensive General Liability Insurance for operations and contractual liability adequate to cover the liability assumed hereunder with limits of not less than \$400,000 on account of any one person and \$1.2 Million for each occurrence of property damage and personal injury; and
- Automobile Liability insurance in those instances where Contractor uses an automobile, regardless of ownership, for the performance of the Services. Contractor shall carry insurance, written on the comprehensive automobile form insuring all owned and non-owned automobiles with limits of not less than \$400,000 (bodily injury per person), \$400,000 (each accident) and \$400,000 (property damage).

Insurance coverage shall not be reduced below the limits described above or cancelled without the County’s written approval of such reduction or cancellation. Certificates of such insurance, of agents and subcontractors, shall be provided to the County upon request. With regard to all insurance, such insurance shall:

- Be primary insurance to the full limits of liability herein before stated and, should County have other valid insurance, County insurance shall be excess insurance only; and
- Not cancelled without thirty (30) days prior written notice to the County.

Proposal Format

Costs for performing services outlined in this request for proposals shall be clearly stated to allow the County to effectively evaluate each proposal.

Refinements and Improvements

Applicants should feel free during the proposal submission process to provide any suggestions or comments that might be advantageous for the County to consider in terms of any efficiencies, issues or processes. The County is not committed to any single scenario, but efficiency of resources and minimizing impacts are critical in completing this work.

The following pages contain the RFP instructions and owners requirements.

Part I - ADMINISTRATIVE INFORMATION

A. Issuing Officer

This Request for Proposals (“RFP”) is issued by the Summit County Finance Department. For questions, please contact Martina Ferris, Finance Director at martina.ferris@summitcountyco.gov or call 970-453-3434.

B. Purpose

This RFP provides prospective contractors with sufficient information to prepare and submit proposals for consideration by the County. To be considered responsive, each proposal must provide for completion of the tasks outlined in the RFP.

C. Scope

This RFP contains the instructions governing the proposals to be submitted and the materials to be included therein. These are mandatory requirements that must be met to be eligible for consideration.

D. Scheduling

Proposals must be submitted via email to martina.ferris@summitcountyco.gov to the Finance Department by **November 8** no later than **5 p.m. MST**. The proposal should outline the schedule for commencement of service.

E. Inquiries and Questions

Prospective applicants are welcome to make inquiries and ask questions concerning the RFP to obtain clarification of the any requirements or schedule a site visit to the properties. Direct all inquiries to:

Martina Ferris, Finance Director
Finance Department
Martina.ferris@summitcountyco.gov
970-453-3434

Time Schedule:

Monday, September 16, 2019 Request for Proposals publicly advertised and posted on County website

Monday, September 30, 2019 Deadline for all Questions

Monday, October 7, 2019 All Questions, Comments and Responses to Questions posted by the County at Bids and Proposals on www.SummitCountyCO.gov

Monday, October 14, 2019 **Proposals must be submitted via email to martina.ferris@summitcountyco.gov no later than 5:00 p.m. MST.**

Tuesday, October 15, 2019 Official Bid Opening at 9:00 a.m.

Monday, October 21, 2019 Interview with short-listed Proposers if necessary

Monday, October 28, 2019 Contract negotiations (week of)

Thursday, November 7, 2019 Notice of Award and send Unsuccessful Bidder letter (email) to all proposers

F. Instructions for Submission of Proposals

It is imperative, when submitting a proposal, that the outside of the submission email be addressed as follows and with appropriate text in the email subject line and text in the top few lines of the body of the email:

Email Address:

Martina.ferris@summitcountyco.gov

Subject Line Text:

Vendor's Name - Proposal for Nicotine Tax Collection and Administration

Body Text:

ATTN: Martina Ferris, Finance Director, Finance Department

Proposal for: Nicotine Tax Collection and Administration

1. Contractor's company name
2. Contact name and phone number

G. Late Proposals

It is the responsibility of each vendor submitting a proposal to ensure that emailed proposals arrive to the Finance Department by 5 p.m. MST on October 14.

H. Proprietary Information

Any restrictions on the use of data contained within a proposal must be clearly stated in the proposal itself.

I. Response Material Ownership

All materials submitted regarding this RFP become the property of the County and will only be returned at the County's option.

J. Incurring Costs

The County is not liable for any costs incurred by those who have submitted proposals prior to issuance of a signed contract.

K. Acceptance of Proposal Content

The contents from the selected contractor's proposal will become contractual obligations if a subsequent agreement is reached. Failure of the successful contractor to accept these obligations may result in cancellation of the award and such contractor may be removed from future solicitations.

L. Acceptance Time

The County intends to make a proposal selection within 60 business days after the closing date for receipt of proposals.

M. Budget

Costs for performing services must be included in the proposals and should be clearly stated to allow the County to effectively evaluate each proposal.

PART II – PROPOSAL CONTENT

The proposal submitted must clearly address the requirements outlined in the RFP. Any concerns that the contractor may have about meeting these requirements shall be specifically identified in the proposal.

Scope of Work

Provide an outline of the contractor’s understanding of the project. Summarize the basic approach to providing the services, and any recommendations on improving efficiencies in the process.

Qualifications

Contractor shall furnish a summary of experience on similar projects and be prepared to provide examples. Include a brief description of past and current projects. Each summary shall include a brief project description and name, address and phone number of a local contact person involved in the project. The statement of qualifications should also provide a summary of contractor's ability to successfully complete the requirements of this RFP. The statement of qualification shall be brief but shall include at a minimum the following:

1. Description of similar projects
2. Capabilities (including equipment) and staff

PART III – PROPOSAL EVALUATION AND SELECTION

The County intends to engage the most qualified contractor available for this assignment while minimizing the costs to the County. Responsiveness to the RFP will be a principle basis for evaluation. Proposals shall provide a straightforward and concise presentation adequate to satisfy the requirements of the RFP. The proposal should clearly express the contractor's understanding of the County's specific requirements, indicating the contractor's qualifications to conduct this service in a thorough and efficient manner.

Failure to disclose a conflict of interest is a misdemeanor criminal offense under Colorado Law. Such conflict may arise if any public official exercises any substantial discretionary function in connection with a government contract, purchase, payment or other pecuniary transaction without necessary disclosures as defined by Colorado Revised Statutes (C.R.S.) Section 18-8-308 as amended.

Selection Process.

1. The County reserves the right to reject any and all proposals, to consider alternatives, to waive irregularities and to re-solicit proposals.
2. The County reserves the right to conduct such investigations of, and discussions with, those who have submitted proposals (“Proponents”) or other entities as it deems necessary to assist in the evaluation of any proposal or to secure maximum clarification and completeness of any proposal.

3. All proposals submitted must be valid for a minimum period of ninety (90) days after the date of the proposal opening. Each Proponent must submit with the proposal a list of all subcontractors, independent contractors or sub-consultants employed or proposed to be employed by the Proponent in the performance of the contract.
4. Selection of a contractor will be made at the sole discretion of the County. The County may consider the following criteria when evaluating proposals that includes but is not limited to:
 - a. Cost;
 - b. The reputation, experience and efficiency of the Proponent;
 - c. The ability of the Proponent to perform the contract or provide the goods and services within the time specified;
 - d. The comparative quality of the goods and services bid;
 - e. The Proponent's performance under previous contracts with Summit County;
 - f. The number and scope of conditions attached to the proposal;
 - g. The Proponent's interest in the project, as well as their understanding of the project scope and the specific requirements of Summit County; and
 - h. The application of all of the above criteria to any sub-consultants, subcontractors or products to be utilized by the Proponent.
5. Contract negotiations will take place with the most qualified contractor. The County reserves the right to incorporate specific contract provisions into the Proponent's standard contract if the County's standard contract cannot be used. Such provisions include but are not limited to insurance and indemnification provisions and governmental immunity provisions. If a contract cannot be negotiated, the negotiations will be terminated in writing and negotiations will begin with the next most qualified contractor.

EXHIBIT A – STATEMENT OF WORK

Identify all vendors in Summit County who sell cigarettes and other tobacco products.

Collect all nicotine taxes from vendors on a monthly basis. This will include taxes, penalties and interests. This will be done online through the proposing vendor's software.

Send notices to taxpayers for failure to file tax return and payment. This will include an initial notice when 10 days late, a second notice when 30 days late, and a final written notice when 60 days late. Then, vendor will work with County Finance Department and County Attorney's Office on further enforcement.

Work with County on education and outreach to Summit County vendors.

Have a call center for taxpayers to call to get assistance with tax filings and to answer questions the taxpayer may have.

Split tax payments up by jurisdiction in Summit County and pay each jurisdiction separately.

Send monthly reports of all activity to County Finance Department. Send each town reports of their collections by vendor.

Compliance Provide compliance monitoring services to the County and Towns – this may be limited to notification of non-compliance to each jurisdiction with enforcement by the jurisdiction.

Discuss with County on appropriate set up of bank account – collections and disbursements.