

**Part II Chapter 07
Competitive Sealed Proposals
(RFP Process)**

- A. Requirements.** This procedure may be used when an Agency determines, in writing, that competitive sealed bidding is either not practicable or advantageous to the Commonwealth.
- B. General.**
1. Proposals are solicited through an RFP and the award is made to the responsible offeror whose proposal is determined, in writing, to be the most advantageous to the purchasing Agency.
 2. The Department has established the MINIMUM weights for the competitive sealed proposals award process as follows:
 - a. Technical Criterion – **50%** of the total points;
 - b. Cost Criterion – **30%** of the total points;
 - c. Small Diverse Business (SDB) Participation – **20%** of the total points;
 - d. Domestic Workforce – **3%** bonus points.
 3. If an Agency or Department of General Services (DGS), Bureau of Procurement (BOP), seeks to reduce the weights or add to the criterion stated above, they must obtain a written waiver from DGS, BOP.
- C. Agency Procedures.**
1. **Agency.**
 - a. Determines the need for the materials and/or services and estimates cost.
 - b. Determines that the competitive sealed bidding method is either not practicable or not advantageous and, therefore, the competitive sealed proposals method should be used to select a contractor.
 - c. Completes Form [BOP-125, Determination to Use Competitive Sealed Bidding \(IFB\) Method of Procurement](#), to justify use of competitive sealed proposals method. The completed form must be submitted to BOP along with the [Notice of Forthcoming Procurements](#) (see [Part I Chapter 04](#)). The requesting Agency should retain a copy of the BOP-124 as part of the contract file.
 2. **DGS, Bureau of Procurement.**
 - a. Reviews the Notice of Forthcoming Procurements and BOP-124.

- c. Establishes a maximum point value for each major evaluation criterion prior to the issuance of the RFP. Please refer to MINIMUM weightings addressed above.
 - d. Complete the online [Request for Advertisement](#) form to advertise the RFP on the DGS BOP website.
 - e. Notifies BSBO, in writing, of the pre-proposal conference date and offers BSBO the opportunity to participate.
 - (1) If the Agency wishes to forego the pre-proposal conference they must first obtain approval from DGS, Bureau of Procurement.
 - (2) Agency submits written request to the appropriate Director, Services or Materials.
 - f. Conducts the pre-proposal conference. If BSBO is attending, schedules their presentation toward the beginning of the pre-proposal conference.
 - g. Issues written answers to questions received prior to the pre-proposal conference as well as those raised at the pre-proposal conference, as appropriate. BSBO shall be responsible for preparing the answers to the questions on SDB participation.
 - h. Receives proposals and rejects only those which were received after the time and date established for receipt of proposals.
 - i. Reviews proposals for compliance with mandatory requirements.
 - j. For those proposals that meet the mandatory requirements, provides Evaluation committee with the technical submittals for scoring and forwards one copy of each SDB participation submittal along with a completed [SBSDB Participation Submittal Form](#) to BSBO for scoring. Agency should keep a copy of each for their records.
 - k. Performs a CRP check of each offeror and respective subcontractors required to be disclosed or approved by the Commonwealth. The date of confirmation should be recorded for future reference. Any obligations or liabilities should be attempted to be resolved in accordance with [Management Directive 215.9, Contractor Responsibility Program, Amended](#). If an offeror is determined not to be responsible, then the offeror's proposal shall be rejected.
- 8. Evaluation Committee.**
- a. Performs preliminary technical submittal evaluations.
- 9. Agency.**
- a. Scores cost submittals for those proposals meeting the minimum technical threshold (70% of the available technical points) to be

eligible for selection for best and final offers and contract negotiations. Provides BSBO with updated list of offerors whose proposals remain eligible for award.

10. DGS, Bureau of Small Business Opportunities.

- a. Reviews SDB participation submittals and provides scores to Agency. Provides revised SDB scores if any of the offerors originally submitted and scored fail to meet the minimum technical score for award eligibility.

11. Agency.

- a. To the extent necessary or desired, conducts discussions with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award to assure full understanding of responsiveness to the solicitation requirements and for the purpose of obtaining best and final offers.

12. Evaluation Committee.

- a. Performs final technical submittal evaluations after discussions/best and final offers have been completed/received.

13. DGS, Bureau of Small Business Opportunities.

- a. Reviews the Best and Final SDB participation submittals and provides revised scores.

14. Agency.

- a. Re-scores Best and Final Cost submittals.
- b. Determines whether pre-selection negotiations should be undertaken.
- c. Completes the Recommendation for Selection Memo, found in the RFP template, recommending an offeror for selection for contract negotiation.
 - (1) Recommendation should be made using the final evaluations, the offeror whose proposal is determined to be the most advantageous to the Agency.
- d. Forwards the completed Recommendation for Selection Memo to purchasing agency head or individual designated by agency head.

15. Purchasing Agency Head.

- a. Approves supplier selection.
- b. Designates chief negotiator and contract negotiating team. Invites BSBO to participate as a part of the Negotiating Team.

16. Negotiating Team.

- a. Meets to determine Agency objectives and strategy and negotiates the contract.

17. Agency.

- a. Notifies selected supplier(s).
- b. Prepares contract document.
- c. Obtains selected supplier's signature.
- d. Upon receipt of the signed contract from Supplier posts the RFP Recommendation for Selection memo on DGS website and notifies non-selected suppliers and provides opportunity for de-briefing.
- e. Obtains required approvals.
- f. Repeats determination that selected supplier and subcontractors required to be disclosed or approved by the Commonwealth are responsible in accordance with Management Directive 215.9 if greater than 3 months from date of original confirmation.
- g. Sends copy of contract to the supplier.
- h. Posts copy of PO/Contract to Treasury's website.
- i. Contacts selected supplier to begin work.
- j. Monitors supplier performance.

18. DGS, Bureau of Small Business Opportunities.

- a. Monitors suppliers adherence to SDB commitments made as part of proposal submission and notifies purchasing Agency of any noncompliance issues.

19. Agency.

- a. Evaluates completed work against contract to ensure all terms and conditions have been met and all supplies or services have been provided to the Agency's satisfaction prior to final payment.
- b. Prepares goods receipts against purchase orders.
- c. Maintains complete contract file.

20. Comptroller.

- a. Processes invoice(s) for payment.

References:

1. [BOP 125, Determination to Use Competitive Sealed Bidding \(IFB\) Method of Procurement](#)
2. [BOP-123, Notice of Forthcoming Procurements](#)
3. [Part I Chapter 04, Contract Use, Need, and Authorization](#)
4. [RFP Evaluation Committee Certification of Confidentiality and No Conflict of Interest form](#) (Exhibit 4, found in the RFP template).
5. [Request for Advertisement](#) (PA eMarketplace login required)
6. [SBSDB Participation Submittal Form](#)
7. [Management Directive 215.9, Contractor Responsibility Program, Amended](#)