

Request for Proposal

*For Business and Commercial Services Software Developer
RFP # 2022-2*

Issuance Date: October 3, 2022

Arkansas Secretary of State

State Capitol Building
Business Office
500 Woodlane Street, Suite 12
Little Rock, AR 72201



Table of Contents



Confidentiality Statement	3
Submission Details	3
Submission Instructions	3
Submission Deadline	4
Submission Delivery	4
Request for Proposal Questions and Clarifications	4
Opening of Responses	4
General Information	5
Purpose	5
Black Out Period	5
Contract Award	5
Contract Terms and Conditions	5
Detailed Specifications	6
Response Documents	9
Scoring Process	11
Proposal Scoring	11
Cost Proposal Scoring	11
Forms	12

Confidentiality Statement

This document, including attachments, is intended only for use by the addressee and may contain legally-privileged and/or confidential, copyrighted, trademarked, patented, or otherwise restricted information. If you are not the intended recipient of this document (or the person responsible for delivering this document to the intended recipient), you are advised that any dissemination, distribution, printing, or copying of this document, and any attachment(s) thereto, is strictly prohibited and violation of this condition may infringe upon copyright, trademark, patent, or other laws protecting proprietary or intellectual property. If you have received this document in error, please respond to the originator at the address below and permanently delete and/or shred all information.

Submission Details

Submission Instructions

This Request for Proposal (RFP) is a solicitation for design and cost proposals and is not an offer of contract. It is the intent of the Arkansas Secretary of State (SOS) not to base contract award solely on bid price, but to evaluate vendors on multiple criteria including experience, system design and specifications, cost proposal, etc. Prospective respondents are advised to carefully read all instructions, terms, and conditions provided in this RFP prior to submitting a response. Failure to adhere to any instruction, term, or condition may result in rejection of the response. Vendors should pay particular attention to the following:

- Incomplete responses are subject to rejection by the SOS. Failure to sign the Vendor Certification and Cost Proposal Form by an authorized representative shall render the response invalid.
- The SOS shall not be responsible for any costs incurred by the vendor in the preparation of any response to this RFP or oral presentation, should one be requested.
- All materials submitted in response to this RFP, and subsequent fee agreements, contracts, or both, are subject to the Arkansas Freedom of Information Act.
- The SOS may request any clarifications, additional information, or data during the RFP review and vendor selection process.
- Responses shall be accepted continuously until the stated deadline and may be withdrawn by the vendor at any time.
- The SOS may reject any or all responses and may waive technical or immaterial errors therein.
- Although as a constitutional office, the SOS is an “exempt agency” under most Arkansas procurement laws, it is the intent of the SOS to adhere to procurement policies, such as those contained within this RFP, which ensure the selection of the most responsive and responsible vendor who shall accomplish the requisite scope of work in an efficient and transparent manner.

The SOS welcomes responses from small, minority-owned, women-owned, and veteran-owned businesses and does not discriminate against any entity, company, or individual on the basis of race, color, religion, creed, sex, age, disability or medical condition, national origin, or veteran status, or any other category protected by federal, state, and local anti-discrimination laws.

Submission Deadline

All responses to this RFP shall be submitted and received by the SOS, at the physical or email delivery address stated below, no later than November 4, 2022; 4:00 pm CST. Responses received after 4:00 pm CST on November 4, 2022 shall be considered late and shall be returned to the vendor without further review. Vendors shall submit one complete copy of all response documents and one redacted copy of all response documents.

Submission Delivery

Vendor's complete response shall be delivered to the following physical or email address:

Arkansas Secretary of State
Attn: Business Office, Tiffany Bilon
500 Woodlane Street, Suite 12
Little Rock, AR 72201
Phone: 501-682-2008
Email: purchasing@sos.arkansas.gov

Request for Proposal Questions and Clarifications

Vendors may submit written questions requesting clarification of information contained within this RFP. Please reference the RFP number (*RFP # 2022-2*) in the subject line. Written questions shall be addressed only to:

Tiffany Bilon, Purchasing Manager
500 Woodlane Street, Suite 12
Little Rock, AR 72201
Phone: 501-682-2008
Email: purchasing@sos.arkansas.gov

The deadline for submitting questions specific to the RFP shall be October 19, 2022; 4:00 pm CST.

Opening of Responses

Responses submitted by the deadline shall be opened at the following location at the date and time specified below:

November 9, 2022; 9:00 am CST

Arkansas Secretary of State
500 Woodlane Street, Suite 12
Little Rock, AR 72201

All vendors responding to the RFP shall be notified of the final selection.

General Information

Purpose

The Arkansas Secretary of State (SOS) is soliciting Requests for Proposal (RFP) from qualified vendors to provide a new electronic filing system for the SOS Business and Commercial Services (BCS) Division which provides a wide range of services to individuals and companies conducting business within the State of Arkansas, whether based inside the state or elsewhere. The BCS Division records business entities, trademarks, Uniform Commercial Code (UCC) and charity filings; files notary public certifications; and issues authentication of documents and apostilles. If the project proceeds, the vendor shall be responsible for complete replacement of the existing system, all necessary conversion functions, installation, training, testing, and ongoing maintenance.

Black Out Period

From the time of publication of this RFP until award of the contract, all communication pertaining to this RFP shall be directed to the contact person, or her designee, listed on page four (4) of this RFP. Vendors are strictly prohibited against communicating with any other SOS personnel regarding this RFP process. Violation of this policy may result in the disqualification of a vendor's response.

Contract Award

It is the intent of the SOS that any contract awarded in response to this RFP shall be a term contract executed with a single vendor. The SOS shall enter into negotiations with the most responsive bidder to finalize a contract. If the SOS is unable to negotiate a contract for the services to be provided with the most responsive vendor, negotiations shall be formally terminated and negotiations with subsequent vendors shall be initiated. The negotiation process shall be repeated until a successful vendor has been determined, or until such time as the SOS decides not to move forward with a contract. Vendor selection, and the entire vendor selection process, shall be at the sole discretion of the SOS.

Contract Terms and Conditions

Any vendor selected shall be required to enter into a formal written contract with the SOS prior to the commencement of services. Any contract entered into pursuant to this RFP shall not be assignable nor are the duties thereunder delegable by either party without the written consent of the other party to the contract. Final written approval of all project work shall be obtained from the SOS prior to initial delivery and installation. The SOS and the vendor shall reach agreement on any additional fee(s) that may apply should substantial changes (at no fault of the vendor) be required.

Payments shall be made in accordance with the terms and conditions of the payment provisions of the contract signed by the successful vendor and the SOS, subject to legislative appropriations. Vendor acknowledges that the SOS is subject to constitutional and statutory limitations on spending and cannot expend funds unless specifically appropriated by the Arkansas General Assembly. The SOS agrees to exercise its best efforts to obtain funding at the contract rate during each annual session of the Arkansas General Assembly.

No changes to the scope of work shall be made unless specifically approved by written change order executed by both parties.

Detailed Specifications

Minimum Qualifications

To be considered for scoring for this RFP, the vendor must meet the following minimum qualifications:

1. Five (5) consecutive years of experience in sales and service of computer software;
2. Five (5) consecutive years of specified software experience in similar projects displaying a history of sales, installation, service, and support;
3. Demonstrated ability of assisting clients with testing and providing solutions to issues;
4. Provision of at least three (3) client references using like software in similar applications;
5. Ability to provide on-site and/or cloud based demonstration of the proposed software;
6. Provide a complete, all-inclusive quote for the system as specified herein;
7. Currently have a majority of the modules listed in the detailed specifications listed below already operating in at least four (4) other states; and
8. The system must be able to integrate with a separate payment processor via API or other electronic means. This RFP does not include any payment processing services associated with any specified module. Any such services will be procured separately.

Vendor's official response packet shall contain responses that best exemplify vendor's ability to meet all of the detailed specifications delineated below. Modifications to the response packet shall be made only in accordance with addenda issued by the Arkansas Secretary of State (SOS). Vendors are advised to check the SOS website periodically for any issued addenda.

The proposed software must be compatible and be able to integrate with the existing SOS network servers. Vendors shall provide a full turn-key operating system to include, but not be limited to: initial set up, cost of replacement software, software testing, software usage training (initial and ongoing), maintenance and support, and conversion of existing data to the data format of the new system. The system must integrate with a separate payment processor via API or other electronic means. The SOS requires the ability to modify any document or certification at no additional cost.

This project shall consist of seven (7) individual modules completed in two (2) separate phases as specified below. Requirements for each module include, without limitation:

Phase I: To be completed no later than June 30, 2023. Phase I modules:

Module 1: Apostilles and Certifications

The BCS System shall be able to:

- File Apostilles and Certifications
- Enter elected officials names, or search for notaries
- Generate certificates and rejection letters
- Search by any identifying data element
- Strike or void filings and batches
- Run closeout reports

Module 2: Charities

The BCS System shall to able to:

- Add a new charity, fundraising counsel, paid solicitor, or telephonic seller into the system
- Add, edit, and save information fields for each entity
- Search by any identifying data element
- Allow each profile to include a list of all documents submitted and any correspondence sent by the SOS to the entity
- Allow each profile to have the doc generation option where you can access template letters from Microsoft Word. Microsoft Word must be able to connect with the system to run the templates and autofill them with specific information.
- Have an option to view the most recent organizations that have visited so that they can be viewed quickly
- Connect to the SOS website to provide up-to-date entity information online
- Run closeout reports

Module 3: Facsimile Signatures

The BCS System shall to able to:

- File facsimile signatures
- Search by any identifying data element
- Edit filings (spelling, etc.)
- Strike or void filings and batches
- Enter name and official position
- Run closeout reports

Module 4: Uniform Commercial Code

The BCS System shall to able to:

- Process UCC-1, UCC-3, and UCC-11
- Reject fraudulent filings and keep the money
- Process charging applications
- Search by any identifying data element
- Retain submitter account information, including submitter number
- Process federal tax liens
- Include supervisor access to make changes to documents
- Scan large documents
- Search and sort processed documents by date and type of document
- Connect to the SOS website to give up-to-date information online
- Run closeout reports

Module 5: Notary

The BCS System shall be able to:

- File new applications, renewal applications, amendments and Oath of Commission returns
- Search by any identifying data element
- Add, edit, and save information fields for each notary
- Generate certificates and rejection letters
- Strike or void filings and batches
- Provide and grade notary exams
- Generate notary renewal notice reports and letters
- Allow users to create and modify user accounts and view correspondence and submissions
- Allow supervisor functions to change passwords and assign user access
- Connect to the SOS website to provide up-to-date information online
- Run closeout reports

Phase II: To be completed no later than June 30, 2024. Phase II modules:

Module 6: Corporations

The BCS System shall be able to:

- File new entity filings
- File subsequent filings
- Search by any identifying data element
- Add, edit, and save information fields for each entity
- Retain customer account information
- Generate certificates and rejection letters
- Search by payments, such as by check number
- Strike or void filings and batches
- Include supervisor functions to assign user access
- Generate tax quotes and reports
- Connect to the SOS website to provide online up-to-date entity information
- Run closeout reports

Module 7: Trademarks and Service Marks

The BCS System shall be able to:

- Process new marks, renewals, and assignments
- Edit all fields on a mark, including the name and description of the mark
- Screen print on trademarks showing the basic information
- Enter a large amount of characters for the description
- Track unlimited assignments and previous owners
- Automatically generate renewal notices
- Allow certificates to have an export option to allow editing
- Connect to the SOS website to give up-to-date entity information online
- Run closeout reports

Miscellaneous

The BCS System shall be able to:

- Scan old, non-imaged filings into the system
- Set out own fee for the filing
- Integrate all existing data from all current modules into the new system

Response Documents

All responses shall be submitted by 4:00 pm CST on November 4, 2022 to:

Arkansas Secretary of State
Attn: Business Office, Tiffany Bilon
500 Woodlane Street, Suite 12
Little Rock, AR 72201
Phone: 501-682-2008

Email: purchasing@sos.arkansas.gov

Individual responses received by mail shall be enclosed in an outer sealed envelope or container prominently marked with the RFP number (*RFP # 2022-2*), submission deadline November 4, 2022, responder's name, and return address.

Individual responses received via email shall prominently state the RFP number (*RFP # 2022-2*) submission deadline November 4, 2022, responder's name, and return address.

Response Documents Shall Include (Ordered and Labeled as Follows):

1. **Vendor Information:**

- a. Provide a Letter of Introduction, signed by an officer or principal of the vendor, which:
 - i. Summarizes the history of the vendor, the number of years in business, business structure, locations, parent affiliations, foreign ownership (if any), names and titles of all directors and officers, and number of employees.
 - ii. Illustrates the vendor's unique abilities to meet the specified requirements of this Request for Proposal. Examples may include specialized experience, skills, certifications, and awards attained.
 - iii. Includes the name of one designated contact person and his or her physical address, email address, and phone number to be used for communication related to interviews and vendor selection.
- b. Provide a detailed description of the vendor's experience and qualifications including:
 - i. Five (5) consecutive years of experience in the sales and service of computer software;
 - ii. Five (5) consecutive years of specified software experience in projects consistent with the above scope of work and detailed specifications; and
 - iii. Demonstrated evidence of providing systems in comparative size and complexity to the above scope of work to at least four (4) states.

Request for Proposal
Arkansas Secretary of State's Office

- Responses should indicate the vendor's proficiency in creating websites and applications with a focus on site usability and user experience and demonstrate knowledge and proficiency with leading-edge Web and media solutions, architectures, technologies, nomenclature, development practices, and use of industry best practices.
- c. List any contracts that have been cancelled for non-performance or default within the past five (5) years.
 - d. List any litigation, arbitration, or mediation with prior or current clients.
 - e. Provide a summary of current workload and ongoing contracts.
 - f. Provide the last three (3) years of financial statements subject to an independent audit.
- 2. Project Team (Key Staff):**
- a. Provide names, titles, and resumes for all proposed project managers/supervisors who will be assigned to the contract to oversee all contractual obligations and responsibilities and serve as the primary contact(s) for the SOS. Highlight previous experience in this role.
 - b. Provide a description of project team members to be assigned to this project, their experience, and areas of specialization specific to the proposed scope of work.
 - c. Describe the process by which work will be assigned, implemented, and tested.
- 3. References:**
- Provide the names and contact information for at least three (3) references familiar with the quality of your work of similar nature as that described in the above scope of work. Include the names of the clients, a description of the contracts, and the length of the contracts and reasons for termination.
- 4. Proposed System:**
- Provide a formal, detailed description of the design, development, testing, implementation, delivery (including staff training), and ongoing maintenance of the System proposed to achieve all of the criteria specified in the detailed specifications of the RFP. Must be able to provide onsite and /or cloud based demonstration of the proposed software. Must be able to integrate with a separate payment processor via API or other electronic means.
- 5. Cost Proposal:**
- Total cost proposal provided in accordance with the above scope of work, inclusive of all state and local sales taxes, to design, develop, test, implement, and deliver (including staff training) both phases of a fully-functional System in accordance with the scope of work delineated in this RFP and provide annual maintenance, updates, licensure, taxes, etc., for the initial term of the agreement ending June 30, 2027, subject to annual renewal thereafter, from the date of contract execution. The cost proposal shall be submitted on the provided form, which shall be completed in ink or typewritten. (See forms section, page 13.)

6. Required Forms:

Complete, sign, and submit the following forms with your response packet:

- a. Vendor Certification Form
- b. Cost Proposal
- c. W-9 Form
- d. Contract and Grant Disclosure and Certification Form
- e. Company's Equal Opportunity Policy

Scoring Process

Proposal Scoring

Proposals shall be evaluated and scored by Arkansas Secretary of State raters based upon requirements set forth in this Request for Proposal and ranked in order of qualification from highest to lowest for each option. Response packets that do not meet submission requirements shall be disqualified and not evaluated.

The maximum point values for each proposal requirement to be scored are as follows:

Proposal Requirements	Maximum Possible Points
Vendor Information	20
Project Team (Key Staff)	10
References	10
Proposed System	30
Cost Proposal	30
Total Possible Proposal Score	100

To derive the average score for each vendor, the combined scores for each rater for that vendor shall be added and divided by the total number of raters.

Cost Proposal Scoring

The maximum amount of cost proposal points shall be given to the vendor with the lowest total cost proposal submitted on the Cost Proposal Form.

The amount of price points given to the remaining vendors shall be allocated using the formula $(A/B)*C=D$ where:

- A= Lowest Total Cost
- B= Second (third, fourth, fifth, etc.) Lowest Total Cost
- C= Maximum Points for Lowest Total Cost (30)
- D= Total Cost Points Received

Request for Proposal
Arkansas Secretary of State's Office

Vendor Certification Form (Shall be signed and included with response)

Company Name: _____

Company Representative/Title: _____

Address: _____

City: _____ State/Zip: _____

Contact Phone #: _____

Email: _____

Tax ID # (TIN or SSN): _____ (Include copy of current W-9 Form)

Small Business: Yes No

Minority Business: Yes No

Women-Owned Business: Yes No

Veteran-Owned Business: Yes No

Do you or anyone at your company have a relative that works at the Arkansas Secretary of State's office?

Yes No

If yes, please provide the name(s) of such relative(s) and their relationships below:

I certify that this response is accurate and true and made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same services and is in all respect fair and without outside control, collusion, fraud, or otherwise illegal action. I understand that collusion in public procurement is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. I agree to abide by all conditions of this Request for Proposal and certify that I am authorized to bind the vendor to any resulting contract.

Authorized Signature

Date

Print or Type Name

Request for Proposal
Arkansas Secretary of State's Office

Cost Proposal Form (Shall be completed in ink or typewritten, signed, and included with response)

It is the intent of the SOS for vendors to provide a turn-key solution to providing and maintaining a complete Business and Commercial Services software system for an initial term ending June 30, 2027, subject to annual renewal thereafter at the discretion of future administrations.

As such, vendors are requested to provide costs proposals for the initial term of the agreement as delineated below. Billing for startup costs such as licensure, software fees, data migration, etc. may be costed and billed separately from monthly fees. The total cost proposal for the initial term of the agreement, including all startup costs, will be scored for each vendor.

Total cost estimates are inclusive of all costs for the design, development, testing, implementation, delivery (including staff training), data migration, and maintenance for a fully-functional and operative System in accordance with the scope of work delineated in this RFP. Ensure that all taxes, licenses, fees, etc. are included below.

A. Startup Costs (see above)

\$ _____ (total startup costs)

B. Phase I (completion and delivery of Phase I by June 30, 2023)

1. \$ _____ (monthly cost-billed monthly from January 1, 2023-June 30, 2023)

2. \$ _____ (total cost = monthly cost times 6 months)

C. Phase II (completion and delivery of Phase II July 1, 2023-June 30, 2024 and Phase I maintenance)

1. \$ _____ (monthly cost-billed monthly from July 1, 2023-June 30, 2024)

2. \$ _____ (total cost = monthly cost times 12 months)

D. Annual Maintenance (Complete System) July 1, 2024-June 30, 2025

E. Annual Maintenance (Complete System) July 1, 2025-June 30, 2026

F. Annual Maintenance (Complete System) July 1, 2026-June 30, 2027

Total Cost Proposal (A+B2+C2+D+E+F)

\$ _____

Authorized Signature

Date

Print or Type Name

Request for Proposal
Arkansas Secretary of State's Office

Contract and Grant Disclosure and Certification Form
(Added as a PDF attachment)