



RFP #772
PROFESSIONAL, TECHNICAL AND EXPERT SERVICES

Clark County Washington

RELEASE DATE: WEDNESDAY, FEBRUARY 5, 2020
DUE DATE: WEDNESDAY, FEBRUARY 26, 2020, by 3:00 p.m.

Request for Proposal for:

**CLARK COUNTY FAIR CONCESSION AUDIT and EVALUATION
SERVICES**

Submit one (1) original and four (4) complete copies of the Proposal to:

Proposals must be date and time stamped by Purchasing staff before 3:00 p.m. on due date.

Clark County
Office of Purchasing
P.O. Box 5000
1300 Franklin Street, 6th Floor, Suite 650
Vancouver, Washington 98660
564-397-2323

Refer Questions to Project Manager:

Amy DeShazer
Director of Finance
Fairgrounds Site Management Group (FSMG)
AmyD@cceventcenter.org
564-397-6126

General Terms and Conditions

ADMINISTRATIVE REQUIREMENTS - Contractors shall comply with all management and administrative requirements established by Washington Administrative Code (WAC), the Revised Code of the State of Washington (RCW), and any subsequent amendments or modifications, as applicable to providers licensed in the State of Washington.

ALL proposals submitted become the property of Clark County. It is understood and agreed that the prospective Proposer claims no proprietary rights to the ideas and written materials contained in or attached to the proposal submitted. Clark County has the right to reject or accept proprietary information.

AUTHORSHIP - Applicants must identify any assistance provided by agencies or individuals outside the proposers own organization in preparing the proposal. No contingent fees for such assistance will be allowed to be paid under any contract resulting from this RFP.

CANCELLATION OF AWARD - Clark County reserves the right to immediately cancel an award if the contractual agreement has not been entered into by both parties or if new state regulations or policy make it necessary to change the program purpose or content, discontinue such programs, or impose funding reductions. In those cases where negotiation of contract activities are necessary, Clark County reserves the right to limit the period of negotiation to sixty (60) days after which time funds may be unencumbered.

CONFIDENTIALLY - Proposer shall comply with all applicable state and federal laws governing the confidentiality of information."

CONFLICT OF INTEREST - All proposals submitted must contain a statement disclosing or denying any interest, financial or otherwise, that any employee or official of Clark County or the appropriate Advisory Board may have in the proposing agency or proposed project.

CONSORTIUM OF AGENCIES - Any consortium of companies or agencies submitting a proposal must certify that each company or agency of the consortium can meet the requirements set forth in the RFP.

COST OF PROPOSAL & AWARD - The contract award will not be final until Clark County and the prospective contractor have executed a contractual agreement. The contractual agreement consists of the following parts: (a) the basic provisions and general terms and conditions, (b) the special terms and conditions, (c) the project description and goals (Statement of Work), and (d) the budget and payment terms. Clark County is not responsible for any costs incurred prior to the effective date of the contract. Clark County reserves the right to make an award without further negotiation of the proposal submitted. Therefore, the proposal should be submitted in final form from a budgetary, technical, and programmatic standpoint.

DISPUTES - Clark County encourages the use of informal resolution to address complaints or disputes arising over any actions in implementing the provisions of this RFP. Written complaints should be addressed to Clark County – Purchasing, P.O. Box 5000, Vancouver, Washington 98666-5000.

DIVERSITY IN EMPLOYMENT AND CONTRACTING REQUIREMENTS - It is the policy of Clark County to require equal opportunity in employment and services subject to eligibility standards that may be required for a specific program. Clark County is an equal opportunity employer and is committed to providing equal opportunity in employment and in access to the provision of all county services. Clark County's Equal Employment Opportunity Plan is available at <http://www.clark.wa.gov/hr/documents.html>. This commitment applies regardless of race, color, religion, creed, sex, marital status, national origin, disability, age, veteran status, on-the-job injury, or sexual orientation. Employment decisions are made without consideration of these or any other factors that are prohibited by law. In compliance with department of Labor Regulations implementing Section 504 of the rehabilitation Act of 1973, as amended, no qualified handicapped individual shall be discriminated against in admission or access to any program or activity. The prospective contractor must agree to provide equal opportunity in the administration of the contract, and its subcontracts or other agreements.

ENVIRONMENTALLY RESPONSIBLE PURCHASING PROGRAM - Clark County has implemented an Environmentally Responsible Purchasing Policy with a goal to reduce negative impacts on human health and the environment. Negative environmental impacts include, but are not limited to, greenhouse gases, air pollution emissions, water contamination, waste from the manufacturing process and waste in packaging. This policy also seeks to increase: 1) water and energy efficiency; 2)

renewable energy sources; 3) use of products with recycled content; 4) product durability; 5) use of products that can be recycled, reused, or composted at the end of its life cycle. Product criteria have been established on the Green Purchasing List <http://www.clark.wa.gov/general-services/purchasing/erp/environmental.html>

INDEPENDENT PRICE DETERMINATION - The prospective contractor guarantees that, in connection with this proposal, the prices and/or cost data have been arrived at independently, without consultation, communication, or agreement for the purpose of restricting competition. This does not preclude or impede the formation of a consortium of companies and/or agencies for purposes of engaging in jointly sponsored proposals.

INTERLOCAL AGREEMENT - Clark County has made this RFP subject to Washington State statute RCW 39.34. Therefore the bidder may, at the bidders' option, extend identical prices and services to other public agencies wishing to participate in this RFP. Each public agency wishing to utilize this RFP will issue a purchase order (or contract) binding only their agency. Each contract is between the proposer and the individual agency with no liability to Clark County.

LIMITATION - This RFP does not commit Clark County to award a contract, to pay any costs incurred in the preparation of a response to this RFP, or to procure or contract for services or supplies.

LATE PROPOSALS - A proposal received after the date and time indicated above will not be accepted. No exceptions will be made.

ORAL PRESENTATIONS - An oral presentation may be required of those prospective contractors whose proposals are under consideration. Prospective contractors may be informed that an oral presentation is desired and will be notified of the date, time and location the oral presentation is to be conducted.

OTHER AUDIT/MONITORING REQUIREMENTS - In addition, auditing or monitoring for the following purposes will be conducted at the discretion of Clark County: Fund accountability; Contract compliance; and Program performance.

PRICE WARRANT - The proposer shall warrant that the costs quoted for services in response to the RFP are not in excess of those which would be charged any other individual or entity for the same services performed by the prospective contractor, in a similar socioeconomic, geographical region.

PROTESTS - Must be submitted to the Purchasing Department.

PUBLIC SAFETY - May require limiting access to public work sites, public facilities, and public offices, sometimes without advance notice. The successful Proposer's employees and agents shall carry sufficient identification to show by whom they are employed and display it upon request to security personnel. County project managers have discretion to require the successful Proposer's employees and agents to be escorted to and from any public office, facility or work site if national or local security appears to require it.

REJECTION OF PROPOSALS - Clark County reserves the right to accept or reject any or all proposals received as a result of this RFP, to negotiate with any or all prospective contractors on modifications to proposals, to waive formalities, to postpone award, or to cancel in part or in its entirety this RFP if it is in the best interest of Clark County to do so.

SUBCONTRACTING - No activities or services included as a part of this proposal may be subcontracted to another organization, firm, or individual without the approval of Clark County. Such intent to subcontract shall be clearly identified in the proposal. It is understood that the contractor is held responsible for the satisfactory accomplishment of the service or activities included in a subcontract.

VERBAL PROPOSALS - Verbal proposals will not be considered in making the award of any contract as a result of this RFP.

WORKERS COMPENSATION INSURANCE - The contractor shall comply with R.C.W. Title 51- with minimum coverage limits of \$500,000 for each accident, or provide evidence that State law does not require such coverage.

FOR ALTERNATIVE FORMATS
Clark County ADA Office: V: 564-397-2025
TTY: 564-397-2445 ADA@clark.wa.gov

Request for Proposals Table of Contents

PART I	PROPOSAL REQUIREMENTS
	Section IA: General Information
	1. Introduction
	2. Background
	3. Scope of Project
	4. Project Funding
	5. Timeline for Selection
	6. Employment Verification
	Section IB: Work Requirements
	1. Required Services
	2. County Performed Work
	3. Deliverables and Schedule
	4. Place of Performance
	5. Period of Performance
	6. Public Disclosure
	7. Insurance/Bond
	8. Plan Holders List
PART II	PROPOSAL PREPARATION AND SUBMITTAL
	Section IIA: Pre-Submittal Meeting/Clarification
	1. Pre-Submittal Meeting
	2. Proposal Clarification
	Section IIB: Proposal Submission
	1. Proposals Due
	2. Proposal
	Section IIC: Proposal Content
	1. Cover Sheet
	2. Project Team
	3. Management Approach
	4. Respondent's Capabilities
	5. Project Approach and Understanding
	6. Proposed Cost
PART III	PROPOSAL EVALUATION & CONTRACT AWARD
	Section IIIA: Proposal Review and Selection
	1. Evaluation and Selection
	2. Evaluation Criteria Scoring
	Section IIIB: Contract Award
	1. Consultant Selection
	2. Contract Development
	3. Award Review
	4. Orientation/Kick-off Meeting
ATTACHMENTS	A: Proposal Cover Sheet
	B: Letter of Interest

Request for Proposal #772

Clark County Fair Concession Audit and Evaluation Services

Part I Proposal Requirements

Section IA General Information

1. Introduction

The Clark County Fair has been in existence since July 1868. Hundreds of volunteers and paid staff produce the annual event. The 10 day Fair has an annual attendance of more than 250,000 people each year and starts on the first Friday of August. There are currently 48 food booths participating.
2. Background

Prior to 2006, no formal auditing system was in place. The obvious need for professional auditing was due to the growing number of food vendors and the lack of in-house staff to accomplish the tasks required. Since this time, the Fair has utilized a professional food auditor and recognized a significant increase in accountability.
3. Scope of Project

Previous experience, support staff and knowledge of this service are important aspects for award of this contract.

Daily audits, recording, monitoring, verification and compilation of data that assures compliance and accountability of each vendor are a strict requirement. Approximately 12 hours per day of the Fair will be needed for on-site services including nights and weekends.

Upon conclusion of the 10-day Fair, reconciliation amounts payable are due to the Fair Manager, the Director of Sales & Events, the Concessions Manager, and the Director of Finance (the Fair Management Team).
4. Project Funding

Payment will be made upon satisfactory completion of services and payable within 30 days of the last day of the Fair.
5. Timeline for Selection

The following dates are the **intended** timeline:

Proposals due	February 26, 2020
Proposal review/evaluation period	February 27 – March 11, 2020
Selection committee recommendation	March 12, 2020
Contract negotiation/execution	March 13 - 20, 2020
Contract intended to begin	April 1, 2020
6. Employment Verification

Effective November 1st, 2010, to be considered **responsive** to any formal Clark County Bid/RFP or Small Works Quote, all vendors shall submit before, include with their response or within 24 hours after submittal, a recent copy of their E-Verify MOU or proof of pending enrollment. The awarded contractor shall be responsible to provide Clark County with the same E-Verify enrollment documentation for each sub-contractor (\$25,000 or more) within thirty days after the sub-contractor starts work. Contractors and sub-contractors shall provide a report(s) showing status of new employee's hired after the date of the MOU. The status report shall be directed to the county department project manager at the end of the contract, or annually, which ever comes first. E-Verify information and enrollment is available at the Department of Homeland Security web page: www.dhs.gov/E-Verify

How to submit the MOU in advance of the submittal date:

 1. Hand deliver to 1300 Franklin St, Suite 650, Vancouver, WA 98660, or;
 2. E-mail: koni.odell@clark.wa.gov or priscilla.ricci@clark.wa.gov

Note : Sole Proprietors shall submit a letter stating exempt.

Request for Proposal #772

Clark County Fair Concession Audit and Evaluation Services

Section IB

Work Requirements

1. Required Services

The Contractor will provide all labor, tools and equipment necessary for the satisfactory completion of the contract. Duties of the Contractor include, but are not limited to:

- Monitor food concessionaires to comply with audit policies as established in the rules and regulations of each contract.
- Verify that each food concession stand is equipped with, and utilizes, a working cash register or Point of Sale System that meets the requirements as established by the Fair rules and regulations.
- Be available for up to two (2) concessionaire orientation meetings approximately six (6) weeks prior to the Fair.
- Be available for one (1) post-Fair critique meeting no later than 60 days after the successful completion of Fair.
- Arrive onsite at least two days before the opening day of the Fair. Remain onsite for at least one day after the Fair.
- Be available by phone or email during all Fair hours. Respond to all communications throughout the year in a timely manner.
- Obtain and record daily sales reports from each concession stand with daily reports compiled, including comparison information, and given to the Fair Manager, the Director of Sales & Events, the Concessions Manager, and the Director of Finance (the Fair Management Team) the following day, no later than 11:00 am for the previous day's activities. Reports will be submitted in electronic and hard copy format.
- Reconcile over-rings, under-rings, and the use of "no-sale" keys on register tapes.
- Take random reading of cash register/POS systems on 10% of vendors and provide results on the daily report.
- Evaluate food stands with regard to cleanliness, efficiency, and cash handling and make on the spot corrections as necessary and provide informative feedback to the Fair Management Team.
- Enforce menus and pricing according to approved contract applications.
- Work with the Fair Management Team in coordinating daily under-cover "buys" to provide insight into food concession operations. Provide feed-back to improve vendor operations.
- In the event that discrepancies are observed or found, report them to the designated Fair representative immediately, with documentation.
- Provide closing reports and evaluations to the Fair Management Team.

2. County Performed Work

You will receive support from the FSMG, the Clark County Fair Association and the Fair staff in the form of direction and information within a reasonable scope. You are expected to obtain all necessary vendor information and supply the proper reports on your own, with your staff. The Fair does not assist in this process. FSMG will provide a dedicated, on-site office space for use during the 10 days of the Fair.

3. Deliverables & Schedule

During and after each Clark County Fair (10 days), you and/or your firm will do daily audits and record, monitor, verify, compile and provide data to the Fair Management Team to assure compliance and accountability of each vendor.

Request for Proposal #772

Clark County Fair Concession Audit and Evaluation Services

4. Place of Performance Contract performance will take place at the Clark County Fairgrounds, 17402 NE Delfel Rd, Ridgefield, WA 98642.
5. Period of Performance A contract awarded as a result of this RFP will be for be for three (3) Fair seasons and is intended to begin on April 1, 2020 and end on October 31, 2022. FSMG reserves the right to extend the contract resulting from this RFP for a period of two (2) additional years, in one (1) year increments, with the same terms and conditions, by service of a written notice of its intention to do so prior to the contract termination date.
6. Public Disclosure This procurement is subject to the Washington Public Records Act (the "Act"), chapter 42.56 RCW. Once in the County's possession, all of the RFP Submittals shall be considered public records and available for public records inspection and copying, unless exempt under the Act.
- If a Respondent or Proposer considers any portion of an RFP Submittal to be protected under the law, whether in electronic or hard copy form, the Respondent or Proposer shall clearly identify each such portion with the word "PROPRIETARY". If a request is made for disclosure of such a portion, the County will determine whether it should be made available under the Act. If the county determines that such a record(s) is subject to disclosure, the County will notify the Respondent or Proposer in writing of the request and allow the Respondent or Proposer ten (10) days to obtain a court order enjoining release of the record(s). If the Respondent or Proposer does not take such action within the ten (10) day period, the County will release the portions of the RFP Submittal deemed subject to disclosure. All Respondents and Proposers who provide RFP Submittals for this procurement accept the procedures described above and agree that the County shall not be responsible or liable in any way for any losses that the party may incur from the disclosure of records to a third party who requests them.
7. Insurance/Bond
- A. Commercial General Liability (CGL) Insurance written under ISO Form CG0001 or its latest equivalent with minimum limits of \$1,000,000 per occurrence and in the aggregate for each one year policy period. This policy will renew annually. This coverage may be any combination of primary, umbrella or excess liability coverage affording total liability limits of not less than \$1,000,000 per occurrence and in the aggregate. However, if other policies are added they must be a follow-form policy in language, renewal date, and have no more exclusions than the underlying coverage. Products and Completed Operations coverage shall be provided for a period of three years following Substantial Completion of the Work. The deductible will not be more than \$50,000 unless prior arrangements are made with Clark County on a case by case basis; the criterion is the Contractor's liquidity and ability to pay from its own resources regardless of coverage status due to cancellation, reservation of rights, or other no-coverage-enforce reason. Coverage shall not contain any endorsement(s) excluding nor limiting Product/Completed Operations, Contractual Liability or Cross Liability.
- B. Proof of Insurance
- Proof of Insurance shall be provided prior to the starting of the contract performance. Proof will be on an ACORD Certificate(s) of Liability Insurance, which the Proposer shall provide to Clark County. Each certificate will show the coverage, deductible and policy period. Policies shall be endorsed to state that coverage will not be suspended, voided, canceled or reduced without a 30 day written notice by mail. It is the Proposer's responsibility to provide evidence of continuing coverage during the overlap periods of the policy and the contract.
- All policies must have a Best's Rating of A-VII or better.

Request for Proposal #772

Clark County Fair Concession Audit and Evaluation Services

8. Plan Holders List All proposers are required to be listed on the plan holders list.
- ✓ Prior to submission of proposal, please confirm your organization is on the Plan Holders List below:

To view the Plan Holders List, please click on the link below or copy and paste into your browser.

Clark County RFP site:

<http://www.clark.wa.gov/general-services/purchasing/rfp.html>

- If your organization is NOT listed, submit Attachment B - Letter of Interest to ensure your inclusion.
- Proposals received by Clark County by proposers not included on the Plan Holders List may be considered non-responsive.

Request for Proposal #772
Clark County Fair Concession Audit and Evaluation Services

Part II Proposal Preparation and Submittal

Section IIA Pre-Submittal Meeting / Clarification

1. Pre-Submittal Meeting
There will be no pre-submittal meeting or site visit scheduled for this project.

If you would like a tour of the facility, please contact Amy DeShazer via email. Amy's email is noted on the cover of this Request for Proposal

2. Proposal Clarification
Questions and Requests for Clarification regarding this Request for Proposal must be directed in writing, via email, to the person listed on the cover page. The deadline for submitting such questions/clarifications is February 19, 2020.

An addendum will be issued no later than February 20, 2020 to all recorded holders of the RFP if a substantive clarification is in order.

The Questions & Answers/Clarifications are available for review at the link below. Each proposer is strongly encouraged to review this document prior to submitting their proposal.

Clark County RFP site:
<http://www.clark.wa.gov/general-services/purchasing/rfp.html>

Section IIB Proposal Submission

1. Proposals Due
Sealed proposals must be received no later than the date, time and location specified on the cover of this document.

The outside of the envelope/package shall clearly identify:
 1. RFP Number and;
 2. TITLE and;
 3. Name and address of the proposer.
Responses received after submittal time will not be considered and will be returned to the Proposer - unopened.

Proposals received with insufficient copies (as noted on the cover of this document) cannot be properly disseminated to the Review Committee and other reviewers for necessary action, therefore, may not be accepted.

2. Proposal
Proposals must be clear, succinct and not exceed 20 pages, excluding resumes, E-Verify and coversheet. Proposers who submit more than the pages indicated may not have the additional pages of the proposal read or considered.

For purposes of review and in the interest of the County, the County encourages the use of submittal materials (i.e. paper, dividers, binders, brochures, etc.) that contain post-consumer recycled content and are readily recyclable.

The County discourages the use of materials that cannot be readily recycled such as PVC (vinyl) binders, spiral bindings, and plastic or glossy covers or dividers. Alternative bindings such as reusable/recyclable binding posts, reusable binder clips or binder rings, and recyclable cardboard/paperboard binders are examples of preferable submittal materials.

Proposers are encouraged to print/copy on both sides of a single sheet of paper wherever

Request for Proposal #772

Clark County Fair Concession Audit and Evaluation Services

applicable; if sheets are printed on both sides, it is considered to be two pages. Color is acceptable, but content should not be lost by black-and-white printing or copying. All submittals will be evaluated on the completeness and quality of the content. Only those Proposers providing complete information as required will be considered for evaluation. The ability to follow these instructions demonstrates attention to detail.

Additional support documents, such as sales brochures, should be included with each copy unless otherwise specified.

Section IIC

Proposal Content

1. Cover Sheet
This form is to be used as your proposal Cover Sheet
See Cover Sheet - Attachment A

2. Project Team
Describe the structure of your company including the number of full and part time employees to be used in the performance of this contract. Provide information on any subs you may use or your intention to obtain temporary staff to assist with this project.

3. Management Approach
Define your intentions regarding the project leader and the support staff that would be involved. Give a brief description of your management style in obtaining project goals.

4. Respondent's Capabilities
Provide resumes with references for owners and management.

Define the professional criteria required for obtaining any temporary staff and how you would go about recruiting them.

Please list a minimum of five (5) events that you have served that are comparable in size and budget. Please include locations and dates.

Provide three (3) client references.

5. Project Approach and Understanding
Provide a brief description of your knowledge of this type of project and the scope involved. Cite your personal and professional attributes that will help insure the project is completed successfully.

6. Proposed Cost
Provide a cost per year for your service. Does your fee for service include any increases or decreases due to economic fluctuations? If not, how do you intend to address these needs?

7. Employment Verification
Please refer to section 1A.6. – e-Verify
IMPORTANT NOTE: Include this portion of the response immediately **AFTER** the cover page, if not already on file with Clark County. Current vendors on file can be viewed at:
<https://www.clark.wa.gov/general-services/purchasing-overview>

Request for Proposal #772
Clark County Fair Concession Audit and Evaluation Services

Part III Proposal Evaluation & Contract Award

Section IIIA Proposal Review and Selection

1. Evaluation and Selection: Proposals received in response to this RFP will be evaluated by a Review Committee. Committee review results and recommendations may be presented to an appropriate advisory board prior to the consent process with the Clark County Council.

2. Evaluation Criteria Scoring Each proposal received in response to the RFP will be objectively evaluated and rated according to a specified point system.

A one hundred (100) point system will be used, weighted against the following criteria:

1. Ability to accomplish the purpose of the contract. Strategies and methods for audit and evaluation of concessions as described in this RFP.	35
2. Experience with fairs, festivals, and/or events of similar size and budget, with favorable outcomes.	35
3. Cost for services provided.	30
Total Points	100

Section IIIB Contract Award

1. Consultant Selection The County will award a contract to the highest scoring Proposer. Should the County not reach a favorable agreement with the highest scoring Proposer, the County shall suspend or terminate negotiations and commence negotiations with the second highest scoring Proposer and so on until a favorable agreement is reached.

2. Contract Development The proposal and all responses provided by the successful Proposer may become a part of the final contract.

3. Award Review The public may view proposal documents after contract execution. However, any proprietary information so designated by the Proposer as a 'trade secret' will not be disclosed unless the Clark County Prosecuting Attorney determines that disclosure is required. At this time, Proposers not awarded the contract, may seek additional clarification or debriefing, request time to review the selection procedures or discuss the scoring methods utilized by the evaluation committee.

4. Orientation/Kick-off Meeting There will be no Orientation or Kick-off, however, the awarded contractor will be required to attend up to two (2) concessionaire meetings, approximately six (6) weeks prior to the Fair.

Request for Proposal #772
Clark County Fair Concession Audit and Evaluation Services

Attachment A: COVER SHEET

General Information:

Legal Name of Applicant/Company/Agency _____

Street Address _____ City _____ State _____ Zip _____

Contact Person _____ Title _____

Phone _____ Fax _____

Program Location (if different than above) _____

Email Address _____

Tax Identification Number _____

ADDENDUM:

Proposer shall acknowledge receipt of Addenda by checking the appropriate box(es).

None 1 2 3 4 5 6

NOTE: Failure to acknowledge receipt of Addendum may render the proposal non-responsive.

Total Funds Requested Under this Proposal \$ _____

I certify that to the best of my knowledge the information contained in this proposal is accurate and complete and that I have the legal authority to commit this agency to a contractual agreement. I realize the final funding for any service is based upon funding levels, and the approval of the Clark County Council.

Signature

Date

Request for Proposal #772
Clark County Fair Concession Audit and Evaluation Services

Attachment B: LETTER OF INTEREST

Legal Name of Applicant Agency _____

Street Address _____

City _____ State _____ Zip _____

Contact Person _____ Title _____

Phone _____ Fax _____

Program Location (if different than above) _____

Email address _____

- All proposers are required to be included on the plan holders list.
- If your organization is NOT listed, submit the 'Letter of Interest' to ensure your inclusion.

Email Letter of Interest to: Koni.Odell@clark.wa.gov and Priscilla.Ricci@clark.wa.gov

Clark County web link:

<http://www.clark.wa.gov/general-services/purchasing/rfp.html>

This document will only be used to add a proposer to the plan holders list. Submitting this document does not commit proposer to provide services to Clark County, nor is it required to be submitted with proposal.

Proposals may be considered non-responsive if the Proposer is not listed on the plan holders list.