

Request for Proposal (RFP) Evaluating Non-Governmental Accreditation Bodies

BACKGROUND

The NELAC Institute (TNI) is a 501(c)(3) non-profit organization whose mission is to foster the generation of environmental data of known and documented quality through an open, inclusive, and transparent process that is responsive to the needs of the community. The organization is managed by a Board of Directors and is governed by organizational Bylaws.

TNI's vision is a true national accreditation program, whereby all entities involved in the generation of environmental measurement data within the United States are accredited to one uniform, rigorous, and robust program that has been implemented consistently nationwide and focuses on the technical competence of the entity pursuing accreditation. TNI believes such a program will improve the quality and reliability of environmental data used by federal and state agencies.

TNI is interested in contracting with an organization or individual to provide special and practical knowledge and ability related to the evaluation of non-governmental accreditation bodies (NGAB) according to TNI's SOP 7-100 (the Evaluation SOP). The associated compliance (technical review) checklist; an application form and a completeness checklist constitute the remaining documentation of the AB application. These documents are available at http://www.nelac-institute.org/cms/posts/1213937206.php#pab1_5

Statement of Purpose

The purpose of this RFP is to solicit applications from parties with the ability to lead the initial evaluations of NGABs. Such evaluation, including document reviews and an on-site evaluation of the program operations, is used to determine the AB's compliance with Volume 2 of the TNI Environmental Laboratory Sector Standard (ELSS) and the AB's governing documents, including its policies and procedures. The current standard in effect is EL-V2-2009, General Requirements for Accreditation Bodies Accrediting Environmental Laboratories, available at http://www.nelac-institute.org/standards.php?pab=1_1#pab1_3 or by purchase from TNI with the ISO language included.

TNI seeks to establish one primary contractor thereby minimizing inconsistencies among evaluations. TNI seeks to establish one secondary contractor to be used as needed to reduce the potential for conflicts of interest and provide additional resources to aid in completing timely evaluations.

Term

The term of any contract resulting from this solicitation shall be for three (3) years, beginning on approximately April 1, 2015, to April 1, 2018, with the possibility of a 3-year renewal period. Any renewal shall be contingent upon satisfactory performance evaluations of the contractor by the TNI Non-governmental Accreditation Body Recognition Committee (TNRC), the Evaluation Coordinator and the TNI Executive Director.

Definitions

Definitions used in this document are taken from TNI SOP 7-100, and may be found there.

SCOPE OF WORK

The Scope of Work consists of leading evaluation teams to determine the conformance the AB with the established and accepted standard, which is presently all modules of EL-V2-2009.

The TNRC with the support of the Evaluation Coordinator (EC) will oversee the entire evaluation program and the activities of the Lead Evaluator (LE). Team compositions will be pre-approved by the TNRC, prior to beginning any work effort.

Since this is a new program, the exact number of evaluations to be conducted is unknown, but TNI estimates the number of applicants to be approximately four to six over the course of the 3-year contract performance period. Each team may have a state AB representative and some teams may include an EPA regional staff person representing the region's drinking water program. Other volunteers from TNI's membership may also be used to complete the evaluation team.

The governing documents, in addition to the Standard itself, include an application form, a completeness checklist, a Standard Operating Procedure (SOP) for the Evaluation of Accreditation Bodies and an extensive Compliance checklist (aka Technical Review checklist) based upon the ELSS. The TNI standard will also be provided at no charge to the successful bidder.

Initial evaluations of NGABs will be scheduled successively with the goal of recognizing all initial applicant ABs at one time. We anticipate that the onsite evaluations of ABs will occur over the late summer and early fall of 2015.

Responsibilities

The Contractor will conduct reviews of the AB's material as required by the application form and the checklist, and other documents as might be appropriate to establish the capabilities of the AB to accredit laboratories in accordance with the requirements of the standard. In addition to coordinating with the approved evaluation team members, the LE has the following responsibilities:

- Plan and orchestrate the activities of the team members, from technical review through site visit, observation, report writing and review of all responses to deficiencies or findings;
- Report any unresolved consistency problems with the evaluation as they occur and provides a report to the TNRC at the completion of each AB evaluation, and at other times requested by the TNRC Chair;
- Ensure consistency among the teams by documenting common findings and presenting these findings in a summary to the TNRC annually, and at the end of the contract period;
- Conduct all communications with the AB once the application is received;
- Provide direction to the evaluation team throughout the evaluation process;
- Provide quality assurance function to ensure that all AB evaluations are conducted in a consistent manner;
- Obtain consensus of the evaluation team in preparing the final recommendation of AB recognition status to the TNRC;
- Notify the EC of all required communications and events;
- Informing the TNRC and the EC of any issues which may affect EPA or state programs, particularly any concerns affecting the analysis of drinking water;
- Submit Standards Interpretation Requests (SIRs) on behalf of the evaluation team(s) when needed.
- Participate in periodic teleconferences of NELAP evaluators and occasionally, participate in NELAP AC meetings as requested.

Experience Required

Within the first month after award, the awardee must successfully complete a TNI-approved accreditation body evaluator training course, based on the Evaluation SOP, the current TNI standard, and other materials such as the completeness and technical review checklists. This training is available through TNI.

The successful applicant will have a Bachelor's degree in either physical or life sciences plus training as either a NELAP assessor or as an EPA Drinking Water Certification Officer OR certification as a management systems lead assessor (quality or environmental) from an internationally recognized auditor certification body.

Experience developing or managing a laboratory accreditation program is highly desirable.

In addition to meeting education and training requirements above, the successful applicant will have the following attributes:

- Be familiar with the relevant regulations, accreditation procedures, and accreditation requirements;
- Have a thorough knowledge of the relevant assessment methods and assessment documents;
- Be thoroughly familiar with the various forms of records (hardcopy and electronic) used by environmental laboratories and accreditation programs;
- Be thoroughly cognizant of data reporting, analysis, and reduction techniques and procedures;
- Have a working knowledge and be conversant with the specific tests or types of tests for which the accreditation is sought
- Be able to communicate effectively, both orally and in writing;
- Exhibit sound judgment and appropriate conduct when performing duties associated with any contract awarded through this solicitation

Special Conditions – Conflict of Interest

TNI recognizes that most non-governmental individuals within the environmental laboratory sector will have professional and/or personal experience with either laboratories or ABs that accredit them, and thus it may not be possible to identify an individual, able to fulfill the requirements of this contract, who truly has no potential conflicts of interest (COI) with all of the ABs and the laboratories they accredit. The awardee shall be prepared to declare all such potential COIs for each of the ABs seeking renewal of its Certificate of Recognition, and to negotiate with the AB and the TNRC on the best process to mitigate the potential impacts of such COI.

Applicants should describe in general terms the number of potential conflicts they recognize, the length of time that has passed since such potential conflicts occurred, and the possible steps envisioned to minimize actual impacts from such potential COI. Prior to each evaluation, the AB, the TNRC, and the LE must agree that any confirmed COI would not interfere significantly with an impartial evaluation process.

Maintenance of Records

All documents pertaining to the program contemplated by this RFP shall be forwarded to the TNRC at the completion of the evaluation. Contractor shall provide any documents in the format requested.

Contractor agrees to maintain the confidentiality of all records required by law or administrative rule to be protected from disclosure in accordance with TNI SOPs and other requirements. Contractor further agrees to hold TNI harmless from any claim or damage including reasonable attorney's fees and costs or from any fine or penalty imposed as a result of failure to comply with the public records law or an improper disclosure of information and promises to defend TNI against the same at its expense.

PROPOSAL FORMAT

Interested contractors should prepare a formal proposal that briefly discusses how the contractor will achieve TNI's stated objectives in this proposal. The proposal should also include the following elements:

- A summary of the approach to evaluating ABs
- A summary of the contractor's general and specific experience including experience with similar types of evaluations and/or assessments
- A detailed cost proposal that satisfies the requirements specified in the pricing section below.

The proposal should not exceed 10 pages in length, although copies of credentials/certificates will not count towards this total.

Description of Approach to Performing Tasks

The application shall include a section to provide insight into the Contractor's approach to providing the services specified in this solicitation. Contractors shall address all areas of work, and must demonstrate a thorough understanding and insight into this project. At a minimum, this section should address:

- A narrative of the methods of service delivery that shall be initiated to fulfill all requirements.
- Any activities that the Contractor is unable or unwilling to provide.
- Contractors shall include in their application a proposed staffing plan for technical, administrative, and clerical support.
- Plans to address record-keeping requirements in accordance with the Evaluation SOP.

Applicants shall provide

- Supporting documentation to verify all credentials claimed.
- Documentation that the Contractor has experience as outlined under "Experience" above.
- Contact information for three (3) entities it has provided with services similar to those requested in this solicitation. TNI reserves the right to contact any and all entities to verify the information provided.
- Documentation attesting as to whether or not the Contractor has ever been investigated by any of the NELAP ABs for possible malfeasance, and indicate whether the allegations were substantiated.

Cost Proposal

The Contractor's shall provide a detailed cost proposal Travel need not be addressed in the proposal as it will be paid directly by the applicant accreditation body.

Deliverable Requirements

Contractor shall submit the following to the Evaluation Coordinator as well as to the AB undergoing evaluation, in accordance with the Evaluation SOP, all documentation required by the SOP to reflect review and analysis of application materials. Specifically, these are

- The results of the Completeness Review
- The reviewed TR checklist and transmission of corrective actions needed
- Correspondence regarding corrective actions for the TR checklist, if offered by the AB
- An electronic copy of the on-site evaluation report, including itemized deficiencies, within 30 calendar days of the final day of an on-site visit. THIS REPORT SHALL BE SUBMITTED FOR EC REVIEW PRIOR TO DELIVERY TO THE AB
- Correspondence regarding corrective actions for the onsite report
- An itemized electronic report of recommendations to approve or disapprove the AB's proposed corrective actions, including the rationale for any recommendation to reject the AB's Corrective Action Plan for a specific deficiency, within 20 days of receipt of the AB's Corrective Action Plan for deficiencies cited in the on-site assessment report, with possibly one additional review cycle

Contractor shall provide to the EC, for forwarding to the TNRC the following:

- The recommendation to the TNRC regarding recognition or renewed recognition of the AB with attached documentation as itemized in the SOP.

In addition, Contractor shall submit quarterly reports within 15 calendar days of the quarter's end to the Evaluation Coordinator.

Reports

Where the resulting contract requires the delivery of reports, delivery of the report to the EC and the AB shall not be construed to mean or imply acceptance of those reports for satisfying the contract

requirements. For the site visit report, in particular, the Evaluation SOP specifies acceptance of required reports as a separate act. TNI, upon review by the EC, reserves the right to reject reports as incomplete, inadequate, or unacceptable according to the parameters set forth in the resulting contract. The Contractor may be granted additional time to remedy the objections noted.

Performance Measures for Evaluation of Contractor Performance

Any potential renewal of the contract award will be contingent upon successful evaluation of performance based on the criteria described below. These criteria will be reviewed annually during the duration of the contract, and unacceptable performance by these measures will result in a warning and counselling about how to improve performance, with a review 3 months later and again 6 months later. If performance is not acceptable by 6 months after the initial warning, then the contract will be subject to termination at the discretion of the TNI Executive Director

GOAL: The resulting contract services shall allow TNI and the TNRC to ensure that ABs are evaluated for conformance with the currently implemented TNI Environmental Laboratory Sector Standard in a timely and cost-effective manner.

MEASURE 1: Provider is expected to meet a target of 100% completion for the below tasks:

- Reviewing applications within required timeframes, once the EC conducts the completeness review and provides the completeness checklist to the LE
- Scheduling team activities including the on-site visit and observation
- Conducting the site visit and the observation (shadow assessment)
- Preparing the on-site report
- Conducting post-evaluation activities -- review of response to site report and all corrective actions
- Submission of any and all materials gathered and used during an evaluation to the TNI EC within 20 calendar days of the written request

MEASURE 2: Provider is expected to meet a target of 95% completion for the delivery of reports within the timelines specified in the SOP

MEASURE 3: Feedback from other evaluation team members using a standardized format indicates ability to work constructively with various evaluators while maintaining professional demeanor with personnel of ABs being evaluated

MEASURE 4: AB evaluations conducted in a cost-effective manner – actual costs should not exceed estimates in proposal by more than five percent (5%).

Contractor Unique Activities

The Contractor is solely and uniquely responsible for the satisfactory performance of the tasks and the provision of the deliverables described above. By execution of the resulting contract, the Contractor recognizes its singular responsibility for the tasks, activities, and deliverables described therein and warrants that it has fully informed itself of all relevant factors affecting accomplishment of the tasks, activities and deliverables, and agrees to be fully accountable for the performance thereof.

TNI Obligations

TNI and the TNRC may provide technical support and assistance to the Contractor, to assist in meeting the required tasks. The support and assistance, or lack thereof, shall not relieve Contractor from full performance of contract requirements.

TNRC Determinations

The TNRC reserves the exclusive right to make certain determinations in these specifications. The absence of TNI setting forth a specific reservation of rights does not mean that all other areas of the resulting contract are subject to mutual agreement.

PROPOSAL DUE DATE

Proposals must be received at TNI by midnight, EDT March 16, 2015. Proposals shall be submitted by email to Jerry Parr at jerry.parr@nelac-institute.org.

SUBMISSION OF QUESTIONS

Bidders may direct questions regarding this solicitation to Jerry Parr at TNI no later than 1:00 p.m. EDT, March 10, 2015. Questions shall be submitted by email. Questions and answers that affect the bidding process will be made available to all organizations that have indicated they are planning to respond no later than 5:00 p.m. EDT, March 13, 2015. Because this is the only means that will be used to provide responses to questions or to amend the solicitation, applicants should inform TNI if they plan to provide a proposal.

PRICE

Nothing herein shall be construed to commit TNI to pay any costs incurred by bidders in connection with preparation of a proposal, or to guarantee the procurement of any services. All prices are to be in U.S. dollars. Contractor shall furnish and provide all material, labor, supervision, equipment, and incidentals required for accomplishing the work covered by the Contract, except for the work, materials, services, or equipment to be furnished by TNI or other evaluation team members assigned by the TNRC. The proposal should include fees for time spent reviewing application materials, time spent on-site at the AB, time spent preparing required reports and correspondence (including coordinating with team members) and the individual's travel.

EVALUATION CRITERIA

Each application shall be evaluated based on the criteria outlined below. Evaluation sheets shall be used by the reviewers to determine if the Applicant meets the criteria. TNI reserves the right to accept or reject any and all applications, or separable portions thereof, and to waive any minor irregularity, technicality, or omission if TNI determines that doing so shall serve the program's best interests. TNI may reject any response not submitted in the manner specified by the solicitation documents.

TNI will review all proposals that are received by the deadline in accordance with the following criteria:

- Relevance of proposal to TNI's objectives and priorities;
- Technical merit;
- Competency of the proposed staff;
- Feasibility of the proposal;
- Adequacy of the applicant's resources; and
- Cost.

The anticipated award date for this contract is March 23, 2015.

EXCEPTIONS, EXCLUSIONS, OR SPECIAL CONDITIONS

This solicitation permits the bidder to impose exceptions, exclusions, or special conditions. However, the bidder is hereby advised that any such exception, exclusion, or special condition may render your proposal non-responsive, which would preclude an award to you. Any exception, exclusion, or special condition the bidder wishes to include or impose must be fully and completely described in a written attachment to the Bidder's proposal.