

THE RFP PROCESS



Back to the Basics

COURSE OUTLINE







- I. Defining the RFP
- II. Developing the Solicitation
- III. Advertising the Solicitation
- IV. Pre-Proposal Conference
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DEFINING THE RFP

What is an RFP?

A Request for Proposal (RFP) is a formal invitation to a potential respondent to submit a proposal to provide a good or service to fulfill a need that the agency has identified. An RFP is also a procurement process where the State has the ability to judge if a respondent's qualifications, experience, and approach will provide the best resolution to the State's request and provide the best value.

When is an RFP used?

-  When the agency has defined a need and requests respondents to propose the best method for accomplishing it;
-  When the skills, expertise, or technical capability of the respondents will be evaluated;
-  When the need involves services or a combination of supplies and services;
-  When the State may need the opportunity to ask respondents to clarify their proposals by issuing questions, or to revise their proposal through a best and final offer process;
-  When price is not the primary consideration;
- or
-  When specifications of the project cannot be clearly defined.


If your project fits any of these situations, then an RFP is most likely the procurement tool for you to utilize.


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What is an IFB?


An Invitation for Bid (IFB) is a formal request to a potential respondent to submit a bid to provide a good or service to fulfill a need that the agency has identified. Unlike the RFP process, the State is limited in the criteria that are used to judge a respondent's quality of product or service because in an IFB, price is the primary consideration.

When is an IFB used?

-  When the agency primarily considers lowest price when determining whether to make an award;

-  When good, service or need is fairly simple;

or

-  When goods or services are standard, routine, or "off the shelf"

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DEVELOPING THE SOLICITATION

Basic Structure of the RFP

The Comptroller of Public Accounts offers a Request for Proposal template. The sections include:

- Section I: General**
- Section II: Statement of Work**
- Section III: Proposal Information**
- Section IV: Contract Terms and Conditions**
- Exhibit A: HUB Subcontracting Plan**
- Exhibit B: Execution of Proposal**
- Exhibit C: Compensation and Fees**

Writing and Organizing Tips

The quality of work received is only as good as the solicitation document issued. With that said, it is imperative that the language in the RFP follows the FACCS:

Flexible, **A**ccurate, **C**lear, **C**ompetitive, and **S**imple.

The Federal Acquisitions Regulation gives the following guidelines in regards to solicitation development:

(a) Organize coverage. Organize coverage in a logical manner that will be most useful to your reader.

(b) Use short sentences. A sentence should express one idea clearly. Try to use simple terms to express complex and technical material. Strive to use sentences of 20 words or less. Generally, do not let any one sentence exceed 30 words unless you arrange it in a vertical list.

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(c) Use short paragraphs. Limit each paragraph to a single topic. Present complex material in a series of related paragraphs.

(d) Use vertical lists to:

- (1) Highlight important topics;
- (2) Help the reader understand the order in which things happen;
- (3) Make it easy for the reader to identify all necessary steps in a process; and
- (4) Break long sentences or paragraphs into smaller segments for easy reading.

(e) Use the active voice. The active voice eliminates confusion by forcing you to name an "actor." It also makes clear to the reader who has the authority or responsibility. Generally arrange the sentence to name the actor first and then the recipient.

Don't Say: The information must be given to the contractor.

Say: The contracting officer must inform the contractor.

(f) Use words with their most common meaning. If there is no common meaning, define the term.

(g) Do not use different words to denote the same thing.

Avoid using varying terminology to refer to something, e.g., avoid using "buying activity," "purchasing operation," "contracting organization," and "procuring office" for the same entity.

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Sectional Overview and Description

Introduction and Overview

Start this section by citing the statute that authorizes the procurement.

Also state the contract name and number. The following is an example of acceptable language: *This statement of work will be issued under contract [name of contract and contract number].*

Briefly describe the project, its relationship to your program mission, and the overall objective of the RFP.

Background

Write a brief narrative describing the inception of the project.

Scope of Work

Begin with a paragraph describing the scope of work covered by the SOW.

Contract Term

The term of a contract is a definite period of time that the contract will remain in effect. All contracts must have a date of inception and a date of termination. In this section, be sure to include a project timeline and major milestones. This should be mirrored in the "Schedule of Events" section.

Definitions

This section is used to establish common meaning and reference points for both parties. For the most part, words used in the contract will have their everyday meaning, but in instances where this is not the case, these words should be defined.






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Statement of Work (SOW)

This section is the core of the RFP. The Statement of Work (SOW) outlines in detail what the agency requires respondents to include in their proposal in terms of the specifications and requirements necessary for the project.








Be sure to include the following items in the SOW :

Agency's Duties and Responsibilities

-  What will the agency provide the contractor – guidance, oversight, office space, telephone, computers, copies, etc.
-  How often will the agency pay? Will it be based on the percentage of work completed?
-  Name the point of contact for the agency.
-  Describe how the agency will monitor the ongoing performance of the contractor.
-  How will problems be communicated and resolved?



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Contractor's Duties and Responsibilities

-  Provide complete and specific description of the work to be performed.
-  Describe regulations and laws the contractor must follow.
-  Describe any forms the contractor must use.
-  Specify what to do in the event third parties or subcontractors are involved.
-  List deliverables, performance standards, timelines, etc.
-  Describe reporting requirements.
-  Describe sanctions for non-compliance with contract (forfeiture of contract security, liquidated damages, cancellation of contract).

List the tasks (no. and name) in sequential order by phase (if applicable). Provide sufficient level of detail to enable the respondent to plan accordingly.

Separation of Duties

-  Describe any overlapping duties and responsibilities between agency and contractor.
-  Describe how contractor's duties may be impacted by work that needs to be performed by the State.

Even though each SOW is unique, there are elements common to all SOWs. When applicable, include an overall hierarchy of the work being performed; it can be in form of a Work Breakdown Structure (WBS).

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Proposal Information

Schedule of Events

The entire project timeline should be included in this section.

Also included should be a schedule of the RFP process (i.e. Pre-Proposal Conference, Deadlines, and Opening Date).

Revision to the Schedule

This section lists the parties authorized to change the schedule of events and through what means those changes will be announced. Information on how changes are routed and approved is provided in this section.

Pre-proposal Conference

This optional step in the RFP process can aid in the award phase. Here, respondents are asked to meet with the officials responsible for the issuance of the RFP to gain clarification on items in the solicitation that might be confusing.

The pre-proposal conference also provides opportunities for respondents to network and establish HUB and/or subcontracting relationships.

Proposal Requirements/Content

This section defines the proposal requirements in terms of tasks to be performed, the end results/deliverables to be achieved, and the schedule of key dates. Important compliance requirements should be included with the task descriptions and deliverables. Any required documentation to be submitted with the response should also be listed in this section.

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Proposal Submission

Respondents should find information on the opening date of the RFP, and details regarding what needs to be included in order to be considered responsive.

Delivery of Proposals

This section outlines acceptable methods of delivery (i.e. U.S. Postal Service, Hand Delivery, or Express Mail). The address to which the RFP must be delivered in order to be considered responsive is included in this section.

Proposal Opening

The date, time, and location that the RFP will open should be listed in this section. Please mention that this meeting will be open to the public, but only the name of the respondents will be read aloud during this meeting.

Proposal Evaluation and Award

Acceptable language in this section will reference Gov't Code, Section 2155.074. The sentence regarding the respondent selected for award providing best value will suffice. Also included in this section are the scoring methodology and a list of criteria that will be considered by the committee when making a best value determination.

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Contract Terms and Conditions

You may decide to use the RFP itself as the contracting document binding you and the contractor, or you may decide to draw up a separate document to serve as the contract. In either case, contract terms and conditions must be present, clear, and agreed to by both parties. The RFP template provides general terms and conditions that you may use, however it is advisable for you to modify the terms and conditions so that they meet the needs of your specific contract or agency.

The Comptroller of Public Accounts (CPA), requires prospective respondents on any solicitation document to affirm their compliance with particular state laws, federal laws or CPA rules. Bidder affirmations become part of any solicitation and are binding terms and conditions of any resulting contract or purchase order. Any misrepresentation or false statement that is deemed material by the state, is a breach of contract, which shall void or make voidable any solicitation or resulting contract. Such respondents may be removed from the Centralized Master Bidder's List (CMBL) or any other state bid list, in addition to being barred from participating in future contracting opportunities with the State of Texas.

The State of Texas Contract Management Guide provides more detailed information on each of the terms listed in the RFP template.

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Essential Documents

HUB Subcontracting Plan (HSP)

Pursuant to Gov't Code, Sections 2161.251-253, all contracts with an expected value of \$100,000 or more, regardless of the source of funds, must be reviewed to determine if HUB subcontracting opportunities exists.

If an agency determines that subcontracting opportunities are probable and a HSP is required, all respondents are required to submit the HSP along with their proposal and all supporting documentation. If the HSP is not submitted, the respondent will be considered non-responsive and the proposal is rejected.

Execution of Proposal

The execution of proposal must be included since it is what holds the respondent accountable for performing any duties submitted in the proposal, if selected.

Renewal Options

If there will be any options to extend or renew the contract, the terms should be listed in this section. You may also include a statement concerning the State's immunity from funding contracts that extend beyond a legislative biennium, but a complete "Funding Out" clause should be a standard part of your contract terms and conditions.

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Compensation and Fees

A fee schedule and a breakdown of how the respondent will be paid if awarded are supplied in this section.

Besides notifying the respondent of what fees are acceptable, you may also use this section to describe what fees are not acceptable:

State and Local Taxes

The State of Texas is exempt from paying certain taxes such as state and local (City, Transit Authority, etc.) sales tax. During the solicitation process, the ordering entity shall notify the respondents that purchases made for the state are not subject to Texas sales tax. Taxes of other states are not applicable if F.O.B. destination in Texas is specified.

Use the following suggested language in your solicitations:

“Purchases made for state use are exempt from the Texas state sales tax and federal excise tax.”

In addition, Comptroller of Public Accounts recommends that a tax exempt statement appear on the front of each purchase order.

In situations where solicitations require both labor and materials, the state is exempt from the tax paid by the vendors on behalf of the state for the incorporated materials they supply when performing a labor and materials contract job. The vendor must ALWAYS pay the tax unless the materials will be used entirely for the state's project. Vendors must pay tax on the purchase and rental of equipment, accessories and repair and replacement parts for equipment.

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Federal Taxes

The State of Texas is exempt from paying federal excise taxes.

Taxes, Fees and Surcharges Paid by the State

Telecommunication Services - Current information regarding taxes, fees, and surcharges on telecommunication services is available on the Department of Information Resource's website.

State Motor Fuels Tax - Agencies are required to pay the state motor fuels tax on gasoline and diesel fuel. However, agencies holding either a Dyed Diesel Fuel Bonded User permit or Dyed Diesel Fuel Signed Statement registration are not required to pay the state motor fuel tax on dyed diesel fuel purchased for use in off-highway equipment. State agencies may request a refund of state motor fuels taxes paid on gasoline and diesel fuel used in off-highway equipment. Agencies should contact the Comptroller of Public Accounts for information on obtaining a diesel fuel permit or requesting a refund.

Tax Exemption Certificates

State and Federal Tax Exemption Certificate forms are available in the Procurement Forms Library on the CPA website.

http://www.window.state.tx.us/procurement/tools/proc_forms/index.html

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ADVERTISING THE SOLICITATION

Solicitation Advertising Requirements

Agencies are required to solicit from eligible vendors listed on CPA's Centralized Master Bidder's List (CMBL).

If the procurement will result in a contract with an awarded amount between \$5,000.01 and \$25,000, then you are required to solicit responses from three vendors on the CMBL. Two of those vendors must be Historically Underutilized Businesses (HUBs).

If the procurement will result in a contract with an awarded amount over \$25,000, then all vendors listed on CPA's CMBL and HUB directory that service your highway district must be solicited.

In addition to notification on the CMBL, it is the responsibility of the ordering entity to post the solicitation on the Electronic State Business Daily (ESBD). All contracts resulting in an award amount exceeding \$25,000 MUST be posted on the ESBD, however contracts with an award amount \$25,000 or less may be posted as well.








The information that should be included is listed on the following page.

Notice: Posting times vary.

<u>Estimated Procurement/Contract Amount</u>	<u>Minimum days for Advertisement</u>
Exceeding \$25,000:	
If posting entire bid or proposal solicitation package	14 calendar days
If <u>not</u> posting entire bid or proposal solicitation package then a notice must be posted that includes at a minimum the following:	21 calendar days
Construction Contracts	30 calendar days

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Include:



-  A short title and a brief description of the goods or services to be procured and any applicable state product or service commodity codes for the goods and services;
-  The last date and time on which bids, proposals, or other applicable expressions of interest will be accepted;
-  The estimated quantity of goods or services to be procured;
-  If applicable, the previous price paid by the ordering entity for the same or similar goods or services;
-  The estimated date on which the goods or services to be procured will be needed;
-  The name, business mailing address, and business telephone number of the ordering entity point of contact to obtain all necessary information related to making a bid or proposal or other applicable expression of interest for the procurement contract; and
-  The agency's purchase requisition number.

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Notification Requirements for Major Contracts

When dealing with solicitations over \$1 million dollars, there are additional notification requirements that must be completed **prior** to advertising the solicitation.

Most solicitations that will result in a contract exceeding \$1 million dollars must be sent to the Contract Advisory Team for review. Exceptions include:

-  an institution of higher education as defined by Section 61.003 of the Texas Education Code, and
-  contracts of the Texas Department of Transportation that:
 - relate to highway construction or highway engineering; or
 - are subject to Section 201.112 of the Texas Transportation Code.

If the contract contains information resource technology (IRT) elements, many documents must be submitted to various entities **prior** to the issuance of any solicitation. This applies to IRT projects over \$1 million that:

- Require one year or longer to reach operational status
- Involve more than one state agency; or
- Substantially alter the work methods of state agency personnel or the delivery of services to clients

More information concerning “the Texas Project Delivery Framework” can be found at <http://www.dir.state.tx.us/pubs/framework/gate3/acquisition/template.doc>.

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PRE-PROPOSAL CONFERENCE

Purpose

The general purpose of a pre-proposal conference is to facilitate a clear understanding of the requirements in the RFP.

Guidelines for holding a Pre-proposal Conference

The State of Texas Contract Management Guide (CMG) includes guidelines in Appendix Three that can be used to conduct a pre-proposal conference. The following information (in bold) comes from directly from the CMG.



If the conference is mandatory, the following statement must be included in the solicitation. "Failure to attend the pre-proposal conference will result in disqualification of the respondent's proposal."

Typically, the purchaser conducts and facilitates the conference (with representation from the end user). The purchaser covers information in the solicitation document and requirements, as well as the agenda and site visit. The end user covers technical aspects.










The purchaser provides:

-  **A recording device (optional)**
-  **A sign-in sheet for attendees**
-  **Additional copies of the solicitation**

The conference begins as follows:







-  **Welcome attendees and acquaint them with the conference site (i.e. restrooms, water fountains, and emergency exits)**
-  **Purchaser's opening remarks such as the purpose of the conference, requisition number and title of the procurement.**

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-  **Announce conference is being recorded, if applicable. Advise attendees to turn off or set to “vibrate” any cell phones or pagers.**
-  **Remind everyone to sign in, especially for mandatory conferences.**
Make sure that attendees provide an email address.
-  **Introduce agency representatives.**
-  **Introduce attendee's. (optional depending on number attending conference)**
-  **Review solicitation by section or page and ask for questions regarding each section and/or page. (Do not read the RFP word for word – summarize and allow for questions), All questions of a technical nature must be submitted in writing.**
-  **Cover any addendum items or significant developments since the initial posting of the RFP.**
-  **Site inspections may be conducted prior to or after the solicitation review, depending on the circumstances, but prior to close of the conference. After site inspections all attendee's should return to the conference room to ask any questions as a result of the site inspection.**
-  **Recap – Discuss and confirm the items to be included in addendum, if any. Remind attendees that oral statements are not binding. Only written responses included in the specifications or addenda apply to the solicitation.**
-  **Collect sign-in sheets. Note: Usually attendees want copies of the sign-in sheets. If possible, make copies for attendees prior to the end of the conference.**

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After the conference:

-  **Keep recorded conference minutes in the contract file as official documentation of the meeting. The minutes may or may not be transcribed.**
-  **Purchaser prepares addendum with input from the program staff. Program staff will review for accuracy prior to posting.**
-  **Purchaser will determine if there is sufficient time until solicitation opening or if solicitation date should be extended.**
-  **Mail or fax addendum to pre-proposal conference attendees if needed.**
-  **Send copy of addendum to program staff. If architectural or engineering plans are involved, advise program staff to provide a copy to the Architect or Engineer so they can provide copies to the plan rooms.**
-  **Post addendum on the Electronic State Business Daily.**

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Format

The State of Texas Contract Management Guide also outlines a basic format to use when holding pre-proposal conferences.

-  **Opening – Purchaser introduces agency representatives and explains their roles in the procurement.**
-  **Introduction – Attendees introduce themselves and identify the company they are representing.**
-  **Solicitation Overview/Review – This is the main focus of the conference. The document is reviewed page by page or section by section. It is not necessary or recommended to read the entire document, but the entire document should be addressed. Questions should be answered as the pages or sections are discussed.**
-  **Closing Summary – Summarize the changes that were agreed to be made through the issuance of an addendum. Review any unanswered questions to be addressed at a later date. Remind attendees that no oral changes are binding; the changes must be in the form of a written addendum.**

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RFP OPENING

Unlike the opening of an IFB, the only information read aloud during a RFP opening is the names of the respondents. The primary reason for this is because of the respondents' opportunity to offer a Best and Final Offer (BAFO) and the purchaser's opportunity to negotiate.

The RFP opening must occur at the time, location and date specified in the RFP.

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EVALUATING RESPONSES






Evaluation Criteria

Evaluation criteria are the factors used to determine which of the competing proposals best meet the identified needs. In establishing effective evaluation criteria, an agency must clearly prioritize the components of services requested. The proper evaluation criteria will form an evaluation plan that will provide a common standard for judging the merit of competing offers.

Evaluation criteria should be individually tailored to each RFP. These criteria often include program design, technical ability, personnel qualifications, past experience and performance, monitoring and continuous improvement systems, performance measurement methodologies, and cost/price analysis.

All evaluation criteria and relative weight must be included in the RFP document. To establish the relative importance of evaluation criteria, the RFP may simply state that the evaluation criteria are listed in order of relative importance. Alternatively, the RFP may state that all criteria are of equal significance. Scoring rubrics will also be distributed along with the RFP.

Standard evaluation criteria include:

-  Company Information
-  Proposed Services
-  Experience and Qualifications
-  Compensation and Fees
-  References

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Each criterion is also assessed a weight, and that weight corresponds with the level of importance associated with the criterion's reference to the objective of the project.

Example:

<u>Criteria</u>	<u>Weight</u>
<u>Company Information</u>	<u>5%</u>
<u>Proposed Services</u>	<u>5%</u>
<u>Experience and Qualifications</u>	<u>10%</u>
<u>Compensation and Fees</u>	<u>70%</u>
<u>References</u>	<u>10%</u>
	<u>100%</u>




The "Score Tabulation" section of this workbook discusses scoring in more detail.

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The Evaluation Process

One of the first steps of every evaluation process is to determine if the proposals are “responsive or non-responsive” to the Request for Proposal. “Responsive” means that the respondent submitted the proposal and all required forms to the specified location by the specified date and time. The evaluation committee will make the initial determination of whether a proposal is responsive. This determination is subject to change as information is revealed during the course of the evaluation process or anytime up to contract execution and must be corroborated by the procurement officer. The procurement officer has the final authority to find a proposal non-responsive.

The process of evaluation must be based on explicit criteria, as outlined in the RFP, and shall utilize a scoring system.

-  Information will be provided to Evaluators regarding their role as an evaluator, the scoring and evaluation procedure and the critical role of objectivity.
-  Each member of the Evaluation Committee will sign a “Conflict of Interest and Non-disclosure Statement” prior to the review of any proposals.
-  The Committee may clarify proposal contents during oral presentations.

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SCORE TABULATION

General Information

Proposals can only be evaluated and scored based on the criteria submitted in the RFP. Along with the criteria, the individual responsible for composing the solicitation should have also included the scoring methodology that will be used when it is time to evaluate and score respondents' proposals in comparison to the criteria.

- The committee may decide to seek best and final offers from one or more respondents.
- The committee may request only one best and final offer.
- Respondents may not request an opportunity to submit a best and final offer.
- The procurement officer must be notified of the respondents who are provided the opportunity to submit best and final offers and the areas to be addressed.
- The procurement officer will send out the request for best and final offers in a letter stating the areas to be covered and the date and time in which the best and final offer must be returned.
- Proposal scores are *adjusted* in light of the new information received in the best and final offer. Additional points cannot be given.

A best and final offer cannot be requested on price/cost alone unless so stated in the RFP.

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Scoring Methodologies

Scoring is defined as the process of systematically assigning values to results. Relating that definition to the RFP process, scoring is used to assign a value to criteria that have been identified as critical to the success of a project.

There are two components applicable to scoring an RFP: *qualitative and quantitative*.

Qualitative scoring methodologies do not involve numbers, but assess value by alternate means.

An example of this method would take criteria and evaluate the respondent's compliance using pre-determined designations such as *poor, fair, good, and excellent*.

Quantitative scoring methodologies assign a numerical value to the respondent's ability in comparison with the criteria.

Examples of each method are provided on the following pages.

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Example of Qualitative Scoring Methodology

Vendor Name	Past Performance	Financial History	Experience
ABC	Fair	Excellent	Good
DEF	Poor	Good	Fair
GHI	Excellent	N/R	Poor
JKL	Excellent	Poor	Good

Excellent = Exceeds expectations
Good = Above expectations
Fair = Meets Expectations
Poor = Does not meet expectations
N/R = Non-responsive

Based on this scoring methodology, vendor ABC will most likely be awarded the contract.

Example of Quantitative Scoring Methodology

Vendor Name	Past Performance	Financial History	Experience
ABC	1	4	3
DEF	1	3	2
GHI	4	0	1
JKL	4	1	3

4= Exceeds expectations
3= Above expectations
2= Meets Expectations
1= Does not meet expectations
0 = Non-responsive

After the scores in each row are totaled, again it seems as though vendor ABC will receive the contract.

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Another quantitative scoring methodology is the weighted technique. Not only is a numerical value assigned to the respondent's ability in comparison with the criteria, but the each criterion is given a weight according to its importance.

Example of Weighted Scoring Methodology

Vendor Name	Past Performance (.3)	Financial History (.1)	Experience (.6)
ABC	1	4	3
DEF	1	3	2
GHI	4	0	1
JKL	4	1	3

- 4= Exceeds expectations**
- 3= Above expectations**
- 2= Meets Expectations**
- 1= Does not meet expectations**
- 0 = Non-responsive**

Using this method, you would assign each vendor a score of 1-4, just like the previous method, but you would then multiply that score by the assigned weight.

Vendor ABC = 1 * (.3) + 4 * (.1) + 3 * (.6) = 2.5
Vendor DEF = 1 * (.3) + 3 * (.1) + 2 * (.6) = 1.8
Vendor GHI = 4 * (.3) + 0 * (.1) + 1 * (.6) = 1.9
Vendor JKL = 4 * (.3) + 1 * (.1) + 3 * (.6) = 3.1







Using this method, Vendor JKL, not Vendor ABC, will be awarded the contract. This is because the criterion Past Performance is worth 30% of the total score, and Vendor ABC only scored a "1" in this category and Vendor JKL scored a "4". Even though Vendor JKL scored a "1" in the Financial History category, the criterion is not as crucial as it is only weighted 10% of a respondent's total score.

It is also important to note that Vendor GHI could not be awarded the contract regardless of their score, because they did not submit financial history information. This is indicated by the "0", meaning non-responsive.

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Interviews and Oral Presentations

To properly evaluate proposals, respondents may be requested to make an oral presentation to the committee. The respondent's original proposal cannot be changed during an oral presentation.

-  All respondents must be afforded equal time in making their presentation.
-  Time slots for oral presentations can be established by the drawing of lots.
-  Interviews are to be conducted and controlled by the committee chairperson.
-  All members of the evaluation committee should be present at the oral presentations.
-  If oral presentations/interviews are anticipated at the onset of the RFP process, include anticipated dates, evaluation criteria and scoring methodology in the RFP.
-  If a decision to hold oral presentations/interviews is made during the RFP process, the evaluation must be based solely on existing stated criteria with scores adjusted accordingly.

Once the proposals have been evaluated and scored by individual committee members, the next step is for the entire committee to get together to discuss the proposals and arrive at the final scoring.

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VENDOR AWARD AND NOTIFICATION

Negotiations/Best and Final Offer

After initial scores are tallied, the committee can offer the respondents a chance to submit a Best and Final Offer (BAFO). The issuance of a BAFO can come after negotiations or asked for in lieu of negotiations. Either strategy is perfectly acceptable, but there is not chance to negotiate after BAFOs are submitted.

When negotiating, it is important to remember not to disclose the details of any proposal to respondents.

Vendor Award

The determination for contract award is a result of the scoring and BAFO process. After best and final offers are received, scores are adjusted and reported to the evaluation committee members. At a final meeting, the committee discusses the new information and selects the proposal that provides the best value for the State of Texas.

It can be that multiple respondents provide best value on various areas in the RFP. If this is the case, then if feasible and stated in the RFP, multiple awards can be made.










A recommendation of award letter is issued to the newly selected vendor(s). This letter explains to the vendor(s) that their proposal is recommended for award; however, the final authorization has yet to be received by the executive management of the agency. This letter should request for all insurance and bonds to be submitted to the agency by a specified date. The letter should also state that failure to submit requested information by the deadline is just cause for contract forfeiture.

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Notification

After executive approval is received along with all requested documentation from the vendor, a notice to proceed is sent to the vendor(s). This letter states that the vendor(s) was selected for award and thereby officially entered into contract with the State of Texas. The vendor(s) is now expected to provide the work defined in the RFP.






After the vendor is notified, the notice of award must be posted on the Electronic State Business Daily (ESBD). The notice will provide:

-  Requisition Number
 - As it was listed in the original ESBD posting
-  Class/Item Code
-  Agency Name
-  Bid Title
 - As it was listed in the original ESBD posting
-  Dollar Amount Awarded
-  Bid Status
 - Was it a full award, partial award, multiple award, or cancelled?
-  All or part of award went to HUB vendor(s)
-  Vendor Name
-  Vendor Address

NOTES:

Certain procurements must also be reported to the Legislative Budget Board (LBB) no later than ten (10) days after contract award.

These include:

-  Consulting Services Contract greater than \$14,000
-  Professional Services Contract greater than \$14,000
-  Construction Services Contract greater than \$14,000
-  Major Information Systems Contract greater than \$100,000
-  Good or Services Contract greater than \$50,000 or greater
 - In this section a contract does **not** include:
 - a contract that has been reported to the Legislative Budget Board under §§ 2054.008,
 - 2166.2551, 2254.006, or 2254.0301, Government Code;
 - a purchase order;
 - an interagency contract;
 - an interlocal agreement;
 - a contract with a value of less than or equal to \$50,000; or
 - a contract paid only with funds not appropriated by the General Appropriations Act.

Also, any contract with an expected value of \$5,000,000 or greater must be posted to the ESBD upon award. This posting will remain available for public viewing for the initial contract term.

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CONTRACT ADMINISTRATION

Vendor Performance Tracking

As the procurement professional at your agency, you might be responsible for not only the procurement of a good or service, but also for the administration of the contract after it executed.





The primary factor of successful contract administration is communication. You must solicit feedback from the end-user concerning a vendor's performance and relay those concerns to the vendor. Likewise, if the vendor is experiencing problems with the agency concerning the contract, you must be able to resolve those issues.

One tool that the State of Texas uses to aid contract administration is the Vendor Performance Tracking System (VPTS). All procurements made through delegated authority granted by or from contracts administered by the CPA exceeding a value of \$25,000 must report on a vendor's performance using this system.

Contract Extension, Renewal, and Closeout

As the contract nears termination, you might have options to renew or extend the contract. If it is in the best interest of the State of Texas, you may choose to pursue those options as stated in your contract terms and conditions. However, if you chose not to pursue those options, you will have to close out the contract.






















In this phase you must:

-  Receive evidence from the ordering entity that the work was completed.
-  Report vendor performance
-  Review the status of all funding
-  Provide written notice to the contractor that the contract has been formally closed.

NOTES: _____

PROCESS CHECKLIST

Review the Process

-  Assemble a file
-  Select an evaluation team
-  Assist in specification development
-  Notify CAT/QAT if dealing with a major contract
-  Prepare the following:
 - pre-proposal conference agenda
 - pre-proposal conference sign-in sheet
 - addenda
 - score matrix
 - team briefing
 - non disclosure agreement
 - nepotism form
-  Receive proposals
-  Qualify proposals
-  Make copies of proposals (if necessary)
-  Distribute proposals to the evaluation committee
-  Make initial tabulations
-  Conduct interviews/presentations
-  Request BAFO
-  Make final tabulations
-  Recommend respondent(s) for award
-  Issue recommendation letter
-  Receive award concurrence from executive management
-  Issue notice to proceed
-  Post award to ESBD
-  Notify LBB and CPA if necessary
-  Administer contract until completion
-  Vendor Debrief

CONGRATULATIONS

You have successfully completed RFP Boot Camp!

Now get out there and compose masterful solicitations that result in best value acquisitions for the State of Texas.

