

*This document is intended to guide Rhode Island state agencies through the Request for Proposals (RFP) procurement process, from identifying the need for a procurement (stage I below) to the issue of a purchase order (stage V). If you have questions about procurement or the RFP process, please contact the Division of Purchases at (401) 574-8100.*

### **What to know before you start**

#### **Procurement is a valuable opportunity for your team to assess progress and consider opportunities for improvement.**

The procurement process provides an opportunity for your department to examine what goods or services it is contracting for, how vendors are performing, and how this impacts your team's goals. It's a chance to think about what might be done differently and what new solutions exist to the problem your team is trying to solve. Procurement is an important part of your team's strategy to achieve your mission and goals.

#### **Procurement rules are in place to ensure all vendors have equal opportunities to do business with the state.**

Rhode Island state [procurement rules and regulations](#) exist to level the playing field among potential vendors and ensure that the state does not unfairly advantage or disadvantage any vendor. Fair and competitive procurement relies on all potential vendors having access to the same information at the same time about any bidding opportunity. Sharing information with any one or select group of potential vendors, even inadvertently, risks disqualifying that/those organization(s) from bidding on the subsequent procurement.

#### **Get started early!**

Critical procurements, including those most integral to your department's ability to achieve its mission and serve its constituents, take time. They require more nuanced thinking up front about what your team really needs, what type of procurement best suits those needs, and what solutions exist in the marketplace. Doing this work up front means that the procurement process itself, and your team's interactions with the Division of Purchases, will move more smoothly. The Division of Purchases recommends that your team begin the needs assessment stage (section I below) *at least nine months prior to your desired contract signing date*. See the "Timeline: RFP Process" guide available at the Purchases online Agency Procurement Library to create a customizable RFP timeline that can help your team plan and execute the RFP process.

## I. Needs Assessment Stage:

### 1. Review the Curriculum and Resources at PROC 301 – Proposal Creators & Contract Managers at the [Procurement Campus](#).

- The [Procurement Campus](#) provides procurement courses and resources that are arranged in curriculum by procurement roles. PROC 301 includes the materials that you may find helpful during the procurement process, such as RFP templates, checklists, training materials, and supporting documents.
- If you know the name of the materials you are looking for, get them quickly at the [Agency Procurement Library](#), where they are catalogued in alphabetic order.

### 2. Identify someone in your agency to lead the development of the RFP

### 3. Assess your agency's needs and resolve policy questions related to this procurement

Any procurement should begin with building understanding and consensus around the problem that your team needs to solve. By articulating in writing what success looks like before you ask vendors to help get you there, you avoid disconnects about expectations both internally and with vendors. You are better able to make objective decisions that best serve your team's needs.

- For more guidance, access the Procurement Needs Assessment Worksheet at the [Agency Procurement Library](#).
- At a minimum, consider the following guiding questions:
  - What is the challenge/innovation/change that this RFP will address?
  - What would you like a solution to achieve? What will be the benefit from implementing this solution?
  - How will you measure success – the degree to which the good or service procured solves the problem your team faces?
  - What solutions have worked to address this problem, or similar problems, elsewhere?
- Understand your budget, anticipated questions, and constraints on spending.

### 4. Decide what type of procurement is appropriate based on your needs assessment

In general, use a request for quotes (RFQ) for goods and a request for proposals (RFP) for services. RFQs are evaluated primarily on cost; RFPs are evaluated based on both the quality of the technical aspects of the proposal and cost. Exemptions from competitive bidding, which should be rare, may occur when only one vendor provides the good or service (sole source), only one vendor is uniquely qualified to provide the good or service (single source), and when health and safety are immediately at stake (emergencies).

- If you are unsure what type of procurement to pursue, consult the guide in PROC 301 at the [Procurement Campus](#) entitled "Selecting the Appropriate Procurement Type". [Contact](#) the Division of Purchases for further assistance (see step 5 below).
- See [Section 9](#) of the Rhode Island Purchasing Rules and Regulations for more detail on exemptions from competition.

### 5. Check in with the Division of Purchases

Access the Purchases organization chart at [About Us](#) and Contact information at [Contact Us](#) pages of the Purchases Website to identify the buyer or interdepartmental project manager that is appropriate for your procurement needs. Contact the IPM or buyer to:

- Notify them of the upcoming acquisition
- Make sure the type of procurement you've selected is appropriate
- Solicit feedback or suggestions on your process thus far, preview next steps, and discuss anticipated timeline

**6. Obtain previous RFP or current contract (if applicable)**

Note that any previous RFPs or contracts should rarely be reused; every procurement is a new opportunity to solicit a good or service that better meets your team's needs. However, old RFPs and contracts can provide important context and understanding for the procurement.

- Solicitations and associated addenda can be accessed online through the solicitations areas of the [Purchases website](#)
- Most contracts are attached to the Purchase Order and can be accessed in RIFANS

**7. Explore the vendor or provider community and the realm of potential solutions it offers**

Public communications to ready the provider community are encouraged, and must be coordinated through the Division of Purchases. Such open mechanisms may also be valuable for learning from the vendor community about industry practices, potential solutions, and readiness to respond to potential bid opportunities. Testing your team's assumptions up front about what your team needs and the different ways industry can help will make for a more sound RFP.

Consult the guide "Strategies for Gathering Information to Inform RFP Development" at the [Agency Procurement Library](#). Purchasing can assist you to engage with vendors in a public forum in a variety of ways.

- Issue an RFI (optional)  
A Request for Information (RFI) solicits information from the vendor community in a fair and open way about the solutions that exist to the problem identified in your needs assessment. An RFI may illuminate solutions your team did not know existed, and is generally very useful for writing an informed and appropriate RFP. An RFI also signals your needs to the marketplace, giving vendors time to prepare a response to an eventual proposal and increasing competition on the procurement. RFIs must be posted for at least 28 days.
- Publicly convene vendors (optional)  
If your team would benefit from meeting the vendor community in person, you must work with the Division of Purchases to explore whether a Town Hall convening (in-person) or webinar/conference call (remote) would be appropriate.

**II. Writing the RFP:**

- 1. Access the RFP template from the [Agency Procurement Library](#)**
- 2. Draft the RFP**

In the RFP template, you will primarily be providing information on the background, scope of work, and evaluation sections.

- Drafting the RFP should mostly involve transposing the ideas your team generated from section I, the needs assessment stage.
- Keep the RFP short and use clear language to ease vendor understanding. RFPs that are easier to understand will receive more competition, especially from small businesses or vendors that have not previously contracted with the state.
- Resist the temptation to be too prescriptive in the RFP without first testing your assumptions about what the right solution to your problem entails. If the solution is unclear or there are many solutions, try a more open-ended RFP that clearly states the problem and the outcomes your team is trying to achieve, but leaves the particulars of the solution up to the vendor community.
- Consider the following logistical questions, which will need to be addressed in the RFP:
  - Is a pre-bid conference appropriate?
  - Is a walk-through or site visit for vendors appropriate?
  - Are special insurance provisions necessary, such as surety or performance bonds?
  - Consider whether vendor demonstrations or interviews would be a useful component of evaluation. If so, include this in the evaluation criteria.
- Consider including a sample contract with terms and conditions as an appendix to the RFP. This will speed contract negotiations with the selected vendor.

For additional guidance on what to include in your RFP, consult the worksheet “Critical Information to Include in an RFP” at the [Agency Procurement Library](#).

**□ 3. Distribute the RFP draft internally for review and update based on feedback**

Consider having someone else from your department or agency who is unaffiliated with this program read the RFP and confirm that it’s understandable. Ensuring the RFP is clear and simple will help attract new vendors and increase competition.

Running an “assumption-buster exercise” is one efficient way to convene internal stakeholders and solicit their feedback on a procurement strategy. See the “Assumption-Buster Facilitation Guide” at the [Agency Procurement Library](#) for instruction on how to run a 90-minute session.

**□ 4. Build a list of vendors for outreach**

- Compile a list of e-mail addresses for vendors you’d like Purchases to notify once the RFP is released.
- Provide this list to Purchases in an easy format to copy and paste into email.

**□ 5. Enter the requisition with attachments**

Follow your agency’s internal process for submitting a requisition in RIFANS.

- Attach the following documents to the requisition:
  - The RFP
  - A Critical Expense Request Form (CERF), if required

- The list of vendor email addresses for outreach
- A draft contract to be released with the RFP

### **III. RFP Posted:**

#### **1. RFP posting date**

- Purchases will contact you after the RFP is posted. You can access the posted solicitation on the [Division of Purchases website](#).
- Note you may not talk to any vendors about this solicitation opportunity outside of the public means identified above in section I, step 7. If you need to communicate with vendors about this solicitation, contact Purchases for assistance.

#### **2. Appoint the technical evaluation committee and email to Purchases**

Purchases recommends that the technical review committee consist of 3 to 7 state employees selected for their subject matter expertise. Non-state employees chosen for their expertise may serve as advisory (non-scoring) members of the technical evaluation team, subject to the approval of the Division of Purchases. As a reminder, both scoring and advisory members of the committee must certify that there is no conflict of interest, nor the appearance of a conflict, between the interests of the individual and the interests of the state. If one arises at any point in the process, Purchases must immediately be notified.

- Assign one member to chair the technical review committee.
- Obtain completed conflict of interest (COI) forms for each member. COI forms are available at the [Agency Procurement Library](#).
- Email the list of technical review committee members, their roles (scoring members or advisory members, chair), and Conflict of Interest forms (available on the ARC) for each member to your assigned buyer or IPM at the Division of Purchases.

#### **3. Schedule evaluation committee meetings**

Build out a schedule of meetings with the evaluation committee members to evaluate proposals.

#### **4. Draft a proposal scoring sheet**

Draft a scoring sheet that the technical evaluation committee will use to score proposals once they are received. The scoring sheet should follow from the scope of work and evaluation criteria as laid out in the RFP.

#### **5. Hold pre-bid vendor engagements (if included in your RFP):**

- Pre-bid conference
- Site visits or walk-throughs to provide additional information to vendors

#### **6. Deadline for vendor questions**

- Purchases receives questions and transmits them to your team.

#### **7. Compile responses to vendor questions and send to Purchases**

#### **8. Proposal deadline**

- Purchases receives the proposals and performs a preliminary review to make sure all requirements are met; Purchases then releases the technical proposals to the agency.

#### **IV. Evaluation Stage:**

##### **1. Receive technical proposals from Purchases**

- Purchases will email agency staff when technical proposals are ready to be picked up.
- As a reminder, cost proposals can only be viewed by the evaluation committee after scoring is complete for the technical portion of the proposal and the technical evaluation memo has been submitted and approved.

##### **2. Evaluate technical proposals**

- Use the scoring sheet developed in section III, step 4. Point distribution and criteria categories must be based on the technical evaluation criteria in the RFP.
- Your team can submit questions for vendors that arise during the evaluation through the Division of Purchases only. Your agency is not allowed to contact vendors directly about this solicitation outside of public forums.

##### **3. Write and submit technical evaluation memo**

Once the final scoring of the technical proposal is complete, the technical review team will score and document the technical review process via a signed technical review memo. This memo documents the scoring of all vendors against the technical criteria stated in the RFP and recommends the advancement of vendors that have met or exceeded the minimum technical threshold to advance to the cost phase. This memo must be signed by the chair of the technical review team and emailed to Purchases. Once received, Purchases will review and release the cost proposals or follow up to request additional information as needed.

##### **4. Receive cost proposals and Small Business Enterprise (ISBE) proposals from Purchases**

Purchases will send an email to the contact person advising that the eligible vendors' cost proposals and ISBE proposals are ready for pick-up at DOA.

##### **5. Consider cost proposals**

- Score the cost proposals according to the protocol provided in the RFP.
- Score the ISBE proposals according to ISBE guidelines.

##### **6. Write and submit final evaluation memo**

The chair of the review team will write a final memo using the former technical evaluation memo and adding the results of cost evaluation review. The memo makes a final recommendation for award and includes a write-up of the RFP review process, including aggregate scores for each vendor's technical and cost portions, as well as the strengths and weaknesses of each proposal.

#### **V. Award & Contracting Stage:**

##### **1. Tentative selection letter issued by the Division of Purchases**

Once the final evaluation memo is approved and received by Purchases, Purchases issues a tentative selection letter to the vendor stating that they have been selected for tentative award, copying all interested parties (the Department, EEO, and MBE) and directing the vendor to submit required information to Purchases and applicable DOA divisions. Note that the non-winning vendors who submitted proposals are not notified at this point; this preserves the state's ability to consider an alternative vendor if the state cannot come to an agreement with the tentatively selected vendor.

- At this point, your team should contact the vendor to assist with the submission of the required information, such as EEO requirements, MBE requirements, and insurance requirements. The required information is detailed in the tentative award letter.
- The purchase order cannot be issued until the required forms are submitted.

#### □ 2. Contact the vendor to begin contract negotiations

The tentative award letter allows your team to engage with the selected vendor in order to review the details of the scope of work and begin to negotiate the terms of your contract. The scope of work must be consistent with what was described in the RFP.

- If an agreement on the contract (or other requirement) cannot be reached, your team must notify the Division of Purchases. If the issue cannot be resolved, the second highest scoring vendor will be tentatively selected for award.

#### □ 3. Complete and sign the contract

- Follow the internal process at your agency to complete and approve the contract, which may require involvement from your agency's legal, communications, or finance teams.
- Vendor: Once the contract is approved by your agency director, three copies are forwarded to the vendor for signature. They are instructed to keep a signed copy and send the three originals back to the Department.
- Department: Once the vendor signs and returns the contract, the director signs all three copies, makes a copy, and sends all three originals to the Division of Purchases.

#### □ 4. Obtain a purchase order from Purchases

Upon receipt of the contract and all other required documents described in the tentative selection letter, the Division of Purchases will create a Purchase Order. **No work can be completed by the vendor before a purchase order is issued.** According to Rhode Island state law ([RI gen laws 37-2-54 \(c\)](#)), the purchase order binds the state, rather than the contract.

#### □ 5. Assign a contract manager and affirm strategy for managing contract performance

Contract managers should actively manage contracts by meeting regularly with service providers to agree on appropriate performance metrics, review performance data, troubleshoot, and course correct in real-time. Working with the vendor to actively manage the contract as a partnership can improve your relationship with the vendor and allows your team to keep a pulse on progress made toward solving the problem you identified at the beginning of the RFP process. Active contract management is critical to ensuring your team's hard work on the procurement translates into meaningful results. To get started with Active Contract Management, access the Active Contract Management worksheet at the [Agency Procurement Library](#).