

## West Virginia Purchasing Division

# REQUEST FOR PROPOSAL PREPARATION INSTRUCTIONS

### **INTRODUCTION:**

A Request for Proposal (RFP) is generally used for the procurement of services where price is not the sole determining factor and the award will be based on a combination of cost and technical scores (Best Value Procurement). Through its proposal, the vendor offers a solution to an objective, problem, or need as specified in the RFP, and defines how it intends to meet (or exceed) the RFP requirements. This process is used when the agency will accept multiple approaches to satisfy the objectives, solve the problem, or meet the need.

In a RFP, the agency has limited mandatory requirements and uses the scoring process to deduct points for deficiencies in the submitted proposals. If an agency has many mandatory requirements, the Request for Quotation process may be a better suited procurement method. The Request for Quotation is the preferred method of procurement for most solicitations.

### **GETTING STARTED:**

#### ***Planning and Approvals:***

Agencies should use the Acquisition Planning Procedures as defined in Section 4 of the West Virginia Purchasing Handbook.

#### ***Defining need:***

##### *Consider Acquisition and Delivery Time*

RFPs are an extensive method of procurement. Agencies should allow adequate time to plan, obtain necessary approvals, conduct market research, prepare specifications, review, solicit proposals, evaluate, and award.

### *Check mandatory internal and external sources*

Agencies are required to check for products and services which may be offered by mandatory resources. For a complete list of mandatory sources, visit the Purchasing Division Procedures Handbook, Section 4.6. If the service is available from one of these sources, the agency would require a waiver from the source to allow for the use of the RFP process.

### ***Use of the RFP Process Approval:***

Agencies must request in writing to the Purchasing Division the use of the RFP process the planning phase and prior to the writing of specifications in accordance with ***West Virginia Code*** §5A-3-10b. The request should contain:

- A description of the project
- The estimated value of the project
- Justification for the use of the RFP process Previous contract number, if applicable
- Any additional information relevant to the project which may need to be considered

### ***Evaluation Committee Approval:***

The purchasing Division requires a committee of at least three (3), but not more than five (5), voting members knowledgeable in the subject matter of the RFP. The agency procurement officer or a member of the agency procurement staff, who is skilled in purchasing techniques and procedures, shall be present at the evaluation committee meetings and serve on the evaluation committee as a full voting member unless the agency can provide justification detailing the reason(s) why this requirement cannot be met. One member must be designated as the Chairperson. This person is a voting member; mediates discussions and time management; prepares consensus evaluation; and represents the committee in protests.

Additional state employees or non-state employees may participate as non-voting advisory members. A non-state employee shall **not** serve as a voting member of the evaluation committee.

Agency procurement officers should discuss the non-conflict of interest issue with potential committee members to ensure that individuals who may have a conflict are not chosen to participate as evaluation committee members. To ensure that there is no conflict of interest among the selected members of the evaluation

committee, the Purchasing Division requires all evaluators of an evaluation committee to sign a **Certification of Non-Conflict of Interest** prior to beginning the evaluation of an RFP, in accordance with the *West Virginia Code* §5A-3-31. By signing this certification, the evaluator(s) and/or advisor(s) attest that they have no conflict of interest, including financial or personal, in the evaluation of the specific solicitation.

Agency personnel, who have provided favorable letters of reference for potential vendors, serve in other capacities with any proposed vendor such as outside Professional Organizations, Committees, or any other professional appointment, or any other relationship which may lead to the perception of a biased award, may not serve as Evaluation Committee members without prior authorization from the Purchasing Division.

The agency will identify and justify the evaluation committee members in writing to the Purchasing Division prior to the release of the RFP. This shall include any potential conflict of interest. Additionally, the agency must receive approval from the Purchasing Division to request more than a five (5) member evaluation committee. This information should be included in the submitted Evaluation Committee Request. Said Request must be approved by the Purchasing Division prior to the issuance of the RFP. The Purchasing Division reserves the right to accept or reject agency appointed committee members and/or appoint committee members directly to provide proper representation.

***Purchasing Division Approval:***

The Purchasing Division will approve or deny the use of the RFP process and the Evaluation Committee, in writing, to the requesting agency.

**BEGINNING THE SPECIFICATION WRITING PROCESS:**

***Market Research:***

Agencies requesting to use the RFP process should have some knowledge of the market prior to submitting a request to the Purchasing Division. After approval of the process, agencies should conduct additional research on the potential market prior to writing specifications. Agencies may talk to vendors, other agencies, public and private entities, or any other source prior to writing their specifications in order to gain insight into what services are available and who can provide those services. Agencies may wish to do a Request for Information (RFI) as a part of this process. Agencies are cautioned to seek multiple sources and not limit market research to

only those vendors who have a history of work with the agency. By conducting thorough market research, the agency increases the chance for competition and the potential for other solutions and services which may be unknown to the agency.

### ***Creating the Specifications:***

**Standard Format (Appendix J):** All Requests for Proposals shall follow the standard format defined by the Purchasing Division. This format addresses required areas and enables the agency to modify the background and scope of work to meet its needs. The agency must be familiar with all content of the RFP Standard Format.

## **COMPLETING THE RFP STANDARD FORMAT**

The sections listed below are to be completed by the agency. Agencies are not permitted to alter the RFP Standard Format or any language in any section not listed below without approval of the Purchasing Division. It is preferred that an electronic version of the completed RFP Standard Format be submitted to the Purchasing Division Buyer. This allows the Buyer to enter dates and make minor corrections without returning the document to the agency for correction.

### **Section One: General Information**

Section 1.1 Purpose: Agency is to fill in the appropriate blanks with the department name, division name, and a brief synopsis of the project.

Section 1.3 Schedule of Events: This section will be completed by the Purchasing Division Buyer upon review and approval of the specifications. The Buyer will work with the agency to set these dates.

### **Section Two: Instructions to Vendors Submitting Bids**

Instructions to Vendors Submitting Bids are contained within the Purchasing Master Terms and Conditions on the Purchasing Division's website at: <http://www.state.wv.us/admin/purchase/TCP.pdf>.

### **Section Three: General Terms and Conditions:**

It is important for the agency to have a complete understanding of the terms and conditions of the contract once executed. Issues including but not limited to public release of information, bonds, contract renewal, funding, liability, and cancellation

are outlined for the vendor in this section. The Purchasing Master Terms and Conditions are available on the Purchasing Division's website at:

**<http://www.state.wv.us/admin/purchase/TCP.pdf>**

#### **Section Four: Project Specifications**

Section 4.1 Location: The agency will enter the physical location where the work will be performed.

Section 4.2 Background and Current Operating Environment: The agency will enter any background information that the vendor may need in order to prepare their proposal or describe the functionality of the agency.

Section 4.3 Qualifications and Experience: Vendors will provide information regarding their firm and staff qualifications and experience in completing similar projects; references; copies of any staff certifications or degrees applicable to this project; proposed staffing plan; descriptions of past projects completed entailing the location of the project, project manager name and contact information, type of project, and what the project goals and objectives were and how they were met. This information will be provided by the Vendor in **Attachment A: Vendor Response Sheet**.

Section 4.4 Project and Goals: In this section, the agency will define the project goals and objectives that will be scored during the evaluation. Project goals and objectives are what the agency expects as a result of the contract and the overall outcome of the project. Agency will address specific response requirements on **Attachment A: Vendor Response Sheet**. Vendors will use this Attachment to provide descriptions about how they plan to meet these project goals and objectives and address the specific elements from Section 4. Vendors will respond in **Attachment A** as to how they will meet these goals.

Section 4.5 Mandatory Requirements: The purpose of the RFP is to allow agencies to evaluate and score proposals to gain the Best Value for the state. The use of mandatory requirements in the RFP process is discouraged as these requirements limit the agency's ability to evaluate different approaches and methodology to solving the problem.

All mandatory requirements must appear in Section 4.5. Mandatory requirements are limited to duties and responsibilities of the agency as defined by federal or state law and functions critical to the mission and operation of the agency.

Agencies are cautioned in writing specifications containing an excessive number of mandatory requirements. Mandatory requirements cannot be scored and cannot be waived. If an agency establishes mandatory requirements in the RFP, vendors must demonstrate that they meet the mandatory requirements. Failure to meet the mandatory response requirements must result in disqualification. Waiving mandatory requirement is strictly prohibited.

Section 4.6 Oral Presentations: Agency has the option of requiring oral presentations of all Vendors participating in the RFP process. If the Agency exercises this option, it must be listed in the Schedule of Events (Section 1.3) of the RFP. The Agency must describe in Section 4.6.1 what materials or information the Vendor is expected to prepare for this presentation. Vendors may not alter or add to their submitted proposal, but only clarify information already submitted.

### **Section Five: Vendor Proposal**

Section 5.4 Proposal Submission: Agency will enter the number of requested convenience copies.

### **Section Six: Evaluation and Award**

Section 6.2: Evaluation Criteria: The agency will determine the points assigned for each of the areas of evaluation. Agencies may establish point distribution breakdowns in each area (except for cost); however, only those criteria listed in the RFP are to be used for evaluation. Please note that if oral presentations are not required by the agency, the points in the criteria must be distributed to the other areas. All evaluation criteria must be based on a 100 point total score. Cost shall represent a minimum of thirty (30) of the one hundred (100) total points in the criteria. These criteria will be used by the evaluation committee to score each vendor's submitted proposal.

The Standard Format suggests that the committee consider conducting oral interviews as part of the evaluation process. These interviews may be beneficial depending upon the project in that they allow the vendor to explain their solution in more detail. Vendors may not alter or add to their submitted proposal, but only clarify information.

### **Attachments**

There are three Attachments to the RFP Standard Format: [A] Vendor Response Sheet; [B] Mandatory Specifications Checklist; and [C] Cost Sheet(s). These Attachments will be provided to the vendors so that they may more easily detail how they will satisfy the requirements of the RFP and demonstrate their approach and methodology.

### Attachment A: Vendor Response Sheet:

The Vendor is to provide its qualifications and experience in this **Attachment**. Additionally, project goals and objectives listed must match those listed in Section 4.4 and Vendors must be given directive on what to include in their response. In this Attachment, the Vendor will respond to the goals and objectives listed with their solution. The Vendor response on this Attachment will serve as the basis for scoring.

### Attachment B: Mandatory Specification Checklist:

The agency will list all mandatory requirements in this Attachment. These requirements must match those listed in Section 4.5. The vendor will respond to each mandatory requirement listed.

### Attachment C: Cost Sheet(s)

The agency will develop a Cost Sheet reflective of the specifications contained in Section Two. The Cost Sheet shall contain all pricing required by the agency and must establish how payment will be made to the vendor.

*Fixed Contract:* If the agency is seeking a total for the entire project, then the Cost Sheet should list the cost for the project with an all inclusive total. Agencies may ask for itemized pricing for benchmark payments or progress payments.

*Open End Contract:* If the agency is seeking a recurring billable unit cost, the Cost Sheet must include unit costs, estimated quantities for usage, extended pricing, and a total cost for bid evaluation purposes. The actual quantities of usage may vary within the performance of the project and the vendor will bill the agency based upon the rates established in the contract.

*Mixed Contract:* Any combination of fixed and variable costs must be defined on the Cost Sheet, with the information as noted above.

## **NEXT STEPS**

After completing the RFP Standard Format, the agency submits the following to the Purchasing Division for processing: RFP Standard Format, Purchase Requisition (WV-35), copy of memorandum from the State Purchasing Director approving the use of the RFP process, any related attachments and a list of proposed vendors. After the Purchasing Division releases the solicitation, proposals are submitted by vendors, evaluated and a contract is awarded.

For details procedures on the Request for Proposal process, please refer to the Purchasing Division Handbook, Section 6.2.4 or visit the Purchasing Division's website at:

<http://www.state.wv.us/admin/purchase/Handbook/default.html>.

## **QUESTIONS**

Questions regarding the use of the Request for Proposal format may be directed to the Purchasing Division buying staff. For a buyer's assignment list, please visit ***<http://www.state.wv.us/admin/purchase/byassign.pdf>***.

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