

REQUEST FOR PROPOSALS FOR PERSONAL SERVICES

This document provides supplementary information regarding developing and issuing a formal solicitation document for personal service contracts of \$20,000 or more. Typically a Request for Proposals (RFP) is issued, so that term will be used throughout this document. Another type of formal competitive solicitation document is a Request for Qualifications and Quotations (RFQQ). See [OFM Policy 15.20.30](#), for the **specific requirements** related to formal competition.

An informal competition may be conducted for personal service contracts estimated to be in the amount of \$5,000 to \$19,999. See [OFM Policy 15.20.20](#) for the requirements related to that process. See the [sample letter](#) that can be used for competition in this dollar range.

A Request for Proposals (RFP) is used for formal competition of personal services when the contract is estimated to be \$20,000 or more. The RFP is to communicate clearly to the consultant community what the background of the project is, what services are needed and how the proposal should be prepared and responded to. Primary information to include in an RFP is explained below:

Primary Elements to Include in an RFP

Project Background and Scope of Work

Provide sufficient information on the background of the project, specific problem or need, the primary objectives and scope of work to ensure proposers understand what is needed and can submit viable proposals.

The scope of work looks for results—it is performance oriented, not process oriented. While the scope of work must be communicated as comprehensively as is feasible, it must also allow the consultant latitude in describing how the results will be achieved. The statement of work tells "what" must be done, the consultant responds with "how" to do it.

It is important to emphasize that performance requirements must be results-oriented. Results-oriented performance is the basis for determining, later in the contract administration process, whether the agency is receiving the quality service for which it is paying. One way to ensure successful outcomes is to break each major task down into smaller components or performance measures. This can serve as an incremental approach to building a performance based contract and aids in monitoring the contractor's performance.

The language in the project scope of work should be simple and direct. The scope of work will be read very carefully and scrutinized by prospective proposers in preparation of their offers. Use the words "will" or "must" to indicate that a future specific action is required to be done. The consultant is instructed to do or not to do something in a way that is active

rather than passive. The terms “shall” and “should” have been deemed by some as meaning “may”. Therefore, it is preferable to use the terms “will” or “must”.

Definitions

Definitions should be included for all special terms and phrases used within the RFP. The definitions must clearly establish what is meant, in order to avoid misunderstanding on the part of the reader. Avoid acronyms or be sure to define them.

State's Role

State-furnished facilities, equipment, information and services, if any, must be clearly stated, as the responses of prospective proposers may be contingent upon what the agency furnishes. If the agency will charge the contractor for use of equipment or facilities, that information needs to be conveyed in the procurement document.

Funding

Budgetary constraints usually exist on any state project. The agency determines whether to disclose in the RFP the amount of available funds allocated to the project. Provided the RFP is well written and thoroughly describes the project, the consultant should be able to determine a reasonable level for fees. The RFP can contain a statement encouraging consultants to submit proposals that are consistent with state government efforts to conserve state resources.

Minimum Qualifications of Proposers

Minimum qualifications are determined by the state agency and program based on requirements applicable to the contracted service. Such qualifications may include:

- Experience providing the service.
- Staff credentials and expertise.
- Capabilities to meet service delivery, program management, and contract administration requirements.
- Other special requirements such as the ability to provide culturally relevant services, in languages other than English when necessary; physical presence or capacity to deliver services in specific geographic locations; and other qualifications necessary to perform the contract according to agency specifications.

Project Schedule

Agencies should include realistic dates for project completion. Consultants should be expected to design methodology in keeping with the real needs of the agency rather than to design for an artificial time frame. In some instances an agency may want to include only critical dates and let the proposer suggest the actual work schedule.

Proposal Preparation and Submission Instructions

The RFP should contain instructions on how to prepare the proposal. Specifying a standardized format for responses will ease evaluation by the agency. Consultants should understand that failure to follow prescribed requirements and to submit requested information may result in rejection of the proposal as non-responsive.

RFPs often require that proposals be divided into three major sections with the following information:

Technical Proposal – *What is to be Done and How?*

The technical proposal should contain an explanation of how the consultant plans to approach and conduct the work and the steps to be taken to successfully complete it. Consultants are to demonstrate that they understand both the magnitude and the importance of all elements of the work, and their proposal should present a clear plan to accomplish the work. Consultants must be advised that a mere repetition of information from the project scope of work section will not be considered responsive to the RFP.

Management Proposal – *Who is to Do the Work and Under What Terms?*

The management proposal should contain information on the consultant's organization, proposed team structure and internal controls, and relevant experience, both in general work and in projects similar to the subject of the RFP.

Knowledge of past performance of a contractor can enable state agencies to predict the quality of and agency satisfaction with future work. Coordinating with other state agencies may be one way to obtain this information. References, monitoring reports, audit reports, or evaluations are potential resources to aid examination of prior performance.

Aspects of past performance that may be taken into account include:

- Quality of work/services, including compliance with contract requirements.
- Timeliness of performance, such as adherence and responsiveness to contract schedules.
- Cost controls, including staying within budget, and providing accurate and complete billings.
- Business practices and key personnel performance, including the performance record of the organization and its key staff.
- Effective working relations between the contractor and the agency.
- Customer satisfaction.
- Previous contract(s) terminated for default.

The proposal should also identify the contract manager and state the names of the staff to

be utilized on the project, their functions and a detailed résumé for each.

The management proposal should emphasize staff commitment to the project. It may include the number of hours or percentage of time key personnel will devote to it. An organizational chart showing the responsibility of key project staff members may be requested. The RFP can ask for a commitment that key personnel not be reassigned to other projects without approval of the agency. The RFP can also require agency approval for any substitution of key personnel. If references were requested in the RFP, they will be included here. Any subcontractor information is also included in this section. If the firm is a certified minority and/or women-owned business, proof of certification is included as well.

Cost Proposal – *How Much Will it Cost?*

The cost proposal should contain the following information as applicable:

- Maximum cost for the entire project broken down by activities, tasks, outcomes, phases or deliverables as appropriate to the project.
- Cost or pricing details. Rates often include all overhead and profit, unless requested otherwise.
- Estimated periodic billing to the agency based on the cost of the deliverable items.
- Any subcontract costs.
- Travel, lodging and other direct expenses, if allowable.

If requested, the proposer should supply a recent financial report or bank references for evaluation of financial responsibility.

Other elements that are frequently included in the RFP are:

- Identification of an RFP Coordinator as the sole contact person.
- Complete instructions for submitting proposals and due dates for responses.
- Estimated procurement schedule
- Mode and frequency of consultant reporting to agency management under the contract.
- Method and schedule of contract payment.
- Notice of option to extend contract performance, if applicable.
- Notice of option to amend the contract if additional funds become available.
- Insurance requirements.
- Ownership of final product.
- Criteria for evaluating written proposals.
- Copy of a sample personal service contract.
- Copy of agency's general terms and conditions for contracting.

- Debriefing procedure.
- Public disclosure requirements.
- Protest procedures established by the agency.
- Applicable exhibits.
- Certifications and Assurances.

[Sample RFP Format](#)

The terms in this sample represent a fairly standard approach to a solicitation document.

Other RFP Elements

RFPs may include many other provisions appropriate to the project. Some RFPs require the proposer to respond with a “Letter of Intent to Bid,” which provides the agency an estimate of the number of responses to expect. RFPs may require that the proposers be assigned bidder codes in order that a “blind” evaluation may be conducted. These and many other requirements may be included in an agency’s RFP solicitation document.

REQUEST FOR PROPOSALS:

Major Activity for Personal Service Projects Valued at \$20,000 or More

SAMPLE TIME FRAME:	MAJOR ACTIVITIES:
<p>Weeks 1-2</p>	<ul style="list-style-type: none"> • Prepare formal solicitation document, e.g., Request for Proposals (RFP) or Request for Qualifications/Quotations (RFQQ). Include all requirements in order for proposers to understand what the agency needs and how the agency will evaluate responses. • Post in GA WEBS (mandatory as of 11/1/08) and notify six or more firms. Exceptions to the use of WEBS are if a commodity code is not available in WEBS or no firms are registered in the selected commodity code. Advertising may also be used in addition to WEBS. If fewer than six firms are available in WEBS, the agency must notify additional firms so that a minimum of six are notified of the solicitation. If WEBS does not have the commodity code category of service and the category cannot be added in a timely manner, then advertising is required in a newspaper the agency determines to be the most advantageous for the purposes of alerting businesses about the solicitation. • Develop score sheets for use by evaluators. • Post solicitation document on agency website (optional).
<p>Weeks 3-6</p>	<ul style="list-style-type: none"> • Issue RFP or RFQQ through GA WEBS to a minimum of 6 firms/businesses. If not using WEBS, agencies may send notification to 6 or more businesses that the solicitation document is posted on their web site and can be accessed there. <i>(NOTE: Requirement to send to a minimum of 6 became effective 7/1/04. Document in file if fewer than 6 firms are contacted and state why.)</i> • Conduct pre-proposal conference, if required in RFP or RFQQ, and issue an addendum. • Provide answers to bidders' questions via an addendum to all who receive the RFP or RFQQ. Or advise those who download the RFP or RFQQ from the web site to check back for any addenda that may be posted.
<p>Weeks 7-8</p>	<ul style="list-style-type: none"> • Date, time stamp and initial proposals received by the due date. Electronic proposals will have the date and time automatically noted. • Evaluate proposals strictly against criteria set forth in the RFP or RFQQ and score. Must use a minimum of 3 evaluators for scoring and score proposals using score sheets. • Schedule and conduct oral interviews of top finalists, if referenced in the solicitation as an option. • Select apparent successful contractor. • Notify successful and unsuccessful firms.

SAMPLE TIME FRAME:	MAJOR ACTIVITIES:
<p>Weeks 9-10</p>	<ul style="list-style-type: none"> • Negotiate contract with apparent successful contractor. • Conduct debriefing conferences with unsuccessful proposers, if requested.
<p>Weeks 11-12</p>	<ul style="list-style-type: none"> • File contract with OFM in the PSCD. <p><i>FILING NOTES:</i></p> <ol style="list-style-type: none"> 1. <i>Institutions of higher education will need to file only if the contract contains 20K or more in state funds.</i> 2. <i>Competitively bid contracts for management/organizational services (CA), marketing (CG), communication services (CH), employee training (CJ), and employee recruiting services (CK), are subject to approval by OFM and the ten-working day filing period before the contractor can begin work. Other competitively awarded categories of contracts may be effective the date filed with OFM and work may begin then.</i> <ul style="list-style-type: none"> • Sign contract (contingent upon OFM approval, if required) and begin work.

Timeline for Responses

Many factors determine the amount of time between issuing the solicitation document and the due date for responses. Four weeks from issuance of the solicitation is a reasonable time for consultants to prepare responses under most circumstances. The minimum typically would be two weeks, i.e., 10 working days, in the case of a simple project or a genuinely urgent situation.

If the timeline is too restrictive on a major procurement, the agency risks reducing both the quality and the quantity of proposals submitted. Consultants may not have the opportunity to assemble the best management team or to prepare a comprehensive technical proposal when unrealistic response dates are set. In some instances, qualified consultants may not bid if they think an unrealistic timeframe is being imposed or worse, they think the competition is not being conducted fairly.

If a pre-proposal conference is scheduled, it should generally be convened no later than two weeks after issuing the procurement document. This allows the agency time to prepare and distribute the information provided at the pre-proposal conference, which is then issued as an addendum to the Request for Proposals. The due date for responses would normally be two weeks after the pre-proposal conference.

Communicating with Consultants

Agencies must provide open communication with prospective proposers. The RFP, therefore, should designate an RFP Coordinator, through whom all questions on the RFP will be directed. This communication is essential if potential contractors are to understand agency requirements and prepare responsive proposals.

Providing consistent information to proposers is extremely important. Inconsistency can result in one proposer receiving an unfair advantage over other proposers and potentially invalidate the entire competitive process. Any pertinent information generated after the RFP is issued should be incorporated into an addendum to the RFP and forwarded to all on the mailing list.

Agency employees should be instructed to refer all consultant questions about proposals to the RFP Coordinator, as named in the RFP. Some agencies state in their RFPs that contacting any other agency individual for information may subject the consultant to a determination of non-responsiveness. Opportunities for communication and information must be equally available to all potential respondents. Agencies may provide this opportunity through a formal pre-proposal conference, e-mail, an on-site visit or other controlled communication forum.

Responsiveness for Proposals

The terms "responsive" and "responsible" should be clearly understood for evaluation purposes. "Responsive" is normally used to describe the proposal while "responsible" is used to describe the proposer. A "responsive" proposal is one that complies in all material respects with the solicitation, including satisfaction of the minimum requirements clearly identified in the RFP, satisfaction that the proposer is technically and financially responsible, satisfaction that the service will be completed in accordance with the project schedule, etc. A "responsible" proposer is one whose skill, ability and capacity demonstrate the capability to provide the service.

The first review for responsiveness addresses form as well as substance. It includes a determination of whether the proposal conforms to the requirements of the procedural and technical specifications of the RFP. A non-responsive proposal is obviously one that does not conform to the essential requirements of the RFP. Such a proposal is then rejected as non-responsive and is not forwarded to the evaluation committee.

Occasionally all proposals may be deemed non-responsive and are, therefore, all rejected. This could be the result of unreasonable qualification requirements, misunderstanding by the consultants of RFP requirements, or insufficient or unclear communication of the objectives. The agency must then decide whether to revise and reissue the RFP or to consider other alternatives.

If only one proposal is received and it is responsive, award can be made. If it is non-responsive, it may be rejected. The reason(s) for rejection of proposals must be included in the contract file.

Evaluation of proposals will be based on the information contained in the RFP. Brochures or other promotional presentations, beyond what is sufficient to present a complete and effective proposal, may be redundant. The RFP Coordinator is free to remove this material before submission to the evaluation committee.

A sample [Checklist for Responsiveness](#) is to be customized to incorporate all the appropriate provisions of an RFP. (Checklist is also provided below.)

SAMPLE CHECKLIST FOR RESPONSIVENESS (Request for Proposals)

- Proposal was received by the agency on time (enter the time required by the schedule)
- Received required number of hard copies of proposal or electronic proposal, if applicable.
- The Letter of Submittal and the Certifications and Assurances are signed by an individual authorized to bind the Proposer to a contractual relationship, e.g., the President or Executive Director if a corporation, the managing partner if a partnership or the sole proprietor.
- Proposal was formatted into four sections: Letter of Submittal, Technical Proposal, Management Proposal, and Cost Proposal.
- Proposer meets the minimum qualifications, which are: _____.
- Proposal demonstrates that the proposer is capable/responsible to provide the services.
- Technical Proposal is essentially responsive to the core work requirements of the RFP and does not impose conditions that would modify the RFP.
- Management Proposal is essentially responsive to core requirements of the RFP.
- Costs are not greater than \$_____, the maximum amount disclosed as the project budget. **Note:** If the RFP did not state that proposed costs must not exceed a specific dollar amount, the proposal may still be responsive, but will receive fewer points when evaluated.
- Proposal conforms to the project schedule.
- Proposal provides at least 60 days for acceptance of its terms from the due date of proposals.
- Proposer submitted a timely Letter of Intent (if required).
- The proposal states that a "Certificate of Insurance" will be provided as a condition of award.
- Three business references were provided (if required).

Note: Each item must be checked above for the proposal to be considered responsive.

Consultant Selection

Once proposals are received, they must be reviewed, analyzed and scored to determine the apparent successful contractor. The proposal represents the consultant's best offer to the agency, unless a best-and-final offer approach is used.

Proposals submitted in response to an RFP must demonstrate that the proposer understands the agency's problem by recommending a workable, feasible solution. The proposal should state how the consultant plans to solve the problem and fulfill the needs; should define specific, definite, measurable and obtainable objectives; establish a time frame for the project; suggest how and when progress reports and evaluations will be made; and calculate costs of the consulting services. The proposal should stress economy and cost-effectiveness consistent with the difficulty of the project. It should describe the special talents of the consultant's personnel, their various backgrounds and skills, and the strength of the overall organization. It is then up to the agency to conduct a thorough and objective evaluation.

In much of what consultants do, effective communication is vital. The proposal should reflect an ability to organize and present data, to address complex situations, ideas and information, and to conceptualize and express appropriate and innovative ideas in a clear and effective style.

Proposal Evaluation Document

The proposal evaluation document assists the agency in fairly evaluating the consultants' proposals. It should be prepared concurrently with the RFP but must be prepared prior to opening of proposals, and be based upon the major evaluation criteria as included in the RFP.

Preparing the evaluation document prior to issuing the RFP results in a well thought out methodology for scoring and evaluating proposal elements, which is consistent with the contents of the RFP. The criteria and the weight assigned to each element in the proposal, e.g., technical, managerial and cost, will vary depending upon the circumstances of each project. In a highly complex proposal, technical factors may be weighted highest. In that instance, the best technically qualified competitor may be selected even though the proposed costs are higher. On a project where numerous qualified consultants are expected to bid, cost may be given the greatest weight. Personal service contracts are not required to be awarded to the lowest price proposer.

OFM [Policy 15.20.30.g](#) provides examples of evaluation criteria.

Fair competition necessitates that all competitors understand the basis upon which an

award is made. Therefore, proposals must be evaluated based on the requirements set forth in the RFP and no other criteria may be used. The scoring mechanism must, therefore, also reflect the requirements stated in the RFP.

Evaluating the Proposals

The purpose of the evaluation process is to assess the proposals offered by the proposers based on the criteria in the RFP. This phase of the procurement process is perhaps the one that requires the most knowledge, judgment and skill. While evaluation is a substantial and sometimes complex process, the purpose is to secure the most favorable result for the state through conduct of an objective and thorough evaluation. The formal evaluation lends integrity to the competitive process and ensures consultants of fair and equal treatment. Also, an important correlation exists between the degree of precision in the evaluation process and the ultimate satisfaction with the results of the contract.

The use of an evaluation team to evaluate proposals is the preferred method of ensuring objectivity. It is important that the evaluation team collectively offer the overall knowledge and expertise to evaluate the proposals effectively and objectively. Evaluators should certify they will not disclose any information available to them as evaluation team members. Agencies may request that evaluators sign a [Conflict of Interest and Confidentiality Statement](#) that certifies their lack of conflict in the process and agreement to maintain confidentiality during the evaluation phase.

In briefing the evaluation team, the following points should be emphasized:

- Adhere strictly to the evaluation criteria set forth in the RFP.
- Follow the evaluation and scoring methodology that has been developed.
- Assess proposals against the RFP requirements and evaluation criteria, not in relation to each other.
- Maintain complete confidentiality throughout the evaluation process. Confidentiality includes maintaining the proposals in a secure place and not disclosing the bidders' names or proposals to others not on the evaluation team.

Evaluators should study the selection criteria in the RFP and the evaluation scoring form before beginning the actual evaluation. A proposal evaluation form for scoring should be provided to all evaluators with instructions for its use. This form will serve as a means of articulating the specific methodology to be used and will make it easier to combine the findings of the evaluators.

By having each team member first independently evaluate all the proposals, the agency receives the benefit of having several opinions on the relative merits of the proposals. The true value of the team approach is a balanced conclusion reflecting the differing viewpoints and contributions of the team members.

Reference Checks

Checking consultant references can be a useful tool in assessing the capabilities of the firms and the individuals to be assigned to the project. When preparing the RFP instructions, the agency can determine if they want to include reference checks and, if so, the timing at which references are checked and the number of references required. References can be checked as part of the evaluation process and points awarded accordingly, or they can be checked only for the top finalist(s). The most important factor is that the agency's actions with regard to references are in accordance with the RFP.

Examples of the types of questions that references may be asked are:

- What type of work has this firm done for you?
- How would you rate work performed by this firm on your project(s)? Why?
- Was the project completed on time? If not, why not?
- Was the project completed within the budget? If not, why not?
- What was the quality of deliverables submitted?
- Was staff responsive to solving problems that may have occurred on your project? Explain.
- What was the extent of staff turnover?
- What are the strengths and weaknesses of the firm?
- *Would you be willing to contract with this firm again?*
- Did assigned consultant staff work well with agency staff? If not, explain.
- Are there any other comments you wish to provide?

RFQQ - Another Type of Formal Procurement Document

A Request for Qualifications and Quotations (RFQQ) is a more streamlined procurement document that may be used when the project scope and associated tasks are well defined. The objective of an RFQQ is to select the firm most qualified to perform the work defined in the RFQQ at a competitive price.

The process is similar to that used for a Request for Proposals, but is less comprehensive, since a technical proposal or work plan is not being requested from the bidders. The evaluation is limited to an analysis of the firm's qualifications, experience and ability to perform the specified services and their costs. The weighting of these factors is contingent upon agency need.

Unsolicited Proposals

An agency may occasionally receive a proposal that has not been asked for or solicited. The consultant in that instance is initiating the procurement process and is endeavoring to provide a service that he/she perceives the agency needs.

Agency staff should review the offer and make a determination whether it is feasible or potentially beneficial. If the service is deemed unnecessary or inappropriate by the agency, the proposal may be rejected. Written notice should be provided to the proposer of the agency's decision. If the service is deemed beneficial or necessary, a competitive procurement must be conducted. A case may be made for sole source procurement only if the service is determined to be unique or highly specialized.