



REQUEST FOR PROPOSAL

Publication and Supplement Services for the City's Municipal Code

**Office of the City
Counselor**

1200 Market Street, Room 314
St. Louis, Missouri 63103
Phone: 314-622-3361
Fax: 314-622-4956

Request for Proposal (RFP) Publication and Supplement Services for the City’s Municipal Code

1.0 Information for Respondents.

1.1. Purpose and Intent.

This Request for Proposal (RFP) for Publication and Supplement Services for the City’s Municipal Code is issued by and through the Office of the City Counselor (the “OCC”), on behalf of The City of St. Louis, Missouri (the “City”).

The purpose of this RFP is to solicit sealed proposals for the purpose of hiring a publication firm through competitive negotiations to provide publication and supplement services for the City’s Code. The potential contract(s) resulting from this RFP will be to recodify the Code and provide 80 new hard binders, to incorporate new legislation into the Code at the time of recodification, to provide supplements to the Code after recodification, and to host and update the code of ordinances online.

The intent of this RFP is to award a contract to the respondent whose proposal, conforming to this RFP, is most advantageous to the OCC, price, and other factors considered. The OCC reserves the right to award the contract(s) resulting from this RFP to one or more respondents, as required and appropriate to meet the needs of the OCC user community.

1.2. Background.

The law department for The City of St. Louis, Missouri, known as the Office of the City Counselor, provides legal assistance and representation to the City, its related agencies and departments, and its elected and appointed officers. The OCC assists with preparing legislation for codification and publication. It distributes approximately 80 annual copies of the supplements to various departments and agencies of the City of St. Louis.

1.3. Timeline.

1.3.1. Question and Answer Period.

It is the policy of the OCC to accept questions and inquiries regarding this RFP only via U.S. mail and email to the following individual:

Ms. Rebecca K. Wright

Associate City Counselor
1200 Market Street, Room 314
St. Louis, Missouri 63103
Telephone: 314-622-3361
wrihtr@stlouis-mo.gov

Questions shall be submitted no later than April 8, 2016. Only short procedural inquiries will be accepted over the telephone by the OCC; however, oral explanations or instructions given over the telephone shall not be binding upon the OCC.

The OCC will maintain a list of all entities requesting copies of the RFP and shall ensure that copies of all questions and responses hereto shall be made available to each entity on such list.

Questions should be asked in consecutive order, from beginning to end, following the organization of the RFP. Each question should begin by referencing the RFP page number and section number to which it relates. As stated above, except for short procedural inquiries, Respondents shall only contact the OCC by e-mail or in writing.

After the submission of proposals, unless requested by the OCC, contact with the OCC is limited to status inquiries only and such inquiries are to be directed to the above-named individual. Any further contact or information about the proposal to the OCC or any other City official connected with this RFP will be considered an impermissible supplementation of the Respondent's proposal.

1.3.2. Submission of Proposal.

In order to be considered by the Selection Committee, a Respondent's proposal must be received by the OCC at the appropriate location by the required time. Proposals received after this deadline will not be accepted. **THE DATE, TIME AND LOCATION ARE:**

<u>Date:</u>	APRIL 8, 2016
<u>Time:</u>	4:00 P.M.
<u>Location:</u>	OFFICE OF THE CITY COUNSELOR 1200 MARKET STREET, ROOM 314 ST. LOUIS, MISSOURI 63103

Proposals must be labeled on the outside of the package to clearly indicate that they are in response to the **RFP FOR CODE PUBLICATION & SUPPLEMENT SERVICES**. Proposals submitted via e-mail or facsimile will not be accepted.

Each Respondent must submit **one (1) sealed, complete, ORIGINAL proposal**. Each Respondent must also submit **seven (7) sealed, full, complete and exact copies** of the original. It is suggested that the Respondent make and retain a copy of its proposal.

2.0. **SCOPE OF SERVICES.**

2.1. Background.

The OCC is interested in receiving sealed proposals to recodify the Code with new hard binders, to provide annual or semi-annual code publication and supplement services to the City of St. Louis and its related agencies, and to provide web hosting of the City's code of ordinances. The City of St. Louis will need eighty (80) copies of the recodified Code in binders and one digital copy (available for downloading). Annual or semi-annual supplements will require eighty (80) copies with a digital version of the supplement (separate from the web hosting).

The respondent should assume that any contract(s) that may be issued as a result of this RFP shall be based on a fixed price and a fixed price for any services and products required by the OCC. Listed below are the various required components for the recodification project and semi annual or annual supplementation. The publication firm shall clearly describe in its response a recommended process for achieving these components including timelines for each.

2.2. Specifications.

- A. The publication process shall ensure that all Code-relevant legislation is properly incorporated into the Code and shall provide written documentation of the incorporation to the City of St. Louis. If legislation is not properly incorporated into the Code and such mistake is due to a publishing error then the City is not responsible for the cost of issuing an errata sheet.
- B. The publication firm shall recommend an organization and numbering system to be used for new sections and/or titles of the Code; however, the City of St. Louis shall have the final approval of the organizational and numbering system for the Code.
- C. Also to be included as part of the basic project is the preparation and publication of a comprehensive, detailed Code Index. The publication firm shall provide an example of a typical Index as part of its response.
- D. The publication firm shall also provide the same editorial type including annotation (McQuillin references, statutory references and cases), indexing, reference and disposition tables for the City's Code.

- E. The Code publishing firm shall recodify the Code, provide 80 copies of the recodified Code with binders and, thereafter, provide 80 supplements on an annual or semi-annual basis as needed. The supplements shall incorporate all changes and shall include a page of instructions for the removal of the obsolete pages and insertions of the new pages.
- F. The Code publishing firm, if selected, will also be required to post updates as soon as possible to the Code's website and the Code and updates shall be available to the general public on the website for free.
- G. The Code publishing firm shall incorporate all changes and additions into the appropriate place in the existing code, including deletion of repealed ordinances, and update the table of contents and index as necessitated.
- H. At the time that the supplements are published, the publisher shall provide the City with at least one digital copy of the Code, preferably in a RFT format, to perform updates to City's electronic versions of the Code.
- I. After the Code is updated annually or semi-annually, the Code publisher shall also update the website version of the Code.

2.3 Optional Services.

The publishing firm may provide information on any additional products or services related to publication and supplement services not outlined in this Request for Proposals. Please include a complete description of the services, procedures involved and a separate breakdown of all applicable costs.

2.4 Respondent's Questionnaire.

Please describe your organization and include in your description, at a minimum, the following:

- A. Type of organization (Corporation, Partnership, etc.).
- B. Brief history.
- C. Description of services.
- D. Experience in providing Code publication services and hosting Code website for municipalities.
- E. Representative list of clients, preferably municipalities, for whom you provide similar services.

3.0 **PROPOSAL EVALUATION.**

The evaluation of proposals will be performed by a Selection Committee composed of representatives of the Mayor's Office, Comptroller's Office, the President of the Board of Aldermen's Office, and the OCC, in accordance with the guidelines established by Ordinance No. 64102 and the Regulations established by the Board of Public Service.

The Selection Committee will review proposals using the following criteria as a guide to determine which, if any, proposals are the most advantageous to the OCC's and City of St. Louis' needs:

- A. The proposed cost of the services. The proposed cost of the services is very important but is not necessarily the controlling factor in choosing the successful respondent. Respondent's proposal shall provide a price structure based on the price per page for supplement services, price per digital copy, price for hosting online ordinances and price for recodification of the Code including binders. Payment for recodification would be in stages as the project would be in phases and paid from two fiscal year budgets.
- B. Specialized experience, qualifications and technical competence of the firm, its principals, project manager and key staff.
- C. Ability of the publishing firm to provide innovative solutions.
- D. Approach to the project and any unusual problems anticipated.
- E. The capacity and capability of the firm to perform the work within the time limitations—which is anticipated to take up to a year or as long as eighteen months.
- F. Proximity of the firm to the City.
- G. Availability of financial and operating resources as required to complete the work.
- H. M/WBE and/or DBE participation.
- I. Ability of the firm to meet statutory or ordinance requirements.
- J. The respondent's expertise and record of past performance.
- K. The ability of the respondent to respond and complete the recodification of the Code and prepare annual or semi-annual updates and supplements in a timely manner.

- L. The extent to which the proposal is complete and responsive to the RFP specifications.
- M. Other relevant criteria as may be developed by the OCC or the Selection Committee.

The OCC reserves the right to interview, or call for a presentation from, any Respondent submitting a response. The OCC also reserves the right to discuss the proposals with any or all Respondents. Nothing in this RFP is intended to be, nor should anything herein be construed as, an offer of engagement. A selection or designation of a successful Respondent shall not be construed as an offer of engagement until and unless a contract is fully negotiated.

4.0 ADDITIONAL INFORMATION.

4.1. Amended Proposals.

A Respondent may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be complete replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. The OCC will not merge, collate or assemble proposal materials.

4.2. Right to Withdraw Proposal.

Respondents will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The Respondent must submit a written withdrawal request signed by the Respondent's duly authorized representative(s) addressed to the OCC.

4.3. Revisions to this RFP.

In the event that it becomes necessary to clarify or revise this RFP, such clarification or revision will be by addendum.

All RFP addenda will be issued on the City website. To access addenda, the Respondent must locate "RFP for Code Publication Services" at the following address:

<http://www.stlouis-mo.gov/government/procurement.cfm>

There are no designated dates for release of addenda. Therefore, interested Respondents should check the City website on a daily basis from time of RFP issuance through RFP deadline date. It is the sole responsibility of the Respondent to be knowledgeable of all addenda related to this RFP.

4.4. Respondent Responsibility.

The Respondent assumes sole responsibility for the complete effort required in this RFP. No special consideration shall be given after proposals are opened because of a Respondent's failure to be knowledgeable of all the requirements of this RFP. By

submitting a proposal in response to this RFP, the Respondent represents that it has satisfied itself, from its own investigation, of all the requirements of this RFP.

4.5. Cost Liability.

Any cost incurred by the respondent in preparation, transmittal, or presentation of any proposal or material submitted in response to this RFP, including oral presentation and demonstration if required, shall be borne solely by the respondent.

4.6. Audits.

The City of St. Louis and the City's auditors and accountants shall be afforded access during the term of any contract adopted pursuant to this RFP, and for five (5) years following termination, to all of the company's books and records without limitation whatsoever for the purpose of conducting audits. All books and records shall be open to inspection and/or reproduction to the extent necessary to adequately permit evaluation and verification of the company's full compliance with contract documents. In those situations where the company's records have been generated from computerized data or records, in addition to hard copy (reports), contractor shall provide such information on disk or in a suitable alternative electronic format.

4.7. Contents of Proposals.

All materials submitted in accordance with this RFP will become and remain the property of the City and will not be returned.

All Proposals shall be considered public records, but may be deemed and treated as "closed" or "exempt" by the OCC, at the sole discretion of the OCC, pursuant to the City's understanding and interpretation of the laws of the State of Missouri. All Proposal material may be treated as open records. The City cannot guarantee confidentiality of any materials during the evaluation process or at any other time. Thus, Proposals and communications exchanged in response to this RFP should be assumed to be subject to public disclosure.

4.8. No Obligation.

This RFP in no manner obligates the City or the OCC to the eventual purchase of services offered until confirmed by an executed written agreement approved by the OCC. Progress toward this end is solely at the discretion of the OCC and may be terminated at any time prior to the signing of an agreement.

4.9. Termination.

This RFP may be canceled at any time and any and all proposals may be rejected, in whole or in part, when the OCC determines it is in the best interest of the City and/or the OCC.

4.10. Governing Law.

This RFP, and any agreement with respondents that may result, shall be governed by the laws of the State of Missouri.

4.11. Nondiscrimination.

In connection with the contract resulting from this RFP, the firm agrees that in performing any services resulting from this RFP, neither he/she nor anyone under his/her control will permit discrimination against any business, employee, applicant, client or subscriber because of race, creed, color, disability, religion, sexual orientation, national ancestry or origin.

4.12. Living Wage & Minority Participation.

Respondents will be expected to comply with the City's Living Wage Ordinance No. 65597, and are encouraged to review this ordinance prior to making their submissions. The City is actively seeking participation by MBE and WBE firms and encourages those firms to submit proposals.

4.13. American with Disabilities Act.

In connection with the furnishing of goods and services under any contract resulting from this RFP, the firm shall comply with all applicable requirements and provisions of the Americans with Disabilities Act (ADA).

4.14. Minority and Women's Business Enterprise Participation (MBE/WBE):

The selected firm shall comply with the Mayor's Executive Order No. 28 any superseding Executive Orders relating to the utilization of minority and women (MBE/WBE). Executive Order No. 28 requires contractors and consultants to seek, through good-faith efforts, the involvement of MBE's and WBE's with a goal of participation of at least 25% and 5% respectively, for the project. For additional information, please visit www.mwdbe.org.

4.15. Unauthorized Aliens Affidavit.

As a condition for the award of this contract, Contractor, shall, pursuant to the provisions of Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as amended, by sworn Affidavit (attached hereto as Appendix 1) and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with this Agreement. Contractor shall also sign an affidavit (attached hereto as Appendix 1) affirming that it does not knowingly employ any person who is an unauthorized alien in connection with this Agreement pursuant to the above-stated Statutes.

4.16. Indemnification.

Each Respondent, in seeking, receiving or possessing this RFP and/or in submitting a response, does release, indemnify, and hold the City and its various employees, representative and agents harmless from and against all claims and demands of any and all loss, cost, damage, or liability of whatever nature, which may be asserted against or imposed against the City as a result of issuing this RFP, making any revisions thereto, conducting this selection process and subsequent negotiations, and making a final recommendation and/or entering into a contract.

4.17. Subject to Appropriation.

Any contract or agreement that results from this RFP is subject to annual appropriation by the City. Any contract or agreement that results from this RFP is voidable at any time by the City if appropriation by the City for the services under the contract or agreement is not made.

Appendix 1

STATE OF _____)
)SS.
COUNTY OF _____)

AFFIDAVIT

Before me, the undersigned Notary Public, personally appeared _____ (**Name**) who, by me being duly sworn, deposed as follows:

My name is _____ (**Name**), I am of sound mind, capable of making this Affidavit, and personally acquainted with the facts herein stated:

I am the _____ (**Position/Title**) of _____. (**Contractor**)

I have the legal authority to make the following assertions:

1. _____ (**Contractor**) is currently enrolled in and actively participates in a federal work authorization program with respect to the employees working in connection with this Agreement, as required pursuant to Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as amended.
2. Pursuant to Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as amended, _____ (**Contractor**) does not knowingly employ any person who is an unauthorized alien in connection with this Agreement.

Affiant

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this ____ day of _____, 20__.

Notary Public

My Commission Expires:

