



STATE OF ARKANSAS
ARKANSAS DEPARTMENT OF HEALTH

4815 W. Markham
 Little Rock, Arkansas 72205

REQUEST FOR PROPOSAL
SOLICITATION DOCUMENT

SOLICITATION INFORMATION			
Solicitation Number:	DH-24-0006	Solicitation Issued:	10/06/2023
Description:	Configuration and Maintenance of the National Notifiable Disease Surveillance System Base System (NBS)		
Department:	Information Technology Services		

SUBMISSION DEADLINE			
Proposal Opening Date:	10/13/2023	Proposal Opening Time:	3:00 p.m., Central Time

Deliver proposal submissions for this Request for Proposal to the Arkansas Department of Health on or before the submission deadline. Proposals received after the submission deadline may be rejected as untimely. See Section 1.2 for information regarding Live Proposal Openings.

DELIVERY OF RESPONSE DOCUMENTS	
Delivery Address and RFP Opening Location:	<p>Arkansas Department of Health Contract Support Section, L156 4815 W. Markham, Slot #58 Little Rock, Arkansas 72205</p> <p>Delivery providers, USPS, UPS, and FedEx deliver mail to ADH's street address on a schedule determined by each individual provider. These providers will deliver to ADH based solely on the street address. Prospective Contractors assume all risk for timely, properly submitted deliveries.</p>
Proposal's Outer Packaging:	<p>Seal outer packaging and properly mark with the following information. If outer packaging of proposal submission is not properly marked, the package may be opened for proposal identification purposes.</p> <ul style="list-style-type: none"> • Solicitation number • Date and time of proposal opening • Prospective Contractor's name and return address

TSS OFFICE OF STATE PROCUREMENT CONTACT INFORMATION			
Issuing Buyer:	Jeff Griffin	Buyer's Direct Phone Number:	(501) 534-6275
Email Address:	jeffrey.h.griffin@arkansas.gov	Alternate Number:	(501) 280-4630
ADH Grant and Bid Opportunities Website:	https://www.healthy.arkansas.gov/programs-services/topics/grant-and-bid-opportunities		

SECTION 1 – GENERAL INFORMATION AND INSTRUCTIONS

- **Do not provide responses to items in this section unless specifically and expressly required.**

1.1 INTRODUCTION

This Request for Proposal (RFP) is issued by the Arkansas Department of Health (ADH) on behalf of Information Technology Services to obtain pricing and a contract(s) for Configuration and Maintenance of the National Notifiable Disease Surveillance System Base System (NBS). Direct all questions, comments, or concerns you may have regarding this solicitation to the Issuing Buyer.

1.2 LIVE PROPOSAL OPENING

This Request for Proposals opening will be in-person only.

1.3 TYPE OF CONTRACT

- A. As a result of this RFP, ADH intends to award a contract to a single Contractor.
- B. The anticipated starting date for any resulting contract is 11/01/2023 except that the actual contract start date may be adjusted unilaterally by the State for up to three (3) calendar months. By submitting a signed proposal in response to the RFP, the Prospective Contractor represents and warrants that it will honor its proposal as being held open as irrevocable for this period.
- C. The initial term of a resulting contract will be for between one (1) year and four (4) years. Upon mutual agreement by the Contractor and Department, the contract may be renewed by ADH for a term not to exceed a total aggregate contract term of seven (7) consecutive years.

1.4 SOLICITATION SCHEDULE

- A. For informational purposes, ADH is providing a Solicitation Schedule; however, dates listed and noted with an asterisk (*) are anticipated dates only and are subject to change at the discretion of the State.

TABLE A: TENTATIVE SOLICITATION SCHEDULE

ACTIVITY	DATE
RFP Release to Prospective Contractors	10/06/2023
Deadline for Prospective Contractor Questions	N/A
Answers to Questions Posted to ADH website*	N/A
Proposal Due Date	10/13/2023 at 3:00 PM CST
Oral Presentations/Demonstrations*	N/A
Post Anticipation to Award*	10/20/2023
Award Contract*	11/03/2023

1.5 CLARIFICATION OF SOLICITATION

- A. Submit any questions requesting clarification of information contained in this *Solicitation* in writing via email by the date and time listed in Section 1.4, Table A to the ADH Issuing Buyer as shown on page one (1) of this *Solicitation*.
1. For each question submitted, Prospective Contractor should reference the specific solicitation item number to which the question refers.
 2. Prospective Contractors' written questions will be consolidated and responded to by the State as deemed appropriate. The State's consolidated written response is anticipated to be posted to the ADH website by the close of business on the date provided in Section 1.4, Table A. If Prospective Contractor questions are unclear or non-substantive in nature, the State may request clarification of a question(s) or decline to answer.
- B. The Prospective Contractor should notify the ADH Issuing Buyer of any term, condition, etc., that precludes the Prospective Contractor from submitting a compliant, Responsive Proposal. Prospective Contractors should note that it is the responsibility of the Prospective Contractor to seek resolution of all such issues, including those relating to the terms and conditions of the contract, prior to the submission of a proposal.
- C. Prospective Contractors may contact the ADH Issuing Buyer with non-substantive questions at any time prior to the proposal opening.
- D. An oral statement by ADH will not be part of any contract resulting from this solicitation and may not reasonably be relied on by any Prospective Contractor as an aid to interpretation unless it is reduced to writing and expressly adopted by ADH.

1.6 DEFINITION OF TERMS

- A. Unless otherwise defined herein, all terms defined in Arkansas Procurement Law have the same meanings herein.
- B. "Prospective Contractor" means a responsible offeror who submits a proposal in response to this solicitation.
- C. The terms "Request for Proposal", "RFP" and "Solicitation" are used synonymously in this document.
- D. "Responsive Proposal" means a proposal submitted in response to this solicitation that conforms in all material respects to this RFP.
- E. "Shall" and "Must" mean the imperative and are used to identify requirements.
- F. "Requirement" means something required.
- G. "Specification" means any technical or purchase description or other description of the physical or functional characteristics, or of the nature, of a commodity or service. "Specification" may include a description of any requirement for inspecting, testing, or preparing a commodity or service for delivery.
- H. "State" means the State of Arkansas. When the term "State" is used herein to reference any obligation of the State under a contract that results from this solicitation, that obligation is limited to the Department using such a contract.

1.7 RESPONSE DOCUMENTS

A. Original *Technical Proposal Packet*

1. Responses within the *Information for Evaluation* and *Exceptions* sections **must not** contain the Prospective Contractor's name or any other identifiers, including without limitation names of staff members, projects, products, and addresses.
2. Prospective Contractors **shall** utilize the Technical Proposal Packet to submit their responses.
3. The following items are proposal submission requirements and **must** be submitted as a hard copy in the original Technical Proposal Packet.
 - a. Original signed Proposal Signature Page. Signature may be ink or digital. (See Technical Proposal Packet.)
 - b. One (1) original hard copy of the proposal response which includes:
 - (i) Technical Proposal response to the *Information for Evaluation* section included in the *Technical Proposal Packet*. Proposal response **must** be in the English language.
 - (ii) Completed *Official Solicitation Price Sheet* by entering only requested information without additions or alterations to the document. Pricing **must** be proposed in U.S. dollars and cents. The *Official Solicitation Price Sheet*, including the hard copy and electronic copy, **must** be separately sealed from the *Technical Proposal Packet* and shall be clearly marked as "Pricing". A Prospective Contractor **shall not** include any other pricing in the hard copies or electronic copies of their *Technical Proposal Packet*.
 - (iii) *Proposed Subcontractors Form*. The utilization of any proposed subcontractor is subject to approval by the Department.
 - (iv) *Exceptions Form*.
4. The following items, which must be submitted prior to a contract award to the Prospective Contractor, may also be included with the Prospective Contractor's proposal:
 - a. *EO 98-04: Contract and Grant Disclosure Form*.
 - b. Copy of Prospective Contractor's *Equal Opportunity Policy*.
 - c. *Voluntary Product Accessibility Template* (VPAT), if applicable.
5. **DO NOT** include any other documents or ancillary information, such as a cover letter or promotional/marketing information.

B. Additional Copies and Redacted Copy of the *Technical Proposal Packet* and *Official Solicitation Price Sheet*

In addition to the original *Technical Proposal Packet* and the *Official Solicitation Price Sheet*, the following items should be submitted:

1. Additional Copies of the *Technical Proposal Packet*
 - a. Three (3) complete hard copies (marked "COPY") of the *Technical Proposal Packet*.

- b. The complete (not including pricing) *Technical Proposal Packet*, preferably on flash drives and all shall be in PDF format. CDs will also be acceptable. Do not send electronic copies via email or fax.
 - i. The *Information for Evaluation* and *Exceptions Form* sub-sections should be a separate file on the flash drive or CD.
 - c. All additional hard copies and electronic copies **must** be identical to the original hard copy. In case of a discrepancy, the original hard copy governs.
 - d. If ADH requests additional copies of the proposal, the copies **must** be delivered within the timeframe specified in the request.
2. One (1) redacted (marked "REDACTED") copy of the original *Technical Proposal Packet*, preferably on the flash drive and in PDF format. A CD will also be acceptable. Do not send electronic copies via email or fax.

1.8 ACCEPTANCE OF REQUIREMENTS

- A. Unless a Prospective Contractor expressly and conspicuously identifies any exception or exceptions to any of the Requirements in the Requirements Section(s) of this RFP by listing them on the *Exceptions Form* (See *Technical Proposal Packet*), Prospective Contractor understands and agrees its submission of a proposal to represent that its proposal meets all such Requirements.
- B. A Prospective Contractor's proposal may be rejected if a Prospective Contractor takes exception to any Requirements in the Requirements Section(s) of this RFP.

1.9 ADDITIONAL TERMS AND CONDITIONS

- A. This RFP incorporates all of the Solicitation Terms and Conditions located on the TSSOSP website here (Agencies – Forms and Reporting – Solicitation Templates):
<https://www.transform.ar.gov/procurement/agencies/forms-and-reporting/>.
- B. Any special terms and conditions included in this solicitation **shall** override the Solicitation Terms and Conditions.
- C. Unless a Prospective Contractor expressly and conspicuously identifies any exception or exceptions to any of the terms in the Standard Commodities Contract or the Services Contract (SRV-1) Fillable Form by listing them on the *Exceptions Form* (See *Technical Proposal Packet*), Prospective Contractor agrees and **shall** adhere to all terms if selected as the successful Contractor. Items identified as non-negotiable may only be modified if the legal requirement is satisfied and approved by the State. The Standard Commodities Contract can be viewed on the TSS OSP website here (Agencies – Forms and Reporting – Solicitation Templates):
<https://www.transform.ar.gov/procurement/agencies/forms-and-reporting/>. The Services Contract (SRV-1) Fillable Form can be viewed on the TSS OSP website here (Agencies – Services – Forms):
<https://www.transform.ar.gov/procurement/agencies/services/>.

- D. A Prospective Contractor's proposal may be rejected if a Prospective Contractor takes exception to any terms or conditions in the documents listed in 1.9.A and 1.9.C.

1.10 INTERGOVERNMENTAL/COOPERATIVE USE OF PROPOSAL AND CONTRACT

In accordance with Arkansas Code §19-11-249, this proposal and resulting contract is available to any State Agency or Institution of Higher Education that wishes to utilize the services of the selected proposer, and the proposer agrees, they may enter into an agreement as provided in this solicitation.

SECTION 2 – REQUIREMENTS

- *Do not provide responses to items in this section unless specifically and expressly required.*

2.1 SPECIFICATIONS

The Vendor for this contract must have a demonstrated record of successful experience with communicable disease surveillance system development, configuration, or maintenance with the CDC's National Notifiable Disease Surveillance System (NNDSS) Base System (NBS) disease surveillance system.

2.2 MINIMUM QUALIFICATIONS

- A. Vendor's relevant experience must include:
1. Detailed, extensive knowledge of all major features of the NBS database structure, the NBS software application, imports and exports, and upgrade process.
 - a. This experience must include electronic laboratory reporting, electronic case reporting, PHDC import process, manual data entry, page builder page implementation and data porting, and NNDSS case notifications including legacy master message, Gen V2, and disease specific HL7 messages.
 - b. Experience must include a demonstrated working knowledge of integration between NBS and Rhapsody.
 - c. Experience must include detailed knowledge of the operational data store (ODS), the reporting database (RDB), and the extract-translate-load (ETL) process and scripts that update the RDB from the ODS.
 - d. Experience must apply to NBS releases 5.4.x and 6.0.x.
 2. The vendor must demonstrate NBS experience of this type with at least three separate state, tribal, or territorial health departments (all of which must have used NBS as their primary reportable disease surveillance system at the time that the vendor worked with them).
 3. The vendor must demonstrate at least three years of relevant NBS experience.
 4. Qualifying experience includes only in-depth experience with querying and maintaining the NBS database and application. Helpdesk support alone for issues with the NBS user interface does not qualify as relevant experience for this purpose.
- B. Vendor's proposal must provide documentation addressing each of the items listed above and demonstrate that all items are met in order for the proposal to be considered reasonably susceptible for award. Vendor must complete and submit the sections of the Technical Response Packet addressing these minimum qualifications. Documentation relating to previous NBS experience must include the names of the health departments with which the vendor has qualifying experience and the dates of the work performed, and must include contact information for a reference at each health department who can attest that the vendor has experience of the type described. Documentation must be submitted in the form specified in the Technical Response Packet.
- C. Vendor must make staff available to meet with ADH colleagues during business hours (8:00 to 4:30 Central Time, Monday through Friday, state holidays excepted), regularly throughout the term of the contract.

2.3 SCOPE OF WORK

Vendor shall provide the following services to ADH during the term of the contract:

1. Upgrade NBS Test from 5.4.6 to latest NBS 6.0.x version (6.0.15 as of 7/24/23)
 - a. The ADH NBS environments are on prem using Windows Server and Microsoft SQL.
 - b. Vendor will implement application and database updates.
 - c. Review NBS-specific Rhapsody routes and document specific changes required.
 - i. The NBS Rhapsody ELR Receiving route is customized for Arkansas.
 - ii. The vendor will have read-only Rhapsody access.
 - iii. The vendor will produce detailed instructions for updating the NBS ELR Receiving route to implement CDC route updates while maintaining Arkansas customizations; the ADH Rhapsody team will implement the changes.
 - iv. Our ELR Receiving route has known errors that should be addressed after the 6.0.x upgrade.
 - d. ADH Epidemiology will validate the upgrades.
 - e. Incremental upgrades to stable, intermediate versions are acceptable, if recommended by the vendor.
 - f. Implement TB Page Builder page and port data from legacy NBS TB module.
2. Upgrade NBS Production from 5.4.6 to current NBS version (6.0.x)
 - a. The ADH NBS environments are on prem using Windows Server and Microsoft SQL.
 - b. Vendor will implement application and database updates.
 - c. Review NBS-specific Rhapsody routes and document specific changes required.
 - i. The NBS Rhapsody ELR Receiving route is customized for Arkansas.
 - ii. The vendor will have read-only Rhapsody access.
 - iii. The vendor will produce detailed instructions for updating the NBS ELR Receiving route to implement CDC route updates while maintaining Arkansas customizations; the ADH Rhapsody team will implement the changes.
 - iv. Our ELR Receiving route has known errors that should be addressed after the 6.0.x upgrade.
 - v. There may be differences between Rhapsody Staging and Rhapsody Production for routes upstream of the NBS ELR Receiving route.
 - d. ADH Epidemiology will validate the upgrades.
 - e. Incremental upgrades to stable, intermediate versions are acceptable, if recommended by the vendor.
 - f. Implement TB Page Builder page and port data from legacy NBS TB module.
3. Validate that the reporting database (RDB) and the operational data store (ODS) data match.
 - a. Activities may include, but are not limited to the following:
 - i. Review and correct any MasterETL errors affecting data integrity.
 - ii. Query RDB and ODS to confirm case counts are identical.
 - iii. Query RDB and ODS to confirm that patient demographics are identical.
 - iv. Take sample of disease-specific questions and query RDB and ODS to compare.
 - v. Provide guidance including SQL queries to ADH to conduct further overall and disease specific RDB validation.
4. Provide Rhapsody consultation:

- a. Review Arkansas customizations in ELR Receiving route and suggest optimizations and/or corrections.
 - b. Provide guidance for routing electronic case reports (eCR) to NBS.
 - c. Review Rhapsody routes upstream of ELR Receiving and PHDC Importer to suggest optimizations and/or corrections.
 - d. Provide guidance for splitting ELRs with panel tests so that results can be processed by WDS.
 - e. Assess current ability to correctly process ELRs with multiple drug susceptibility tests and parent-child relationships.
 - f. Vendor will have read-only access to the Rhapsody engine. Changes to Rhapsody routes will be made by the ADH Interoperability team.
5. Provide support or guidance to ADH to set up workflow decision support (WDS) for two high-volume conditions:
 - a. RMSF
 - b. Hepatitis C
 6. Perform assessment of NBS environment and document suggested updates and changes. The assessment should include, but is not limited to, the following areas:
 - a. Rhapsody routes for inbound ELRs and eCRs, and outbound NND messages.
 - b. Performance (app server, database server); provide recommendations for current usage and for future surge capacity.
 - c. Replication of RDB or moving to separate server.
 - d. Security recommendations.
 - e. Lab test and result mapping tables (LOINC, SNOMED, etc.).
 - f. Unwanted/incorrect data in NBS database.
 - g. Troubleshoot system identified patient merge function.
 7. (Optional – Request line-item pricing) Web server set up and configuration.
 - a. NBS is not currently accessible outside the ADH network and authentication is through a legacy portal.
 - b. Vendor will assess current environment and provide suggested configuration changes to make NBS available outside the ADH network via secure web address.
 - c. Vendor will implement a custom authentication method – table-based for external users; active directory for internal users.
 8. (Optional – Request line-item pricing) Install NBS development environment.
 - a. ADH will provide application and database servers.
 - b. Vendor will install NBS application, database, and related software.
 - c. ADH DBA will take backup of Production database.
 - d. Vendor will provide guidance to DBA to restore Production database backup to Development environment and to script any required configuration changes.
 - e. ADH will take a backup of the NBS Production Wildfly folder and will restore to the Development application server.
 - f. Vendor will provide guidance on required changes to configuration files in the Wildfly backup to set up as Development environment.
 9. (Optional – Request line-item pricing) Provide maintenance services to include:
 - a. Future upgrades
 - i. Vendor will complete application and database updates and will provide guidance for Rhapsody changes; ADH will make Rhapsody changes.

- b. Provide support for NBS troubleshooting or enhancements that are not covered by the existing NBS Help Desk agreement or by CDC-supported Technical Assistance.

Scope of work includes data in the following disease areas:

1. General communicable disease excluding HIV/STD (166 active NBS conditions, 61 using page builder based on Gen v1 template, no Gen v2 page builder pages)
2. Tuberculosis

Vendor must make staff available to meet with ADH colleagues during business hours (8:00 to 4:30 Central Time, Monday through Friday, state holidays excepted), regularly throughout the term of the contract.

2.2 PERFORMANCE STANDARDS

- A. State law requires that qualifying contracts for services include Performance Standards for measuring the overall quality of services that a Contractor **shall** provide.
- B. The State will negotiate Performance Standards with the successful respondent prior to the contract award, prior to the commencement of services, or at times throughout the contract duration.
- C. Performance Standards **shall not** be amended unless they are agreed to in writing and signed by the parties.
- D. Failure to meet the minimum Performance Standards as specified will result in the assessment of damages.
- E. In the event a Performance Standard is not met, the Contractor will have the opportunity to defend or respond to the insufficiency. The State has the right to waive damages if it determines there were extenuating factors beyond the control of the Contractor that hindered the performance of services. In these instances, the State has final determination of the performance acceptability.
- F. Should any compensation be owed to the Department due to the assessment of damages, Contractor **shall** follow the direction of the Department regarding the required compensation process.

SECTION 3 – SELECTION

- **Do not provide responses to items in this section.**

3.1 TECHNICAL PROPOSAL SCORE

- A. ADH will review each *Technical Proposal Packet* to verify submission Requirements have been met. *Technical Proposals Packets* that do not meet submission Requirements will be rejected and will not be evaluated.
- B. A Department-appointed Evaluation Committee will evaluate and score qualifying technical proposals. Evaluation will be based on Prospective Contractor’s response to the *Information for Evaluation* section included in the *Technical Proposal Packet*.
1. Members of the Evaluation Committee will individually review and evaluate proposals and complete an Individual Score Worksheet for each proposal. Individual scoring for each Evaluation Criteria will be based on the following Scoring Description.

Quality Rating	Quality of Response	Description	Confidence in Proposed Approach
5	Excellent	When considered in relation to the RFP evaluation factor, the proposal squarely meets the requirement and exhibits outstanding knowledge, creativity, ability or other exceptional characteristics. Extremely good.	Very High
4	Good	When considered in the relation to the RFP evaluation factor, the proposal squarely meets the requirement and is better than merely acceptable.	High
3	Acceptable	When considered in relation to the RFP evaluation factor, the proposal is of acceptable quality.	Moderate
2	Marginal	When considered in relation to the RFP evaluation factor, the proposal’s acceptability is doubtful.	Low
1	Poor	When considered in relation to the RFP evaluation factor, the proposal is inferior.	Very Low
0	Unacceptable	When considered in relation to the RFP evaluation factor, the proposal clearly does not meet the requirement. Either nothing in the proposal is responsive in relation to the evaluation factor or the proposal affirmatively shows that it is unacceptable in relation to the evaluation factor.	No Confidence

2. After initial individual evaluations are complete, the Evaluation Committee members will meet to discuss their individual ratings. At this consensus meeting, each member will be afforded an opportunity to discuss his or her rating for each evaluation criteria.
3. After committee members have had an opportunity to discuss their individual scores with the committee, the individual committee members will be given the opportunity to change their initial individual scores, if they feel that is appropriate.

4. The final individual scores of the Evaluation Committee members will be recorded on the Consensus Score Sheets and averaged to determine the group or consensus score for each proposal.
5. Other agencies, consultants, and experts may also examine documents at the discretion of the Department.

C. The *Information for Evaluation* section has been divided into sub-sections.

1. In each sub-section, items/questions have each been assigned a maximum point value of five (5) points. The total point value for each sub-section is reflected in the table below as the Maximum Raw Points Possible.
2. The Department has assigned Weighted Percentages to each sub-section according to its significance.

Information for Evaluation Sub-Sections	Maximum Raw Points Possible	Sub-Section's Weighted Percentage	* Maximum Weighted Score Possible
E.1 Upgrade NBS Test from 5.4.6 to latest NBS 6.0.x version (6.0.15 as of 7/24/23)	5	10	70
E.2 Upgrade NBS Production from 5.4.6 to current NBS version (6.0.x)	5	25	175
E.3 Validate that the reporting database (RDB) and the operational data store (ODS) data match.	5	10	70
E.4 Provide Rhapsody consultation	5	25	175
E.5 Provide support or guidance to ADH to set up workflow decision support (WDS) for two high-volume conditions	5	5	35
E.6 Perform assessment of NBS environment and document suggested updates and changes	5	25	175
Total Technical Score	30	100%	700

*Sub-Section's Percentage Weight x Total Technical Maximum Weighted Score = Maximum Weighted Score Possible for the sub-section.

D. The proposal's weighted score for each sub-section will be determined using the following formula:

$$(A/B)*C = D$$

A = Actual Raw Points received for sub-section in evaluation
 B = Maximum Raw Points possible for sub-section
 C = Maximum Weighted Score possible for sub-section
 D = Weighted Score received for sub-section

E. The proposal's weighted scores for sub-sections will be added to determine the Total Technical Score for the proposal.

3.2 ORAL PRESENTATION/DEMONSTRATION SCORE

Oral Presentations will not take place for this RFP.

3.3 COST SCORE

A. When pricing is opened for scoring, the maximum amount of cost points will be given to the proposal with the lowest grand total as shown on the *Official Solicitation Price Sheet*. (See *Grand Total Score* for maximum points possible for cost score.)

B. The amount of cost points given to the remaining proposals will be allocated by using the following formula:

$$(A/B)*(C) = D$$

A = Lowest Total Cost

B = Second (third, fourth, etc.) Lowest Total Cost

C = Maximum Points for Lowest Total Cost

D = Total Cost Points Received

3.4 GRAND TOTAL SCORE

The Technical Score and Cost Score will be added together to determine the Grand Total Score for the proposal. The Prospective Contractor's proposal with the highest Grand Total Score will be selected as the apparent successful Contractor. The State may move forward to discussions with those responsible Prospective Contractors determined, based on the ranking of the proposals, to be reasonably susceptible of being selected for award.

	Maximum Points Possible
Technical Proposal	700
Cost	300
Maximum Possible Grand Total Score	1,000

3.5 DISCUSSIONS

Arkansas Procurement Law allows for discussions with responsible offerors whose proposals have been determined to be reasonably susceptible of being selected for award. TSS OSP reserves the discretion and the right to engage in discussions to the fullest extent permitted under Ark. Code Ann. § 19-11-230 and TSS OSP procurement rules. After initial evaluation, TSS OSP may elect to request a best and final offer (BAFO) from a competitive range of responsible Prospective Contractors determined, based on the ranking of the proposals, to be reasonably susceptible of being selected for award.

3.6 PROSPECTIVE CONTRACTOR ACCEPTANCE OF EVALUATION TECHNIQUE

The submission of a *Technical Proposal Packet* signifies the Prospective Contractor's understanding and agreement that some subjective value judgments will be made during the evaluation and scoring of the technical proposals.