



Key Policy Recommendations

Enhancing Agency Procurement Practices

Summary of recommended changes to state and municipal competitive selection processes

Overview

Appropriate use of competitive sealed proposals can assist public entities in delivering more value for the taxpayer dollar. Requests for Proposals (RFPs) allow the public entity to consider price and other factors in the acquisition of construction or other services. This document provides general recommendations and may serve as a baseline for legislative action or policy enhancement to the RFP process. ***CPE is pleased to provide, at no charge, a review of policies, rules, regulations, or any other documentation*** to enable public entities in delivering successful procurements.

Recommendations to Improve the Quality of Competitive Sealed Proposals

The following changes are recommended:

1. The RFP should contain a clear description of the scope of work, procurement schedule, budget, evaluation criteria and associated weights, and other contractual requirements. It is important that no one evaluation criterion weight exceed more than 35% of the total evaluation criteria weight. Proposals submitted in response to an RFP should be evaluated by committee of at least three people, with each person independently conducting their evaluation. The proposals that the committee evaluates should not contain any information that could be used to identify the offeror.
2. Contracts with an anticipated value of more than \$5,000,000 should require oversight by an independent third party. The third party will ensure that the RFP meets the requirements of fair, open, and transparent procurement process. The third parties must possess certain qualifications, including: (1) 5 years' experience in procurement oversight of at least 100 RFP solicitations; and (2), is or is comprised of, full-time tenured or tenure-track faculty employed by an accredited 4-year institution of higher education in the United States.
3. Companies awarded contracts under the detailed requirements above should provide monthly numerical performance measurements that clearly communicate the status of the project. These measurements should include all changes to the awarded cost and awarded duration, and the exact reason for the change. This information will be extremely valuable for the public owner to assess how efficiently resources are being utilized.
4. Individuals designated as a "procurement officer" by the public agency should complete 40 hours of RFP training and pass an RFP certification exam. Procurement officers should be trained in creating a fair procurement process, maximizing competition, assigning evaluation criteria and weights, and assisting users with developing appropriate scopes of work. The training should be provided by an entity that possesses certain qualifications, including: (1) 5 years' experience in procurement fundamentals; and (2), is or is comprised of, full-time tenured or tenure-track faculty employed by an accredited 4-year institution of higher education in the United States.
5. RFP's that are estimated to result in a contract that is greater than \$250,000 should require the consideration of 'Performance Information' in the selection process. Offerors should use a third-party entity to collect this performance information. This information assists the public agency in understanding the quality of services rendered by the offeror with other clients.

These recommendations help to ensure that the best products at the best prices are delivered and inspire public confidence from an ethical procurement process.