303: Competitive Sealed Proposals (RFP Process)

Purchases of goods and services in the aggregate amount of $100,000 and over that cannot be awarded by a process of competitive sealed bids shall be procured through the use of a Request for Proposal process.

303.1 The Request for Proposal

The Request for Proposal shall include the following:

Instructions and information to proposers concerning the submission requirements, including time and date for receipt of proposals, the address of the office to which they are to be delivered, and any other information.

The purchase description, evaluation factors, delivery or performance schedule, and such inspection and acceptance requirements.

The contractual terms and conditions including warranty and bonding, or other security requirements applicable to the procurement.

303.2 Proposal Time

The proposal time is the period of time between the date of distribution of the Request for Proposal and the time and date for receipt of proposals.

In each case, a proposal time shall be set that affords proposers a reasonable time to prepare the proposals. A minimum of 14 calendar days shall be provided unless a shorter time is deemed necessary for a particular procurement as determined in writing by the Purchasing Manager.

303.3 Proposal Submissions

The Request for Proposal document shall provide a form or format in which the proposer shall include all pertinent information relative to the process. The proposer shall sign and submit all necessary information called for in the Request for Proposal document.

303.4 Public Notice

Adequate public notice of the Request for Proposal or notices of the availability of the Request for Proposal shall be mailed or otherwise furnished to a sufficient number of proposers for the purpose of securing competition. Advertisement in a general publication newspaper with a local circulation may be used for sealed competitive proposals that are expected to exceed $100,000 in cost.
303.5 Pre-Proposal Conferences
Pre-proposal meetings may be conducted to explain the procurement requirements. They shall be announced to all prospective proposers known to have received a Request for Proposal. The meeting shall be held long enough after the Request for Proposal has been issued to allow proposers to become familiar with the document, but sufficiently before receipt of proposals to allow consideration of the conference results in preparation of their proposal.

Generally the receipt of proposals will be no sooner than seven calendar days after the pre-proposal meeting. Any exceptions must be granted in writing by the Purchasing Manager. Nothing stated at the conference shall change the Request for Proposal unless a change is made by written amendment.

303.6 Amendments to Requests for Proposals
Amendments to Requests for Proposals shall be identified as such and shall require that the proposer acknowledge receipt of all amendments issued. The amendment shall reference the part of the Request for Proposal that it amends.

Amendments shall be issued within a reasonable amount of time for potential proposers to consider them in the preparation of their proposals. If the time and date set does not permit sufficient time for proposal preparation, the date and time of the proposal opening shall be extended in the form of an addendum.

303.7 Withdrawal and Modification of Proposals
Withdrawal or modification of proposals is acceptable if the notification of withdrawal or modification is received prior to the deadline for receipt of the proposals at the designated location.

All documentation relating to a proposal withdrawal or modification shall be kept as part of the procurement file.

303.8 Late Proposals
A proposal, a request for withdrawal of proposal, or a modification of proposal is late if received at the designated location of the proposal receipt after the time and date listed in the Request for Proposal.

Late proposals, late withdrawal of proposals, or late modification of a proposals shall be rejected. Proposers submitting proposals that are rejected as late shall be notified as soon as practical.

All documents concerning a late proposal shall be retained in the procurement file.

303.9 Receipt of Proposals
Proposals and proposal modifications shall be received by appropriate staff, marked with the date and time of receipt, and stored unopened in a secure location until the proposal opening.

Proposals shall be opened publicly at the time, date, and location advertised in the proposal document. The name of each proposer and other pertinent information shall be read aloud and recorded. Pricing information, if part of the Request for Proposal, is not read aloud or recorded.

303.10 Inspection of Proposals
Only after formal award of the proposal, shall the proposals be made available for public inspection. Information deemed proprietary in nature by the proposer and approved as such by the Purchasing Manager shall not be included in the materials available for public inspection.
303.11 Mistakes and Informalities in Proposals
Mistakes in proposals may be corrected by modification or withdrawal as outlined in sections above, if discovered prior to the proposal opening.

After proposal opening, a proposal submitted in error of judgment may not be corrected. A proposal may be withdrawn pursuant to the following sections:

Minor informalities in a proposal may be waived if the Purchasing Manager deems it advantageous to the District.

A proposal may be withdrawn after proposal opening only if the mistake is clearly evident to the Purchasing Manager or if the proposer establishes evidence clearly showing a mistake was made.

Mistakes shall not be corrected after award of the proposal.

Any withdrawals or corrections to a proposal permitted or denied after the proposal opening shall have a written determination that is included in the procurement file.

303.12 Proposal Evaluation and Award
The award will be made to the most qualified proposer, based upon review and recommendations of a committee of individuals that score responses to the Request for Proposal document based upon published grading criteria.

303.13 Single Proposals
In instances of only one proposal being received, a determination must be made by the Purchasing Manager that the proposal submitted is fair and reasonable and that other prospective proposers had time to respond or that re-solicitation is not possible due to time constraints. In those instances, an award may be made.

If it is determined in writing by the Purchasing Manager that the need for the product or service continues and that the acceptance of the single proposal is not advantageous to the District, then the procurement may be conducted in a manner as defined by the Purchasing Manager.