State of Minnesota
Department of Employment and Economic Development



# Re-Solicitation of REQUEST FOR PROPOSAL

Shovel Ready Program Consultant

Date Posted: January 13, 2025

* Responses must be received not later than 4:30 pm, Central Time, February 6, 2025
* Late responses will not be considered
* Contact the Solicitation Administrator, Colleen Eddy, if RFP documentation is needed in an alternative format.
* **Responders should only rely on information in this solicitation when responding to this RFP.**

## Minnesota’s Commitment to Diversity and Inclusion

The State of Minnesota is committed to diversity and inclusion in its public procurement process. The goal is to ensure that those providing goods and services to the State are representative of our Minnesota communities and include businesses owned by minorities, women, veterans, and those with substantial physical disabilities. Creating broader opportunities for historically under-represented groups provides for additional options and greater competition in the marketplace, creates stronger relationships and engagement within our communities, and fosters economic development and equality.

To further this commitment, the Department of Administration operates a program for Minnesota-based small businesses owned by minorities, women, veterans, and those with substantial physical disabilities. For additional information on this program, or to determine eligibility, please call 651-296-2600 or go to the Office of Equity in Procurement home page, at [www.mn.gov/admin/oep](http://www.mn.gov/admin/oep).

SPECIAL NOTICE: This is a request for proposal. It does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest.

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### Solicitation Attachments

* Attachment A: Responder Declarations
* Attachment B: Exceptions to State's Terms and Conditions
* Attachment C: Cost Detail
* Attachment D: Responder Forms
	+ Workforce and Equal Pay Declaration Page
	+ Veteran Owned Business
* Attachment E: Reference Form

### Sample Contract

* Exhibit A: Contract Terms
* Exhibit B: Insurance Requirements

## SECTION 1 – INSTRUCTIONS TO RESPONDERS

Follow the steps below to complete your response to this Solicitation:

* Step 1: Read the solicitation documents and ask questions, if any
* Step 2: Write your response
* Step 3: Submit your response

**Incomplete Submittals:**

A response must be submitted along with any required additional documents. Incomplete responses that materially deviate from the required format and content may be rejected.

### STEP 1 – READ THE SOLICITATION DOCUMENT & ASK QUESTIONS, IF ANY

**How to Ask Questions**

The contact person for questions is:

Colleen Eddy, Metro Regional Business Development Manager (“Solicitation Administrator”)
DEED Business Development
Colleen.Eddy@state.mn.us

Questions should be emailed to the contact by **January 24, 2025, no later than 4:30pm CST**. Please make sure to include in the email Subject Line: “RFP Question re Shovel Ready Certification Program.”

**Other personnel are not authorized to answer questions regarding this Solicitation.**

### STEP 2 – WRITE YOUR RESPONSE

The Response Content section is in this link to [Section 4](#Section4ResponseContent). Prepare a written response and supply all requested content. Responses should address the requested information and documents detailed in Section 4. DO NOT INCLUDE Non-Public/Trade Secret data (as defined in this link to [Minn. Stat. § 13.37](https://www.revisor.mn.gov/statutes/cite/13.37)).

**Review, sign, and include the Responder Declarations with your response**.

### STEP 3 –SUBMIT YOUR RESPONSE

Where to Send Your Response

Submit your response via -email to:

Department of Employment and Economic Development
Colleen Eddy, Metro Regional Business Development Manager
Colleen.Eddy@state.mn.us

Proposals must be received **no later than 4:30 PM, Central Time, February 6, 2025**. Late responses will not be considered.

By submitting a response, responder is making a binding legal offer for the period of time set forth below in Section 6, Conditions of Offer. The technical proposal must be submitted separately from the cost proposal

## SECTION 2 – SUMMARY OF SCOPE

### 1. Procurement Overview and Goals.

The Minnesota Department of Employment and Economic Development (“DEED” or “State”) is requesting proposals from qualified Responders to provide certification of location sites for the Minnesota Shovel Ready Sites Program (“Program”). DEED intends to contract with a single Contractor to certify sites statewide. As the economy fluctuates resulting in new and changing demands for workspace, the need to have an inventory of certified industrial sites for development is critical. The reason for this is simple: the location decision process demands available sites that are ready for development because decision-making timeframes continue to shorten. Companies looking to build new facilities want sites that are ready-to-go and relatively risk-free.

In 2008, the Minnesota Marketing Partnership (“MMP”) and the DEED Office of Business Development created the Program with a formal application and due diligence process to review and certify sites. Over the years, the Program has grown and evolved to meet changing expectations in the development industry. Further detail on programmatic requirements can be found on our website: Shovel-Ready Site Certification / Minnesota Department of Employment and Economic Development ([mn.gov](https://mn.gov/deed)) (<https://mn.gov/deed/government/shovel-ready/>).

The successful Responder will review applications and examine sites on behalf of DEED. After which and based upon the contractor’s recommendation, DEED will certify the site as “Shovel Ready”. Program sites will be located statewide, many of the sites are anticipated to be outside the metro area, and project work is dependent on the number of applications received. As certification of sites relies on community interest, the state cannot determine how many applications will be received on a yearly basis.

**The contractor or firm assisting with certification of the sites will not be allowed to act as the listing broker for the property or be engaged in other professional services with the applicant during the term of the contract period.**

### 2. Sample Tasks and Deliverables.

The qualified Responder will perform the following tasks:

1. Review and verify that each applicant that has applied for “Shovel Ready” certification has met all the requirements of the Program and has submitted the appropriate documentation to include at a minimum the following:
	1. Legal description;
	2. Taxes & assessments;
	3. Surveys;
	4. Photos;
	5. Purchase or option agreements;
	6. Description of local and government approval processes;
	7. Maps, American Land Title Association (“ALTA”) surveys and plat documents;
	8. Soil tests based on current American Society for Testing and Materials (“ASTM”) standards;
	9. Detailed description of transportation facilities;
	10. Environmental Site Assessments;
	11. Land use and zoning requirements;
	12. State and local regulations that may apply; and
	13. Detailed description of water, sewer, gas, electrical and telecommunications infrastructure.
	14. Provide efficient, thorough, and technically sound Shovel Ready desktop application reviews
2. Conduct on-site inspections of each site to verify the information is true and accurate.
3. Meet with local officials to review findings and correct deficiencies.
4. Recommend sites that meet established requirements to be certified as “Shovel Ready.”
5. Address, questions from “Shovel Ready” applicants with input from DEED’s Authorize Representative.
6. Issue formal report on sites not meeting the “Shovel Ready” criteria listing the reasons and documenting needs to meet requirements.
7. Participate as needed in public relations.
8. Assist DEED in continuing to develop the Program to be more useful, affordable, trusted and an easily accessible Program for applicants, developers, and site selectors.
9. Identify sites that do not meet the Program requirements and provide clear guidance for achieving Program compliance.
10. Interview applicants and perform site walks while utilizing a tone that is friendly, compassionate, and professional.
11. Confirm which sites meet the Program requirements.
12. Assist DEED with communications and questions from applicants throughout the certification process.

Responders are encouraged to provide the means they will take to accomplish the above tasks and deliverables and propose additional tasks or activities if they will improve the results of the project. These items should be separated from the required items in the Total All-Inclusive Cost per Shovel Ready Site, listed on the Cost Proposal. Costs associated with tasks and deliverables included in this section, should not be separated out. These costs include but are not limited to travel expenses, mileage, mass mailings, fees, commissions, compensation, equipment, and other charges.

## SECTION 3 – PROPOSAL INSTRUCTIONS AND ADDITIONAL INFORMATION

### 1. Anticipated Contract Term.

The term of this contract is anticipated to be from **February 2025 to March 2027**, with the option to extend up to an additional three (3) years in increments determined by the State.

### 2. Question and Answer Instructions.

All questions should be submitted no later than the date and time listed in Section 1, Instructions to Responders. The State is not obligated to answer questions submitted after the question due date and time.

Only personnel listed above are **authorized** to discuss this solicitation with responders. Contact regarding this solicitation with any personnel not listed above could result in disqualification. This provision is not intended to prevent responders from seeking guidance from state procurement assistance programs regarding general procurement questions.

If a Responder discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in the solicitation, please immediately notify the contact person detailed above in writing of such error and request modification or clarification of the document.

### 3. Additional Tasks or Activities.

Responders are encouraged to propose additional tasks, activities, or goods above and beyond the scope of what is requested in this solicitation if they will substantially improve the results of this procurement. Any costs associated with these additional tasks, activities, or goods should be clearly marked and separated from costs associated with the tasks, activities, or goods specifically requested under this solicitation. Because cost is a factor in the evaluation of responses to this solicitation, failure to separate costs for additional tasks, activities, or goods may result in those costs being included in a responder's cost proposal and result in a lower cost score for that proposal.

## SECTION 4 – PROPOSAL CONTENT

Please submit the following information:

1. **Work Plan.** Responder should provide a description of the deliverables to be provided by the Responder as outlined in Section 2 along with a detailed work plan that identifies the major tasks to be accomplished and be used as a scheduling and managing tool, as well as the basis for invoicing. This document should NOT list cost detail. If cost detail is included in this document, the State may disqualify the proposal as non-responsive. Responder should provide a statement of the objectives, goals, and tasks to show or demonstrate the Responder's view and understanding of the nature of the contract.
2. **Qualifications and Experience.** Responder must have at least five (5) years of experience in site selection/economic development. Responder should provide an outline of background and experience with examples of similar work done by the Responder and a narrative to explain how the responder meets the minimum qualifications. A list of personnel who will conduct the project, detailing their training, and work experience should be provided. Resumes or other information about project personnel should not, if possible, contain personal telephone numbers, home addresses, or home email addresses. If it is necessary to include personal contact information, please clearly indicate in the response that personal contact information is being provided.
3. **References.** Responder should complete and submit “Attachment E: Reference Form” with their response. Responder should submit three (3) completed reference forms with each reference’s company name and contact information with their response. Once Responder’s response is received, the Solicitation Administrator will send the same form to Responder’s reference(s) for each reference to fill out and return to the Solicitation Administrator.

Responder must complete and submit “Attachment E: Reference Form” with their response. Responder should answer every question and provide all information requested on the reference form. Failure to meet this requirement may result in the rejection of the entire solicitation response as non-responsive.

The State reserves the right to verify the information submitted on Attachment E before an award is made. The State reserves the right to contact the references listed in Attachment E. The solicitation response will be rejected if the State, in its sole discretion, receives information that indicates the responder is non-responsible or non-responsive.

1. **Cost Detail.** Complete and submit Attachment C, “Cost Detail,” attached to this solicitation.

Submit all requested documentation, including, but not limited to, the following documents:

1. Attachment A: Responder Declarations
2. Attachment B: Exceptions to State's Terms and Conditions
3. Attachment C: Cost Detail
4. Attachment D: Responder Forms
	1. Workforce and Equal Pay Declaration Page
	2. Veteran Owned Business
5. Attachment E: Reference Form

**DO NOT INCLUDE Non-Public/Trade Secret data (as defined by Minn. Stat. § 13.37).**

## SECTION 5 – EVALUATION PROCEDURE AND CRITERIA

The State will conduct an evaluation of responses to this Solicitation. The evaluations will be conducted in three phases:

Phase 1 - Review responses for responsiveness and pass/fail requirements

Phase 2 - Evaluate responses

Phase 3 - Select finalist(s)

### 1. Phase 1 – Responsiveness and Pass/Fail Requirements

The purpose of this phase is to determine if each response complies with mandatory requirements. The State will first review each proposal for responsiveness to determine if the Responder satisfies all mandatory requirements. The State will evaluate these requirements on a pass/fail basis.

Mandatory Requirements. The following will be considered on a pass/fail basis:

* Responses must be received by the due date and time specified in this RFP.
* Responders must have at least five (5) years of experience in site selection/economic development.
* Responders must submit three (3) professional letters of reference using Attachment E: Reference Form.

### 2. Phase 2 - Evaluate Responses

Only those responses found to have met Phase 1 criteria will be considered in Phase 2.

The factors and weighting on which responses will be evaluated are:

|  |  |  |
| --- | --- | --- |
| Categories | Points Available | Points Required |
| 1. Work Plan
 | 300 points | 240 points |
| 1. Qualifications and Experience
 | 200 points | 160 points |
| 1. References
 | 200 points | 100 points |
| 1. Cost Detail
 | 300 points | Formula calculation |
| Total Points available | 1,000 points | Blank |
| 1. Preference Points (if applicable)
 | 120 points (in addition to 1,000 available) | Blank |

Preference points are described under Solicitation Terms and will be applied to the total score after points have been awarded.

### 3. Phase 3 - Select Finalist(s)

Only those responses that have been evaluated under Phase 2 and have received a score above 700, meeting the Points Required as outlined in Phase 2 – Evaluate Responses, shall be eligible for Phase 3.

The State will make its selection based on best value, as determined by this evaluation process. The State reserves the right to pursue negotiations on any exception taken to the State’s standard terms and conditions. In the event that negotiated terms cannot be reached, the State reserves the right to terminate negotiations and begin negotiating with the next highest scoring responder or take other actions as the State deems appropriate. If the State anticipates multiple awards, the State reserves the right to negotiate with more than one Responder.

It is anticipated that the evaluation and selection will be completed by **February 2025**.

## SECTION 6 – SOLICITATION TERMS

### 1. Competition in Responding

The State desires open and fair competition. Questions from responders regarding any of the requirements of the Solicitation must be submitted in writing to the Solicitation Administrator listed in the Solicitation before the due date and time. If changes are made the State will issue an addendum.

Any evidence of collusion among responders in any form designed to defeat competitive responses will be reported to the Minnesota Attorney General for investigation and appropriate action.

### 2. Addenda to the Solicitation

Changes to the Solicitation will be made by addendum with notification and posted in the same manner as the original Solicitation. Any addenda issued will become part of the Solicitation.

### 3. Joint Ventures

The State allows joint ventures among groups of responders when responding to the solicitation. However, one responder must submit a response on behalf of all the others in the group. The responder that submits the response will be considered legally responsible for the response (and the contract, if awarded).

### 4. Withdrawing Response

A responder may withdraw its response prior to the due date and time of the Solicitation. For solicitations in the SWIFT Supplier Portal, a responder may withdraw its response from the SWIFT Supplier Portal. For solicitations done any other way, a responder may withdraw its response by notifying the Solicitation Administrator in writing of the desire to withdraw.

After the due date and time of this Solicitation, a responder may withdraw a response only upon showing that an obvious error exists in the response. The showing and request for withdrawal must be made in writing to Solicitation Administrator within a reasonable time and prior to the State’s detrimental reliance on the response.

### 5. Rights Reserved

The State reserves the right to:

* Reject any and all responses received;
* Waive or modify any informalities, irregularities, or inconsistencies in the responses received;
* Negotiate with the highest scoring Responder[s];
* Terminate negotiations and select the next response providing the best value for the State;
* Consider documented past performance resulting from a State contract may be considered in the evaluation process;
* Short list the highest scoring Responders;
* Require Responders to conduct presentations, demonstrations, or submit samples;
* Interview key personnel or references;
* Request a best and final offer from one or more Responders;
* The State reserves the right to request additional information ; and
* The State reserves the right to use estimated usage or scenarios for the purpose of conducting pricing evaluations. The State reserves the right to modify scenarios, and to request or add additional scenarios for the evaluation.

### 6. Samples and Demonstrations

Upon request, Responders are to provide samples to the State at no charge. Except for those destroyed or mutilated in testing, the State will return samples if requested and at the Responder’s expense. All costs to conduct and associated with a demonstration will be the sole responsibility of the Responder.

### 7. Responses are Nonpublic during Evaluation Process

All materials submitted in response to this Solicitation will become property of the State. During the evaluation process, all information concerning the responses submitted will remain private or nonpublic and will not be disclosed to anyone whose official duties do not require such knowledge. Responses are private or nonpublic data until the completion of the evaluation process as defined by Minn. Stat. § 13.591. The completion of the evaluation process is defined as the State having completed negotiating a contract with the selected responder. The State will notify all responders in writing of the evaluation results.

### 8. Trade Secret Information

1. Responders must not submit as part of their response trade secret material, as defined by Minn. Stat. § 13.37.
2. In the event trade secret data are submitted, Responder must defend any action seeking release of data it believes to be trade secret, and indemnify and hold harmless the State, its agents, and employees, from any judgments awarded against the State in favor of the party requesting the data, and any and all costs connected with that defense.
3. The State does not consider cost or prices to be trade secret material, as defined by Minn. Stat. § 13.37.
4. A responder may present and discuss trade secret information during an interview or demonstration with the State, if applicable.

### 9. Conditions of Offer

Unless otherwise approved in writing by the State, Responder’s cost proposal and all terms offered in its response that pertain to the completion of professional and technical services and general services will remain firm for 180 days, until they are accepted or rejected by the State, or they are changed by further negotiations with the State prior to contract execution.

### 10. Award

Any award that may result from this solicitation will be based upon the total accumulated points as established in the solicitation. The State reserves the right to award this solicitation to a single Responder, or to multiple Responders, whichever is in the best interest of the State, providing each Responder is in compliance with all terms and conditions of the solicitation. The State reserves the right to accept all or part of an offer, to reject all offers, to cancel the solicitation, or to re-issue the solicitation, whichever is in the best interest of the State.

### 11. Requirements Prior to Contract Execution

Prior to contract execution, a responder receiving a contract award must comply with any submittal requests. A submittal request may include, but is not limited to, a Certificate of Insurance.

### 12. Targeted Group, Economically Disadvantaged Business, Veteran-Owned and Individual Preference

Unless a greater preference is applicable and allowed by law, in accordance with Minn. Stat. § 16C.16, businesses that are eligible and certified by the State as targeted group (TG) businesses, economically disadvantaged (ED) businesses, and veteran-owned businesses will receive points equal to 12% percent of the total points available as preference.

For TG/ED/VO certification and eligibility information visit the Office of Equity in Procurement website at <https://mn.gov/admin/business/vendor-info/oep/> or call the Division’s Helpline at 651.296.2600.

### 13. Reciprocity

State shall comply with Minn. Stat. § 16C.06, subd. 7, as that applies to a non-resident vendor. This paragraph does not apply for any project in which federal funds are expended.