



**REQUEST FOR PROPOSAL (RFP)**  
**CLOUD BASED DATA CENTER SERVICES FOR ELECTRONIC MEDICAL  
RECORDS SYSTEM**

**PROPOSAL DUE DATE & TIME:**  
**JUNE 10, 2022 – 11:59PM CST**

**ATTN: JOSH JIMENEZ**  
**PROCUREMENT MANAGER**

[joshua.jimenez@cacost.org](mailto:joshua.jimenez@cacost.org)

**COMMUNITY ACTION CORPORATION OF SOUTH TEXAS**  
**204 E. FIRST ST.**  
**ALICE, TX 78332**

## INTRODUCTION

The Community Action Corporation of South Texas (CACOST) is a private non-profit organization established in 1971 and funded through state and federal grants and fees for service. CACOST has a workforce of about 690 employees and a service area consisting of seventeen (17) South Texas counties. The mission of CACOST is to continuously improve the lives of South Texans by providing high quality healthcare, education, housing, and economic opportunities to reduce poverty through services and partnerships. More information on CACOST can be obtained by visiting the CACOST web site at [cacost.org](http://cacost.org).

## PROPOSAL SUMMARY

CACOST is seeking contract or agreement proposals from qualified providers for the implementation and management of a cloud based data center infrastructure for the Electronic Medical Records (EMR) system currently in place that is used throughout all CACOST Health Center locations. All proposals must be completed in accordance with all applicable standards, specifications, terms, and conditions as stated in this RFP.

## CLOSING DATE

All proposals must be submitted no later than **June 10, 2022 - 11:59PM CST**.

## INQUIRIES & CONTACT INFORMATION

All questions concerning this RFP should be directed to Josh Jimenez, Procurement Manager, at [joshua.jimenez@cacost.org](mailto:joshua.jimenez@cacost.org) within the inquiry period as stated below. Communication with other individuals within CACOST during the duration of this RFP is strictly prohibited. CACOST reserves the right to disqualify any Proposer who is found in violation of this provision. No communication requests other than written via email within the inquiry period will be accepted and no response other than written will be binding upon CACOST. Submittals will remain on file in accordance with the Texas Open Records Act.

## EXPECTED TIMELINE

The following timeline of events is expected to be followed but shall not be considered binding:

RFP EVENT	DATE
RFP Publication	May 26, 2022
Final Date for Inquiry Submission	June 2, 2022
Q&A Document Publication	June 3, 2022
Final Date for Proposal Submission	June 10, 2022
Selected Vendor Demonstrations	June 13 - 17, 2022
Announcement of Intent to Award	July 1, 2022
Contract Start Date	July 15, 2022

## GENERAL TERMS & CONDITIONS

### SUBMISSION INSTRUCTIONS

To be considered responsive and receive an evaluation, proposals must fully address all sections of the RFP. All proposals should be addressed as follows:

CACOST Cloud Based Data Center Services For EMR System RFP

ATTN: Josh Jimenez, Procurement Manager

204 E. First St.

Alice, Texas 78332

OR via email to [joshua.jimenez@cacost.org](mailto:joshua.jimenez@cacost.org)

It is the sole responsibility of the Proposer to ensure that the proposal is received by the date and time specified above in the Final Date for Proposal Submission section. **Late proposals will not be considered.** Confirmation of receipt is the sole responsibility of the Proposer. Proposal submissions may include value-added alternatives and any relevant information in addition to the information requested in the RFP. Proposals may be withdrawn in writing prior to the deadline. Unless otherwise stated, all materials submitted by the Proposer in response to this RFP shall become the property of CACOST.

### NOTIFICATION OF AWARD

CACOST anticipates, but does not guarantee, a contract or multiple contracts will be awarded on July 1, 2022. An award will be made to the Proposer(s) based on the listed evaluation criteria and the responses that are most compatible with CACOST's needs. CACOST will be the sole judge in making this determination. CACOST is not bound to accept the lowest bid, or any proposal submitted. A contract for the approved proposal will be executed based upon the factors described in this RFP. CACOST may investigate the qualifications of any individual or firm under consideration, require confirmation of information furnished and require additional evidence of qualifications to perform the services described in this RFP. CACOST also reserves certain rights, including, but not limited to, the following:

1. Reject any or all proposals
2. Issue subsequent Requests for Proposals
3. Cancel the entire Request for Proposal
4. Remedy technical errors in the Request for Proposal process
5. Appoint evaluation committees to review qualifications and proposals
6. Seek the assistance of outside technical experts in evaluation
7. Approve or disapprove the use of certain subcontractors
8. Establish a short list of proposers eligible for discussions after review of RFP
9. Solicit best and final offers from all, some, or one of the proposers
10. Waive informalities and irregularities in RFP
11. Award without discussion
12. Terminate an awarded contract if performance is unsatisfactory, with the provision of a written notice; no penalty and/or fee may be imposed
13. Conduct pre-contract negotiations with any and/or all potential qualified contractors

This RFP shall not, in any manner, be construed to be an obligation on CACOST to enter a contract or result in any claim for reimbursement of cost for any efforts expended in responding to the RFP or in anticipation of any contract.

## **CONFIDENTIALITY**

The Proposer agrees to keep the information related to all contracts in strict confidence. Other than the reports submitted to CACOST, the Proposer agrees not to publish, reproduce, or otherwise divulge such information, in whole or in part, in any manner or form, or authorize or permit others to do so taking such reasonable measures as are necessary to restrict access to the information while in the Proposer's possession to these employees on the Proposer's staff who must have the information on a "need-to-know" basis. The Proposer agrees to notify immediately, in writing, CACOST's authorized representative in the event the Proposer determines or has reason to suspect a breach of this requirement.

## **LIMITATIONS & RESERVATIONS**

CACOST reserves the right to negotiate the terms and conditions of the contract with any of the evaluated Proposers. Should the successful Proposer and CACOST fail to come to an agreement, CACOST may at its sole discretion award work to any of the remaining Proposers. The Proposer to whom the contract is awarded shall be required to enter a written contract with CACOST. This RFP and the proposal, or any part thereof, shall be incorporated into and made a part of the final contract. CACOST specifically reserves the right to vary the provisions set forth herein any time before the execution of a contract where such variance is deemed to be in the best interest of the needs of CACOST. If selected for negotiations, Proposer may be required to prepare and submit additional information before final Proposer(s) selection, to reach terms for the provision of services, which are agreeable to both parties.

## **FINANCIAL RESPONSIBILITY**

CACOST assumes no financial responsibility for any costs in developing and submitting a proposal or any amendments or addenda, participating in bid conferences, participating in any negotiation sessions or discussions, or any other costs incurred by Proposers prior to award of a contract or agreement pursuant to this RFP. All costs incurred in the preparation of any response to this RFP and/or associated costs will be the sole responsibility of the Proposer and will not be reimbursed by CACOST.

## **STEVENS AMENDMENT**

This project will be supported by the Department of Health and Human Services Health Resources and Services Administration (HRSA) award totaling \$2,977,471. The contents are those of the author(s) and do not necessarily represent the official views of, nor an endorsement, by HRSA, or the U.S. Government.

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solely the responsibility of the authors and do not necessarily represent the official views of the Department of Health and Human Services.

### **SMALL, WOMEN, AND/OR MINORITY-OWNED BUSINESSES**

Efforts will be made by CACOST to utilize small businesses and women and minority-owned businesses with the consideration that the primary responsibility is the most favorable return to CACOST. A Proposer qualifies as a small business firm if it meets the definition of “small business” as established by the Small Business Administration (13 CFR 121.201).

### **HISTORICALLY UNDERUTILIZED BUSINESSES**

It is CACOST policy to encourage participation of small and historically underutilized businesses (HUBs), as defined in Government Code, Chapter 2161. “Historically underutilized business (HUB): means an entity with its principal place of Business in this state that is:

1. a corporation formed for the purpose of making a profit in which 51 percent or more of all classes of the shares of stock or other equitable securities are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management;
2. a sole proprietorship created for the purpose of making a profit that is completely owned, operated, and controlled by an economically disadvantaged person;
3. a partnership formed for the purpose of making a profit in which 51 percent or more of the assets and interest in the partnership are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the partnership's control, operation, and management;
4. a joint venture in which each entity in the venture is a historically underutilized business, as determined under Government Code Chapter 2161; or
5. a supplier contract between a historically underutilized business as determined under Government Code Chapter 2161 and a prime contractor under which the historically underutilized business is directly involved in the manufacture or distribution of the goods or otherwise warehouses and ships the goods.

### **EQUAL OPPORTUNITY**

It is the policy of CACOST not to discriminate on the basis of race, color, creed, gender, religion, marital status, age, national origin or ancestry, physical or mental disability, medical condition, sexual orientation, political affiliation or belief or any other consideration made unlawful by applicable federal, state, or local laws. Contractor agrees not to discriminate against any employee or applicant for employment to be employed in the performance of this Agreement, with respect to hiring, tenure, terms, conditions, and privileges of employment, or a matter directly or indirectly related to employment, because of age or race, color, creed, gender, religion, marital status, age, national origin, or ancestry, physical or mental disability, medical condition, sexual orientation, political affiliation, or belief. Contractor further agrees that every subcontractor entered into for the performance of the Agreement shall contain a provision requiring non-discrimination in employment herein specified, binding upon each subcontractor. Breach of the covenant may be regarded as a material breach of the Agreement.

## **CERTIFICATION WITH REGARDS TO LOBBYING**

No federal appropriated funds will be paid to any person for influencing or attempting to influence an officer or employee of Congress or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant or loan, the entering into of any cooperative agreement or the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan, or cooperative agreement.

## **PROHIBITED SUBSTANCES IN THE WORKPLACE**

The contractor is considered a representative of CACOST while carrying out the duties of the contract. CACOST has a policy that prohibits the possession and/or use of alcohol or illegal drugs when conducting CACOST business. If the contractor is observed engaging in this type of behavior while performing any aspect of the contract, termination of the contract will occur.

## **EQUAL EMPLOYMENT OPPORTUNITY**

The Equal Employment Opportunity Clause required under Executive Order 11246, the affirmative action commitment for disabled veterans, recently separated veterans, other protected veterans, and Armed Forces Service Medal Veterans, the affirmative action clause for handicapped workers and the related regulations of the Secretary of Labor, 41 CFR Chapter 60, are incorporated by reference in the contract. By accepting the contract, the vendor certifies that it complies with the authorities cited above, and that it does not maintain segregated facilities or permit its employees to perform services at locations where segregated facilities are maintained, as required by 41 CFR 60.

## **DEBARMENT AND SUSPENSION**

The contractor certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

## **DISCLOSURE OF PENDING GOVERNMENT INVESTIGATIONS**

It is the responsibility of the Proposer to disclose any ongoing or pending legal proceedings, including any such proceedings known to be contemplated by governmental authorities, that could affect the performance of the Proposer or the execution of any potential contract. Failure to disclose this information or any efforts to omit such information may result in the disqualification of the offending Proposer's bid and/or termination of contract.

## SCOPE OF SERVICES

### PROJECT OVERVIEW

CACOST currently has a mix of physical and virtual servers that are used throughout its agency. More detailed information regarding the Agency's infrastructure currently in use can be found in **CACOST Cloud Based Data Center Services For EMR System RFP - Attachment A, EMR Inventory**. It is the intent of CACOST to obtain proposals and/or quotations for the implementation and management of a cloud based data center infrastructure service for its EMR system.

### PROPOSAL REQUIREMENTS

**General Requirements** – The following items are required with all proposals submitted:

1. Completed **Offering Overview Form**.
2. Pricing must be proposed in monthly terms for a 12, 24, 36, and/or 48-month term contract.
3. Pricing must include all costs associated with deployment of the proposed system.
4. All components and specifications necessary to deploy the proposed system must be included, even if not explicitly mentioned in this RFP.
5. All quoted components, if needed, must be factory new, not reconditioned or refurbished.
6. Proposal contents submitted to CACOST shall remain valid for a minimum of 90 calendar days from the Proposal due date.
7. Explanation of any penalty or liability charges for reducing equipment prior to or after installation of the proposed system.
8. Statement regarding CACOST's responsibility in assuming risk of loss or damage.

**Vendor/Company Information** – All Proposers must include company background information that provides, at a minimum, the following details:

1. Company ownership
2. TIN
3. Length of time in the cloud based infrastructure industry
4. Number of office locations
5. Number of employees
6. Primary contact information – name, address, phone, fax, and email
7. Disclosure of potential conflicts of interest

**References** – All Proposers must include a list of at least three (3) business references, preferably customers that are currently using a system similar to the system being proposed. The following details must be included:

1. Customer name
2. Primary contact information – name, position, address, phone, and email
3. Brief description of relevant system provided
4. Number of users and locations

**System Requirements** – In order for a proposal to be considered, the proposed system must comply with the following requirements:

1. Must be compatible with eClinicalWorks EHR system administration.
2. Must be managed as one (1) solution.
3. Must have a fully hosted private cloud infrastructure.
4. Must have multiple data centers for security and accessibility measures.
5. Must be accessible via SSL/HTTPS.
6. Must accommodate 25 providers
7. Must accommodate 150 users.
8. Must be able to host Dexis Dental software.
9. Must be responsible for the following:
  - a. EMR updates
  - b. Operating system updates
  - c. Database management
  - d. Backups

Proof of compliance with the above requirements must be provided through documentation such as literature, sample reporting, certifications, or other forms of validation.



# VENDOR SELECTION PROCESS

## PROPOSAL REVIEW & EVALUATION

A committee selected by CACOST will review and evaluate all proposals based on the criteria listed in the *Evaluation Criteria* section of this RFP. The Proposers may be asked to interview with CACOST representatives, make an oral presentation and/or respond to questions regarding the submittal response. CACOST may elect to negotiate pricing with one or more of the most qualified Proposers. Once all proposals are reviewed and evaluated, the submitted proposal that will provide the most value to CACOST will be selected and will be submitted as a recommendation to the CACOST Executive Director.

## EVALUATION CRITERIA

The following table illustrates the general evaluation criteria that will be used to determine which proposal provides the most value to CACOST:

EVALUATION CATEGORIES	WEIGHT
Pricing	40%
Qualifications	10%
Functionality	30%
Support	20%

The evaluation categories can be broken down as follows:

1. Pricing – all costs associated with the deployment and use of the proposed system through the respective terms offered. These costs must all be included in the **Proposer Offering Overview Form** to ensure proper evaluation.
2. Qualifications – all information provided in the *Vendor/Company Information* and *References* section of this RFP. Proposers that are considered HUBs and/or Small, Women, and/or Minority-Owned Businesses will receive added value in this category; however, total weight of this category will not be more than ten percent (10%) for all Proposers.
3. Functionality – all information provided to meet or exceed the *General Requirements*, *System Requirements*, and the **Proposer Offering Overview Form** attached to this RFP.
4. Support – all related information (Service Level Agreement, training, etc.) provided in **Proposer Offering Overview Form** attached to this RFP..

In accordance with applicable laws, rules and regulations for public purchasing, an award will be made to the responsible Proposer whose proposal is determined to provide the best value to CACOST. The proposal must be submitted on time and must materially satisfy all mandatory requirements identified above to qualify for evaluation. A written acceptance mailed or otherwise furnished to the qualified proposer and a fully executed contract is required prior to commencement of any work under this RFP. Protest procedures are available upon request and must be submitted within ten (10) business days of award determination for consideration.