REQUEST FOR PROPOSALS BASICS

The Road to Success
Request for Proposals Basics

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1. Introduction
   - OSC Contract Overview
   - Request for Proposals (RFP)
2. RFP Planning
3. RFP Components
4. RFP Evaluation & Selection Process
5. RFP Procurement Record
RFP

INTRODUCTION
State Finance Law §112

Before any contracts shall be executed or become effective; it shall first be approved by the comptroller when it exceeds:

- $50,000: State agency, department, board, officer, commission, or institution
- $85,000: Office of General Services
- $10,000: Revenue contract
- Except centralized contract through OGS and purchase orders issued under centralized contract and SUNY Flex
## Average Number of Days for Transaction Review

### Calendar Year 2013

<table>
<thead>
<tr>
<th>Type of Transaction</th>
<th>Volume</th>
<th>Average Days for Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Contracts</td>
<td>8,584</td>
<td>13.4</td>
</tr>
<tr>
<td>Contract Amendments and Change Orders</td>
<td>14,210</td>
<td>9.8</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>22,794</strong></td>
<td><strong>11.2</strong></td>
</tr>
</tbody>
</table>
As Percentages of Total Contract Value 2013

<table>
<thead>
<tr>
<th>Days</th>
<th>Contract Transactions</th>
<th>Percentage</th>
<th>Amount ($ Billions)</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0–15</td>
<td>17,945</td>
<td>78.7%</td>
<td>$88.0</td>
<td>80.6%</td>
</tr>
<tr>
<td>16–30</td>
<td>3,609</td>
<td>15.8%</td>
<td>$12.3</td>
<td>11.3%</td>
</tr>
<tr>
<td>31–45</td>
<td>899</td>
<td>4.0%</td>
<td>$3.0</td>
<td>2.7%</td>
</tr>
<tr>
<td>46–60</td>
<td>234</td>
<td>1.0%</td>
<td>$0.3</td>
<td>0.3%</td>
</tr>
<tr>
<td>61–75</td>
<td>64</td>
<td>0.3%</td>
<td>$5.2</td>
<td>4.8%</td>
</tr>
<tr>
<td>76–90</td>
<td>41</td>
<td>0.2%</td>
<td>$0.2</td>
<td>0.2%</td>
</tr>
<tr>
<td>Over 90</td>
<td>2</td>
<td>0.0%</td>
<td>$0.1</td>
<td>0.1%</td>
</tr>
<tr>
<td>Total</td>
<td>22,794</td>
<td>100%</td>
<td>$109.1</td>
<td>100%</td>
</tr>
</tbody>
</table>
OSC CONTRACT REVIEW STATISTICS

- 2013 Contract Review Time Frames
  - Average Days for Contract Review 2010 - 2013
Statutory preference is accorded in the following order:

1\textsuperscript{st} Preferred Sources
2\textsuperscript{nd} OGS Centralized Contracts
3\textsuperscript{rd} Agency or Multi-Agency Contracts
4\textsuperscript{th} Procurement Methods Prescribed by State Finance Law (SFL)
REQUEST FOR PROPOSALS (RFP)

Request for Proposals (RFP) is generally used for the procurement of services or technology in situations where price is not the sole determining factor and the award will be based on a combination of cost and technical factors (Best Value).
WHAT IS BEST VALUE?

- State Finance Law §163

“A best value award is one which optimizes quality, cost, and efficiency and typically applies to complex services and technology contracts.”
“If you don’t know where you are going, you’ll end up somewhere else.”

Yogi Berra
Develop a Procurement Strategy

- Determine what need(s) exist(s) for a particular service
- Define the service to be procured
- Develop a timeline
  - Identify procurement events
  - Plan and allocate time effectively
  - Keep it updated as you move forward through the process
RFP PROCUREMENT STRATEGY

- Elements of the procurement process
  - Specifications
    - Requirements
    - Site Visits
    - Interviews
    - Reference Checks
  - Pool of Vendors
  - Funding Stream(s)
  - Evaluation (Evaluators, Instructions, Execution)
  - Forms (e.g., Cost Sheet)
  - Other Special Events (e.g., Pre-Bid Conference)
  - Procurement Rules and Regulations
RFP PROCUREMENT PLANNING - EVENTS

- Business Need
- Draft RFP
- CR Ad
- Release RFP
- Site Visit
- Respond to Questions
- Develop Evaluation Guide/Instrument
- Identify Evaluators
- Develop Solicitation List
- Issue RFP Amendment if necessary
- Proposals Due
- Evaluation Begins
- Interview
- Distribution Proposals to Evaluation Teams
- Evaluation Complete
- Internal Approvals
- Other Approvals as required ITS, Civil Service, AG, OSC
- Meet with Evaluators
- MONITOR/Manage Contract
- MONITOR/Manage Contract
- Implementation
RFP STAFF SELECTION

- Identify all the people you will need to execute a successful procurement.

Who will write the administrative sections?

Who will manage advertising?

Who will develop the criteria for the evaluation?

Who will write cost sections?

Who will proofread and edit the document before it goes out?

Who will receive and respond to vendor questions?

Who will distribute the RFP?

Who will receive the proposals and log them in?

Who will write instruction for evaluators?

Who will open the bids and create a certified bid tab?

Who will be the Evaluators?

Who will manage the evaluation process?

Who will document the evaluation process?
- Develop Solicitation Specifications
  - Procurement Description
  - Contract Period
  - Proposal Due Date
  - Designated Contact Person
  - Questions and Answers Due Date if applicable
  - Site Visit or Pre-Bid Conference information if applicable
- Contract Reporter
  - Procurement must appear in Contract Reporter at least 15 business days prior to the due date of proposals.
- Additional Advertising/Outreach
Develop the evaluation criteria while developing the RFP:

- Must be clearly stated in the RFP
- Must be important to the result you are seeking
- Must be measurable
  - Pass/Fail
  - Scale
- Set the Technical/Cost ratio
Develop RFP Evaluation Instrument prior to receipt of bids

Specify:
- Summary/scope of the project
- General instructions to evaluators
- Forms and how to use them
- Evaluation steps, responsibilities, and timeline including:
  - Indicate scoring methodology
  - Define how interview and references will be used, if applicable
  - Discuss how to distribute work in case of multi-award procurement
Plan your work. Work your plan.
RFP TICKET FOR SUCCESS

Identify and mitigate your risk.
Build in adequate time for internal/external approvals.
RFP TICKET FOR SUCCESS

Start with the end in mind.
RFP

COMPONENTS
RFP COMPONENTS

- Table of Contents
- Introduction
  - Statement of purpose
- Calendar of Events
  - Date of Issuance
  - Proposers’ Conference
  - Site Visit
  - Date Questions and Answers Due
  - Date Responses to Questions and Answers Due
  - Due Date of Proposals
  - Oral Presentation and Demonstrations
- Agency Mission
  - Statement about the duties of your Agency
<table>
<thead>
<tr>
<th>Calendar of Events</th>
<th>Key Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Publication in Contract Reporter</td>
<td>08/30/14</td>
</tr>
<tr>
<td>Release RFP</td>
<td>09/07/14</td>
</tr>
<tr>
<td>Submission of Written Questions</td>
<td>10/01/14</td>
</tr>
<tr>
<td>Pre-Bid Conference</td>
<td>10/12/14</td>
</tr>
<tr>
<td>Distribution of Pre-Bid Conference Minutes and Responses to Questions</td>
<td>11/01/14</td>
</tr>
<tr>
<td>Proposal Submission Due Date</td>
<td>11/29/14</td>
</tr>
<tr>
<td>Interviews/Reference Checks</td>
<td>01/10/15 – 01/21/15</td>
</tr>
<tr>
<td>Finalist Notified and Contract Negotiations Begin</td>
<td>02/21/15</td>
</tr>
<tr>
<td>Contract Submitted to OSC for Approval</td>
<td>03/01/15</td>
</tr>
<tr>
<td>Contractor Work Commences</td>
<td>05/10/15</td>
</tr>
</tbody>
</table>

Note: Build in adequate time for internal/external approvals
RFP COMPONENTS

- Administrative Process
  - Timeline
  - Technical Proposal submission requirements
  - Cost Proposal submission requirements
  - Single award/multiple awards

- Criteria
  - Minimum qualifications
  - Service Specifications
  - Additional information
  - References

- Contract Terms and Conditions
- Questions and Answers
  - Make any necessary change(s) via an addendum
  - Distribute to entire potential vendor pool
RFP COMPONENTS

- Procurement Policies, Statutes & Disclosures
  - Appendix A
  - Vendor Responsibility
    (Guide to Financial Operations (GFO). XI.16.)
  - Procurement Lobbying law (GFO. XI.18.B.)
  - Sales and Compensating Use Tax (GFO. XI.18.D.)
  - Debriefing Language
  - Protest Procedures (GFO. XI.17.)
  - Minority/Women Owned Business Enterprise (MWBE)
RFP COMPONENTS

- Procurement Policies, Statutes & Disclosures, if applicable:
  - Health Information Portability and Accountability Act (HIPAA)
  - Agency Specific Appendices
  - Consultant Disclosure Legislation (GFO. XI.18.C.)
    - Form A
    - Form B
  - Prevailing Wage
    ([http://www.labor.state.ny.us/workerprotection/publicwork/PWReqforOWS.shtm](http://www.labor.state.ny.us/workerprotection/publicwork/PWReqforOWS.shtm))
RFP COMPONENTS

- Non-negotiable contract provisions
- Rationale
  - Address concerns raised prior to bid submission
  - Avoid prolonged negotiations
  - Save agency time and money
  - Prevent gaps in program/service delivery
RFP EVALUATION CRITERIA

- Evaluation Criteria
  - Minimum qualifications (pass/fail)
  - Technical criteria
  - Cost criteria
    - Multiple years – Define escalation (e.g., limit annual increase to Consumer Price Index (CPI) as published by the U.S. Department of Labor)
    - Relative importance – cost vs. technical
    - RFP must disclose the relative importance and/or weight
RFP EXAMPLE 1

- **RFP – Consultant Services**

  - The procurement record stated that the agency had evaluated the proposals utilizing the following weighting in determining best value:
    - **65% Technical / 35% Hourly Rate**
  
  - RFP only specified that both hourly rate and qualifications of the consultant would be taken into consideration.
RFP EXAMPLE 1

What would you add to the RFP?
Add relative weight of cost and technical evaluation to the RFP.

Require a re-bid as the RFP failed to identify the relative weight of cost and technical.

Why?

State Finance Law Section 163 requires that the solicitation identify the relative importance and/or weight of cost and the overall technical criterion to be considered.
Method of Award

Single Award
- Upon completion of the evaluation process, a contract will be awarded to the proposer whose proposal met all mandatory requirements and obtained the highest composite score, inclusive of both cost and technical.

Multiple Award
- Reserve the right to make multiple awards.
- Specify the number or “up to” number of awards to be made and how work will be allocated among the vendors.
- Determine the award criteria prior to receipt of proposals and documented in the Evaluation Instrument.
RFP LANGUAGE

- RFP language should:
  - Allow agency to reject any and all bids
  - Allow agency the right to request clarification
  - Allow agency to waive a mandatory requirement
    - If unmet by ALL proposers and non-material
  - Allow agency the right not to proceed with an award
  - Establish a minimum period of proposal validity
    (e.g., price firm for 180 days and/or proposal irrevocable for 60 days)
Review specifications. Are they too restrictive?
Know current State rules and regulations.
Establish evaluation criteria with RFP Specifications.
RFP
Evaluation & Selection Process
Critical Steps in developing your evaluation strategy

- Set the Technical/Cost ratio
- Define the criteria
  - Mandatory (pass/fail) vs. Desirable (scored)
- Determine distribution of points among criteria
- Create key for assigning points within criteria
Questions & Answers

- Issues raised may result in the issuance of an addendum to the RFP.
- Review all evaluation criteria
- Make any necessary change(s) in Instructions, Instrument, Score Sheets

Clarifications

- Must reserve the right in the RFP
- Cannot result in a material change to the bid
- If cost proposal is extremely low, agency can seek verification from the vendor that they understood the intent or scope of the services.
Mandatory Qualifications Checklist

- Pass/Fail – Yes/No
- If not met, disqualify.
- Disqualified proposals:
  - Both Technical and Cost proposals must be submitted to OSC for all disqualified vendors.
Technical evaluation forms must:

- Identify the vendor
- Identify the evaluator
- Have a reference list of points and meanings
  - Example:
    - 5 points = exceeds all requirements
    - 4 points = meets all requirements
    - 3 points = meets most requirements
    - 2 points = meets some requirements
    - 1 point = meets few requirements
- Have a space for the evaluator to enter his/her rating
- Have adequate space for comments
RFP EXAMPLE 2

- RFP – Auditing Services
  - RFP specified relative weight of:
    - 60% Technical / 40% Cost
  - RFP indentified the following criteria to be evaluated:
    - Relevant experience
    - Approach to specific project (understanding scope)
    - References
    - Cost
  - Scoring guide for technical criteria:
    - Excellent Response = all available points
    - Good Response = half of available points
    - Unacceptable Response = zero point
## Evaluation Summary Matrix

<table>
<thead>
<tr>
<th></th>
<th>Bidder A</th>
<th>Bidder B</th>
<th>Bidder C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience (20 Points)</td>
<td>13</td>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td>Approach (20 Points)</td>
<td>16</td>
<td>16</td>
<td>12</td>
</tr>
<tr>
<td>References (20 Points)</td>
<td>12</td>
<td>19</td>
<td>7</td>
</tr>
<tr>
<td>Total Technical (60 pts)</td>
<td>41</td>
<td>53</td>
<td>37</td>
</tr>
<tr>
<td>Cost (40 pts)</td>
<td>28</td>
<td>25</td>
<td>40</td>
</tr>
<tr>
<td>Total Composite Score</td>
<td>69</td>
<td>78</td>
<td>77</td>
</tr>
</tbody>
</table>
How would you re-evaluate?
Agency should re-score proposals in accordance with the evaluation instrument.

Why?

- Range of points assigned was not allowed by the scoring methodology as defined in the evaluation instructions.
- Recommend more flexible tool. Full/Half/None point scale does not allow valuation of proposals on a flexible scale.
RFP EVALUATION & SELECTION PROCESS

- RFP must have a cost form.
  - Cost comparisons must be equal among all proposals.
  - Costs submitted must be complete.
  - Costs submitted must be meaningful.
  - Costs components not evaluated must not be in the resulting contract.
RFP EVALUATION & SELECTION PROCESS

- Developing a Cost Form
  - Examples: Job Titles and Hourly Rates, Deliverable Based, Unit Price, Categories (i.e., SOW, Training, Support)
  - Understand what you are really asking for (i.e., what is a page? A sheet? A document?)
  - Capture the cost of all components
Cost score is a calculation, not an analysis.

Recommended formula for cost scores:

Max Points x (Low Bid ÷ Bid Being Evaluated)
Example of Cost Score Calculation

- 70% Technical/30% Cost

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Hourly Rate</th>
<th>Cost Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>$90</td>
<td>30</td>
</tr>
<tr>
<td>B</td>
<td>$100</td>
<td>?</td>
</tr>
</tbody>
</table>

Cost Score = Max Points x (Low Bid ÷ Bid Being Evaluated)

Vendor B Cost Score = 30 x (90 ÷ 100)

= 30 x (0.9)

= 27
RFP EVALUATION & SELECTION PROCESS

- Formula should show a relationship among the bids. Do **NOT** score cost proposals based on a key (as below).
  - $10,000 = 30 points
  - $10,100 = 25 points
  - $18,500 = 20 points
  - $18,501 = 15 points
  - $21,700 = 10 points
  - $21,728 = 5 points
  - $21,750, $25,000 and $31,622 = 0 point
RFP EXAMPLE 3

- RFP – Market assessment of a new program
  - RFP specified a relative weight of:
    - 65% Technical / 35% Hourly Rate
  - Proposals were to be evaluated by a team of four evaluators.
  - Average score of the Evaluation Team was to be used in assigning the overall technical score.
  - One evaluator (Evaluator 4) had a conflict of interest with one of the proposing companies and therefore did not evaluate this proposal.
## Summary of Scores

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Tech Eval 1</th>
<th>Tech Eval 2</th>
<th>Tech Eval 3</th>
<th>Tech Eval 4</th>
<th>Average Tech Score</th>
<th>Cost Score</th>
<th>Composite Score</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bidder A</td>
<td>65.0</td>
<td>65.0</td>
<td>65.0</td>
<td>65.0</td>
<td>62.0</td>
<td>19.8</td>
<td>84.8</td>
<td>1</td>
</tr>
<tr>
<td>Bidder B</td>
<td>60.0</td>
<td>61.0</td>
<td>64.0</td>
<td>63.0</td>
<td>62.0</td>
<td>20.1</td>
<td>82.1</td>
<td>3</td>
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<tr>
<td>Bidder C</td>
<td>50.0</td>
<td>41.0</td>
<td>46.0</td>
<td>N/A</td>
<td>45.7</td>
<td>16.2</td>
<td>61.9</td>
<td>5</td>
</tr>
<tr>
<td>Bidder D</td>
<td>65.0</td>
<td>63.0</td>
<td>61.0</td>
<td>57.0</td>
<td>61.5</td>
<td>22.4</td>
<td>83.9</td>
<td>2</td>
</tr>
<tr>
<td>Bidder E</td>
<td>41</td>
<td>40</td>
<td>45</td>
<td>44</td>
<td>43</td>
<td>35</td>
<td>77.5</td>
<td>4</td>
</tr>
</tbody>
</table>
How would you re-evaluate?
## RFP EXAMPLE 3 – DECISION

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Tech Eval 1</th>
<th>Tech Eval 2</th>
<th>Tech Eval 3</th>
<th>Tech Eval 4</th>
<th>Average Tech Score</th>
<th>Cost Score</th>
<th>Composite Score</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>65.0</td>
<td>65.0</td>
<td>65.0</td>
<td>N/A</td>
<td>65.0</td>
<td>19.8</td>
<td>84.8</td>
<td>2</td>
</tr>
<tr>
<td>B</td>
<td>60.0</td>
<td>61.0</td>
<td>64.0</td>
<td>N/A</td>
<td>61.7</td>
<td>20.1</td>
<td>81.8</td>
<td>3</td>
</tr>
<tr>
<td>C</td>
<td>50.0</td>
<td>41.0</td>
<td>46.0</td>
<td>N/A</td>
<td>45.7</td>
<td>16.2</td>
<td>61.9</td>
<td>5</td>
</tr>
<tr>
<td>D</td>
<td>65.0</td>
<td>63.0</td>
<td>61.0</td>
<td>N/A</td>
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<td>22.4</td>
<td>85.4</td>
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<tr>
<td>E</td>
<td>41.0</td>
<td>40.0</td>
<td>45.0</td>
<td>N/A</td>
<td>42.0</td>
<td>35.0</td>
<td>77.0</td>
<td>4</td>
</tr>
</tbody>
</table>
RFP EXAMPLE 3 – DECISION

- Award to Bidder D
- Why?
  - State Finance Law Section 163 requires that there must be a balanced and fair method of award.
Check the math!
Check it again! And have a second person check it!
Who should be an evaluator? Someone with:

- Expertise
- Time to participate fully in the process
- No conflict of interest

Note: Different teams of evaluators can be used for different criteria but the same evaluators must do any single criterion for all bidders.
Instructions to Evaluators must:

- Define decision parameters and explain expectations
- Evaluate proposals according to standards set in the RFP
- Define the use of decimals if they will be allowed
- Be submitted to OSC with procurement package
RFP EVALUATION & SELECTION PROCESS

- Less than three proposals received:
  - Verify cost reasonableness
  - Justify limited response
  - Canvass non-responding vendors

- Only one proposal received:
  - Evaluate the proposal
  - Verify cost reasonableness
  - Justify limited response
  - Canvass non-responding vendors
Ties

- If two offers’ composite scores are tied, the award shall go to bidder with the highest Cost score (lowest price).
- If technical and cost scores are both the same, agency must have a pre-defined tie-breaking mechanism. May have different mechanisms for different types of procurements.
Check your math

Use decimals and rounding consistently

Document the process

Each evaluator should document his/her score and explain with comments.
Develop evaluation instrument prior to issuance of RFP
Document your process
Ensure evaluation criteria are measurable
Change as a result of Q & A - Make changes to all documents and distribute to vendor pool
Understand your chosen formula and carefully consider the weighting
Avoid non-standardized technical and cost evaluation forms
Check your formulas/number transpositions
Make sure mandatory requirements are necessary
RFP EXAMPLE 4

- RFP – Upgrade of software system
  - RFP specified available workspace could accommodate up to five contractor staff at a time.
  - The cost sheet of Proposal A identified 12 individuals.
  - The agency requested Proposer A to clarify their proposal by confirming that no more than five staff would need to be on-site at any one time. Proposer A confirmed the agency’s assumption.
  - Proposals were evaluated in accordance with the evaluation strategy established prior to the receipt of proposals. Proposer A received the highest composite score, was deemed responsive and responsible and was awarded the contract.
Would you submit the contract for approval?
RFP EXAMPLE 4 – DECISION

- **Yes. Submit the contract for approval.**

- **Why?**
  - **State Finance Law Section 163 states that:**

  “Where provided for in the solicitation, state agencies may require clarification from offerers for purposes of assuring a full understanding of responsiveness to solicitation requirements.”
RFP EXAMPLE 5

- RFP - To obtain technical support for the Information Technology (IT) Bureau of the agency
  - Since the agency anticipated that a single vendor would not be able to provide necessary services, the procurement provided for multiple awards to two vendors.
  - The relative weight was 60% for technical and 40% for cost.
## Technical Score: 60%

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bidder A</td>
<td>44</td>
<td>46</td>
<td>48</td>
<td>50</td>
<td>47</td>
<td>235</td>
</tr>
<tr>
<td>Bidder B</td>
<td>46</td>
<td>40</td>
<td>42</td>
<td>39</td>
<td>38</td>
<td>205</td>
</tr>
<tr>
<td>Bidder C</td>
<td>54</td>
<td>50</td>
<td>52</td>
<td>51</td>
<td>49</td>
<td>256</td>
</tr>
<tr>
<td>Bidder D</td>
<td>50</td>
<td>51</td>
<td>48</td>
<td>53</td>
<td>47</td>
<td>249</td>
</tr>
<tr>
<td>Bidder E</td>
<td>51</td>
<td>49</td>
<td>47</td>
<td>52</td>
<td>50</td>
<td>249</td>
</tr>
<tr>
<td>Bidder F</td>
<td>52</td>
<td>55</td>
<td>54</td>
<td>55</td>
<td>54</td>
<td>270</td>
</tr>
</tbody>
</table>
### Summary of Scores

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Technical Score</th>
<th>Cost</th>
<th>Total Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>235</td>
<td>35.5</td>
<td>270.5</td>
</tr>
<tr>
<td>B</td>
<td>205</td>
<td>40.0</td>
<td>245.0</td>
</tr>
<tr>
<td>C</td>
<td>256</td>
<td>38.7</td>
<td>294.7</td>
</tr>
<tr>
<td>D</td>
<td>249</td>
<td>37.2</td>
<td>286.6</td>
</tr>
<tr>
<td>E</td>
<td>249</td>
<td>39.3</td>
<td>288.3</td>
</tr>
<tr>
<td>F</td>
<td>270</td>
<td>34.6</td>
<td>304.6</td>
</tr>
</tbody>
</table>
The agency awarded a contract to Bidder C and Bidder F.

<table>
<thead>
<tr>
<th></th>
<th>Technical Score</th>
<th>Cost</th>
<th>Total Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bidder A</td>
<td>235</td>
<td>25.5</td>
<td>270.5</td>
</tr>
<tr>
<td>Bidder B</td>
<td>205</td>
<td>40.0</td>
<td>245.0</td>
</tr>
<tr>
<td>Bidder C</td>
<td>256</td>
<td>38.7</td>
<td>294.7</td>
</tr>
<tr>
<td>Bidder D</td>
<td>249</td>
<td>37.2</td>
<td>286.6</td>
</tr>
<tr>
<td>Bidder E</td>
<td>249</td>
<td>39.3</td>
<td>288.3</td>
</tr>
<tr>
<td>Bidder F</td>
<td>270</td>
<td>34.6</td>
<td>304.6</td>
</tr>
</tbody>
</table>
How would you re-evaluate?
<table>
<thead>
<tr>
<th>Bidder</th>
<th>Technical Score</th>
<th>Cost</th>
<th>Total Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>47.0</td>
<td>35.5</td>
<td>82.5</td>
</tr>
<tr>
<td>B</td>
<td>41.0</td>
<td>40.0</td>
<td>81.0</td>
</tr>
<tr>
<td>C</td>
<td>51.2</td>
<td>38.7</td>
<td>89.9</td>
</tr>
<tr>
<td>D</td>
<td>49.8</td>
<td>37.2</td>
<td>87.0</td>
</tr>
<tr>
<td>E</td>
<td>49.8</td>
<td>39.3</td>
<td>89.1</td>
</tr>
<tr>
<td>F</td>
<td>54.0</td>
<td>34.6</td>
<td>88.6</td>
</tr>
</tbody>
</table>
RFP EXAMPLE 5 – DECISION

- Re-calculate scores in accordance with the stated relative weights.

- Why?
  - The composite scores were not weighted at 60% Technical and 40% Cost.
  - The Evaluation Instrument should include a step in the process advising the evaluation committee that the technical score is averaged.
New York State Finance Law, Article 11, §163.9.g.

A procurement record shall be maintained for each procurement identifying, with supporting documentation, decisions made by the commissioner or state agency during the procurement process. The procurement record shall include, but not be limited to each contract amendment and the justification for each.
RFP PROCUREMENT RECORD

- If applicable:
  - Division of Budget (DOB) approval
  - Office of the Attorney General (OAG) approval
  - Civil Service approval
  - Information Technology Services (ITS) approval


RFP PROCUREMENT RECORD

- Documents to be submitted to OSC:
  - Instructions to evaluators
  - Blank cost form
  - Blank Individual Technical Score Sheet (ITSS)
  - Blank Mandatory Requirements Checklist (MRC)
  - Completed MRC for each vendor
  - Competed Summary cost score sheet
  - Completed ITSS for each evaluator for each vendor
  - Summary of Technical Score for all vendors
  - Technical/Cost matrix with points and rankings
Documents to be submitted to OSC, if applicable:

- Site Visit/Bidder Conference sign in sheets
- Questions and Answers
- Addendum(s) to the RFP
Encumbering a Contract (GFO. XI.2.C.):

- Agencies must be prepared to enter the PO encumbrance.
- Agencies should indicate the intended encumbrance amount on the bottom of the STS or AC340-S.

Minimum encumbrance calculation (in general):

1. Contract Value ÷ Numbers of Years = Amount per Year
2. Amount per Year ÷ 12 months = Monthly Amount
3. Monthly Amount x Numbers of Months (between the start date of contract and end of fiscal year) = Minimum encumbrance Amount
RFP Contract Encumbrance

Example:

- Fiscal Year End Date: March 31
- Calculate the minimum encumbrance amount on a $360,000, three year contract beginning August 1

1. \( \frac{360,000.00}{3 \text{ years}} = 120,000.00/\text{Year} \)
2. \( \frac{120,000.00}{\text{Year}} \div 12 \text{ Months} = 10,000.00/\text{Month} \)
3. \( 10,000.00/\text{Month} \times 8 \text{ months} = 80,000 \) (Minimum Encumbrance Amount)
REFERENCES

REFERENCES

- **OSC Internet Site**
  http://www.osc.state.ny.us

- **Guide to Financial Operations**
  http://www.osc.state.ny.us/agencies/guide/MyWebHelp/

- **Procurement Council Guidelines**

- **Advisory Council on Procurement Lobbying Model Forms/Language**

- **NYS Department of Taxation and Finance**
  http://www.tax.ny.gov

- **O*NET OnLine**
  http://online.onetcenter.org/
QUESTIONS?
Bon Voyage!