

**Request for Bids
Ottawa County Department of Job and Family Services**

**FOR
Federal Assistance Listing Number 93.778/ Medicaid
Federal Assistance Listing Number 93.558/ Temporary Aid to Needy Families
Federal Assistance Listing 93.556/ Emergency Social Service Allocation
Federal Assistance Number 93.667/ Title XX of the Social Security Act**

Non-Emergency Demand-Response Transportation

Issue Date: Friday, February 20, 2026

**Closing Date: 8:30 a.m., D.S.T.,
Friday, March 27, 2026**

Contact Person:

**Mary Ann Cipiti
Ottawa County Department of Job and Family Services
8043 W. State Route 163
Oak Harbor, Ohio 43449
419-707-8675**

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**Ottawa County Department of Job and Family Services
Request for Competitive Bids and Timeline
Non-Emergency Demand-Response Transportation**

Activity	Date
Release of Request for Bids for Alternative Demand/ Response Transportation For April 1, 2026 – March 31, 2027	February 20, 2026
Last Date & Time for Submission of Written Questions	4:00 p.m., March 13, 2026
Date of Posting Answers to Questions on the Ottawa County website at http://www.co.ottawa.oh.us/index.php/legal-notices-bids/	4:30 p.m., March 18, 2026
Due Date for Bid Submission	8:30 a.m., March 27, 2026
Bid Opening	9:15 a.m., March 27, 2026
Recommendation(s) from Rating Team and Notification to Selected Provider(s)	March 27, 2026
Negotiations Complete/ All Signatures Acquired/ All Background Check results sent to Ottawa County Department of Job and Family Services	March 31, 2026
Non-Emergency Demand/ Response Contract(s) Effective	April 1, 2026

The Ottawa County Department of Job and Family Services reserves the right to revise this schedule in the best interest of the State of Ohio, the Ohio Department of Job and Family Services (ODJFS), Ottawa County Department of Job and Family Services, and/or to comply with the State of Ohio and Local procurement procedures and regulations and after providing reasonable notice.

SECTION 1: BACKGROUND

A. PURPOSE OF REQUEST FOR BIDS (RFB)

The Ottawa County Department of Job and Family Services (OCDJFS) is seeking bids to provide alternative transportation to Medicaid covered appointments (Non-Emergency Medical Transportation/ NET), activities/services outlined on Protective Service case plans, and Employment and Training Programs. These services would be delivered through a contract with the selected provider(s), once the individual was determined eligible. In order to provide transportation services under this bid, providers need to meet and maintain all required elements identified in this Request for Bids.

B. BIDDER QUESTIONS AND ANSWERS

Beginning with the release of the RFB February 20, 2026, bidders may submit questions by email to maryann.cipiti@jfs.ohio.gov, using the subject line: **Attention: Alternative Transportation RFB Questions**. Questions may be submitted through 4:00 p.m., March 13, 2026. Questions will be accumulated and answered with one written document and posted on the Ottawa County DJFS website (<http://www.co.ottawa.oh.us/index.php/legal-notices-bids>) on or before 4:30 p.m., March 18, 2026.

From the issuance date of this RFB, until the contract and/or contracts have been formally approved, announced, and/or awarded the OCDJFS, there may be no communications concerning the RFB between any vendor which expects to submit a bid and any employee of the Ottawa County Department of Job and Family Services, or any other individual regardless of their employment status, who is in any way involved in the development of the RFB or the selection of the bidder(s). The only exceptions to this prohibition are as follows:

1. Communications conducted pursuant to the Question-and-Answer Period;
2. As necessary in any pre-existing or on-going business relationship between aforementioned entities and any vendor which could submit a bid in response to this RFB;
3. As part of a clarification question to make a final selection;
4. If it becomes necessary to revise any part of this RFB, the Ottawa County DJFS will post those revisions, amendments, etc., to the website dedicated to this RFB;*
5. Any Public Records Request.

* **Important Note:** Amendments to the RFB or to any documents related to it will be accessible to interested parties through the original web page established for the RFB. All interested parties must refer to that web page regularly for amendments or other announcements. The Ottawa County DJFS will not specifically notify any vendor of changes or announcements related to this RFB except through the website posting. It is the affirmative responsibility of interested vendors to be aware of and fully respond to all updated information posted on this web page.

The OCDJFS is not responsible for the accuracy of any information regarding this RFB that was obtained or gathered through a source different from the Question and Answer process described in this RFB. Any attempts at prohibited communications by vendors may result in the disqualification of those vendors' bids.

C. CONTRACT PERIOD

The Ottawa County Department of Job and Family Services (OCDJFS), is seeking to issue a contract with provider(s) to perform services from April 1, 2026 through

March 31, 2027. The OCDJFS reserves the right to modify the resulting agreement agreement(s), according to federal/state requirements in the event that Grants are reauthorized during the contract period(s). Subject to funding appropriations, and OCDJFS approval, the contract(s) is(are) expected to run from April 1, 2026 through March 31, 2027, with a one year renewal option at the same terms and conditions, to be in effect, contingent upon satisfactory performance and continued availability of funding April 1, 2027 through March 31, 2028. Renewal is contingent upon the availability of funds and satisfactory performance by the vendor(s), and is subject to approval by OCDJFS.

D. BID ACCEPTANCE

This RFB does not represent a commitment of the Ottawa County Department of Job and Family Services (OCDJFS) to award a contract and/or contracts for the services described in this RFB. **The OCDJFS reserves the right to accept or reject any or all bids received. The OCDJFS reserves the right to waive informalities and minor irregularities in bids received.** All RFB's are contingent upon, among other things, availability of funds. The OCDJFS may accept any item or group of items of any bid and may award more or fewer dollars at the same price bid, unless the bidder qualifies its offer by specific limitations. All awards are contingent upon demonstrated administrative capacity in the sole judgment of the OCDJFS. No costs will be paid to cover the expense of preparing a bid or procuring a contract for services or supplies. Bidders are advised that most documents, including RFB's and bids received that are in the possession of the OCDJFS, are considered public records and subject to disclosure under the federal and state public records laws.

E. ATTACHMENT LIST

The following attachments specify all components and expectations of this Request for Bids:

- Attachment A: Bid Cover Sheet
- Attachment B: Checklist for Bids
- Attachment C: Competitive Bid Affidavit
- Attachment D: Representations, Assurances, and Certifications
- Attachment E: Evaluation Process and Rating Sheets
- Attachment F: Cost Price Analysis Tool
- Attachment G: Appeals Process for Bidders

SECTION 2: OBJECTIVES

In conjunction with the Ottawa County Department of Job and Family Services staff, provide the following services to clients eligible and referred clients of the ODDJFS: services):

- A. Provide door to door, demand response transportation when transportation needs prepaid fuel cards, per County Transportation Plan.
- B. Provide pre-scheduled and pre-authorized transportation to eligible Ottawa County clients, to/from approved locations, to meet program and/or case plan requirements, visitation, job search, non-emergency medical appointments, employment and training, or as a supportive service to agency clients. All transportation and clients are subject to prior authorization and approval by OCDJFS staff.
- C. In the event a client is in need of a rider aide (minor children, disabled or medically fragile adult), provide same transportation to that individual under this agreement.
- D. Assist with collection and return of client verifications for appointments attended by client, to appropriate OCDJFS staff.
- E. Provide a detailed accurate invoice, within 30 days of completion of service month. Monthly invoice to include per person and total cost for month, with the following per person details: client name, eligible service (NET, Social Services, Employment), date/time of pick up, address of client pick up, destination address, date/time of drop off at destination, identify (if applicable) any paid wait time, and number of miles driven. Note: invoicing can only be submitted for direct miles driven and client in vehicle. There will be no reimbursement for no-shows, cancellations or miles driven for indirect route or without approved client on board. Reimbursement is only for loaded direct miles driven.

SECTION 3: BID REQUIREMENTS

Bids must address each of the objectives above, and provide details on how the vendor meets the following requirements:

- A. Bid must identify number and type of vehicles available, indicating which vehicles are accessible to non-ambulatory riders, and if those vehicles are able to tie down riders using wheelchairs, or load the wheelchairs separately.
- B. Ensure that all applicable Ohio Department of Transportation and Ohio Department of Medicaid requirements for transportation services are met by Vendor and vendor staff, including minimum insurance and liability coverage required to transport individuals.
- C. Ensure vendor staff providing direct service to clients have successfully passed a BCI and FBI background check, and a copy of the results of that background check are provided to the Ottawa County Department of Job and Family Services.

1. Complete a criminal background check (BCII and FBI) of all direct service employees, annually in accordance with a signed contract with OCDJFS.
 2. Complete a criminal background check with all new hires that will have direct service with OCDJFS clients.
 3. Maintain these records and share copy of all background check results with OCDJFS upon request.
 4. Ensure that no direct service employee will have contact with an OCDJFS customer, if background check identifies a conviction or guilty plea to any of the offenses listed in Ohio Revised Code Section 109.572(A)(3)(a) to 109.572(A)(3)(e).
- D. Provide a list each owner/ manager and each direct service employee to be attached to this contract, if awarded. This information will be used to meet Non-Emergency Transportation/ Ohio Administrative Code 5160-15-14, and complete a database search of each party on the Medicaid Provider Exclusion/ Suspension List, Ohio Sex Offender and Child-Victim Offender Database, the Ohio Inmate Database, and the Ohio Nursing Registry Abuse Listing, Ohio Department of Developmental Disabilities Abuser Registry, Ohio Auditor of State Findings for Recovery, and United States Department of Health and Human Services Exclusion list.
- E. Upon approval by OCDJFS, and based on distance of trip, include wait time of driver between drop-off of client and return trip, as part of billing.
- F. Maintain client records for 3 years after completion of any awarded contract, for review by OCDJFS or Auditor of State, as part of monitoring process.

SECTION 4: BID GUIDELINES

For actual bid format requirements, please refer to Section 7: Bid Format of this Request for Bids.

Failure to clearly address how each of the *Objectives*, and *Bid Requirements* will be provided by entity may result in immediate dismissal of consideration.

Any awarded contract will be on a cost-reimbursement basis. No funds will be advanced for development of programming or preparing for service delivery.

SECTION 5: CONTRACT TERMS, REIMBURSEMENT, INVOICING

- A. Bids may be written and submitted for the period of April 1, 2026 through March 31, 2027, with the option to renew for the period of April 1, 2027 through June 30, 2028, at same terms and conditions, depending upon funding availability and contractor performance. All contract services are contingent upon funding availability.
- B. Providers will submit invoices for actual services they have provided, on a cost-reimbursement method. Invoices are to be submitted within 30 days of the completion of the service month. The provider will only be paid for services authorized by the contract as reimbursable expenses upon review of accuracy of invoice.
- C. The provider will be expected to submit monthly reports, as defined in the contract, regarding fiscal, programmatic activities, and performance outcomes.
- D. Each provider awarded a contract and/or contracts shall be subject to applicable audits of the contracted services as described in the Federal Office of Management and Budget (OMB) Super-circular (2015). Provider will be responsible for any audit findings and fines associated with delivery of this contract.
- E. Organizations receiving Federal funds for services are not permitted to duplicate Federal funds for services proposed in this RFB

SECTION 6: COMPLETING AND SUBMITTING BIDS

- A. Bidders are responsible for any, and all, costs related to preparing and submitting bids to be considered as a provider of Non-Emergency Demand-Response Transportation.
- B. The closing date and time for receipt of bids is 8:30 a.m., March 27, 2026. Any bid not received by the Ottawa County Department of Job and Family Services (OCDJFS) by that time and date, will not be considered. Information submitted after that time and date, either new, or supplemental to original bids, will not be considered. Faxed or emailed bids will not be accepted.
- C. All bids must be submitted in the format of **ONE original hard copy and ONE copy saved to electronic medium (i.e., USB drive)**. See “SECTION 7: BID FORMAT” for more specific information. All bids must be submitted to the **Ottawa County Department of Job and Family Services, 8043 W. State Route 163, Oak Harbor, Ohio 43452**. Bids and all supporting documentation must be contained in a sealed envelope marked “*Sealed Bid for Alternative Demand Response Transportation.*” The OCDJFS will accept sealed bids including supporting documentation, until **8:30 a.m., March 27, 2026**. Bids will be opened publicly and read aloud at 9:15 a.m., same date and location. Bids must be submitted timely and in the stated format. The bids may either by submitted via regular mail or in person. **Faxed or E-mail bids will NOT be accepted**. Failure to follow the format may result in immediate exclusion from

consideration. Request for Bids will be subject to the general requirements and general terms as set forth by this Request for Bids.

- D. Bids must be submitted in a sealed package. The entity submitting a bid assumes full responsibility for the selection of method delivery for the bid package. All bids will be marked with the date and time of receipt. A receipt of delivery will be provided to the entity submitting a bid, only upon request. Bids shall be accepted unconditionally, and without alteration or correction. **All bids must be received on or before 8:30 a.m., Friday, March 27, 2026 at:**

**Ottawa County Department of Job and Family Services
8043 W. State Route 163
Oak Harbor, Ohio 43452**

- E. Questions on this RFB may be faxed to 419-898-2436 Attention: Mary Ann Cipiti / Transportation RFB Questions or e-mailed to maryann.cipiti@jfs.ohio.gov, using the subject line Transportation RFB Questions. Questions may be submitted until 4:00 p.m., March 13, 2026, and will be answered through a posting on the Ottawa County website (<http://www.co.ottawa.oh.us/index.php/legal-notice-bids/>) on or before 4:30 p.m., March 18, 2026. Questions will not be acknowledged after 4:00 p.m., March 13, 2026.
- G. Bidders who disagree with the procurement process followed by the OCDJFS may file an appeal, after the selection decision has been made, using the appeal process outlined in Attachment G. No other appeals will be considered.

SECTION 7: BID FORMAT

The **ORIGINAL HARD COPY** should be on white 8 ½ x 11 inch paper, with font in at least 12 point size, single spaced and single sided with all originally signed pages, assurances and certifications. The bid packet must be assembled according to the following outline and format. The forms necessary to provide the referenced information are included in the Request for Bid Response Section. **Failure to follow the outline will result in rejection of the bid.**

Section 1:

1. Request for Bid Response Cover Page (Attachment A), with name of entity submitting bid, address, contact person, telephone number, cost per mile, cost for wait time and related details.
2. Checklist for Submitting Bid (Attachment B)

Section 2:

1. Competitive Bid Affidavit (Attachment C)
2. Representations, Assurances and Certifications (Attachment D)

3. Certificate of Liability Insurance
4. Certificate of coverage under Ohio Worker's Compensation program

Section 3:

1. Program Narrative
2. Entity qualifications and staff qualifications for this program (BCII, FBI and data base search results should not be attached to bids. That information will be required upon any award issued and prior to a signed contract.

Section 4:

1. Budget details and any budget narrative

The electronic media device (i.e., USB) should contain ALL documents of the ORIGINAL HARD COPY, but with the bidder identifying information removed. Failure to redact all identifying information in electronic copy of bid, may result in rejection of the bid. Bid should be saved as a Tagged Image File (*.tif) or Acrobat Reader (*.pdf).

SECTION 8: EVALUATION AND AWARD OF CONTRACT(S)

The review process will be conducted in two stages, with the option of a third stage in the process. Stage 1 will consist of a preliminary review by Ottawa County Department of Job and Family Services (OCDJFS) staff, to determine if the bid materials adhere to the minimum requirements and mandatory conditions specified in the RFB (Attachment E). A qualitative review will also be conducted by OCDJFS staff, through a cost-price analysis (Attachment F), and a review of the organization's experience and qualifications to provide non-emergency demand response transportation. Bids which adhere to minimum requirements will be deemed "Qualified," while those which do not will be deemed "Non-Qualified." "Non Qualified" bids will be rejected. Partial submissions or bids submitted after the deadline will be determined to be non-responsive and "non-qualified."

"Qualified" bids and the results of the cost-price analysis and qualitative review of experience and qualifications, will be labeled (e.g., Bid 1, Bid 2, etc.), and given to Rating Committee members who do not have a vested interest in the selection/ award of the contract and/or contracts, for review and evaluation using Attachment E- Part 2.

Though it is hoped and expected that provider(s) will be selected after completing the entire process, the OCDJFS and the Ottawa County Commissioners, reserve the right to discontinue the selection process at any time and begin the entire RFB process anew. The OCDJFS and Ottawa County Commissioners also reserve the right to waive any formalities in the selection process and continue to Stage 2 of the review. Additionally, in the event that only one bid is received, it will be reviewed for appropriateness, and a decision will be made at the discretion of OCDJFS and Ottawa County commissioners, with or without the use of this rating scale.

A. Stage 1 Review

- 1.) Conducted by OCDJFS personnel
- 2.) Qualified bids must meet the minimum requirements outlined in Attachment E, to be considered “qualified,” and proceed to Stage 2 Review.
- 3.) Upon receipt of the bids, the OCDJFS will conduct a Cost/Price Analysis (Attachment F) of each bid, and a qualitative review of the experience and qualifications of the organization, regarding the provision of transportation services. The results of these analyses will be included in the review packets for Stage 2 of the Review process.

B. Stage 2 Review

The bids, results of the Cost-Price Analysis, and Evaluation, will be independently rated by appropriate members of the Rating Committee, against a total value of 75 possible points, using the Bid Rating Sheet, Part II (*Attachment E*). If applicable, contract monitoring results of similar programs with a provider, will be taken into consideration when reviewing and selecting bidder.

- C. A consensus of independent scores will then be reached at the meeting of the Rating Committee for recommendation to Ottawa County Board of Commissioners, who will have the final decision power in authorizing the contract for services.

Attachment A

***Ottawa County Department of Job and Family Services
Non-Emergency Demand-Response Transportation
Federal Assistance Listing Number 93.778/ Medicaid
Federal Assistance Listing Number 93.558/ Temporary Aid to Needy Families
Federal Assistance Listing 93.556/ Emergency Social Service Allocation
Federal Assistance Listing 93.667/ Title XX of Social Security Act***

Bid

Name of Bidder: _____

Address of Bidder: _____

Authorized Representative Name for Bidder:

Telephone Number: _____

Email: _____

Contact Person: _____

Cost per Mile: _____

Cost for Wait Time: _____

Signature Bidder Representative

Date

Attachment B:
Checklist for Submitting Bids

All bids responding to the Request for Bids must include the following:

Section 1:

- Completed Response Cover Page (Attachment A)
- Checklist for Submitting Bid (Attachment B)

Section 2:

- Completed Competitive Bid Affidavit (Attachment C)
- Completed Representations, Assurances and Certifications (Attachment D)
- Certificate of Liability Insurance
- Certificate of Worker's Compensation Coverage

Section 3:

- Program Narrative
- Entity Qualifications and Staff Qualifications for this Program

Section 4:

- Budget Summary and Narrative

Attachment C:
COMPETITIVE BID AFFIDAVIT
State of Ohio

I, _____, _____,
(Name of person signing affidavit) (Title)

swear that _____
(Name of Individual, Corporation, or Organization)

(NON-COLLUSION AFFIDAVIT) its agents, officers, or employees have not directly, nor indirectly, entered into any agreements, participated in any collusion, nor taken any action to restrain free competition in connection with this bid.

(NON-DISCRIMINATION AFFIDAVIT) its agents, officers or employees will not discriminate in the hiring of employees for work under this bid or in providing services sent forth in this bid on the basis of race, color, religion, sex, age, disability, national origin or ancestry, or political affiliation or belief.

(FINDINGS FOR RECOVERY WITH STATE OF OHIO AUDITOR) does not currently have any unresolved audit findings for recovery with the State of Ohio Auditor.

(PERSONAL PROPERTY TAX DELINQUENCY STATEMENT) The organization is not now charged with any delinquent personal property taxes on the general tax list of personal property of the county. If such delinquency is now charged, a statement setting forth the unpaid delinquent taxes and any due and unpaid penalties and interest now follows:

(CERTIFICATION). The information contained in this bid fairly represents the organization and its proposed operating plans and price for the Scope of Services and Deliverables described in the Request for Bids of the Comprehensive Case Management and Employment Program Contract. I acknowledge that I have read and understand the requirements and provisions of this Request for Bids, and this organization is prepared to provide the Scope of Services and Deliverables, as specified in this bid.

I further certify that all information contained in this bid is true and correct, and shall be open to verification, should the Ottawa County Department of Job and Family Services, Greater Ohio Workforce Board, Ottawa County Board of Commissioners, or any entity affiliated with the System choose to do so.

I certify that I am authorized to sign the attached bid, and to commit this organization to the provisions described in the Scope of Services and Deliverables, and other provisions contained in the Request for Bids. Furthermore, I can and do certify that this is a firm offer to complete the items outlined in the Request for Bids.

Finally, I do certify that this organization is not currently involved in any state of formal bankruptcy proceedings.

Signature

Date

Sworn to and subscribed before me this _____ day of _____

(Notary Public)

My Commission Expires: _____

_____, Ohio.

Attachment D:

REPRESENTATIONS, ASSURANCES, AND CERTIFICATIONS

1. Company Name: _____
2. Company Address: _____
3. Telephone Number: _____ FAX: _____
4. The name and telephone number of the person(s) who has the authority to submit bids:

5. The name and telephone number of the person(s) who has the authority to sign contracts:

6. The legal status of the bidder's organization (e.g. corporation, sole proprietor ship, post-secondary education institution, etc.)

7. Date of establishment/ incorporation: _____
8. Federal Employer Identification Number (FEIN): _____
9. Worker's Compensation Account Number: _____
10. Unemployment Insurance Account Number: _____
11. Is the company co-owned or controlled by a parent company? Yes No
If yes, name of parent company: _____
12. Is the bidder authorized/ licensed to do business in the state of Ohio? Yes No
13. Is the bidder bound by Federal, State, or local Affirmative Action or Equal Employment Opportunity rules? Yes No
If yes, has the company filed all required EEO reports to the necessary agencies? Yes No
14. The company certifies that it is not debarred nor suspended under Federal and State rulings from receiving federal funds. Yes No

- 15. Does the company have current or future plans for a buyout or sale? Yes No
- 16. The company certifies that it will not enter into contracts with subcontractors who are debarred or suspended from such transactions to complete work related to this Request for Bids. Yes No
- 17. The company certifies it will not use the contract funds to lobby? Yes No
- 18. The company certifies it is a drug-free work place? Yes No
- 19. The company certifies it is not delinquent on any Federal debt? Yes No

**Request for Bids – Non-Emergency Demand/Response Transportation
Attachment E: Part 1 of Evaluation Process**

Bid Period: 2026-2027

Assigned Bid Number:

Minimum Criteria	Pass	Fail
Complete bid and attachments received by 8:30 a.m., March 27, 2026, at the Ottawa County Department of Job and Family Services.		
Bidder submitted One (1) original hard copy of bid and one electronic copy with identifying information withheld. Format in bid is PDF or TIF format.		
Bids are submitted using no less than 12-point font, single sided, single-spaced, on standard 8 1/2 X 11 inch plain white paper.		
Bid cover page included all requested information, and the signature of authorized representative to enter into contractual agreements on behalf of the bidding organization.		
Checklist for submitting bids is attached and completed.		
Project information is included with bid.		
Competitive Bid Affidavit is signed and included in bid.		
Representations, Assurances and Certifications is signed and included in bid.		
Budget information is completed and included in bid.		
Certificate of Liability Insurance included in bid.		
Certificate of Worker's Compensation coverage included in bid.		
<i>Experience in Operating Similar Program(s)</i>		
Written description of past experience in administering similar program elements, including program goals and outcomes achieved. Consider performance on past contracts with this Provider for similar services.		
Years in Business	5	
Experience with Similar Projects	5	
Numbers Served in Past	5	
Qualified Staff to Operate Program	5	
Total:		

Request for Bids: Non Emergency Demand/ Response Transportation
Attachment E - Part II: Bid Rating Sheet
 Bid Period: 2026-2027

Bid Number: _____

Criteria	Points Available	Points Earned
<i>Experience Operating Similar Programs</i>		
Determined from Part I of Evaluation	20	
<i>Service Delivery</i>		
Provider has history delivering similar services to Ottawa County residents with no contract monitoring issues.	10	
Bid narrative indicates provider able to complete all requirements identified in this Request.	10	
Provider has inventory of vehicles to provide transportation to non-ambulatory clients.	10	
Agency has received no complaints on this provider within the last twelve months.	5	
<i>Data Management and Fiscal Information</i>		
Bidder demonstrates understanding of data elements necessary for collection, and ability to document and report detail by client for dates, services, miles, no shows, and cancelations.	5	
Bidder completed budget summary accurately.	5	
Review of budget worksheets and Cost-Price Analysis indicate that proposed total cost and unit cost are reasonable.	10	
TOTAL POINTS FOR BID	75	

Percentage of Points Available Awarded _____

Attachment #G

Appeal Process

Definitions:

For this section the following definitions will be utilized:

Interested Party -- an actual or prospective bidder, provider, contractor or offeror whose direct economic interest would be affected by the award of a contract or by the failure to award a contract.

Intervenor – An awardee if the award has been made or, if no award has been made, all bidders or offerors who appear to have a substantial prospect of receiving an award if the dispute is denied.

Agency – The Ottawa County Department of Job and Family Services.

Days – Calendar days. In computing any period of time, the day from which the period begins to run is not counted, and when the last day of the period is a Saturday, Sunday, or holiday, the period extends to the next day that is not a Saturday, Sunday, or holiday. Similarly, when the Agency, where a submission is due, is closed for all or part of the last day, the period extends to the next day on which the agency is open.

Adverse Agency Action – Any action or inaction by the Agency that is prejudicial to the position taken in a Dispute filed with the Director or Designee of the Agency, including a decision on the merits of a Dispute; the opening of bids or receipt of bids, the award of a contract, or the rejection of a bid or bid despite a pending Dispute; or Agency acquiescence in continued and substantial contract performance.

Filed – A document is considered filed on a particular day when it is received by the Agency by 4:00 p.m., eastern standard time, on that day. Disputes and other documents may be filed by hand delivery, mail, commercial carrier, or facsimile transmission. Hand delivery and other means of delivery may not be practicable during certain periods due, for example, to security concerns or equipment failures. The filing party bears the risk that the delivery method chosen will not result in timely receipt at the Agency.

General Information:

Prior to submission of an agency protest, all parties shall use their best efforts to resolve concerns raised by an interested party at the bid contact person level through open and frank discussions. The Agency should provide for inexpensive, informal, procedurally simple, and expeditious resolution of protests. Where appropriate, the use of alternative dispute resolution techniques, third party neutrals, and another agency's personnel are acceptable protest resolution methods. The following procedures are established

to resolve agency protests effectively, to build confidence in the acquisition system, and to reduce protests outside of the agency:

Filing Disputes:

- A. An interested party may dispute a solicitation or other request by the Agency for offers for a contract; for the procurement of property or services; the cancellation of such a solicitation or other request; an award or proposed award of such a contract; and a termination of such a contract, if the dispute alleges that the termination was based on improprieties in the award of the contract.

- B. Disputes must be in writing and addressed as follows: Director, Ottawa County Department of Job and Family Services, 8043 W. State Route 163, Oak Harbor, Ohio 43449, Attention: Dispute Resolution Request.

- C. The filed dispute shall include:
 - 1. The name, street address, electronic mail address, and telephone and facsimile numbers of the interested party,
 - 2. Be signed by the interested party or its representative,
 - 3. Identify the solicitation title and/or contract in dispute,
 - 4. Set forth a detailed statement of the legal and factual grounds of the dispute including copies of relevant documents,
 - 5. Set forth all information establishing the purpose of filing a dispute,
 - 6. Set forth all information establishing the timeliness of the dispute,
 - 7. Specifically request a ruling, and if desired a hearing, by the Director or Designee of the Department of Job and Family Services, and
 - 8. State the form of relief requested,
 - 9. Attach any documents to support the dispute.

- D. All dispute documents, once received by the Agency, are considered public record, unless the information provided is protected by Federal, State or local confidentiality laws and rules. If confidential information is contained in the dispute information, it shall be indicated by cover letter with the filed dispute.

- E. Upon receipt of a properly filed dispute:
 - 1. before a bid award, a contract may not be awarded, pending Agency resolution of the dispute, unless a contract award is justified, in writing, for urgent and compelling reasons or is determined, in writing, to be in the best interest of the Agency, Federal, State or Local Governments. Such justification or determination shall be approved by the Ottawa County Prosecutor. If the bid award is withheld pending agency resolution of the dispute, the bid contact person will inform the

offerors whose offers might become eligible for award of the contract.

2. Within 10 days after notice of a contract award, the Agency shall immediately suspend performance, pending resolution of the dispute within the Agency, including any review by an independent higher level official, unless continued performance is justified, in writing, for urgent and compelling reasons or is determined, in writing, to be in the best interest of the Agency, Federal, State or Local Governments. Such justification or determination shall be approved by the Ottawa County Prosecutor.

Filing Timeframes:

- A. Disputes based upon alleged improprieties in a solicitation which are apparent prior to bid opening or the time set for receipt of initial bids shall be filed prior to the date of the bid opening.
- B. Disputes other than those covered by paragraph (A) of this section shall be filed not later than 10 days after the basis of the dispute is known.
- C. Untimely filed disputes will be denied and not considered.

Dispute issues not for consideration:

- A. Contract administration. The administration of an existing contract is within the discretion of the contracting agency. Disputes between a contractor and the agency are resolved pursuant to the clauses of the contract.
- B. Disputes which lack a detailed statement of the legal and factual grounds of dispute, or which fail to clearly state legally sufficient grounds of dispute.
- C. Subcontract disputes. The Agency will not consider a dispute of the award or proposed award of a subcontract.
- D. Suspensions and debarments. Challenges to the Federal or State Government suspension or debarment of contractors will not be reviewed by the Agency.

Hearings:

- A. At the request of an interested party or on its own initiative, the Director or Designee of the Agency may conduct a hearing in connection with a dispute. The request shall set forth the reasons why a hearing is needed to resolve the dispute.
- B. Prior to the hearing, the Director or Designee of the Agency may hold a pre-hearing conference to discuss and resolve matters such as the procedures to be followed, the

issues to be considered, and the witnesses, if any, who will testify.

- C. Hearings generally will be conducted as soon as practicable. Although hearings ordinarily will be conducted at the Agency, hearings may, at the discretion of the Director or Designee of the Agency, be conducted at other locations, or by telephone or other electronic means.
- D. All parties participating in the dispute shall be invited to attend the hearing. In order to prevent the improper disclosure of protected information at the hearing, the Director or Designee of the Agency may restrict attendance during all or part of the proceeding.
- E. Hearings shall normally be recorded and/or transcribed. If a recording and/or transcript is made, any party may obtain copies at its own expense.
- F. If a witness whose attendance has been requested by the Director or Designee of the Agency fails to attend the hearing or fails to answer a relevant question, the Director or Designee of the Agency may draw an inference unfavorable to the party for whom the witness would have testified.
- G. If a hearing is held, each party shall file comments with the Director or Designee of the Agency within 5 days after the hearing was held or as specified by the Director or Designee of the Agency. If the interested party has not filed comments by the due date, the Director or Designee of the Agency shall dismiss the dispute.
- H. In post-hearing comments, the parties should reference all testimony and admissions in the hearing record that they consider relevant, providing specific citations to the testimony and admissions referenced.

Resolution:

- A. If the Director or Designee of the Agency determines that a solicitation, cancellation of a solicitation, termination of a contract, proposed award, or award does not comply with statute or regulation, it shall recommend that the Agency implement any combination of the following remedies:
 - (1) Refrain from exercising options under the contract;
 - (2) Terminate the contract;
 - (3) Re-negotiate the contract;
 - (4) Issue a new solicitation;
 - (5) Award a contract consistent with statute and regulation; or
 - (6) Such other recommendation(s) as the Director or Designee of the Agency determines necessary to promote compliance.
- B. In determining the appropriate recommendation(s), the Director or Designee of the

Agency shall, except as specified in paragraph (C) of this section, consider all circumstances surrounding the procurement or proposed procurement including the seriousness of the procurement deficiency, the degree of prejudice to other parties or to the integrity of the competitive procurement system, the good faith of the parties, the extent of performance, the cost to the Agency, Federal, State or Local Governments, the urgency of the procurement, and the impact of the recommendation(s) on the Agency's mission.

- C. If the Director or Designee of the Agency determines that performance of the contract notwithstanding a pending protest is in the Agency's or Federal, State or Local Government's best interest, the Director or Designee of the Agency shall make its recommendation(s) under paragraph (A) of this section without regard to any cost or disruption from terminating, re-negotiating, or re-awarding the contract.
- D. The Director or Designee of the Agency shall issue a written decision on a dispute within 65 days after it is filed.

Judicial Remedy:

- A. An interested party must immediately advise the Director or Designee of the Agency of any court proceeding which involves the subject matter of a pending protest and must file with the Director or Designee of the Agency copies of all relevant court documents.
- B. The Director or Designee of the Agency will dismiss any case where the matter involved is the subject of litigation before, or has been decided on the merits by, a court of competent jurisdiction.