



RFP #MN-040622
Request for Proposals
for
Indefinite Delivery-Indefinite Quantity
Construction Contracts
in the
State of Minnesota

Proposal Due Date: April 6, 2022, 4:30 p.m., Central Time

Sourcewell, a State of Minnesota local government entity and public agency, is issuing this Request for Proposals (RFP) jointly with and on behalf of its participating entities to create indefinite delivery-indefinite quantity construction (IDIQ) contracts that may be used by those participating entities for projects related to construction or the repair, alteration, modernization, or renovation of buildings, structures, or other real property.

This RFP consists of the following parts:

1. Request for Proposals, including Map of Regions
2. Template IDIQ Construction Contract
3. IDIQ Contract General Terms and Conditions
4. Construction Task Catalogs
5. Technical Specifications

A full copy of the RFP can be found on the Sourcewell Procurement Portal (proportal.sourcewell-mn.gov), and only proposals submitted through the Sourcewell Procurement Portal will be considered. Proposals are due no later than April 6, 2022 at 4:30 p.m. Central Time, and late proposals will not be considered.

Solicitation Schedule

Notice of Solicitation Published:	March 1, 2022
Pre-proposal Conference:	March 22, 2022, 10:00 a.m., Central Time
Question Submission Deadline:	March 30, 2022, 4:30 p.m., Central Time
Proposal Due Date:	April 6, 2022, 4:30 p.m., Central Time Late responses will not be considered.
Opening:	April 6, 2022, 6:30 p.m., Central Time. See Article VII. G. for more information.

I. ABOUT SOURCEWELL AND ITS PARTICIPATING ENTITIES

Sourcewell is a State of Minnesota local government agency and service cooperative created under the laws of the State of Minnesota (Minnesota Statutes Section 123A.21). Sourcewell has issued this RFP jointly with and on behalf of participating entities to facilitate a competitive public solicitation and contract award process resulting in IDIQ contracts for use by participating entities within Minnesota utilizing joint powers authority in Minnesota Statutes Section 471.59. Sourcewell's solicitation process complies with State of Minnesota law and policies.

Sourcewell's participating entities in the State of Minnesota may include:

- Federal and state government
- Cities, towns, and counties/parishes
- Education service cooperatives
- K-12 and higher education
- Tribal governments
- Some nonprofits
- Other public entities

For a listing of current participating entities visit Sourcewell's website: <https://www.sourcewell-mn.gov/sourcewell-for-vendors/agency-locator>.

II. INDEFINITE DELIVERY-INDEFINITE QUANTITY CONSTRUCTION PROGRAM

Sourcewell is soliciting proposals for its IDIQ construction program. IDIQ contracting offers participating entities access to competitively solicited and awarded contracts for construction projects related to repair, alteration, modernization, or renovation of buildings, structures, or other real property.

Sourcewell has engaged The Gordian Group, Inc. (Gordian) to provide management of its IDIQ construction program. In this role, Gordian provides support to Sourcewell in the administration of the program, including: preparing Construction Task Catalogs and related technical specifications, providing information management systems and licenses to contractors, training to contractors, administering fee collection, consulting services to Sourcewell, and assisting with proposal package or work order development. Participating Entities access Sourcewell IDIQ contracts resulting from this RFP through relevant purchasing authority, and work directly with Contractors awarded through this RFP.

Under IDIQ, an awarded Contractor furnishes management, labor, materials, equipment, and incidental design support needed to perform the work. Details of the program's operation can be found within the Contract, and General Terms and Conditions document included in this RFP.

III. REQUIRED PROPOSER QUALIFICATIONS

In determining a proposer's responsibility and ability to perform under a Contract, Sourcewell has the right to investigate and request information concerning the financial condition, experience record, personnel, equipment, facilities, principal business location and organization of the proposer, the proposer's record with environmental regulations, and the claims and litigation history of the proposer. Sourcewell reserves the right to verify the proposer's information and may request clarification from a proposer.

- A. A proposer's business must be normally engaged in performing the type of work specified within this RFP and must have adequate organization, facilities, equipment, and personnel to ensure prompt and efficient service to a Sourcewell participating entity (as solely determined by Sourcewell).
- B. Proposers responding to a General Construction solicitation must be willing and capable of providing all or a majority of the various types of construction work as specified in the Construction Task Catalog. Proposer may provide the work using its own forces or by using subcontractors.
- C. Proposers responding to the **Mechanical/HVAC, Electrical, Plumbing, Paving and Roofing** solicitations will perform at least 51% of all contracted work with its own organization and forces. The percentage calculation does not include field superintendents or office management personnel.

IV. PROPOSAL OVERVIEW AND PREPARATION INSTRUCTIONS

- A. REQUESTED INDEFINITE DELIVERY-INDEFINITE QUANTITY CONSTRUCTION SERVICES. The IDIQ services specified include general construction and Mechanical/HVAC, Electrical, Plumbing, Paving and Roofing. At this time, no specific projects have been identified; work and work volume from any resulting contract are not guaranteed. Specific description of work and summary of duties for each category of construction can be found in the Technical Specifications.
- B. PREPARATION INSTRUCTIONS. Strict compliance with the following instructions is required for properly preparing a proposal. Before submitting a proposal, it is the responsibility of each proposer to:
- 1) Examine the RFP Documents thoroughly;
 - 2) Consider all applicable federal, state and local laws, regulations, ordinances, and procurement codes that may affect costs, progress, performance, or furnishing of a participating entity's work; and,
 - 3) Notify Sourcewell of all conflicts, errors, or discrepancies in the RFP Documents of which proposer knows.

The submission of a proposal constitutes a representation by the proposer to Sourcewell that it has complied with the above requirements and, that without exception, its proposal is premised upon performing and furnishing the Work required by this RFP.

Proposers should include all relevant information in the proposal. Sourcewell cannot consider information that is not provided in the proposal.

- A. ESTIMATED CONTRACT VALUE AND USAGE. Based on past volume of similar contracts, the estimated annual value of each contract resulting from this RFP is \$2 Million. Sourcewell anticipates considerable activity under the contract(s) awarded from this RFP; however, work and work volume from any resulting contract are not guaranteed and the estimated volume is neither a minimum or maximum contract volume.

V. PROPOSAL PRICING

- A. CONSTRUCTION TASK CATALOG AND ADJUSTMENT FACTOR. In order to evaluate proposal pricing and the retain consistency within contract pricing, Sourcewell uses Gordian's proprietary Construction Task Catalog (CTC). The CTC is a comprehensive listing of specific repair and construction related Tasks,

together with a specific unit of measurement and a pre-set unit price (Unit Price). All Unit Prices within the CTC are based on local labor, material, and equipment prices for the direct cost of construction.

Under this RFP, proposers will offer price adjustments (Adjustment Factors) that will be applied to CTC Unit Prices. The Adjustment Factors represent either an increase to the present Unit Prices (such as 1.1000) or a decrease from the preset Unit Prices (such as 0.9800).

A participating entity's cost for a specific task will be determined by multiplying the preset Unit Prices by the appropriate quantities and by the appropriate Adjustment Factor (e.g., specific task cost = preset unit price in CTC * quantity needed * Adjustment Factor).

- 1) Each proposer must submit five Adjustment Factors to be applied to every task in the CTC. The proposal must be either an adjustment "decrease from" (e.g. 0.9800) or "increase to" (e.g. 1.1000) the Unit Prices listed in the CTC.
- 2) The proposer's Adjustment Factors must include all of the proposer's direct and indirect costs. This includes, but is not limited to, its costs for overhead, profit, bond premiums above the reimbursable amount, insurance, mobilization, purchase order proposal development, and all contingencies in connection therewith. See pages 00-1 – 00-6 of the CTC for a complete explanation of what is and is not included in the Unit Prices.
 - a. *The first Adjustment Factor* will be applied to work to be accomplished during Normal Working Hours and are performed on projects that **do require** prevailing wage rates. Note, where applicable, the proposer must comply with all applicable prevailing wage laws. The wage rates in the CTC were current at the time these RFP Documents were issued.
 - b. *The second Adjustment Factor* will be applied to work to be accomplished during Other Than Normal Working Hours and are performed on projects that **do require** prevailing wage rates.
 - c. *The third Adjustment Factor* will be applied to work to be accomplished during Normal Working Hours and performed on Projects that **do not require** prevailing wage rates.
 - d. *The fourth Adjustment Factor* will be applied to work to be accomplished during Other Than Normal Working Hours and performed on Projects that **do not require** prevailing wage rates.
 - e. *The fifth Adjustment Factor* will be for work tasks not identified in the Construction Task Catalog. IDIQ includes a provision for establishing of prices for Work requirements which are within the general scope of IDIQ but were not included in the CTC at the time of Contract award. These Tasks are referred to as "Non Pre-priced Tasks (NPP)." NPP Tasks may require new specifications and drawings and may subsequently be incorporated into the CTC. The proposers will offer an Adjustment Factor to be applied to the actual material, equipment, and labor cost for NPP work Tasks.

3) Adjustment Factors may be specified to the fourth decimal place. For example:

1	.	1	0	0	0
---	---	---	---	---	---

Or

0	.	9	8	0	0
---	---	---	---	---	---

- 4) For proposal evaluation purposes only, the following weighing of the Adjustment factors will be used to determine the Combined Adjustment Factor. Complete the following information within the Sourcewell Procurement Portal:

Adjustment Factors	Weight
NORMAL WORKING HOURS- PREVAILING WAGE RATE PROJECTS	<u>60</u> %
OTHER THAN NORMAL WORKING HOURS- PREVAILING WAGE RATE PROJECTS	<u>10</u> %
NORMAL WORKING HOURS- NON-PREVAILING WAGE RATE PROJECTS	<u>10</u> %
OTHER THAN NORMAL WORKING HOURS- NON-PREVAILING WAGE RATE PROJECTS	<u>10</u> %
NON-PRE-PRICED	<u>10</u> %

B. ADMINISTRATIVE FEES. Awarded contractors must pay an administrative fee in exchange for the administration of the contracts by Sourcewell and Sourcewell’s contract administrator, Gordian. The proposer must include the administrative fee in calculating the Contractor’s Adjustment Factors.

Detailed information about Sourcewell’s administrative fee can be found in the Contract, and General Terms and Conditions.

VI. CONTRACT

Proposers awarded a contract will be required to execute the Contract (including its General Terms and Conditions) attached to this RFP.

VII. SOLICITATION PROCESS

A. PRE-PROPOSAL CONFERENCE. Sourcewell will hold a non-mandatory pre-proposal conference via webcast on the date and time noted in the Solicitation Schedule and on the Sourcewell Procurement Portal. The purpose of this conference is to allow potential proposers to ask questions regarding this RFP. Information about the webcast will be sent to all entities that have registered for this solicitation opportunity through their Sourcewell Procurement Portal Vendor Account. Pre-proposal conference attendance is optional but highly encouraged.

B. QUESTIONS REGARDING THIS RFP AND ORAL COMMUNICATION. Any questions regarding this RFP must be submitted through the Sourcewell Procurement Portal. The deadline for submission of questions is found in the Solicitation Schedule and on the Sourcewell Procurement Portal. Answers to

questions will be issued through an addendum to this RFP. Repetitive questions will be summarized into a single answer and identifying information will be removed from the submitted questions.

All questions, whether specific to a proposer or generally related to the RFP, must be submitted using this process. Do not contact individual Sourcwell staff to ask questions or request information as this may disqualify the proposer from responding to this RFP. Sourcwell will not respond to questions submitted after the deadline.

C. ADDENDA. Sourcwell may modify this RFP; however, no Addenda will be issued later than 5 days prior to the Proposal Due Date, except an Addendum that withdraws or postpones this RFP. Addenda issued by Sourcwell become a part of the RFP and will be delivered to potential proposers through the Sourcwell Procurement Portal. Sourcwell accepts no liability in connection with the delivery of any addenda.

Before a proposal will be accepted through the Sourcwell Procurement Portal, all addenda, if any, must be acknowledged by the proposer by checking the box for each addendum. It is the responsibility of the proposer to check for any addenda that may have been issued up to the solicitation due date and time.

If an addendum is issued after a proposer submitted its proposal, the Sourcwell Procurement Portal will WITHDRAW the submission and change the proposer's proposal status to INCOMPLETE. The proposer can view this status change in the "MY BIDS" section of the Sourcwell Procurement Portal Vendor Account. The proposer is solely responsible to check the "MY BIDS" section of the Sourcwell Procurement Portal Vendor Account periodically after submitting its proposal (and up to the Proposal Due Date). If the proposer's proposal status has changed to INCOMPLETE, the proposer is solely responsible to:

- 1) make any required adjustments to its proposal,
- 2) acknowledge the addenda, and
- 3) ensure the re-submitted proposal is received through the Sourcwell Procurement Portal no later than the Proposal Due Date and time shown in the Solicitation Schedule above.

D. PROPOSAL SUBMISSION. Proposer's complete proposal must be submitted through the Sourcwell Procurement Portal no later than the date and time specified in the Solicitation Schedule and on the Sourcwell Procurement Portal. Any other form of proposal submission, whether electronic, paper, or otherwise, will not be considered by Sourcwell. Late proposals will not be considered. It is the proposer's sole responsibility to ensure that the proposal is received on time. To ensure receipt of the latest information and updates via email regarding this solicitation, or if the proposer has obtained this RFP from a third party, the onus is on the proposer to create a Sourcwell Procurement Portal Vendor Account and register for this solicitation opportunity.

Within the Procurement Portal, all proposals must be digitally acknowledged by an authorized representative of the proposer attesting that the information contained in the proposal is true and accurate. By submitting a proposal, proposer warrants that the information provided is true, correct, and reliable for purposes of evaluation for potential contract award. The submission of inaccurate, misleading, or false information is grounds for disqualification from a contract award and may subject the proposer to remedies available by law.

It is recommended that proposers allow sufficient time to upload the proposal and to resolve any issues that may arise. The time and date that a proposal is received by Sourcwell is solely determined by the Sourcwell Procurement Portal web clock. In the event of problems with the Sourcwell Procurement

Portal, follow the instructions for technical support posted in the portal. It may take up to 24 hours to respond to certain issues.

Upon successful submission of a proposal, the Portal will automatically generate a confirmation email to the proposer. If the proposer does not receive a confirmation email, contact Sourcewell's support provider at support@bidsandtenders.ca.

E. GENERAL PROPOSAL REQUIREMENTS. Proposals must be:

- In substantial compliance with the requirements of this RFP or it will be considered nonresponsive and be rejected.
- Complete – a proposal will be rejected if it is conditional or incomplete
- Submitted in English.
- Valid and irrevocable for 180 days following the Proposal Due Date.

Any and all costs incurred in responding to this RFP will be borne by the proposer.

F. PROPOSAL MODIFICATION WITHDRAWAL. A submitted proposal may not be modified, withdrawn, or cancelled by the proposer for a period of 180 calendar days following the time and date designated for the receipt of proposers. Prior to the deadline for submission of proposals, any proposal submitted may be modified or withdrawn through the Sourcewell Procurement Portal.

G. OPENING. The Opening of proposers will be conducted electronically through the Sourcewell Procurement Portal. A list of all proposers will be made publicly available in the Sourcewell Procurement Portal after the Proposal Due Date, but no later than the Opening time listed in the Solicitation Schedule.

To view the list of proposers, verify that the Sourcewell Procurement Portal opportunities list search is set to "All" or "Closed." The solicitation status will automatically change to "Closed" after the Proposal Due Date and Time.

VIII. EVALUATION AND AWARD

A. EVALUATION. Only responsive proposals will be evaluated. A responsive proposal must have been submitted on time and materially satisfy all mandatory requirements identified in this RFP. Deviations or exceptions stipulated in a proposer's response, while possibly necessary in the view of the proposer, may result in disqualification.

The Sourcewell Evaluation Committee will evaluate for acceptability the factors and sub-factors described below:

Factor 1 – Responsiveness (pass/fail)

Factor 2 – Technical Qualifications (acceptable/unacceptable)

Sub-factor 1: Individual qualifications of the Proposer's key personnel

Sub-factor 2: The Proposer's demonstrated ability to prepare the scope of work as described in Section IV. D. 2. of the General Terms and Conditions

Sub-factor 3: Marketing Plan

Factor 3 – Past Performance (acceptable/unacceptable) The Proposer's past Project Experience

– past public projects are preferred (6 Projects)

Factor 4 - Price (to be reviewed after Technical qualifications and Past Performance)

Factor 1 – Responsiveness (pass/fail): To qualify for evaluation, a proposal must be responsive which means it will have been submitted on time and materially satisfy all mandatory requirements identified in this solicitation. A proposal must reasonably and substantially conform to all the terms and conditions in the solicitation to be considered responsive.

Deviations or exceptions stipulated in proposer’s response, while possibly necessary in the view of the proposer, may result in disqualification. Language to the effect that the proposer does not consider this solicitation to be part of a contractual obligation will result in that proposal being disqualified by Sourcewell.

Factor 2 – Technical Acceptability of Management Plan (acceptable/unacceptable): The proposals must demonstrate a thorough understanding of the requirements as detailed in this RFP and offer complete technical solutions to the solicitation’s requirements. The proposals will be evaluated for acceptability in accordance with the criteria set forth in this section. The Management Plan must convey to Sourcewell that the proposer possesses adequate technical expertise and experience, sufficient resources, and is able to plan, organize, and use those resources in a coordinated and timely fashion to meet the needs of Sourcewell participating entities. Sourcewell may make a final determination as to the proposer’s capability to perform based on the proposal as submitted without requesting further information from the proposer.

Technical Acceptability - The Sourcewell Evaluation Committee will evaluate the Management Plans by assigning ratings of “Acceptable” or “Unacceptable.” The technical factor (as a whole) will be rated “Unacceptable” if any single sub-factor is rated “Unacceptable.”

Only those proposals determined to be technically acceptable will be considered for award. The proposer is reminded that Sourcewell intends to award this solicitation based on the initial proposal, as received, without discussions. However, Sourcewell may hold discussions if necessary.

Rating	Description
Acceptable	Proposal clearly meets the minimum requirements of the solicitation.
Unacceptable	Proposal does not clearly meet the minimum requirements of the solicitation.

Sub-factor One. Individual qualifications of the Proposer’s key personnel: Conformity with the proposal requirements will be evaluated as follows:

- The qualifications of the proposer’s key personal will be evaluated to determine whether the proposal demonstrates that they possess adequate technical expertise and experience, to plan, organize, and complete the work in a coordinated and timely fashion to meet the needs of Sourcewell participating entities.

Sub-factor Two. The proposer’s demonstrated ability to prepare the scope of work as described in the General Terms and Conditions: The proposal requirements will be evaluated as follows:

- Proposer’s demonstrated ability to complete projects on time and with minimal Change Orders.

- Proposer’s demonstrated ability to assist the participating entity in scope of work development. This can be accomplished by explaining in detail your proposed participation in scope development and identifying the personnel who will be responsible for scope of work development.

Sub-Factor Three. The Financial Capability of the Contractor:

- Contractor’s financial capability to secure the resources necessary to complete the Work as demonstrated by the bonding capacity statement.

Sub-factor Four. Marketing Plan: Sub-factor Four acceptability is met when the submittal clearly demonstrates:

- A Proposer’s willingness and ability to take ownership in and promote the services proposed to be provided.
- A Proposer’s marketing strategy to promote the contract opportunity.

Factor 3 - Past Performance (acceptable/unacceptable): Past performance information will only be gathered from Proposer submissions. Only **recent** and **relevant** past performance information will be considered to assess how well the Contractor performed on past public projects (municipal, county, state, educational institution, or similar).

Recency is defined as performance less than three years old from the issue date of the RFP. Sourcewell will not consider performance on projects where performance was concluded more than three years prior to the issuance of this RFP.

Relevancy is defined as performance of efforts involving projects that are similar or greater in scope and magnitude that involve similar types and complexities of construction described in this RFP.

Past performance will be rated on an “Acceptable” or “Unacceptable” basis using the following ratings.

Rating	Description
Acceptable	Based on the Contractor’s performance record, Sourcewell has a reasonable expectation that the Contractor will successfully perform the required effort.
Unacceptable	Based on the Contractor’s performance record, Sourcewell has no reasonable expectation that the Contractor will be able to successfully perform the required effort.

Past Public Project Experience (6 Projects)

- An “acceptable” rating is attained when the proposal clearly demonstrates recent and relevant past public project experience.

Factor 4 - Price: A price evaluation will be performed for all proposers in accordance with this section. Proposals will be ranked from lowest to highest price based on the Combined Adjustment Factor. Technical and past performance evaluations will be performed **before** any price analysis is conducted.

If a response is determined by Sourcewell to not be technically acceptable or to not have acceptable past performance, then the Sourcewell Evaluation Committee will continue to the next lowest price technically acceptable Proposer with acceptable past performance.

Under the scenarios described above, it is possible that higher priced offers may receive an award if lower priced offers are not technically acceptable or do not have acceptable past performance.

If a wide margin is found in the Adjustment Factors submitted in response to the solicitation; being too high or too low, then the Sourcewell Evaluation Committee may establish a Competitive Range for the solicitation. If it is determined that a Proposer's Combined Adjustment Factor is too far outside the competitive range, then the Proposer may be removed from consideration. The proposer will be notified that they were determined to be outside the Competitive Range after award of the contracts. Technical and past performance evaluation of a proposer does not ensure inclusion in a competitive range, if one is set.

Price Considerations: The pricing criteria used for evaluation are (1) Reasonableness, (2) Balance, and (3) Total Combined Adjustment Factor.

Reasonableness – The existence of adequate price competition is expected to support a determination of reasonableness. If adequate price competition is not obtained, or if price reasonableness cannot be determined using analysis of the proposed combined adjustment factors, the Sourcewell Evaluation Committee will determine price reasonableness by comparison of proposed combined adjustment factors to historical combined adjustment factors paid on similar IDIQ contracts.

Balance – A proposal may be removed from consideration if it is determined that the proposer has mathematically unbalanced its proposal to gain a competitive advantage. The proposal will be considered unbalanced if any Adjustment Factor is found to not cover the contractor's reasonable actual cost. Those costs would include a reasonable prorated share of its anticipated profit, overhead cost, and other indirect costs that the proposer anticipates for the performance of the Work as determined by the Sourcewell Evaluation Committee. Proposers that are determined to be unbalanced may be rejected if the lack of balance within the adjustment factors poses an unacceptable risk to Sourcewell Members.

Combined Adjustment Factor - The combined adjustment factor is prepared by the Contractor using the Construction Task Catalog. This is the Contractor's competitively proposed price adjustment to include the Sourcewell Administrative Fee, and the Unit Prices as published in the Construction Task Catalog. Adjustment Factors are expressed as an increase to or decrease from the published prices.

B. AWARD(S). An Award of Contract will be made by the Sourcewell Chief Procurement Officer and ratified by the Board of Director based on the recommendation of the Sourcewell Proposal Evaluation Committee jointly and on behalf of its current and future Sourcewell Participating Entities. The Evaluation Committee will use criteria as permitted in Minnesota Statutes Section 16C.28, which requires that the award be made to the contractor(s) offering the best value, taking into account the project specifications estimated within a geographic region, attainment of ratings of "Pass" or "Acceptable" on each evaluation factor, and the proposer's Combined Adjustment Factor.

It is the intent of Sourcewell to award each contract to, responsive proposer(s) offering the best value based on Minnesota Statutes Section 16C.28 including the Combined Adjustment Factor, provided however, no proposer will be awarded more than one same scope contract within a geographic region. The maximum number of contracts to be initially awarded by geographic region and contract type are reflected in the tables below:

Regions 1, 4 & 7: Red River Valley, Southwest, and Southeast Regions	
General Construction	6 contracts
Mechanical/HVAC	2 contracts
Electrical	2 contracts
Plumbing	2 contracts
Paving	2 contracts
Roofing	2 contracts

Regions 2 & 5: Iron Range and Central Regions	
General Construction	8 contracts
Mechanical/HVAC	3 contracts
Electrical	3 contracts
Plumbing	3 contracts
Paving	3 contracts
Roofing	3 contracts

Regions 3 & 6: North Central & Twin Cities Metro Regions	
General Construction	10 contracts
Mechanical/HVAC	4 contracts
Electrical	3 contracts
Plumbing	3 contracts
Paving	3 contracts
Roofing	3 contracts

Sourcewell reserves the right to award additional contracts from this solicitation, above the stated maximum number, if it is determined to be in the best interests of Sourcewell and participating entities, for a period of 180 Days (or longer, if mutually agreeable to both the proposer and Sourcewell).

IX. ASSIGNMENT OF WORK

See the Contract, and General Terms and Conditions for a detailed description of how work will be assigned.

X. PROTESTS OF AWARDS

Any protest made under this RFP by a proposer must be in writing, addressed to Sourcewell's Executive Director, and delivered to the Sourcewell office located at 202 12th Street NE, P.O. Box 219, Staples, MN 56479. All documents that comprise the complete protest package must be received no later than 10 calendar days following Sourcewell's notice of contract award(s) or non-award and must be time stamped by Sourcewell no later than 4:30 p.m., Central Time.

A protest must allege a procedural or technical defect, with supporting documentation. A request for re-evaluation of a proposal's content will not be entertained.

A protest must include the following items:

- The name, address, and telephone number of the protester
- The original signature of the protester or its representative
- Identification of the solicitation by RFP number
- A precise statement of the relevant facts
- Identification of the alleged breakdown in procedure or technical issues
- Identification of the legal or factual basis
- Any additional supporting documentation
- Protest bond in the amount of \$20,000, except where prohibited by law or treaty

Protests that do not address these elements will not be reviewed.

XI. RIGHTS RESERVED

This RFP does not commit Sourcewell to award any contract, and a proposal may be rejected if it is nonresponsive, conditional, incomplete, conflicting, or misleading. Proposals that contain false statements or do not support an attribute or condition stated by the proposer may be rejected.

Sourcewell reserves the right to:

- Modify or cancel this RFP at any time
- Reject any and all proposals received
- Reject proposals that do not comply with the provisions of this RFP
- Independently verify any information provided in a proposal
- Disqualify any proposer that does not meet the requirements of this RFP, is debarred or suspended by the United States or Canada, State of Minnesota, participating entity's state; has an officer, or other key personnel, who have been charged with a serious crime; or is bankrupt, insolvent, or where bankruptcy or insolvency are a reasonable prospect;
- Waive or modify any informalities, irregularities, or inconsistencies in the proposals received
- Clarify any part of a proposal
- Award a contract if only one responsive proposal is received if it is in the best interest of participating entities
- Award a contract to one or more proposers if it is in the best interest of participating entities

XII. DISPOSITION OF PROPOSALS

All materials submitted in response to this RFP will become property of Sourcewell and will become public record in accordance with Minnesota Statutes Section 13.591. It is the proposer's responsibility to clearly identify any data submitted that it considers to be protected. Proposer must also include a justification for the classification citing the applicable Minnesota law.

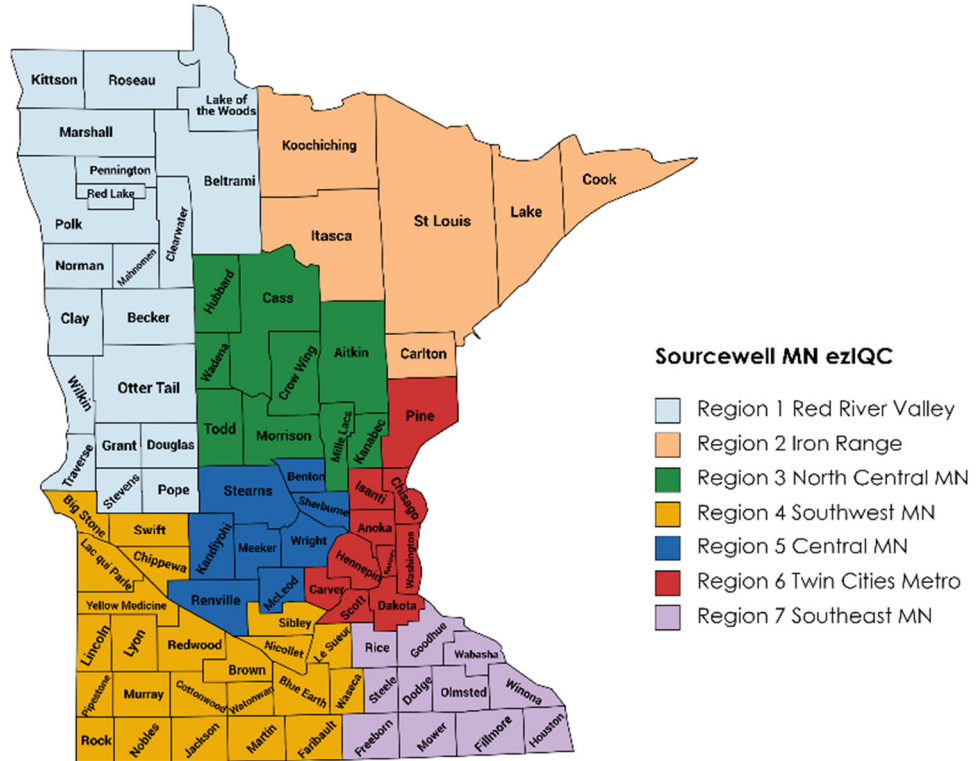
Sourcewell will not consider the prices submitted by the proposer to be confidential, proprietary, or trade secret materials. Financial information, including financial statements, provided by a proposer is not considered trade secret under the statutory definition.

The proposer understands that Sourcewell will reject proposals that are marked confidential nonpublic, either substantially or in their entirety.

[Map of Service Regions to Follow]

MAP OF SOURCEWELL CONTRACT REGIONS

Solicitation # MN-040622



Region 1 - Red River Valley

Becker	Lake of the Woods	Pope
Beltrami	Mahnomen	Red Lake
Clay	Marshall	Roseau
Clear Water	Norman	Stevens
Douglas	Ottertail	Traverse
Grant	Pennington	Wilkin
Kittson	Polk	

Region 2 - Iron Range

Carlton	Itasca	Lake
Cook	Koochiching	St. Louis

Region 3 - North Central

Aitkin	Hubbard	Morrison
Cass	Kanabec	Todd
Crow Wing	Mille Lacs	Wadena

Region 4 - Southwest

Big Stone	Le Sueur	Redwood
Blue Earth	Lincoln	Rock
Brown	Lyon	Sibley
Chippewa	Martin	Swift
Cottonwood	Murray	Waseca
Faribault	Nicollet	Watonwan
Jackson	Nobles	Yellow Medicine
Lac Qui Parle	Pipestone	

Region 5 - Central

Benton	Meeker	Stearns
Kandiyohi	Renville	Wright
McLeod	Sherburne	

Region 6 - Twin Cities Metro

Anoka	Hennepin	Ramsey
Carver	Isanti	Scott
Chisago	Pine	Washington
Dakota		

Region 7 - Southeast

Dodge	Houston	Steele
Fillmore	Mower	Wabasha
Freeborn	Olmsted	Winona
Goodhue	Rice	