



**STATE OF COLORADO
DEPARTMENT OF LAW**

**Office of the Attorney General
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REQUEST FOR PROPOSALS

**"Ethical Decision-making Under Stress" Peace Officer Trainings
Solicitation Number: RFP LAAA 2021 0000 0000 0000 0002**

TABLE OF CONTENTS

PART A: RFP PURPOSE & PROCESS 3
PART B: PROPOSAL INSTRUCTIONS 7
PART C: VENDOR QUALIFICATIONS 9
PART D: WORK REQUIREMENTS 10

- APPENDIX A, SIGNATURE PAGE**
- APPENDIX B, ASSERTIONS & ASSURANCES**
- APPENDIX C, ADDITIONAL RFP TERMS & CONDITIONS**
- APPENDIX D, TEMPLATE CONTRACT**
- APPENDIX E, POST REGIONS MAP**
- APPENDIX F, W-9 FORM**

PART A: RFP PURPOSE & PROCESS

About the DOL

This Request for Proposals ("RFP") is issued by the State of Colorado, Department of Law, Office of the Attorney General ("DOL"). The DOL defends the legal interests of the people of the State of Colorado and its sovereignty. The DOL provides legal counsel to and advises the executive branch of state government, including the governor, all of the departments of State government, and to the various State agencies, boards, and commissions. The DOL has primary authority for enforcement of consumer protection and antitrust laws, prosecution of criminal appeals and some complex white-collar crimes, the Statewide Grand Jury, training and certification of peace officers, and most natural resource and environmental matters.

The Colorado Peace Officer Standards and Training Board ("POST") is a unit of the DOL's Criminal Justice Section. POST is commissioned to monitor and regulate the training and certification compliance of Peace Officers, currently 14,000, that are partitioned into 10 training regions throughout the State. Those regions are split between Large Regions (over 1,000 Peace Officers in the Region) and Small Regions (1,000 or fewer Peace Officers in the Region). The Large Regions currently include the Greater Metro, Central Mountain, and North Central regions. The Small Regions currently include Northwest, Northeast, I-70, West Central, Southeast, San Luis Valley, and Southeast regions. See Appendix E, POST Regions Map for Region boundaries.

RFP Purpose

This RFP is to solicit proposals from responsible Offerors to provide immersive procedural justice and de-escalation trainings to Peace Officers, as directed by POST. Each training will be conducted over a two-day period and within one of POST's 10 training regions. The trainings will aim to enhance Peace Officers' self-awareness, analytical skills, situational awareness, and interactive skills to promote procedural justice and ethical decision-making under stress for Peace Officers in their interactions with the public.

Note: Exhibit F to this RFP includes additional terms, including applicable definitions. Offerors should carefully read and consider Exhibit F in conjunction with this RFP document.

Contract Term and Funding.

The initial Contract term will be for one-year, with four options, exercisable by the DOL, to extend the Contract term by one year each. However, at the time of this RFP, the DOL intends to contract for a total of two years of training (i.e., the initial one-year term and one option term).

Invitation to Submit Proposals

This RFP is published using the Colorado Vendor Self-Service system, located at <http://www.colorado.gov/VSS>. Offerors can self-register at the VSS Website, free of charge. Offerors are encouraged to register early in case of technical difficulties that might affect a timely Proposal submission. In the event the DOL determines it is necessary to revise any portion of this RFP, the DOL will post an amendment to the RFP to the VSS Website.

Offerors may submit Proposals in accordance with the requirements of this RFP. Please carefully review all information in this RFP, including Appendices. An Offeror must meet all mandatory requirements stated in this RFP to be eligible for consideration for award.

It is the sole responsibility of the Offeror to ensure that its Proposal is submitted and received prior to the date and time specified in this RFP. Be sure to carefully read Appendix C, Additional RFP Terms & Conditions.

The DOL intends to select one or more Proposal for award of a contract for the goods and services offered in such awarded Proposal(s) under a Contract substantially similar to Appendix D, Template Contract.

Schedule of Activities

Activity	Date	Time (MST)
RFP Notice Published on VSS	As posted on VSS www.colorado.gov/vss	
Written Inquiry Deadline (No questions accepted after this date/time; e-mail preferred)	April 28, 2021	5:00 p.m.
DOL Response to Written Inquiries (estimate)	May 4, 2021	
RFP Proposal Submission Deadline	May 20, 2021	3:00 p.m.
Public Opening of Sealed Bids	May 20, 2021	4:00 p.m.

Late Proposals will not be considered for award, unless at the discretion of the Procurement Officials for allowable reasons under the Colorado Procurement Code.

The Public Opening of Sealed Bids can be attended on Zoom at the following link:
<https://us02web.zoom.us/j/89621961694>.

Communications by DOL

Prior to the Proposal Submission Deadline, all official communication from the DOL regarding this RFP, including any modifications, will be posted as a notice on VSS. Offerors should carefully and regularly monitor VSS for any such postings.

At any time prior to the execution of a contract as a result of this RFP, any news release or other contact with media representatives regarding this RFP or any Proposal submitted in response to this RFP is prohibited, to the extent permitted by law, without the prior express written approval of the DOL.

Inquiries to DOL

Unless otherwise noted, prospective Offerors may make written or electronic mail inquiries concerning this RFP to obtain clarification of requirements. E-mail is the preferred method for Offerors to submit inquiries. No inquiries about substantive aspects of the RFP shall be accepted after the Written Inquiry Deadline. Inquiries must be made to the DOL Contact.

The DOL’s contact for this RFP is:

Mike Templeton, Purchasing Agent
1300 Broadway, 10th Floor
Denver, CO 80203
Email: procurement@coag.gov

Offerors shall not contact other DOL personnel regarding the **RFP**. Doing so will be grounds for disqualification from award of the RFP at the Procurement Official’s discretion.

All inquiries must clearly identify the RFP number, and where appropriate, include references to any corresponding RFP section, paragraph, or question number. Please do not use page numbers as references in an inquiry. Failure to clearly identify relevant RFP sections may result in dismissal of an inquiry.

Any response to an Offeror’s inquiry will be published as a notice on Colorado VSS. Offerors should not rely on any other statements, whether written or oral, that purport to alter any specification or other term or condition of this **RFP**. Offerors are responsible for monitoring Colorado VSS for publication of notices regarding this **RFP**.

Evaluation and Award Process

The Procurement Official will convene an Evaluation Committee to evaluate each responsive Proposals from qualified, responsible Offerors at the Procurement Official’s sole discretion.

The Evaluation Committee will recommend the award of contract(s) to the Offeror(s) whose Proposal(s) is most advantageous to the State, considering price and other evaluation factors of the RFP. Alternatively, the Evaluation Committee may abstain from recommending any Proposal(s) for award of contract(s).

The Evaluation Committee may conduct discussions, remote or in person, with responsible Offerors whose Proposals the Procurement Official determines are reasonably susceptible of being selected for an award for the purpose of clarification of the Proposals to assure complete understanding of and responsiveness to the RFP requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussions and revisions of Proposals, and any such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers (“BAFO”). Pricing information, including BAFOs, shall not be revealed to competing Offerors.

The Evaluation Committee will consider all documentation and information submitted per Part C. herein, as well as information communicated during live meetings, in recommending award(s).

Evaluation Criteria

The evaluation criteria to be used in evaluating the proposals are as follows:

1. Quality of Offeror’s Work Proposal;
2. Quality of Offeror’s Personnel (communication skills, credentials, and experience);
3. Quality of Offeror’s Recommendations;
4. Quality of Offeror’s Experience; and
5. Value to the State of Offeror’s Pricing Proposal.

Past performance by an Offeror shall be considered as part of the DOL's overall evaluation of best value. This evaluation shall take into account past performance information submitted as a part of each Offeror's Proposal, including but not limited to, information regarding predecessor companies, key personnel who have relevant experience, and subcontractors performing major or critical aspects of the service(s), if such information is relevant. The Evaluation Committee shall consider past or current State contracts for efforts similar to the DOL's requirements for this contract. The Evaluation Committee shall consider information provided regarding problems encountered on the identified contracts and any associated corrective actions. Offerors that have received a below standard performance ratings with the State will not be considered for work.

When a contract for commodities or services is to be awarded to an Offeror, a resident Offeror will be allowed a preference against a nonresident Offeror equal to the preference given or required by the state in which the nonresident Offeror is a resident.

Service Disabled Veteran Owned Small Businesses (SDVOSBs), who are incorporated or organized in Colorado or maintain a place of business or have an office in Colorado and who are officially registered and verified as a SDVOSB by the Center for Veteran Enterprise within the U.S. Department of Veterans Affairs (www.vip.vetbiz.gov), may receive a 5% preference on their Proposal. This preference applies only to the price, and the SDVOSBs must still meet all other qualifications required in the Proposal. SDVOSBs claiming this preference shall submit documentation of SDVOSB certification Issued through the U.S. Department of Veterans Affairs in their response to the solicitation. Proposal submissions without this documentation shall not be given a preference.

PART B: PROPOSAL INSTRUCTIONS

A responsive Proposal shall include:

1. A one-page **Executive Summary** of the contents of the Proposal (include at the front of the Proposal);
2. A completed and signed copy of Appendix A, Request for Proposals Signature Page (one of the two boxes regarding the Model Contract Terms and Conditions at the bottom of the page must be checked);
3. A **Work Proposal** that is consistent with the requirements of Part D of this Appendix B and that demonstrates Offeror's ability to meet all Mandatory Work Proposal Components and any applicable Preferred or Discretionary Work Proposal Components;
4. A **Pricing Proposal** that demonstrates the full costs of the Work and is consistent with the requirements of Section 20 of Appendix C, Additional RFP Terms and Conditions;
5. A completed and signed copy of Appendix B, Assertions and Assurances, including all information requested therein;
6. Written recommendations from at least three Law Enforcement Agencies that have participated in Offeror's trainings;
7. A completed copy of Appendix F, W-9 Form for both Offeror and Offeror's parent entity, if any;
8. A Certificate of Good Standing from the Colorado Secretary of State's website, found at: <https://www.sos.state.co.us/biz/BusinessEntityCriteria.do>; and
9. Any other documentation or information called for in this RFP.

An Offeror may include any necessary supporting documents for items as attachments. Any such attachments must reference the Section of the RFP or Appendix to which it corresponds.

Do not include unnecessary or redundant information, such as generic marketing materials. Inclusion of such information may be cause for removal of the Proposal from consideration at the DOL's sole discretion.

Proposals must be organized in substantially the same format as the RFP, unless otherwise required or allowed by the RFP.

Proposal Format

For consideration for award, a Proposal must be formatted as follows:

If Offeror claims no confidential information in the Proposal:

1. One paper copy in a sealed envelope; and
2. One electronic copy, in a PDF or Word file, saved in a USB flash drive in a sealed envelope;

OR

If Offeror claims confidential/proprietary information in the Proposal:

1. One paper copy, with all confidential/privileged information redacted within it, in a sealed envelope labelled "Redacted";

2. One electronic copy, in a PDF or Word file, with all confidential/privileged information redacted within it, saved in a USB flash drive in a sealed envelope labelled "Redacted";
3. One paper copy, with no redactions, in a sealed envelope labelled "Confidential"; and
4. One electronic copy, in a PDF or Word file, with no redactions, saved in a USB flash drive in a sealed envelope labelled "Confidential."

See Section 18 of Appendix C, Additional RFP Terms & Conditions for terms and conditions regarding confidential/ proprietary information.

Proposal Submission

Offerors must deliver Proposals by mail requiring signature by the DOL upon delivery. The DOL will not accept Proposals delivered via e-mail or via facsimile. The RFP number must be clearly printed on the outside of the mail envelope and addressed to the DOL's Contact.

PART C: VENDOR QUALIFICATIONS

Vendor Qualifications

Offerors must meet the following Minimum Mandatory Qualifications:

1. Demonstrated experience of at least two years providing the proposed or similar trainings;
2. Provide written recommendations from at least three Law Enforcement Agencies that have participated in Offeror's trainings; and
3. Offeror must be a legal entity with the legal right to contract in the State of Colorado for award of this RFP.

The following are Preferred Qualifications for Offerors:

1. Demonstrated record of geographic diversity of Offeror's training experience; i.e., rural, suburban, and urban Law Enforcement Agencies;
2. Demonstrated expertise and leadership in the field of law enforcement training, which could take the form of certifications, education, awards, publication of articles, etc.;
3. Demonstrated commitment to diversity and inclusiveness principles;
4. Demonstrated successful training outcomes, in the short-term and long-term, supported by data;
5. Demonstrated history of addressing the procedural justice and ethical decision-making under stress issues faced by various Law Enforcement Agencies and related communities;
6. Demonstrated record and ability to coordinate trainings, including overview of logistical approach, services provided, and plan for creating interest in trainings; and
7. Demonstrated experience with both classroom instruction and scenario-based instruction.

PART D: WORK REQUIREMENTS

The DOL, on behalf of POST, is seeking to engage a vendor to provide trainings in immersive procedural justice and ethical decision-making under stress to Colorado Peace Officers. The trainings will aim to enhance Peace Officers' self-awareness, analytical skills, situational awareness, and interactive skills to promote procedural justice and ethical decision-making under stress for Peace Officers in their interactions with the public.

Procedural justice includes the principles of fairness for all during interactions between Peace Officers and the public, affording all people dignity and respect, listening to all perspectives during interactions, making impartial decisions, and demonstrating trustworthy motivations for one's actions while maximizing the safety of Peace Officers and the public.

The objective of the training program will be to promote:

1. Safe and effective policing;
2. Ethical decision-making under stress; i.e., applying procedural justice principles during stressful encounters;
3. Dignity and respect for all; and
4. De-escalation techniques drawing from procedural justice concepts and, to the extent available, evidence-based practices.

Work Requirements and Preferences

Training Content

Awarded Offeror will coordinate and run a series of two-day trainings in each of POST's Regions over the course of two years. The number of trainings in Year One and Year Two of the contract will be informed by the Awarded Offeror's proposal.

Each two-day training must include:

1. A pre-instruction assessment administered to each Student that assesses the Student's ethical decision making, regardless of suspect demographics, during stressful encounters prior to receiving any instruction to serve as a baseline measure of the effectiveness of the training. For the purpose of this assessment, a stressful encounter is characterized as one in which the student experiences a hormonal stress heartrate elevation of at least 175 beats per minute;
2. Classroom instruction based in modern adult learning theory, to include facilitated discussions and problem-based learning, that addresses the topics-of-focus below;
3. Scenario-based instructions, to include live interaction between Students and "actors," that address topics-of-focus addressed in the classroom instruction. The scenario-based instruction must include at least three distinct scenarios wherein students must exercise ethical decision making while experiencing hormonal stress heartrate elevation of at least 175 beats per minute, or uses appropriate tools taught during the training to minimize hormonal stress heartrate elevation; and
4. A post-instruction assessment administered to each Student that, relative to the pre-instruction assessment, measures each Student's ethical decision making during stressful encounters after receiving the instruction.

Topics-of-focus of the courses must at least include, but are not limited to:

- Procedural justice principles and their relationship to safer and more effective policing;
- Implicit bias and other cognitive biases that may affect law enforcement-citizen interactions;
- Demonstrating and practicing trustworthy interactions (especially under conditions of stress, perhaps through reality-based training that triggers fear and stress response); and
- Short- and long-term strategies for managing individual peace officers' health and stress levels.

For example, Instructors would give Students a pre-instruction assessment related to one, or more, topic-of-focus. The topic-of-focus then would receive theoretical treatment and discussion during classroom instruction. Students then would practice the strategies taught in the classroom in de-escalation or related scenario-based simulation exercises. After the classroom and scenario instructions, Instructors would give Students a post-instruction assessment related to the topic-of-focus.

Awarded Offeror will liaise with POST to ensure continuity of POST training programming by referring trainees to related POST curriculum and additional training opportunities.

Additional Training Requirements

For Classroom Instruction:

1. Each Student must receive classroom instruction as a part of the training;
2. Maximum Instructor-to-Student ratio of 1:40;
3. Must be conducted in person;
4. Must include problem-based learning and facilitated discussion; and
5. At least one classroom Instructor must possess at least five years of full-time law enforcement experience.

For Scenario-based Instruction:

1. Each Student must receive scenario-based instruction, including at least three distinct scenarios, as a part of the training;
2. Maximum Instructor-to-Student ratio of 1:10;
3. Must include Student participation in role-playing/simulation exercises;
4. Role-playing/simulation exercises must involve "actors" of varying ethnic/racial demographics
5. Role-playing/simulation exercises must include hormonal stress induced heartrate elevation, and strategies to employ to minimize the negatives impacts of this stress induced heartrate increase; and
6. At least one scenario Instructor must possess at least five years of full-time law enforcement experience.

Coordination Services

Awarded Offeror will handle all aspects of coordinating trainings, including registrations, location booking, any reimbursements to participants (e.g. for mileage), purchasing supplies, and all other logistical aspects of the trainings.

The DOL will have the right to cancel scheduled trainings with low enrollment. Awarded Offeror and the DOL will establish the low enrollment threshold at the time of contract development.

Regional Delivery

Awarded Offeror must conduct one training in each Large Region and Small Region per year. The ability to provide additional trainings, up to 20, throughout the training Regions in response to enrollment demand is preferred.

Awarded Offeror will work with the DOL to determine a final training schedule and geographic distribution of trainings at the time of contract development.

Awarded Offeror will deliver one training in each Small Training Region and three trainings in each Large Training Region. See Appendix C, Additional RFA Terms & Conditions for definitions of Small and Large Training Regions and see Appendix E, POST Regions Map for the physical boundaries of each Region.

Mandatory Work Proposal Components

1. A list of available instructions (i.e., course, modules, etc.) that demonstrates:
 - a. The length of each instruction and type of each instruction (i.e., classroom or scenario-based/simulation);
 - b. A description of how each instruction addresses one or more Topic-of-Focus;
 - c. The Instructor-to-Student ratio of each instruction;
 - d. The number of Students that can attend each instruction;
 - e. Identification of any instructions that cannot be conducted simultaneously; and
 - f. The total number of instructions that can be held during Year One and during Year Two of the Contract in each Large and Small Region.
2. A detailed description of Offeror’s pedagogical approach for the instructions and evidence-based support for the approach;
3. A detailed description of how Offeror would conduct pre- and post-assessments as a part of its pedagogical approach; and
4. A proposed plan, including any marketing/publicity strategy, to increase Students’ discretionary attendance of the trainings.

Preferred Work Proposal Components

1. A train-the-trainer program model for Year Two of trainings, if the DOL chooses to pursue such Services.

Discretionary Work Proposal Components

1. The DOL encourages Offerors to include in its Work Proposal other components that would be beneficial to the DOL at Offerors’ discretion. Offerors will not be evaluated on discretionary components, but such components may be included in the Contract resulting from this RFP.

Personnel Requirements

Offeror shall provide Key Personnel and Other Personnel that meet the requirements set forth below as necessary to perform the Work throughout the term of the contract. (See the definitions of "Key Personnel" and "Other Personnel" in Appendix C, Additional RFP Terms & Conditions.)

Offeror shall designate people to hold the following Key Personnel positions:

1. Project Manager(s)

Project Manager(s) responsibilities shall include, at a minimum, the following:

1. Serving as Offeror's primary point of contact for the DOL;
2. Ensuring the completion of all Work in accordance with the requirements of the Contract. This includes, but is not limited to, ensuring the accuracy, timeliness, and completeness of all Work;
3. Monitoring and ensuring Offeror is meeting performance standards;
4. Overseeing all other personnel and ensuring proper staffing levels throughout the term of the Contract;
5. Being available for status and issue resolution meetings by teleconference or in person as requested by the DOL.

Project Manager(s) must be available for meetings with the DOL during the DOL's normal business hours, as determined by the DOL. Project Manager(s) also must be available outside of the DOL's normal business hours and on weekends with reasonable prior notice from the DOL.

Project Manager(s) must be available for all scheduled meetings between Offeror and the DOL, unless the DOL has granted prior written approval otherwise.

One of the Key Personnel attending each meeting between the DOL and Awarded Offeror must have the authority to represent and commit Awarded Offeror regarding work planning, problem resolution, and program development.

Awarded Offeror shall use its discretion to determine the number of Other Personnel necessary to perform the Work in accordance with the requirements of the Contract. If the DOL determines Awarded Offeror has not provided sufficient Other Personnel to perform the Work, Awarded Offeror shall provide all additional Other Personnel necessary to perform the Work at no additional cost to the DOL.

Awarded Offeror shall ensure that all Other Personnel have sufficient training and experience, in addition to any other requirements of this RFP, to complete all portions of the Work assigned to them. Awarded Offeror shall provide all necessary training to its Personnel at no additional cost to the DOL.