



Development
Services Agency

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Advanced Manufacturing Program (AMP)

Appendix A

RFP Process, Award Process and Mandatory Compliance

RFP Administered by:

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Appendix A – RFP Process, Awards Process and Mandatory Compliance

Request for Proposals Process: The Program’s Request for Proposals (RFP) Process will consist of the following steps:

I. Release of Request for Proposal (RFP)

This RFP will be released by publication on the Ohio Development Services Agency (Development) website at https://development.ohio.gov/bs/bs_mep.htm and the State of Ohio Procurement website at <https://procure.ohio.gov/proc/index.asp>.

II. Questions and Answers (Q&A) and Communications

a. Q&A Period

See Page 16 of the RFP document for complete instructions to submit questions.

b. Communication during Proposal Period

After a Proposal is submitted for this program RFP, Development may request additional information from any or all Lead Applicants to assist in its evaluation. However, no Lead Applicant, Collaborator or others acting on their behalf may initiate contact with Development staff during the Proposal Period regarding the submitted Proposal. The Proposal Period is considered to be the date of Proposal submission for this RFP through the date of the award/rejection decision for that Proposal. Current Lead Applicants responding to this RFP are expected to limit their contact to those Development staff with whom they ordinarily interact regarding the administration of Development programs and grants. Lead Applicants, Collaborators and others acting on their behalf shall avoid direct contact with other Development staff during the Proposal Period, other than that which might occur at regularly scheduled meetings.

If a Lead Applicant, Collaborator and/or others acting on their behalf makes prohibited contact, Development in its discretion may eliminate the Proposal from the RFP process.

III. Mandatory Pre-bid Conference

Development will hold a Pre-bid Conference at their offices for all interested parties. In lieu of a Letter of Intent, interested parties **must participate** in the Pre-bid Conference in order to be eligible to submit a proposal. Pre-bid Conference will be available for in-person or virtual attendance. See details on the website labeled Mandatory Pre-bid Conference.

IV. Proposal Submission

It is the responsibility of each Lead Applicant to ensure that Development receives its Proposal at the prescribed place and by the submission deadline. Late Proposals and Proposals from Lead Applicants who did not participate in the Pre-bid Conference will neither be reviewed nor considered.

A Lead Applicant must ensure that a Proposal submitted in response to this RFP complies with all the requirements set forth in this RFP. Lead Applicants are advised to read this RFP carefully to ensure a complete understanding of the Proposal requirements. In particular, the form, format and content of all Proposals must follow the directions provided in Sections 2, 3 and 4 and use the forms presented in Appendix B – Application and Budget Forms. The Lead Applicant is solely responsible to ensure that its Proposal is complete, accurate, responsive to the requirements of this RFP, and received by Development's Office of Small Business and Entrepreneurship by the deadline provided on the cover of this RFP.

V. Proposal Interview and Presentation

Each finalist will be asked to prepare for an in-person interview and formal project presentation to be scheduled during the week specified on the RFP timeline. Presentation will cover the high points of the project along with any open questions the review team may have created. The interview and presentation period shall be limited to 30 minutes per proposal.

Complete details will be provided to the Lead Applicant at least 7 days prior to the appointment.

Note: All costs incurred in preparation of a Proposal shall be borne by the Lead Applicant and its team. Proposal preparation costs and/or proposal consultancy costs are not recoverable from Program Funds nor will they be considered as Cost Share to the project. The State shall not otherwise contribute to or be liable for the costs of proposal preparation.

Awards Process: The Program's Awards Process will consist of the following steps:

I. Proposal Review and Evaluation Procedures

This Program uses a competitive, objective and transparent process to make awards to projects based on Proposals that reflect meritorious statement of work content, sound business and commercialization plans, and potential for positive impacts on the economy of Ohio.

Upon receipt of final Proposals, Development staff will conduct an administrative review to screen Proposals for compliance with the objective content requirements

defined in the RFP. Examples of proposal elements checked in the screening process include Lead Applicant eligibility and proposal completeness. Proposals found to not comply with this RFP's requirements may be eliminated from the competition and not reviewed further.

Using the Evaluation Criteria presented in the RFP, the Development evaluation team will score and rank each Proposal. Following the ranking, Development staff may conduct a phone discussion regarding any financial clarification and viability. Up to 10 Proposals will be selected by the evaluation team for interview and formal presentation.

II. Award Decision

Results of the ranking of all Proposals from Lead Applicants completing the interview process along with the recommendations of Development staff will be presented to the Director of Development (Director) with necessary programmatic details, including information about funds available and program goals and criteria. The Director will deliberate and exercise independent judgment regarding award decisions based on all the information provided. The funding decisions of the Director are final. Each Lead Applicant will be notified of the Proposal outcomes after the Director makes a determination on the award of funds.

III. Award and Agreement Preparation and Execution

Awards of Program funds will be made based on Proposals as submitted (including any such modifications that may be identified during the review and evaluation process and as may be agreed by the Lead Applicant), the Project budget and any conditions set forth by the Director. The Grant Agreement will remain in effect for the duration of the Project, plus a reporting period to be determined by Development during which specified reports are required to be submitted to Development.

Following selection by the Director, an award of Program funds must be approved by the state's Controlling Board, a legislative body that reviews appropriation of state funds. Development will request Controlling Board review after the Director's funding decision. If requested, Lead Applicants whose Proposals are selected for funding may be requested to attend the Controlling Board meeting at which their applications are to be considered. The Controlling Board process normally takes a minimum of 45 to 60 days to complete.

Development will prepare a Grant Agreement, a legal agreement setting forth the terms and conditions upon which Program funds are awarded and the respective rights and obligations of the Lead Applicant and the State of Ohio with respect to Program funds and the Project for which they are to be used. The Grant Agreement will incorporate the Proposal and Project budget, as either may have been modified by evaluation findings, funding decisions or other terms or conditions consistent with the

approval by the Director. Development may require the Lead Applicant to provide cash-flow projections on a quarterly basis.

Grant Agreements are sent to Lead Applicants for review and signature. Development executes Grant Agreements on behalf of the State after the Grant Agreement is accepted by the Lead Applicant. After Development executes the Grant Agreement, the Grant is entered in the state's accounting system and invoices may be submitted. Once the Grant Agreement is fully executed, the Lead Applicant will be considered and referred to as a "Grantee."

A Grantee is required to complete the Project as described in the Grantee's Proposal as submitted and with only those modifications as agreed by the Grantee and Development in finalizing the Grant Agreement. Development will assign a Program Manager who will work with the Grantee throughout the Project Period. Development staff and the Grantee will develop a series of performance metrics that will be used to measure progress on the Grant.

All Grantees will be required to submit to Development quarterly progress and metrics reports, as well as invoices and expenditures reports, to document achievement of Project milestones, to report Project-related success stories and to submit post-Project completion reports for a period of time to be determined by Development. All reports and invoices will be submitted in the form and format required by Development, which may change from time to time. If the Grantee is unable to meet Project metrics for two consecutive quarters, Development may, at its discretion, cancel the grant.

From time to time during the Term of the Agreement, Grantee may organize conferences or other events open to industry representatives or the general public related to the project, the subject matter of the project or associated work of Grantee or its Collaborators. In consideration of the grant, up to two representatives of the Grantor may attend such conferences and events for the purposes of sharing information between the Grantee, its Collaborators and other constituents and the Grantor. Grantee shall provide the Grantor reasonable advance notice of any such conferences and events. The Grantor will not be charged registration fees to attend such events.

Mandatory Compliance: The following restrictions apply to all Program funds:

I. Human and Animal Research

For any Proposal that includes use of human subjects, the Lead Applicant's and each Collaborator's human subject policies and procedures must comply with the Code of Federal Regulations, Title 45, Part 46. For any Proposal that includes use of animal subjects, the Lead Applicant's and each Collaborator's animal subject policies and procedures must comply with US Code, Title 7, Sections 2131-2156.

II. Obligations to the State; Compliance with Laws

Grantees will be required to certify in the Grant Agreement that they do not owe: 1) any delinquent taxes to the State or a political subdivision of the State; 2) any moneys to the State or a State agency for the administration or enforcement of any environmental laws of the State; and 3) any other moneys to the State, a State agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

Grant Agreements will require Grantees to comply with all applicable federal, state and local laws in the performance of the Project. Grantees must accept full responsibility for payments of all unemployment compensation, insurance premiums, workers' compensation premiums, all income tax deductions, Social Security deductions and any and all other taxes or payroll deductions required for all employees engaged by Grantees in the performance of the work authorized by the Grant Agreements.

III. Compliance with Governor's Executive Order 2019-11D

In accordance with Executive Order 2019-11D, Grantee, by its signature on the application document, certifies (1) it has reviewed and understands Executive Order 2019-11D, (2) has reviewed and understands the Ohio ethics and conflict of interest laws including, without limitation, Ohio Revised Code §§ 102.01 *et seq.*, §§ 2921.01, 2921.42, 2921.421 and 2921.43, and §§ 3517.13(I) and (J), and (3) will take no action inconsistent with those laws and the order, as any of them may be amended or supplemented from time to time. The Grantee understands that failure to comply with the Ohio ethics and conflict of interest laws is, in itself, grounds for termination of this Agreement and the grant of funds made pursuant to this Agreement and may result in the loss of other contracts or grants with the State of Ohio. The Executive Order can be found at:

<https://governor.ohio.gov/wps/portal/gov/governor/media/executive-orders/2019-11d>

IV. Other Compliance

Program funds may not be used for research involving tissue obtained from aborted fetuses. (See Ohio Revised Code Section 2919.14)