



RFP Process

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Why was the RFP Process Revised?

- ✦ OPM issued new standards for procuring goods, services or other assets through a State Contract
- ✦ DDS issued a new Procurement Procedure on April 16
- ✦ Goal is to make the process more open and transparent
- ✦ All qualified proposers must be evaluated fairly on the merits of their proposal



RFP Process

-  Obtain prior approval from OPM
-  Detail the components of an RFP
-  Soliciting proposers
-  Inquiry Process
-  Evaluating proposals
-  Appeal Process
-  State's ethics and confidentiality requirements.



Obtaining prior approvals from OPM



OPM POS Website



Competitive Procurement



Non-Competitive Procurement – Sole Source is when an agency solicits and negotiates with only one potential contractor, the acquisition method is called a “sole source” procurement.

Obtaining prior approvals from OPM

- ✦ A “non-competitive procurement” may also occur when an agency conducts an RFP process and receives fewer than three acceptable proposals in response.
- ✦ The receipt of three acceptable proposals is considered the minimum threshold for a “competitive” procurement.
- ✦ When an agency receives only one or two acceptable proposals and wishes to make a selection, the agency must submit a request to OPM for approval *before selecting the future contractor.*

Components of an RFP



Required by State Statute



Required by Executive Order



Required by OPM's Standards



Optional Components

● Components of an RFP – Required by State Statute

- ✎ Legal notice
- ✎ Outline of the work to be performed
- ✎ Available Funding
- ✎ Contract term
- ✎ Required minimum qualifications of the Contractor
- ✎ Required format for proposals
- ✎ Review criteria
- ✎ Submission deadline for proposals
- ✎ Contract Compliance Forms

Components of an RFP – Required by Executive Order

- ✦ Affidavit concerning campaign contributions
- ✦ Affidavit concerning gifts
- ✦ Notification to Bidders - This document gives notice that the contract to be awarded is subject to the contract compliance requirements mandated by State statutes and regulations.
- ✦ Contract Compliance Notice Report- This notice concerns the prohibition of discrimination in employment practices.

Components of an RFP – Required by OPM's Standards

- ✦ Submission deadline minimum of 7 weeks between date of release and deadline
- ✦ Instructions for Proposers
- ✦ Official agency contact
- ✦ Proposer's representatives
- ✦ Communications notice
- ✦ Schedule of events (timeline)
- ✦ Confidential information notice
- ✦ Affirmations concerning contract and conditions



● Components of an RFP – Required by OPM's Standards

- ✚ Minimum submission requirements
- ✚ Client based outcome measures with complete and clear information
- ✚ How the Outcome measures are defined (by the agency), how the data must be collected and reported (by the contractor), and how the reported data will be assessed (by the agency).
- ✚ References
- ✚ Packaging and labeling requirements
- ✚ Inquiry procedures



Optional or Recommended Components



Letter of intent



Proposers' conference



Style requirements



Multiple submissions



Meetings with Proposers



Insurance certificate



Soliciting Proposers

- ✦ Written Legal Notice
- ✦ Public Announcement
- ✦ Must be advertised in the newspaper
- ✦ DAS Website
- ✦ DDS Website



Proposal Communications

To Maintain the Open and Transparency Requirement
Ex Parte Communication

- ✦ Under no circumstances will any member of the Screening Committee contact the provider once the members have been identified and until the RFP has been awarded.
- ✦ All contact regarding the RFP must be through the Official Agency Contact.
- ✦ Questions regarding the RFP will be answered in writing as an amendment to the RFP on a specified date.



Submitted Proposals

A proposal will not be reviewed if:

- ✖ The format of the proposal is not strictly followed
- ✖ The budget is not submitted in the format detailed in the proposal
- ✖ The Proposer does not meet the required minimum qualifications as outlined in the RFP

Evaluating Proposals

Based on the DDS RFP Procedure issued on August 4, 2008, the proposals must be evaluated on each of these sections

- ✚ Organization
- ✚ Previous Agency Performance
- ✚ Support Strategies
- ✚ Personal Preferences and Relations
- ✚ Proposed Time Frames
- ✚ Support Staff/Staffing patterns
- ✚ Cost effectiveness



Awarding Proposals

- ✦ Recommendations of the three top proposals must be made to the Commissioner.
- ✦ The Commissioner, at his discretion, may consult with the regional designee.



PROVIDER REVIEW

- ✦ Any provider submitting a proposal may request to meet with the Screening Committee Chairperson to review their qualifying score. This review is not intended to operate as an appeal process.



Appeals

- ✦ Any proposer may appeal the competitive solicitation process used by an agency to award a POS contract. Such appeal must be submitted by a proposer, in writing, to the DDS Commissioner. The proposer must set forth facts or evidence in sufficient detail for the Commissioner to determine whether the competitive solicitation process failed to comply with the State's statutes, regulations, or standards (established herein) concerning procurement.



Appeals

- ✦ A proposer may file an appeal at any time during the solicitation process, but not later than ten business days after an agency announces the contract award.
- ✦ The filing of an appeal shall not be deemed sufficient reason for an agency to delay, suspend, or terminate the competitive solicitation process or execution of a contract.