

## EXHIBIT E

### EVALUATION CRITERIA—SOFTWARE AND SERVICES

Only those proposals that meet minimum qualifications will be evaluated. Offers that meet the minimum qualifications will be evaluated based on the weights and percentages of the following criteria.

#### **I. Vendor's Qualifications & Experience:**

##### **Weight: 10%**

- Vendor firm and/or individual qualifications and experience, as relevant to the services required in this RFO, including individual Vendor qualifications and its proposed subcontractor(s);
- Vendor has the mandatory minimum of five (5) years past experience in providing, to private and governmental entities, similar software and services;
- Vendor firm's or individual's quality of performance on previous engagements, including any TDLR projects; and
- Vendor demonstrates that the assigned employees or individuals and the proposed team personnel includes individuals and specific personnel with all the specific skills and experience required to successfully complete all workplan deliverables and the services requested by the RFO.

#### **II. Software Functionality**

##### **Weight: 35%**

- Vendor must clearly and completely explain its approach to providing the software functionalities listed in Section 3 of this RFO – *Software Functionality*.

#### **III. Workplan**

##### **Weight: 25%**

- Vendor proposes a workplan and timeline that is consistent with TDLR's goals, deadlines, and requirements; proposed workplan and timeline adheres to TDLR's, timelines and constraints; and
- Vendor's organizational chart and workplan demonstrates appropriate and sufficient assignments of tasks to individuals and personnel with relevant qualifications & experience and that a clear line of authority exists and responsibility is assigned to ensure quality and timely results.
- Workplan includes all required components including deliverables, milestones, tasks, resources (TDLR and Vendor), task dependencies and timelines. The workplan must include quantifiable and completed fixed-price deliverables approximately every thirty (30) days that can be measured on a project percent completion basis.

**IV. Cost**

**Weight: 30%**

- Vendor’s Cost Proposal must provide a clear identification of all proposed rates, fees, and costs. All fees and costs must be presented within fully-loaded hourly rates for each of the Vendor’s proposed employees. All costs must be allocated to specific fixed-price deliverables as identified in the workplan submitted in Exhibit C and listed on the cost proposal chart required in Exhibit G. (See Exhibit F, attached, for example of Cost Proposal Chart Format). **No additional amounts will be paid.**

All Vendor Cost Offers will be evaluated utilizing the following formula:

**Lowest Cost Proposal = Awarded Maximum Points (i.e. 30 points)**

**Lowest Cost Proposal/Next Lowest Cost Proposal x 30 = Points Awarded to Next Lowest Cost**

**TOTAL POINTS POSSIBLE FOR ALL CRITERIA: 100  
Points**

**Cost Example:**

Assume four Offers received:

|                    | <u>Rank</u> |                                 | <u>Points</u> |
|--------------------|-------------|---------------------------------|---------------|
| Proposal 1 \$300   | #1          |                                 | 30            |
| Proposal 2 \$700   | #2          | $\frac{300}{700} \times 30 =$   | 13            |
| Proposal 3 \$900   | #3          | $\frac{300}{900} \times 30 =$   | 10            |
| Proposal 4 \$1,500 | #4          | $\frac{300}{1,500} \times 30 =$ | 6             |

**V. Evaluation Process**

**Evaluation Committee**

- TDLR Staff will review all proposals for compliance and thoroughness. The proposals found to be in compliance will then be distributed to the members of an Evaluation Committee established by TDLR. All proposals meeting the minimum criteria will be evaluated according to the criteria and weights set forth in the evaluation form as shown in Exhibit F to this RFO.

**User Group Committee**

- Based on the results of the Initial Evaluation, the User Group Committee may, but is not required; to schedule an oral presentation and software demonstration from each the three highest rated offers. All team members of any Vendor selected for an oral presentation must be present at the oral presentation and software demonstration before the Evaluation Committee. Any invitation for an oral presentation will be

solely for the purpose of demonstrating software functionality and ease of use and will not represent any decision on the part of the Evaluation Committee or the User Group Committee as to the selection of Selected Vendor. Oral presentations, if any, are anticipated to occur according to the Schedule of Events. An oral presentation or appearance before the User Group Committee is solely at the discretion of the Evaluation Committee. The Evaluation Committee may elect to score each proposal and make its recommendation without scheduling any oral presentations or demonstrations.

- If TDLR directs Staff to conduct preliminary negotiations, the negotiations will be preliminary in nature, are limited in scope to enhancements to the written proposals and are not binding on TDLR unless and until incorporated into a fully executed Contract with Selected Vendor. Examples of enhancements may include additional services, allocations of personnel, accelerated timelines and lower costs. Despite the possibility of preliminary negotiations for enhancements, Vendors are strongly encouraged to submit their best and final offer in the original offer.
- Upon the approval of a Selected Vendor, TDLR will proceed with contract negotiations and attempt to finalize a Contract with Selected Vendor. TDLR anticipates that these negotiations will involve few issues and be expedited; however, if a Contract cannot be successfully negotiated within a reasonable period of time, contract negotiations will be terminated, and negotiations with the next highest-ranking Vendor may commence. This process may continue until a contract is signed or the RFO is withdrawn. However, TDLR reserves the right, in its sole discretion, and at any time upon failure of negotiations, to reissue or withdraw the RFO rather than continue with negotiations.
- As soon as possible after the execution of the Contract with Selected Vendor, all other Vendors will be provided with formal notification via facsimile. TDLR will make every reasonable effort to fax this notification within one (1) business day of the date the Contract is fully executed.

## **VI. Clarification of Agency's Intent and Project Manager**

After execution of the Contract, Selected Vendor shall direct all questions regarding the Contract to TDLR's Project Manager:

Christina Kaiser, Project Manager  
Director Enforcement Division  
Post Office Box 12157  
Austin, Texas 78711  
(512) 539-5611 (phone)  
[christina@license.state.tx.us](mailto:christina@license.state.tx.us) (e-mail)

TDLR will use reasonable best efforts to provide reasonable and timely resolutions to questions of policy or procedure as they may affect Selected Vendor's efforts. Key TDLR staff will be available to Selected Vendor on a reasonable basis but may not be available on state holidays or weekends.

**VII. Protest Procedures**

Any vendor aggrieved by the contract award may formally protest. Protest proceedings shall be in accordance with *16 TAC 55.40*.