**ATTACHMENT B**

**INSTANCES IN WHICH AN RFA MAY BE REJECTED**

**Insufficient Competition**

If only one application is received in response to the solicitation, an award may be made if CFILC determines that the application is fair and reasonable, that other prospective bidders or applicants had a reasonable opportunity to respond, and that time constraints do not allow for a new solicitation. Otherwise, the bid or application may be rejected for insufficient competition.

**Modification of Bids or Proposals after Opening**

Applicants may not withdraw a bid or application or correct a mistake based on an error in judgment. Minor informalities in an application may be waived or corrected if correction is advantageous to CFILC. If a nonjudgmental mistake is obvious and the intent of the application is evident on its face, the application shall be corrected to reflect the intended application. If an obvious error is evident on the face of the application but the intent of the application is not evident, the applicant may be allowed to withdraw the application without penalty. If the application establishes clear and convincing evidence that a nonjudgmental mistake was made, the applicant may be allowed to withdraw the application without penalty.

**Nonresponsive Applications**

Applications may be rejected as nonresponsive if they fail to conform in all material respects to the solicitation.

**Nonresponsive Proposer**

Applications may be rejected and the proposer deemed nonresponsive if there is justification, to include past performance, or proposer cannot adequately provide materials, services or deliverables requested.

**Failure to Meet Requirements**

Failure to meet specifications required including delivery time or other requirements specified in the solicitation shall be cause for rejection of the proposal.

**Application Submission Requirements**

Applicants must follow all application format instructions in providing all required information in an accessible format.

Applications that do not contain all of the required elements, or those in which the printed copy electronic copy content do not match, or do not comply with the given instructions or criteria for the RFA will be considered non-responsive and may be disqualified from the evaluation process.

**Late Applications**

No late applications will be accepted after October 4, 2018 at 5:00 PM PST. It is the responsibility of the applicant to ensure that the application is received prior to the deadline.

**Withdrawal of Bids or Applications**

Applications may be withdrawn from competition at any time before the October 4, 2018 submission date. If the application is withdrawn prior to October 4, 2018, the Applicant will not be allowed to resubmit the application. Applications may not be withdrawn from completion after the submission date.

**Conflict of Interest**

Applications submitted by an individual or firm that developed the specifications or plans for a project will not be considered.

**REVIEW PROCESS**

Phase 1 –Administrative Review

Applications will be reviewed and evaluated for timeliness and completeness of RFA specifications. In this review stage, reviewers will compare the contents of each application to the Required Documents Checklist and ensure that the minimum qualifications are met. Applications that do not contain all of the required items listed on the Required Documents Checklist will be considered non-responsive, and disqualified from the evaluation.

Phase 2 - Evaluation Panel

The Evaluation Panel members are qualified professionals with subject matter experience in the disability community and knowledgeable of Independent Living Philosophy. In addition, evaluators will be experienced and trained on the grant making process. The Evaluation Panel will review and score the applications in accordance with the RFA scoring criteria.

1. CFILC’s goal is to award up to eleven (11) grant contracts to ensure that the Device Lending and Demonstration Centers are established and available throughout the State of California to assist people in obtaining needed Assistive Technology statewide. CFILC reserves the right to reject all applications. CFILC is not required to award any grants.
2. Up to eleven (11) grants may be awarded to the highest scoring applications. Grants will be awarded in order starting with the applicant that has the highest score to the applicant the has the lowest score until all grants have been awareded. Funding for this program could change. Device Lending and Demonstration Centers will be given a 30 day funding notice in writing of any change in funding.
3. Tiebreaker: In the event there is a tie, the Evaluation Panel will break the tie by awarding the grant to the applicant with the highest score in the most heavily weighted scoring category If those scores are the same, the Evaluation Panel will break the tie by awarding the contract to the applicant with the highest score in the second most heavily weighted scoring category. If there is still no apparent winner, continue selecting the most heavily weighted scoring category to break the tie.
4. In the event that there is still a tie after going through all of Section C tiebreaker rules CFILC will break the tie by awarding the contract to the applicant that is geographically farthest from the awardee that scored higher in the scoring process than the two centers that are tied.

| **Rating/Scoring Criteria** | **Maximum Possible Points** |
| --- | --- |
| Organizational Structure, Capacity, Geographic Location | 25 |
| Organizations knowledge, experience providing Assistive Technology services and how Voice Options builds or expands upon current programs | 25 |
| Experience providing outreach with established partnerships within the disability community. | 20 |
| Brief Explanation of how your organization upholds IL Philosophy | 10 |
| Plan that Addresses the following   * Voice Options (VO) Staffing * Secure Storage of VO devices * Outreach & Public Demonstrations * The ability to meet or exceed the minimum number of outreach and Public Demonstrations * Proposers who currently operate a device loan program requirement * Budget & Narrative | 20 |
| Total Possible Points | 100 |

**RFA PROTEST PROCEDURES**

**Who May File a Protest**

A prospective contractor who is aggrieved in connection with the request for applications (RFA) or award of the contract may file a protest. No protest may be filed if the request for applications is cancelled or if all applications received in response to the RFA are rejected.

**Place for Filing**

A protest must be filed in writing with the California Foundation for Independent Living Centers, 1000 G Street, Suite 100, Sacramento, CA 95814 or via email at [DLDC@cfilc.org](mailto:DLDC@cfilc.org).

**Time for Filing an Appeal**

A protest filed by a prospective contractor who submits an application must be filed by 5:00 PM on October 29, 2018. Only one protest may be submitted per applicant. The date and time of filing is the date of receipt of the protest.

**Contents of Protest**

A protest must be received in writing by 5:00 PM on October 29, 2018 and shall state all grounds upon which the protesting party asserts the RFA or contractor selection was improper. The protesting party must submit and:

* Clearly identify all issues in dispute;
* Contain a full statement of the applicants position with respect to each issue; and
* Contain pertinent facts and reasons in support of the applicant’s position in writing.

The written request must be received by CFILC by 5:00 PM PST on October 29, 2018.

**Receipt of Protest**

Upon receipt of protest CFILC will review the submitted protest details and determine whether there are grounds to uphold or change the decision.

**Determination of Protest**

After proper review of the received protest and when a decision has been reached CFILC will announce its finding by November 5, 2018 by 5:00 PM. All decisions are final and are at the discretion of CFILC. No further appeals may be presented after the final decision has been made.

**Notice of Protest**

CFILC will notify the successful bidder of the protest if contractor selection has already been made.

If CFILC receives an appeal by October 29, 2018 by 5:00 PM before the selection has been made, and it determines that substantial issues are raised by the protest, CFILC will notify all bidders who appear to have a substantial and reasonable prospect of selection.

Any bidder notified of a protest may file its agreement/disagreement with CFILC within the time period specified in the acknowledgement of protest email sent by CFILC.

**Stay of Procurement**

CFILC’s Ability Tools Program Director will promptly decide upon receipt of a timely protest whether or not the award of a contract shall be delayed, or if the protest is timely received after the award, whether the performance of the contract should be suspended.

CFILC shall not proceed further with the RFA unless the CFILC’s Ability Tools Program Director makes a written determination that the protest is clearly without merit or that award of the contract without delay is necessary to protect the substantial interests of CFILC and the Device Lending and Demonstration Center Program.

**Appeal Response and Reply**

CFILC will reply to the appeal in writing by 5:00 PM on November 5, 2018. CFILC will submit to the protesting party a response to the protest.

**Procedures**

CFILC’s Ability Tools Program Director shall review the protest and any response or reply. CFILC may decide the merits of the protest on the written, submitted documentation; request and review any additional documents or information deemed necessary to render a determination; or conduct a meeting to ascertain additional information.

**Determination**

The determination shall state the reason for the decision. CFILC shall send a copy of the determination to the protesting party.