

## **Request for Proposal**

### **Health and Safety Professional Trainer RFP**

Procurement Services  
University of Wyoming  
Laramie, Wyoming 82071



PROPOSAL DUE: December 7, 2009  
2:00 P.M. MST

## **SECTION I**

### **UNIVERSITY OVERVIEW**

#### University of Wyoming Background

The University of Wyoming is the only baccalaureate and graduate degree granting school in a state of nearly one-half million people. The University is dedicated to providing quality instruction to students, conducting valuable research programs, and serving Wyoming through a wide variety of educational and cultural programs. The University has more than 2,800 benefited faculty and staff dedicated to educating more than 13,000 students. Approximately 180 undergraduate, graduate, and professional programs of study are offered with seven colleges: Agriculture, Arts and Sciences, Business, Education, Engineering, Health Sciences, and Law. The main campus is located in Laramie, but extends learning opportunities through a variety of credit and non-credit outreach programs, including the UW/Casper College Center and classes offered through Wyoming's seven community colleges. Additional information regarding the University of Wyoming is available at <http://www.uwyo.edu>.

## **SECTION II**

### **ADMINISTRATIVE INFORMATION**

- A. **ISSUING OFFICE:** This Request for Proposal (RFP) is issued for the University of Wyoming by Procurement Services.
- B. **INVITATION TO SUBMIT PROPOSALS:** The University of Wyoming is hereby contacting prospective Offerors whom the University deems potentially qualified to meet its needs.
- C. **PURPOSE:** This RFP provides prospective Offerors with sufficient information to enable them to prepare and submit proposals for consideration by the evaluation team to satisfy the University's needs for a Health and Safety Professional Trainer.
- D. **SCOPE:** This RFP contains the instructions governing the proposal and the material to be included herein; mandatory requirements which must be met to be eligible for consideration; and other requirements to be met by each proposal.

## E. SCHEDULE OF ACTIVITIES

	Activity	Date	Time (Mountain Daylight Time)
1.	RFP e-mailed to potential and interested retail providers.	UPON REQUEST	12:00 P.M.
2.	Last day to submit questions concerning the RFP.	12/2/2009	2:00 P.M.
3.	Proposals due (one electronic copy and two hard-copies each in a separate three-ring binder).	12/7/2009	2:00 P.M.

- F. **INQUIRIES:** Prospective Offerors may make inquiries concerning this RFP to obtain clarification of requirements. Send inquiries to the attention of:

**Greg Livingston**  
**Assistant Manager, Procurement Services**  
**Dept. 3605**  
**1000 E. University Avenue**  
**Laramie, WY 82071-3605**

**E-mail: [libbie@uwyo.edu](mailto:libbie@uwyo.edu)**  
**Voice: 307-766-5718**  
**Fax: 307-766-2800**

Please include the following reference on the face of your envelope or as the subject of your e-mail:

Health and Safety Professional Trainer RFP

Response to any Offeror's inquiries will be made in writing by Procurement Services in a timely manner to all prospective Offerors. Any oral interpretations or clarifications of this RFP shall not be relied upon. All changes to this RFP must be in writing to be valid.

- G. **MODIFICATION OR WITHDRAWAL OF PROPOSALS:** Proposals may be modified or withdrawn by the Offeror prior to the established due date and time.

- H. PROPOSAL SUBMISSION: Responses should be submitted via email in Microsoft Word format or other electronic media agreeable by the University. Electronic versions are mandatory. The e-mail and two (2) original signed copy responses will be accepted up to but no later than **December 7, 2009, 2:00 P.M. MST**. Late responses will not be accepted. The e-mail responses should be forwarded to the following e-mail address. The proposals will be opened and the names of the proposers will be read aloud.

[libbie@uwyo.edu](mailto:libbie@uwyo.edu)

The proposal package, if sent via the U.S. Postal Service, shall be sent to:

**University of Wyoming  
Procurement Services  
1000 E. University, Dept. 3605  
Laramie, WY 82071**

If sent via any other carrier, please send to:

**University of Wyoming  
Procurement Services  
16<sup>th</sup> and Gibbon  
Laramie, WY 82071**

It is the responsibility of the Offeror to ensure that the proposal is received by the University of Wyoming Procurement Services on or before the proposal submission deadline. Offerors mailing RFP copies are advised to allow sufficient mail delivery time to ensure receipt by the time specified.

Proposals must be submitted and sealed in a package showing the following information on the envelope.

***OFFEROR'S NAME***  
**Health and Safety Professional Trainer RFP**  
December 7, 2009, 2:00 P.M. MST

The University of Wyoming Form of Proposal **MUST** be signed in ink by the Offeror or an officer of the Offeror who is legally authorized to bind the Offeror to the proposal. Proposals which are determined to be at a variance with this requirement may not be accepted.

- I. ADDENDUM OR SUPPLEMENT TO REQUEST FOR PROPOSAL: In the event that it becomes necessary to revise any part of this RFP, an addendum will be mailed (and/or faxed/e-mailed if deemed appropriate) to each Offeror who received or requested the original RFP. It is the responsibility of Offerors, prior to bid date,

to inquire as to addenda issued and to ensure their bid reflects any and all changes. Procurement Services will maintain a register of holders of this RFP. Any party receiving this RFP in a fashion other than by receipt from Procurement Services should inform Procurement Services of its interest to ensure receipt of any addenda. All addenda must be acknowledged on the Form of Proposal page and copies of the signed addenda must be included in the offeror's proposal.

- J. ACCEPTANCE OF RFP TERMS: A proposal submitted in response to this RFP shall constitute a binding offer. Acknowledgment of this condition shall be indicated by the signature of the Offeror or an officer of the Offeror legally authorized to execute contractual obligations. A submission in response to this RFP acknowledges acceptance by the Offeror of all terms and conditions including compensation, as set forth herein. An Offeror shall identify clearly and thoroughly any variations between its proposal and the University's RFP. Failure to do so shall be deemed a waiver of any rights to subsequently modify the terms of performance.
- K. CONFIDENTIAL/PROPRIETARY INFORMATION: Any restrictions on the use or inspection of material contained within the proposal shall be clearly stated in the proposal itself. Written requests for confidentiality shall be submitted by the Offeror with the proposal. The Offeror must state specifically what elements of the proposal are to be considered confidential/proprietary. Confidential/proprietary information must be readily identified, marked, and separately packaged from the rest of the proposal. Co-mingling of confidential/proprietary and other information is NOT acceptable. Neither a proposal in its entirety, nor proposal price information will be considered confidential/proprietary. Any information that will be included in any resulting contract cannot be considered confidential. Procurement Services will make a written determination as to the apparent validity of any request for confidentiality. The written decision of Procurement Services will be sent to the Offeror as required.
- L. RFP RESPONSE MATERIAL OWNERSHIP: All material submitted regarding this RFP becomes the property of the University of Wyoming. Proposals may be reviewed by any person after a contract has been issued, subject to the terms of law. The University of Wyoming has the right to use any or all information/material presented in reply to the RFP, subject to limitations outlined in Proprietary/Confidential Information. Disqualification of an Offeror, or submission of an unsuccessful proposal, does not eliminate this right.
- M. SELECTION OF PROPOSAL: Upon review and approval of the evaluation committee's recommendation for award, Procurement Services will issue a "Notice of Intent to Make an Award" letter to the apparent successful Offeror.
- N. ACCEPTANCE OF PROPOSAL CONTENT: The contents of the proposal (including persons specified to implement the project) of the successful Offeror will become contractual obligations if acquisition action ensues. Failure of the

successful Offeror to accept these obligations in a contract may result in cancellation of the award and such Offeror may be removed from future solicitations. The award will be made to that Offeror whose proposal, conforming to the RFP; will be the most advantageous to the University of Wyoming. The University does not forfeit its sovereign immunity through the execution of the contract.

- O. STANDARD CONTRACT: The University of Wyoming reserves the right to incorporate standard UW contract provisions (Special Provisions) and other provisions noted in this RFP into any contract resulting from this RFP.
- P. RFP CANCELLATION: The University reserves the right to cancel this Request for Proposal at any time, without penalty.
- Q. INCURRING COSTS: The University of Wyoming is not liable for any cost incurred by Offerors prior to issuance of a legally executed contract. No property interest, of any nature, shall accrue until a contract is awarded and signed by all concerned parties.
- R. MINORITY PARTICIPATION: It is the University's goal to maximize participation of minorities in the procurement process. Accordingly, minority enterprises are to be utilized when possible. By the submission of a proposal the Offeror shall agree to utilize the maximum amount of minority business firms that the Offeror finds to be consistent with the efficient performance of any resulting contract.
- S. EQUAL EMPLOYMENT OPPORTUNITY/DIVERSITY (Affirmative Action) Program  
The University is committed to equal opportunity for all persons in all facets of the University's operation. The University's policy has been, and will continue to be, one of nondiscrimination, offering equal opportunity to all employees and applicants for employment on the basis of their demonstrated ability and competence without regard to such matters as race, color, religion, sex, national origin, disability, age, veteran status, sexual orientation or political belief. It shall also be the policy of the University to utilize an affirmative action approach in the recruiting, hiring and promotion of women, people of color and other persons from designated groups covered by federal statutes, executive orders and implementing regulations in order to achieve a diverse workforce and student body.
- T. REJECTION OF PROPOSALS: The University of Wyoming reserves the right to reject any or all proposals and to waive informalities and minor irregularities in proposals received, by the specific bid opening time and date, and to accept any portion of a proposal or all items proposed if deemed in the best interest of the University of Wyoming.
- U. PARENT COMPANY: If an Offeror is owned or controlled by a parent company, the parent company name, main office address, and parent company's tax identification number shall be provided in the proposal.

V. NEWS RELEASES: News releases pertaining to this RFP shall NOT be made prior to execution of the contract without prior written approval by the University.

W. CERTIFICATION OF INDEPENDENT PRICE DETERMINATION:

1. By submission of this proposal, each Offeror, and in the case of a joint proposal, each party thereto, certifies as to its own organization, that, in connection with this procurement:

- a. The prices in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Offeror or with any competitor;
- b. Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed by the Offeror and will not knowingly be disclosed by the Offeror prior to opening, directly or indirectly, to any other Offeror or to any competitor; and
- c. No attempt has been made or will be made by the Offeror to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.

2. Each person signing the Form of Bid form of this proposal certifies that:

- a. He/She is the person in the Offeror's organization responsible within that organization for the decision as to the prices being offered herein and that he has not participated, and will not participate, in any action contrary to (1 a) through (1 c) above; or
- b. He/She is not the person in the Offeror's organization responsible within that organization for the decision as to the prices being offered herein but that he has been authorized in writing to act as agent for the persons responsible for such decision in certifying that such persons have not participated, and will not participate, in any action contrary to (1 a) through (1 c) above, and as their agent does hereby so certify; and he has not participated, and will not participate, in any action contrary to (1 a) through (1 c) above.

3. A proposal will not be considered for award where (1 a), (1 c), or (2) above has been deleted or modified. Where (1 b) above has been deleted or modified, the proposal will not be considered for award unless the Offeror furnishes with the proposal a signed statement which sets forth in detail the circumstances of the disclosure and the head of the agency, or his designee,

determines that such disclosure was not made for the purpose of restricting competition.

- Y. CONFLICTS OF INTEREST: The holding of public office or employment is a public trust. A public officer or employee whose conduct departs from his fiduciary duty is liable for his or her actions.
- Z. TAXES: The University of Wyoming, as purchaser, is exempt from all federal excise taxes and from all State of Wyoming sales tax.
- AA. ASSIGNMENT: Neither party to any resulting contract may assign any portion of the agreement without the prior written consent of the other party.
- BB. AVAILABILITY OF FUNDS: Financial obligations of the University payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available. In the event funds are not appropriated, any resulting contract will become null and void, without penalty to the University of Wyoming.
- CC. BID BONDS/SECURITY: Not required for this proposal.
- DD. CONTRACTOR'S PERFORMANCE BOND: Not required for this proposal.
- EE. INSURANCE: General liability including property damage or bodily injury; automobile with owned, non-owned and hired liability with minimum limits of \$1,000,000 single combined and worker's compensation are carried by the Seller. Certificates will be delivered, prior to commencement of the contract, to the Director of Risk Management, Dept. 3413, 1000 E. University, Laramie, WY 82071.
- FF. INDEMNIFICATION: To the extent authorized by law, the contractor shall indemnify, save and hold harmless the University, its employees and agents, against any and all claims, damages, liability, and court awards including costs, expenses, and attorney fees incurred as a result of any act or omission by the contractor or its employees, agents, subcontractors, or assignees pursuant to the terms of the contract resulting from this RFP.
- GG. WYOMING STATE PREFERENCE: Pursuant to the Trustee Regulation, preference shall be allowed in the purchase of materials, supplies, equipment, machinery, or provisions provided by bona fide Wyoming residents when such materials, supplies, equipment, machinery or provisions are of quality equal to those offered by an out-of-state vendor. Such preference shall be five percent (5%). (Trustee Regulations, Chapter X, Section 3, Purchases) However, preferences shall not be given in violation of any Federal law, rule, or regulation. Whenever Federal laws are applicable, Federal laws shall supersede any State laws.

HH. EVALUATION CRITERIA: Proposals will be considered from firms with a demonstrated history of successfully providing service similar to what we are requesting. The contract will be awarded to the proposer who most completely meets the University's needs. University personnel will evaluate all proposals submitted in response to this RFP. Proposals will be evaluated using the following criteria:

1. Responsiveness of the proposal in stating a clear understanding of the requirements. Failure to respond to all items may be grounds for rejecting the proposal.
2. Completeness of a step-by-step plan for implementing service. Demonstration that the Offeror is qualified to carry out the work which is the subject of this RFP.
3. The amount bid to carry out the work will be taken into consideration once it is determined which firms are qualified)

II. Termination provisions will be negotiated at time of contract with the successful offeror.

### **Scope of Work**

The University of Wyoming is soliciting proposals from qualified firms/individuals interested in providing services for a Health and Safety Professional Trainer for Manufacturing-Works, an entity of the Office of Research and Economic Development.

Manufacturing-Works is a professional/technical outreach program of the University of Wyoming specifically organized to assist manufacturers. Founded in 1995 as MAMTC, part of a four state Manufacturing Extension Partnership (MEP) program, M-W was restructured from MAMTC in 2005 to serve Wyoming specifically. Funded in part by the National Institute of Standards (NIST) as a Manufacturing Extension Partnership program, the Wyoming Business Council and the University of Wyoming, Manufacturing-Works delivers solutions for creating wealth to the technology and manufacturing companies of Wyoming, primarily through proven approaches in the fields of growth services, sustainability services, cost savings, efficiencies, energy and waste management, marketing and sales processes, health and safety procedures/awareness training as well as strategic initiatives.

M-W offices exist throughout Wyoming, with headquarters in Laramie as part of the University of Wyoming's Office of Research and Economic Development.

- A. The selected party will be responsible performing the following duties for Manufacturing-Works:
  - a. marketing, development and management of strategic alliances, sales, demonstration, training and program development in regards to Safety and Health compliance for construction, general industry, and municipalities.
  
- B. Qualified firm/individual shall have a minimum education/experience required as follows:
  - authorized OSHA trainer for health and safety applications in general industry and construction
  - authorized OSHA disaster sight trainer
  - respiratory therapist experience would be helpful
  - minimum of five years experience with a technology or manufacturing firm
  - demonstrated long-term experience of work in Wyoming

Exhibit A

## FORM OF PROPOSAL THE UNIVERSITY OF WYOMING

Procurement Services  
The University of Wyoming  
Dept. 3605, 1000 E. University  
16th and Gibbon  
Laramie, WY 82071

To Mr. Greg Livingston:

The undersigned offeror, having read the terms and conditions, together with all addenda and being acquainted with and fully understanding the requirements, submit our proposal to be opened and the names of the proposers read aloud at 2:00 P.M., MST, December 7, 2009, in room 115, Merica Hall, Laramie, Wyoming.

The offeror acknowledges receipt of the following addenda:

\_\_\_\_\_

The offeror has identified clearly any variations between its proposal and the RFP and has broken down the costs per function. The University prefers to purchase all functions from the same offeror, therefore, special consideration will be given to joint proposals that minimize integration problems, but reserves the right to award the contract in the best interest of the University. The offeror understands that the University reserves the right to consider the capabilities of the organization, as well as the amounts of the various proposals. The University further reserves the right to accept or reject any and all proposals and to waive any irregularities or informalities and to award the contract in the best interest of the University.

Sincerely,

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
Company Address

\_\_\_\_\_  
E-mail address