

Your RFP is a Road map

FAPPO Fall Conference

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#RFPDreamTeam

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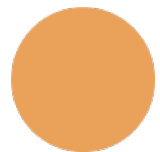


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NIGP Annual Forum Louisville 2023





Global Best Practices

ELEVATING THE PUBLIC PROCUREMENT PROFESSION

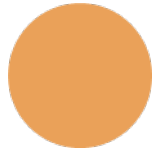
Global Best Practices

As the public procurement profession evolves, global best practices keep you up to date with advances in definitions, concepts, and best practices. Whether you are new to the profession or a seasoned professional, the guidance provided offers new insights and clarity on public procurement topics and practices.

You can find all the NIGP Global Best Practices at this web link:

<https://www.nigp.org/our-profession/global-best-practices>





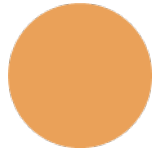
Your Policies & Laws

We are here to initiate a business conversation and not to give legal advice. We are not lawyers, and not licensed to practice anywhere, do not play lawyers on TV, and did not sleep at a Holiday Inn Select last night.

Therefore, you are hereby advised that as a Team we are sharing information on our experiences and best practices with the expectation that each entity will execute procurement according to their own policies, applicable Trade Agreements and organizational culture.



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We don't know Jack!

- Why do you think suppliers do not respond?
- Prices come in higher than estimates
- Always the same suppliers respond-complain-call
- Proposal responses are so large
- Responses are not customized
- Why we always get the same results
- Why only one supplier (the preferred one) responds



Types of Engagement

Intentional engagement

- Anytime - Day-to-Day - Informal
- Planned - proactive vendor outreach - Formal
- Planning Stage - Request for Information - Market Analysis/Research

Solicitation related engagement

- Pre-proposal Release
- During the Solicitation Process
- Evaluation Stage
- Pre-Award
- Post Award
- Contract Phase





The Map

If you build it,
They will come



If you build it correctly,
They will come



If you build it correctly,
They will ~~come~~ propose



First Impression

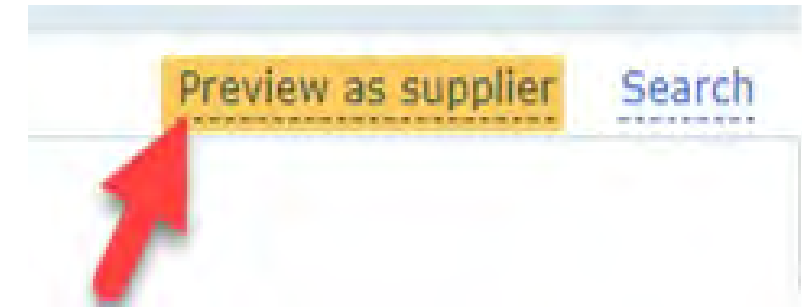
“You never get a second chance to make a good first impression.”

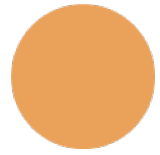
-Will Rogers

The Request for Proposal is the ‘face’ of your entity

Start With the End in Mind

- Know your audience
- Who is the RFP document for?
- Who is the information in the RFP document for?
- Which and how many vendors are you expecting will respond?





Suppliers Perspective

- 15 RFP/Q Notices per day - 300 per month
- we submitted on 82 RFP/Q's to date - Approximately 9%
- Skipped an additional 40 that we had originally looked at and had a “go” decision on in that same time period.
- Various factors changed it from a “Go” to a “Skip”. These include:
 - timeframes,
 - very specific experience requirements,
 - our workload,
 - research conducted,
 - scoring factors further evaluated,
 - competitor analysis, etc.

TOP 10 REASONS SUPPLIERS DON'T BID

- The entity does not host pre-solicitation meetings to enable suppliers to review current terms, conditions, and specifications.
- The solicitation timeframe is too short to adequately prepare a response.
- The solicitation's requirement for long-term fixed pricing is unrealistic for the market/industry.
- The specifications are written to achieve a particular solution and/or supplier (favoritism).
- A solicitation's terms and conditions are outdated and/or not in alignment with current conditions, and the entity is not open to making adjustments to the solicitation's requirements.
- The solicitation includes excessive requirements that do not provide value or present a competitive barrier.
- There is no consideration for buying under an existing cooperative contract.
- The evaluation method or type is not clearly stated.
- As a practice, the entity does not offer debriefs to unsuccessful competitors.
- The suppliers' cost to propose exceeds the contract's value.

A solicitation's result says as much about the entity issuing the solicitation as it does about the supplier submitting the proposal. If an entity publishes a poor-quality solicitation that does not comprehensively address its needs, suppliers are likely to submit suboptimal proposals that do not fully take into account what the entity requires.

Source: NIGP Business Council White Paper



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RFP Layout

X

Transformational (Recommended)

- Cover Page
- Current Conditions / Background
- Scope of Work
- Proposal Requirements
- Evaluation Process
- Special Terms & Conditions
- General Terms & Conditions
- Proposal Forms
- Attachments & Exhibits
- “No Response” Statement



Traditional

- Cover Page
- Table of Contents
- “No Response” Statement
- General Terms & Conditions
- General Legal Information
- Background Information
- Special Terms & Conditions
- Scope of Work
- Evaluation Criteria
- Evaluation Process & Selection
- Proposal Forms
- Attachments

Cover Page - Summary Page

Important highlights - 10,000-foot view - 30 second elevator pitch

- Title
- Brief Summary/Statement in plain language
- Due date
- Contact Information
- Dollar Value (if you publish that information)
- Bond Requirements



Project Background

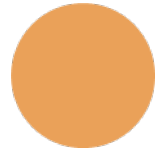
- The problem description
- Expected outcome from their work
- Entity goals
- Location if applicable

**Not the same as entity description



Current conditions - Be Upfront and Transparent

- Entity has duty of full disclosure of information
- Treat all suppliers fairly and equally
- Do not misrepresent the situation
- Identify all known risks
- Material disclosures
- Phased projects
- Incumbency, permission to participate
- Restrictions for future competitions
- What current process or service do you hope to replace
- Current pain points / deficiencies
- Approvals, funding to be obtained



Scope of Work

Definition: Scope of Work



A scope of work is developed at the beginning of the procurement cycle and is a written description of the entity's needs and desired outcomes for the procurement and becomes the basis for any resulting solicitation. The scope of work helps to ensure that the product or service meets the stated outcome and establishes the parameters of the resulting contract.

A scope of work must provide sufficient information for the supplier to:

- Determine whether the solicitation aligns with the supplier's business.
- Decide whether responding to the solicitation is profitable and worth the effort.
- Determine whether the supplier is responsible and can submit a responsive offer.

Scope of Work

- Serves as a basis for proposers to prepare a proposal / estimate
- Helps define the total effort required
- Enhances the proposers understanding of the requirement(s)
- Provide as much relevant information as possible
- Provides for better responses/proposals
- Leads to more creative solutions
- Let proposers determine what is useful and what is not



Proposal Requirements - Technical

Mandatory

- Must be verifiable with a YES or NO

Rated – Scored - Evaluated

- In order of importance
- Should be no less than 10%



Proposal Requirements - Mandatory

- Keep to a minimum as much as possible
- Use 'will' - avoid shall unless you are an attorney
- Mandatory Responsiveness Requirements
- Mandatory technical / Responsibility Requirements
- Mandatory performance requirements (for example standards)
- State consequence of not meeting the criteria
- Caveat to rectify immaterial or procedural deficiencies



Performance requirements

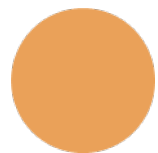
- Requirements and key performance indicators built in the contract
- Items the successful vendor will be executing, target they will meet, standards they will use, etc.



Evaluation Methodology Criteria, Scoring Process

- Evaluation methodology
- Evaluation criteria WITH weights or points
- Optional stages including how the decision to utilize the optional stages will be made, and how the optional stages will be executed (participation, scoring).
- The evaluation process should be a chronological series of event up to award.





Evaluation Process - Review

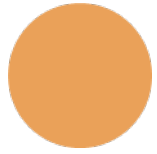
The Entity in its **sole discretion** shall select the proposal which is most advantageous to the Entity. In rendering this decision, the following evaluation criteria, which are listed in the order of their relative priority to the Entity, will be utilized as a **general guideline**:

- a. Ability to meet the Entity's requirements as specified in this RFP
- b. Proposer's proposed resource and work plan
- c. Proposer's experience providing similar services
- d. References
- e. Financial viability of Proposer
- f. Pricing Proposal

Suppliers Perspective

The Entity is going to do whatever they want to do; select whomever they want.
No confidence or trust is established.

The Entity reserves the right to conduct **other evaluations and measurements of proposals** as may be required in order to render an informed and optimum decision. While the Entity may engage in **various activities** during the initial stages of the evaluation process for the purpose of arriving at a preliminary ranking of proposals, **including but not limited to the assignment of numerical scores to various proposals** based on the criteria set forth above, **such preliminary "scoring" activities, if utilized by the Entity**, shall not necessarily be dispositive with respect to the final evaluation outcome and the Entity reserves its discretion to make a final decision to procure the services which provides, in the **sole discretion of the Entity**, the best combination of **quality, risk avoidance and price**.



General Terms & Conditions

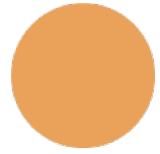
- Boilerplate information
- Static - does not change between solicitations
- Put it at the end
 - Better yet, put it on your website and include a URL in your RFP.
- Current day consideration - suppliers work from home and don't want to print pages of your boilerplate language.
- Sustainability and consideration of their resources



Special Terms & Conditions

- These terms and conditions are specific to the Solicitation
- Questions & Clarifications
- Addenda
- Dates
- Contact person for clarifications
- Submission instructions





Attachments & Exhibits

- Used to provide the necessary information.
- Study results (e.g., geotechnical reports)
- Include only if it adds value
- Require a Non-Disclosure Agreement when necessary if documents are not for public consumption.



Proposal Content

- Only ask for information necessary to evaluate the response
- State limits on page number (i.e. Resumes)
- Balance is key, complex format conditions such as font size and spacing can be too onerous for some vendors.
- Clearly state what information is required especially to verify compliance to mandatory requirements.
- When possible, provide forms for vendors to fill out.
- Best: Accepting electronic proposal responses entered into e-procurement platform.



Proposal Forms and Format

Benefits of Using Forms

- Make the form “fillable”
- Test the form
- Lock the form
- Ask for peer to review
- Provide clear instructions
- Where possible imbed the evaluation workbook
- Get feedback on the form
- Post RFP
- EXCEL, WORD, Adobe

Formatting Forms

- Creates consistency between responses
- Emphasize the important information (remove noise)
- Generally, results in shorter, concise responses
- Shorter review time
- Compounded benefits for large-complex RFP or when many or lengthy responses are expected

Transformational vs Traditional

- User friendliness, accessibility
- Readability
- Length
- Consistency
- Use of links to documents posted online



Good Practices

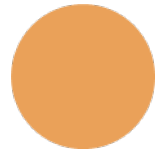


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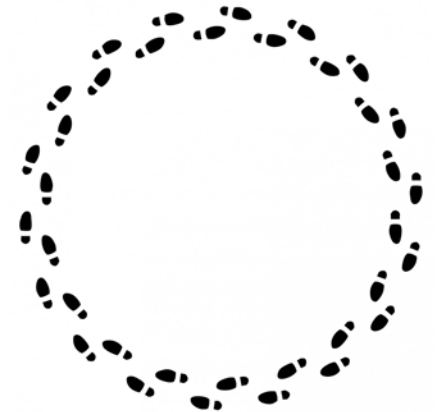
Definitions

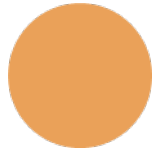
- Clearly define terms used in the RFP
- Stick to the defined terms
 - e.g., do not refer to the parties by different terms or names
- Consistent between RFP and Contract document.
 - If 'Agency' in the RFP should be 'Agency' in the Contract document.
 - Proposer / Respondent / Offeror
 - Proposer = party submitting the proposal - before contract award.
 - Contractor or Professional = responsibilities after award.
- Try to be generic - use Solicitation instead of RFP or IFB



Useful Tips

- Eliminate redundancy - i.e. Don't repeat due date/time in multiple places.
- Continually referencing other sections or documents - don't get your readers 'going in circles'.
- (consolidate required submittal forms to one area)
- (consolidate all mandatory requirements to one area)





Use Lists

GOOD

PROJECT APPROACH NARRATIVE

Provide detail project approach including but limited to: Project Schedule, Detailed response to the City's needs, Roles of all involved parties clearly identified, Identify/recognize critical or unique issues specific to the project and successful critical or unique approaches used elsewhere, proposed communication process.

BETTER

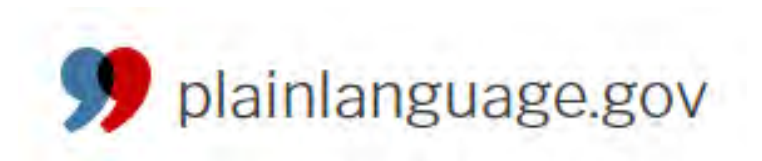
PROJECT APPROACH NARRATIVE

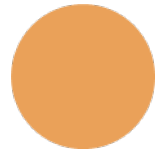
Provide detail project approach including but limited to:

- Project Schedule,
- Detailed response to the City's needs,
- Roles of all involved parties clearly identified,
- Identify/recognize critical or unique issues specific to the project and successful critical or unique approaches used elsewhere,
- proposed communication process.

Writing Tips

- Use plain language
- Active voice
- Using may and must in the same sentence
- If something is mandatory, state what will occur if the mandatory item is not met.
- Do not use or/and (pick one instead)
- Less is more





Formatting Tips

- Use section breaks
- Use numbered outline
- Font - easy to read style and size
- Page Numbers
- Combine individual files into a single PDF

Using Technology



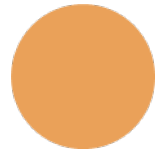
- Desired future state is to accept response entered into the e-procurement system (NOT as attachment)
- Update and tidy up your Terms and Conditions
- Use the functionality from the e-Procurement system for auto calculation of points
- Eliminate human errors in process
- Full audit of process

RFP Layout E-procurement System

Final Thoughts

- Suppliers have a choice
- Become an Agency of Choice
- Business people, suppliers talk - they talk to each other
- Be in the positive conversation
- Create from the supplier perspective/view
- Create an RFP that serves two purposes
- In the end incorporating these concepts will make it easier on EVERYONE! Suppliers, YOU, evaluators, auditors, legal counsel





Questions

RFP Learning Lab Series – Spring 2024

Lab 1 - Introduction to RFPs and Starting with the End in Mind February 29

Lab 2 - Engaging with Suppliers and the Importance of Flexibility & Organization March 7

Lab 3 - Responsiveness, Compliance and Responsibility and Evaluation Criteria March 14

Lab 4 – Treasure Map for Suppliers and the Scope of Work March 21

Lab 5 - Evaluation Committee and Process March 28

Lab 6 - Post Evaluation Steps and RFP Misfits April 4

<https://www.nigp.org/learning/all-courses/learning-labs>




The Procurement Office

Advisory

Training

Technology

Law



The Art of Tendering: A Florida Deep Dive
December 12, 2018 @ 1:00 pm - 2:00 pm EST



RFP Learning Lab Registration/Info



Thank you!

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Spokane County
WASHINGTON



canoe
procurement group of canada

