

WELCOME LETTER AND EVALUATION TEAM QUICK GUIDE

Dos and Don'ts

- Ensure you comply with the [Conflict of Interest Statement](#). Typically, a conflict of interest occurs when an evaluator or evaluator's close familiar has financial interests in one of the companies or sub-contractors that is competing for the University's business. Notify the Procurement Officer immediately if you feel you have a conflict of interest.
- It is very important that all evaluators read the RFP and any amendments issued to the RFP before attempting to evaluate proposals.
- Read and score each proposal independently and don't compare one proposal to another.
- Do not get together with other team members to score them together. You were chosen to be on the evaluation team to share your individual perspective.
- The proposals are not open records at this time, do not share these results or the link with anyone else. Use discretion when printing, saving, storing the proposals.
- Remember, the evaluation questionnaires become open records after award. Keep comments professional and related to the applicable question.

Evaluation Process

1. The Procurement Officer will complete a cursory review for compliance with any mandatory requirements and send rejection letters to offerors, if needed.
2. Responsive proposals will be provided to the evaluation team members.
 - a. Read proposals twice, first without scoring and a second time to take notes and determine appropriate scores. Indicate any areas of concern, clarification needed, or additional information required to fully understand the proposals.
3. The Procurement Officer will review cost proposals and determine if any clarifications are needed. Points awarded for cost are not revealed to the evaluation team until the initial technical scores are completed.
4. Typically, after initial evaluations are completed, the evaluation committee will meet to discuss initial technical evaluation scores and cost proposals. The evaluation team will discuss "short listing" the number of proposals being considered for the next stage of the evaluation process.
5. If discussions, demonstrations, presentations, or request for Best and Final Offers are conducted, evaluators will have the opportunity to adjust their technical scores. The Procurement Officer will provide evaluators with new questionnaire to document any adjustments to the technical scores.
6. After the final scoring, the Procurement Officer will issue a Notice of Intent to Award.

Scoring Process

- Total Score (100 points) = Technical Score + Cost score (typically 15-30 points)
 - Technical Score = Sum of (Average Rating per Question X Points allotted to each Question)
- A technical evaluation questionnaire is used to guide the review and evaluation of proposals.
- Each question on the questionnaire is rated between 0 and 10. 0 being worst and 10 best.
- Provide comment for each score.
- Evaluators may adjustment their initial scores as new information is received typically via presentations, clarifications, and BAFOs.
- See [step by step process section](#) to complete a questionnaire.

RFP Schedule of Events

The schedule of events can be found in section 1.5 of the solicitation online at <https://bids.sciquest.com/apps/Router/PublicEvent?CustomerOrg=UND>

You may read further for more information on the evaluation process, otherwise proceed to the [step by step process section](#) to complete your questionnaire.

Contents

| | |
|---|----|
| WELCOME LETTER AND EVALUATION TEAM QUICK GUIDE | 1 |
| REQUEST FOR PROPOSAL (RFP) EVALUATOR’S GUIDE | 4 |
| THE EVALUATION TEAM | 4 |
| Team Structure | 4 |
| EVALUATORS..... | 4 |
| CONFLICT OF INTEREST..... | 4 |
| CONFLICT OF INTEREST/CONFIDENTIALITY STATEMENT..... | 5 |
| NONDISCRIMINATION..... | 5 |
| THE EVALUATION PROCESS | 5 |
| REQUEST FOR PROPOSAL..... | 5 |
| EVALUATING PROPOSALS | 6 |
| COMPARING OFFERS..... | 6 |
| INDEPENDENT JUDGMENT | 6 |
| SCORING METHOD: CONSOLIDATION/AVERAGE OF INDIVIDUAL SCORES | 7 |
| EVALUATION WORKSHEET/QUESTIONNAIRE | 7 |
| RATING SCALE | 7 |
| EVALUATION TEAM DISCUSSIONS | 8 |
| OFFERORS REASONABLY SUSCEPTIBLE FOR AWARD..... | 9 |
| DISCUSSIONS WITH OFFERORS / DEMOS | 9 |
| ADJUSTMENT OF INITIAL EVALUATION SCORES..... | 9 |
| REFERENCE CHECKS – PAST EXPERIENCE..... | 9 |
| OTHER “GOOD TO KNOW” INFORMATION..... | 10 |
| REPLACEMENT OF TEAM MEMBERS..... | 10 |
| COMMUNICATIONS WITH PROPOSER OUTSIDE TEAM | 10 |
| RESPONSIVENESS | 10 |
| NO PROPOSALS OR ONLY ONE PROPOSAL RECEIVED..... | 10 |
| COST PROPOSALS NOT REVEALED UNTIL AFTER INITIAL TECHNICAL SCORING | 10 |
| POINTS EARNED BEFORE EVALUATION TEAM CONSIDERATION | 11 |
| APPLYING PREFERENCE LAWS | 11 |
| COST EVALUATION | 11 |
| BEST AND FINAL OFFER (BAFO) | 12 |
| AWARD DECISION | 12 |
| NOTICE OF INTENT TO AWARD..... | 12 |
| REJECTION OF ALL PROPOSALS..... | 13 |

| | |
|---|----|
| DEBRIEF | 13 |
| REQUESTS FOR PUBLIC INFORMATION..... | 13 |
| PROTESTS, APPEALS, AND LAWSUITS | 13 |
| PANEL QUESTIONNAIRE STEP BY STEP PROCESS..... | 15 |

REQUEST FOR PROPOSAL (RFP) EVALUATOR'S GUIDE

THE EVALUATION TEAM

Team Structure

The Procurement Officer and Team Lead responsible for the procurement determines the number and makeup of the evaluation Team. Teams are usually comprised of three to five members, but they can be any size and an odd number is not required. The majority of members are usually State employees or public officials. The Procurement Officer may include a mixture of members from several departments of diverse backgrounds or include members who are not State employees or public officials.

- **Role of the Procurement Officer.** The Procurement Officer will be the evaluation Team chairman, and may or may not award points for proposals. The Procurement Officer has overall responsibility for all matters involving the procurement and its procedures, and they are responsible for seeing that applicable state laws, rules, and policies are followed.
- **Role of the Team.** The role of the evaluation Team is to ensure thorough consideration and evaluation of proposals received. The evaluation Team remains actively engaged in the various stages of the RFP process until an award is made or the procurement is canceled.
- **Role of Team Members.** You will be one of several evaluators on the evaluation Team. Your duty is to apply judgment in awarding points to the proposals considering only the evaluation criteria published in the RFP. You must be able to meet the time requirements to evaluate proposals, attend Team meetings, and vendor presentations or demonstrations.
- **Role of Team Lead.** You will be one of several evaluators on the evaluation Team. You'll be the point of contact for the procurement officer and help to keep the team on track.

EVALUATORS

You have been selected to serve on the proposal evaluation Team for a Request for Proposal (RFP). The RFP process measures the quality and cost of proposals when purchasing goods and services, and it ensures fair treatment of vendors desiring to do business with the State. It's important for you as an evaluator to know what will be expected of you before committing to this duty. Being on an evaluation Team will require long hours of concentrated effort. Please let the Procurement Officer know if you have any reservations before you start.

CONFLICT OF INTEREST

After proposals have been received and it is clear which companies are involved in the RFP, each evaluator must make sure that they do not have a potential conflict of interest. An example of a conflict of interest is a situation in which a state employee (or family member) owns a business that is competing for a state contract, and that state employee participates in the decision-making process to award that contract. It is important to avoid even the appearance of impropriety in the evaluation process. Disclose potential problems at the earliest possible time and make adjustments to keep the process fair to all competitors. Your awareness of a potential conflict may not arise until you are well into the evaluation process. If there is any question about a potential conflict of interest, notify the Procurement Officer

immediately and consult legal counsel. If a conflict of interest exists, that person cannot be a member of the evaluation Team.

The RFP Technical Evaluation Worksheet normally requires the evaluator to certify that they do not have a conflict of interest regarding the offeror being evaluated.

CONFLICT OF INTEREST/CONFIDENTIALITY STATEMENT

As a member of the review team for the Request for Proposal (RFP), I will participate in the process under the guidelines, procedures and requirements of the University of North Dakota. Further, I represent as follows:

1. I have a professional interest that the reading of the vendor responses to this Request for Proposal can be supported and defended, and that the recommendation of the review team will lead to a potential proposal most advantageous to the University of North Dakota and a successful RFP process.
2. Except as I have disclosed in detail, I neither have nor shall I during the review acquire any financial or pecuniary interest, direct or indirect, in any offeror or otherwise that would conflict in any manner or degree with my review responsibilities. Members of my immediate family (spouse or children) and other family members who are in my household are subject to the same restriction and disclosure requirements.
3. I am aware that this review will involve my knowledge of official information and possible vendor commercial information not publicly known. I agree not to disclose any information gained during the course of my service on this review team to any person, except to other State employees who may in the normal course of State business have a need for such information or to other members of the review team in the course of our participation in this process.
4. During the process of review and while meetings are in session, the review team shall maintain confidentiality. No member shall transmit, communicate, or otherwise convey preliminary conclusions or results of what was bid by the vendors, or that a given vendor will be selected. All internal workings of the review team shall be kept confidential until the team has completed its work and a Notice of Intent to Award has been issued by the Procurement Officer.

If I should become aware of any situation, which might arise, that could alter any of the representations above, or that might otherwise create the appearance of a conflict or other impropriety, I will notify the Procurement Officer immediately.

NONDISCRIMINATION

Source selection may not be based upon discrimination because of race, religion, color, national origin, sex, age, marital status, pregnancy, parenthood, disability, or political affiliation. [\[N.D.A.C. § 4-12-04-07\]](#)

THE EVALUATION PROCESS

REQUEST FOR PROPOSAL

It is very important that all evaluators read the RFP and any amendments issued to the RFP before attempting to evaluate proposals. The RFP describes all the requirements of the project, how proposals must be prepared, and how proposals will be evaluated.

Proposals are not open records until an official award notice has been issued, do not share the proposals with anyone else. Use discretion when printing, saving, storing the proposals.

EVALUATING PROPOSALS

We recommend that evaluation Team members read each proposal twice—the first time for understanding, without evaluating. Then, review and evaluate each proposal to measure the quality and degree of compliance with the evaluation criteria.

Evaluators **MUST** provide comments that lend insight regarding the scores awarded for an evaluation criteria. Remember, the evaluation questionnaires become an open record after award, and offerors will read these comments to understand how their proposal was scored. Make notes and give initial ratings on the technical evaluation worksheet. Contact the Procurement Officer if you feel a proposal does not comply with a mandatory requirement (such as a minimum number or years' experience or a required license, etc.) or if you have questions about the scoring process.

COMPARING OFFERS

At first glance it may seem obvious that proposals should be compared to one another in order to select the best one. While it's true that a certain amount of comparison naturally occurs during the evaluation process, proposals must be evaluated or scored using the criteria set out in the RFP. Use the rating scale to help you score.

INDEPENDENT JUDGMENT

In evaluating proposals, you must exercise “independent judgment.” You have been entrusted with an essential part of an important public decision. Exercise your judgment in a manner that is not dependent on anyone else's opinions or wishes. You can seek to increase your knowledge before you award points by asking questions and seeking appropriate information. Ensure, however, that you do not allow your actions to be influenced by another person's wishes (i.e. a desire that you award more points to a particular offeror.)

It's possible you will hear from other persons not on the evaluation Team (even if you don't want to) about what you should do in awarding points to this or that proposal. For the most part these contacts by others will not rise to the level of serious concern unless you feel your independence is being compromised in some manner or your decisions are being influenced to the point of being dependent on another person's desires. Report any attempts by others to improperly influence you to favor or disfavor a particular proposer to the Procurement Officer immediately.

The exercise of independent judgment applies not only to possible influences from outside the evaluation Team, but also to influences from within the Team. It's normal and acceptable for there to be debate, even passionate debate, within the Team about how well a proposal meets the evaluation criteria. As an independent evaluator you may be swayed by debate in making your judgment about many points you wish to award, and that is perfectly OK. However, evaluators may not act in a concerted way to either favor or disfavor a particular proposal or group of proposals, as the evaluation would not be based upon the independent judgment of the individual evaluators.

Evaluators will have different scores because they are exercising independent judgements, so comments to support scoring decisions are important.

SCORING METHOD: CONSOLIDATION/AVERAGE OF INDIVIDUAL SCORES

- a. Each evaluation Team member reviews each responsive proposal and records their comments and scores on the evaluation worksheet.
- b. Evaluations are completed within Jaggaer or the evaluation sheet can be downloaded and uploaded. Comments for each question is necessary for debriefing suppliers, ensuring fair process, and to help you remember your reasoning.
- c. See [step by step instruction section](#) on completing evaluation in Jaggaer.
- d. The Procurement Officer compiles the resulting evaluations from all team members, resolves any factual oversights, makes sure the resulting team member notes are documented, and produces a summary that constitutes the evaluation Team's recommendation.

EVALUATION WORKSHEET/QUESTIONNAIRE

A technical evaluation questionnaire is used to guide the evaluation Team members in their review and evaluation of proposals. A technical evaluation questionnaire provides a listing of individual evaluation criteria and the rating scale to be used when scoring the technical proposal. The resulting evaluation framework is very important because it:

- Provides a means for all evaluators to review and evaluate proposals in a consistent and objective manner;
- Helps the evaluators discuss differences in their initial review and, for those differences that are based on an incomplete or incorrect reading of the information presented, resolve them; and
- Documents the results of the evaluation Team's work and provides support for the final recommendations.

Evaluators **MUST** provide comments on the technical evaluation worksheet which explain or supports their scores for each evaluation criterion. Any notations made on the evaluation worksheet will become public record after contract award.

Proposals that are determined to be responsive to the requirements of the RFP will be evaluated by the Evaluation Team using the evaluation criteria stated in the RFP. For assistance with RFP evaluations, contact the Procurement Officer.

- Evaluation Committee members must read the Request for Proposal and have a clear understanding of the requirements and evaluation criteria before attempting to evaluate proposals.
- Do not get together with other team members to score them together. You were chosen to be on the evaluation team to share your individual perspective. Read and score each proposal independently and not compare one proposal to another.
- Evaluators should read all proposals twice. First, read all proposals for a general understanding without scoring. Next, read proposals with the intent to complete the evaluation worksheet which includes taking notes and documenting any questions/clarification needed.
- Each evaluation criterion is assigned a specific number of points. The questions under each evaluation criterion help Evaluators measure the quality of the Offeror's response.
- Evaluators will assign an initial score for each evaluation criterion and provide comments which explain their scores.

RATING SCALE

The rating scale establishes standards by which points are assigned to proposals, and it

ensures that members of the evaluation Team scores each proposal with consistency.

The rating scale provided is intended to help Evaluators perform evaluations and used to calculate the proposals score. Evaluators are exercising independent judgement so variation in scoring is normal. However, the Procurement Officer may question scoring that appears to be unsupported. Evaluators may assign any value for a given evaluation area from 0 to the maximum number of points allowed per evaluation criterion.

A zero value typically constitutes no response or an inability of the Offeror to meet the criteria. In contrast, the maximum value should constitute a high standard of meeting the criteria.

Proposals will be evaluated against the questions in the evaluation questionnaire. The technical proposal is assigned points per section 5 of the RFP. That technical score is typically broken down further into sub-categories (solution = 60 points, experience 20 points, etc). Each question within that subcategory is assigned points that add up to the sub-category's total points. For example, if solution is 60 points and there are ten questions then each question is worth 6 points. If a question is rated a "five", then that question will be awarded three points ($5/10 \times 6 = 3$).

| RATING SCALE | |
|--------------|---|
| Point Value | Explanation |
| 0 | None. Not addressed or response of no value No response or an inability of the vendor to meet the criteria. <i>Note: criteria evaluated as "yes" or "no", should receive max or zero points. (e.g., ...cannot submit a report in required format would receive zero points)</i> |
| 1 | Very weak. Significant deficiencies meeting requirements |
| 2 | Weak. Limited ability to meet requirements |
| 3 | Fair. Limited applicability |
| 4 | Below Average |
| 5 | Good. Some applicability |
| 6 | Above average. |
| 7 | Very Good. Substantial applicability |
| 8 | Superior. Adequately meets requirements. No compromises. |
| 9 | Excellent. |
| 10 | Outstanding. Total applicability <i>Note: criteria evaluated as "yes" or "no", should receive max or zero points. (e.g., ...can submit a report in required format would receive max points)</i> |

See [how to submit a questionnaire section](#) for step by step instructions.

EVALUATION TEAM DISCUSSIONS

After all evaluators have completed their initial proposal review and scoring, the evaluation Team should meet as a group to discuss the proposals and identify any areas needed for

further clarification from an offeror. If aspects of a proposal need to be clarified, the Procurement Officer may communicate with an offeror to clarify uncertainties or eliminate confusion. This communication may not result in a material or substantial change to the proposal, but evaluators may modify their scores as a result of discussions and clarifications.

When the initial evaluation scores are finalized, the Procurement Officer will consolidate the individual scores and calculate the total score. If any scores appear unusual, the Procurement Officer should ask the evaluator to explain their scores, or reconsider if an error seems apparent. Evaluators should always have a reasonable, rational, and consistent basis for their scores, as the evaluator might be required to explain their scores in the event of a protest.

OFFERORS REASONABLY SUSCEPTIBLE FOR AWARD

Proposals will be evaluated using a 100 point scale. The evaluation Team will award points based on the questions in the Technical Proposal Evaluation Worksheet. The technical proposal evaluation score and cost proposal evaluation score will be added together to determine the total evaluation score. After the initial evaluation, the evaluation Team may determine which proposals are reasonably susceptible for award and continue the evaluation process with only those offerors. These offerors may be required to provide a presentation or demonstration for the evaluation Team.

The final evaluation score will consider information received by the State, including but not limited to, discussions with offerors, demonstrations, presentations, site visits, reference checks, and best and final offers.

DISCUSSIONS WITH OFFERORS / DEMOS

The Procurement Officer or evaluation Team normally conducts discussions or demos with offerors for the purpose of clarification and ensuring a good understanding of the proposal. The Procurement Officer and evaluation Team will determine the structure of the discussions or demos, and may limit these to specific sections of the proposals received or specific sections of the request for proposal.

Offerors must be accorded fair and equal treatment with respect to any opportunity for discussion or demo and revision of proposals. The opportunity for discussions or demos, if held, must be extended to all offerors submitting proposals deemed reasonably susceptible for award. Do not use any “auction techniques” that reveal one offeror's price or technical information to another vendor.

ADJUSTMENT OF INITIAL EVALUATION SCORES

Evaluators may make adjustments to their initial scores as a result of discussions with offerors, clarifications, demonstrations, presentations, reference check results, best and final offers, and further due diligence within the evaluation process. Use the RFP Adjustment of Initial Evaluation Score template to document the reasons for adjusting scores.

REFERENCE CHECKS – PAST EXPERIENCE

Reference checks must be conducted if the RFP required offerors to provide references and those references were included as an evaluation criterion. Reference checks are completed by the Procurement Officer who reports the results to the evaluation Team. The reference checks must be conducted as soon as possible so the evaluation Team can consider the

information received during the reference checks.

Commonly evaluators ask if they can consider their personal past experience with a vendor. For example, a proposal may be received from an incumbent. Relevant past experience may be considered; specific examples and detailed reasoning should be documented on the evaluation. Procurement Officers may review past experience for relevancy to ensure past experience is appropriate to be considered.

OTHER “GOOD TO KNOW” INFORMATION

REPLACEMENT OF TEAM MEMBERS

The Procurement Officer may replace any member on the Team or reconstitute the Team in any way the Procurement Officer deems appropriate. Any Team member may request to be replaced at any time. Replacement or removal may be suitable, for example, if an evaluator is unable to attend vendor demonstrations.

COMMUNICATIONS WITH PROPOSER OUTSIDE TEAM

If the Procurement Officer has provided for the offerors to have communication with the evaluators, it will be normally be done while the Team is in session so all members can benefit from the communication at the same time. Sometimes the Procurement Officer or designee may communicate directly with an offeror to obtain information to provide to the evaluation Team. It is not appropriate for an evaluation Team member to have direct communication with any of the offerors outside of the formal communications arranged by the Procurement Officer. Any attempt by one of the offerors to have direct or indirect communication with an evaluator outside of a Team session should be avoided and reported to the Procurement Officer.

RESPONSIVENESS

The Procurement Officer must review all proposals for responsiveness before distributing them to the evaluation Team. This will prevent the evaluation Team from reviewing a proposal that can't be considered for award. An offeror, an individual or firm that submits a proposal, is considered “responsive” if their proposal has been prepared in full compliance with the requirements of the RFP. The evaluation Team cannot evaluate proposals deemed non-responsive. “Minor informalities” are insignificant omissions or nonjudgmental mistakes that can be waived without prejudice to other offerors (see [N.D.A.C. § 4-12-10-01](#)).

NO PROPOSALS OR ONLY ONE PROPOSAL RECEIVED

If no proposals are received, the Evaluation Team will need to consider why the competitive process failed. Consider contacting vendors on the bidders list to find out why they did not respond to the RFP. Consider whether the requirements were restrictive. Additional market research may be required to determine if the RFP requirements were appropriate and expand the bidders list.

If only one proposal is received, the evaluation Team should decide whether to proceed with the evaluation. See [N.D.A.C. § 4-12-11-08](#).

COST PROPOSALS NOT REVEALED UNTIL AFTER INITIAL TECHNICAL SCORING

Usually the Procurement Officer calculates the points for cost evaluation. Having someone else review cost proposals is also recommended as a “double check.” If there are questions about the cost proposal, the Procurement Officer may need to have clarification discussions.

It is best practice that the evaluation Team not know the price until after it has compiled its initial technical scoring. In general this is done to avoid the possibility of the prices influencing the scoring when non-price criteria are being considered.

POINTS EARNED BEFORE EVALUATION TEAM CONSIDERATION

In some cases, proposals may be presented to you that have had some points awarded before you receive them. For example, the Procurement Officer determines the evaluation of price and adjustment for reciprocal preference prior to Team deliberations, or an accountant may review financials provided and provide financial stability scores. In these instances, such points are not subject to adjustment by the Team.

APPLYING PREFERENCE LAWS

Before evaluating the cost proposal, the Procurement Officer must identify any proposals received from out-of-state offerors and apply North Dakota’s preference law, as required by N.D.C.C. § 44-08-01. Determine whether the state of the non-resident offeror has a preference law. Visit the OMB website for more information about applying reciprocal preference laws. Contact the State Procurement Office at 701-328-2740 for assistance.

N.D.C.C. § 44-08-02 defines a resident North Dakota bidder, seller, or contractor as “a bidder, seller, or contractor who has maintained a bona fide place of business within North Dakota for at least one year prior to the date on which a contract was awarded.”

COST EVALUATION

The Procurement Officer completes the evaluation of cost points and any adjustment for reciprocal preference. It is recommended that cost be double-checked by at least one other person (either someone else in the department or one of the evaluators after completing the initial technical evaluation). Cost is typically shared and discussed with the evaluation Team members after the initial technical evaluation has been completed.

Cost will be converted to points after making any adjustments for reciprocal preference,. The proposal with the lowest cost receives the maximum points allowed. All other proposals receive a percentage of the points available based on their cost relationship to the lowest cost proposal. Divide the lowest cost proposal received by the cost of the proposal being rated, and multiply the results by the maximum points. The result is the awarded points. This is determined by applying the following formula:

$$\frac{\text{Price of Lowest Cost Proposal}}{\text{Price of Proposal Being Rated}} \times \text{Maximum points available} = \text{Awarded Price Points}$$

Example: The total points available for cost in the RFP is forty (40) points. The cost of the lowest acceptable proposal is \$100,000. Therefore the lowest proposal cost of \$100,000 would be awarded forty (40) points. The second lowest acceptable proposal submitted a cost of \$125,000. The second lowest proposal cost of \$125,000 would be awarded thirty-two (32) points.

$$\frac{\$100,000}{\$125,000} = .80 \quad \times \quad 40 = 32 \text{ points}$$

The points awarded for cost are combined with the total points awarded for the technical proposal to determine the successful proposal.

On rare occasion, an RFP evaluation criteria will have a 0% weight on cost. This may be appropriate for Facilities Architect and Engineering solicitations per NDCC.

BEST AND FINAL OFFER (BAFO)

The best and final offer process is used to obtain additional information and invite offerors to revise their proposals. Sometimes, the evaluation Team may not be satisfied with the proposals or feel that the proposals could be improved upon. The evaluation Team may also decide that it is necessary to provide more information, disclose budget, or change some aspect of the RFP requirements. The Procurement Officer must invite offerors that are determined to be reasonably susceptible for award to submit best and final offers. The BAFO process is not initiated by an offeror's request for an opportunity to submit a best and final offer. Best and final offers are not necessary when the evaluation Team is satisfied with the proposals received.

Document which offerors will be notified and provided the opportunity to submit best and final offers. Customize the Request for Best and Final Offer template to describe the specific areas to be covered and the date and time in which the best and final offer must be returned. The technical proposals, terms and conditions, or price of the proposal may be altered or otherwise changed, provided the changes are within the scope of the request for proposals and instructions contained in the request for best and final offer. However, the BAFO process cannot be used to make material changes to the RFP requirements that potentially impact the competitive process, such as waiving of a mandatory requirement. Best and final offers are usually only requested once, but multiple requests for best and final offers are sometimes necessary.

If an offeror does not submit a best and final offer or a notice of withdrawal, the offeror's previous proposal is considered the offeror's best and final proposal, unless otherwise noted in the BAFO. After best and final offers are received, final evaluations will be conducted. BAFOs are normally evaluated as an adjustment to the scores already awarded by the evaluation Team.

AWARD DECISION

Before making the award, the Procurement Officer must ensure the quality control of the evaluation process by checking any mathematic computations and ensuring only those criteria identified were considered. The integrity of the process and state procurement system is grounded upon the Procurement Officer and evaluation Team adhering to the procedures and evaluation requirements stated in the RFP.

NOTICE OF INTENT TO AWARD

After the successful proposal is selected, a notice of intent to award will be sent to all offerors and any other interested parties. The Notice of Intent to Award contains the following:

- Name of the purchasing agency
- Solicitation number and name
- Lists all vendors that submitted proposals
- Name of the successful vendor.
- Procurement Officer's contact information.

The Letter of Instruction for Successful Offeror provides the successful offeror(s) with notice about what is needed before a contract can be executed.

REJECTION OF ALL PROPOSALS

On occasion, a decision may be made to reject all proposals received. Reasons might include: none of the responses met the specifications, the prices received were not reasonable or exceeded the budgeted amount, or competition was insufficient (e.g. few proposals received). Provide a written justification whenever a decision is made to reject all proposals. Notify all vendors that responded to the solicitation and explain why all proposals were rejected. The solicitation process may be repeated or canceled altogether.

DEBRIEF

The Notice of Intent to Award template invites offerors to contact the Procurement Officer if they have questions. Offering to debrief offerors is a best practice, and Procurement Officers are encouraged to offer debriefs. The Procurement Officer may proactively contact vendors who were not selected for award and offer to schedule a debrief. A debrief is simply an explanation of the evaluation process, and may include a discussion of proposal scores, summary of evaluators' notes, and a "thank you" for taking the time to submit a proposal in response to the State's RFP. Helping offerors understand the evaluation process and the score they received may lessen the likelihood of protests.

REQUESTS FOR PUBLIC INFORMATION

After the Notice of Intent to Award is issued, the proposals and contents of the procurement file become subject to state open records laws. Procurement Officers will receive requests for copies of proposals and evaluation documents. Remember, information can only be confidential if determined to be so under state or federal law. Any requests for information received by an evaluator, should be directed to the Procurement Officer.

Offerors will very commonly mark their entire proposal as "confidential." Before releasing the proposal to the requestor, the Procurement Officer should contact the firm that submitted the proposal and inform them that a request for public information has been received. Inform the offeror that ND has an open records law, so information can only be kept confidential if it is determined to be so under North Dakota or federal law. If an offeror's entire proposal is marked "Confidential", ask the offeror to indicate specifically what information or sections they consider confidential. Requests for public information must be answered promptly, so give the offeror a deadline to respond to your request. You can also send the offeror the link to the Office of the Attorney General's open records guide: <https://attorneygeneral.nd.gov/open-records-meetings/manuals-and-guides>

If the request for public information includes the section that the offeror feels is confidential, contact your assistant attorney general to help determine whether or not that section can be made open or must be kept confidential.

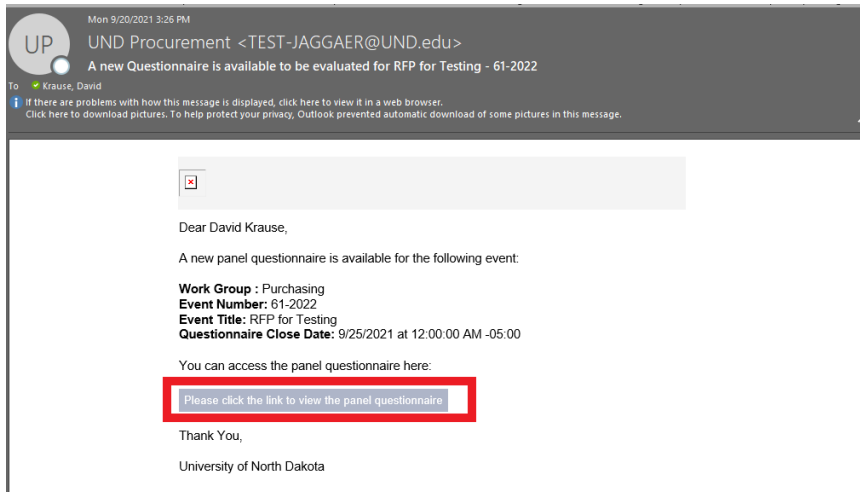
PROTESTS, APPEALS, AND LAWSUITS

Protests, appeals, and lawsuits are a part of procurement life. It is possible that one or more of these actions could occur over the procurement for which you serve as an evaluator. It is very common practice for a protesting offeror to review the scoring of individual evaluators. This is why it is essential that evaluators work hard to score the offers in a consistent and explainable manner. Protests are often the result of a lack of communication.

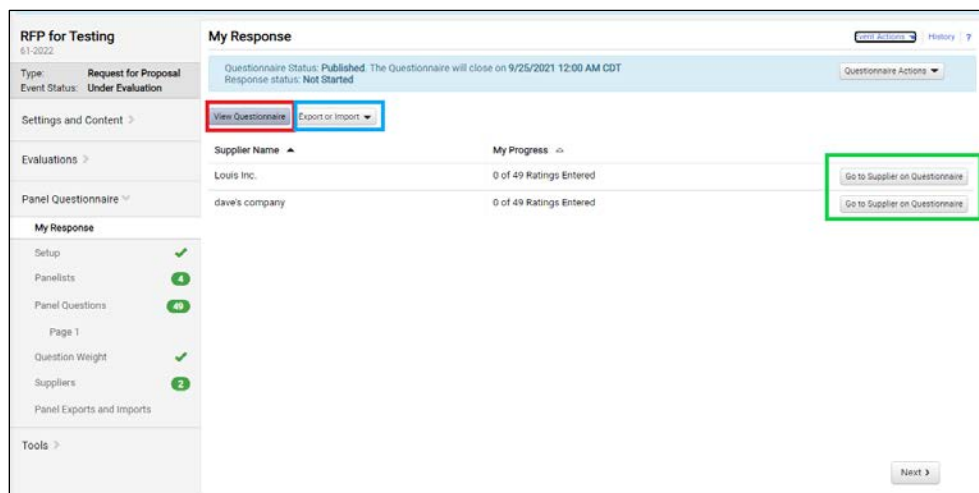
Thank you for your participation in this RFP process!

PANEL QUESTIONNAIRE STEP BY STEP PROCESS

1. At this point, you should have received an automated email.
2. Click on the link in that email to start completing your evaluation form.



3. Once logged in, you should see the following page. You have three options to complete each evaluation.
 - a. Click on the [“view questionnaire” button](#) (outlined in red) to grade all proposals on the same screen. Instructions on following pages for this option will have a red bar on the left-hand side of page.
 - b. Click on the [“go to supplier question” button](#) (outlined in green) to grade one particular supplier at a time. Instructions on following pages for this option will have a green bar on the left-hand side of page.
 - c. Click on the ["Export or Import" button](#) (outlined in blue). Complete questionnaire outside of Jaggaer and import back into Jaggaer once complete using the same button. Instructions on following pages for this option will have a blue bar on the left-hand side of page.



4. Using the “view questionnaire” button (red outline) to grade all proposals on the same screen.
 - a. You’ll see a side by side of the proposals that were submitted and you can go through each question to apply a rating and comments.

Note: limit is five suppliers will show on one page.

Panel Questionnaire for RFP for Testing

Incomplete: 0 of 1 Group(s) Rated

You can save changes at anytime, but you must rate all suppliers for a whole group to be able to submit. You may complete only one group or any number but your response is only counted per complete group for all suppliers. If any groups are marked required then you must rate all supplier for that group before you can submit your ratings.

Export Questionnaire ★ Required Group

Rate Suppliers Below On Their Responses and Panel Questions

1 of 1 Pages 4 Per Page

Expand All Collapse All

| | Louis Inc. | dave's company |
|---|---|--|
| My Progress | 0 of 49 Ratings Entered | 0 of 49 Ratings Entered |
| Page 1 | | |
| Group 1: Technical Solution | | |
| Please attach your technical proposal document(s). | Technical Proposal | Tech proposal |
| | | |
| | Comment | Comment |
| Describe in detail your company's capability of providing the services required | Because my company is mediocre and you want to ... See full response | Very good at providing services |
| | | |
| | Comment | Comment |
| Describe your methodology for providing | We will work with you to determine your needs i... | Very methodical at providing services and alway... |

- b. You’ll need to apply a rating and comment for each question.

Group 1: Technical Solution

Please attach your technical proposal document(s). [Technical Proposal](#)

Describe in detail your company's capability of providing the services required

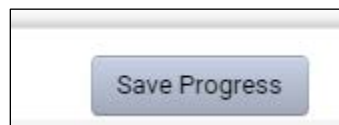
Describe your methodology for providing these services, how you organize your team and the IU team, and how you ensure you

7 - Very Good. Substantial ...

- 0 - None. Not addressed or ...
- 1 - Very weak. Significant d...
- 2 - Weak. Limited ability to...
- 3 - Fair. Limited applicabi...
- 4 - Below Average
- 5 - Good. Some applicability
- 6 - Above average
- 7 - Very Good. Substantial ...
- 8 - Superior. Adequately me...
- 9 - Excellent
- 10 - Outstanding. Total appl...

| | |
|--|---|
| Please attach your technical proposal document(s). | Technical Proposal |
| | 7 - Very Good. Substantial ... |
| | <div data-bbox="828 352 1218 388">Comment</div> <div data-bbox="828 388 1218 472">Because....</div> <div data-bbox="828 472 1218 531">2489 characters remaining</div> |

- c. At the end of the form you can save your progress and come back to it later.
- d. Proceed to [Submission step](#) once all questions are complete.



My Response [Event Actions](#) | [History](#) | [?](#)

Questionnaire Status: **Published**. The Questionnaire will close on 9/25/2021 12:00 AM CDT
 Response status: **In Progress** [Questionnaire Actions](#)

[View Questionnaire](#) [Export or Import](#)

| Supplier Name ▲ | My Progress ▲ | |
|-----------------|-------------------------|---|
| Louis Inc. | 1 of 49 Ratings Entered | Go to Supplier on Questionnaire |
| dave's company | 0 of 49 Ratings Entered | Go to Supplier on Questionnaire |

5. Using the “go to supplier question” (green outline) to grade one particular supplier at a time.
 - a. You’ll see one supplier at a time and you can go through each question to apply a rating and comments.

Panel Questionnaire for: RFP for Testing

Incomplete: 0 of 1 Group(s) Rated

You can save changes at anytime, but you must rate all supplier's for a whole group to be able to submit. You may complete only one group or any number but your response is only counted per complete group for all suppliers. If any groups are marked required then you must rate all supplier for that group before you can submit your ratings.

Export Questionnaire

Rate Suppliers Below On Their Responses and Panel Questions

Page 1 of 2 1 of 2 Pages 1 Per Page

Expand All Collapse All

Louis Inc.

My Progress 0 of 49 Ratings Entered

Group 1: Technical Solution

Please attach your technical proposal document(s) Technical Proposal

Describe in detail your company's capability of providing the services required Because my company is mediocre and you want to ...

- b. You’ll need to apply a rating and comment for each question.

Group 1: Technical Solution

Please attach your technical proposal document(s) Technical Proposal

Describe in detail your company's capability of providing the services required

7 - Very Good. Substantial ...

0 - None. Not addressed or ...

1 - Very weak. Significant d...

2 - Weak. Limited ability to...

3 - Fair. Limited applicabi...

4 - Below Average

5 - Good. Some applicability

6 - Above average

7 - Very Good. Substantial ...

8 - Superior. Adequately me...

9 - Excellent

10 - Outstanding. Total appl...

Please attach your technical proposal document(s) Technical Proposal

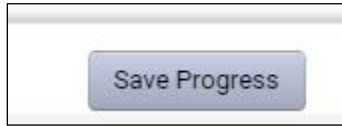
7 - Very Good. Substantial ...

Comment

Because....

2489 characters remaining

- c. At the end of the form you can save your progress and come back to it later.
- d. Proceed to [Submission step](#) once all questions are complete.



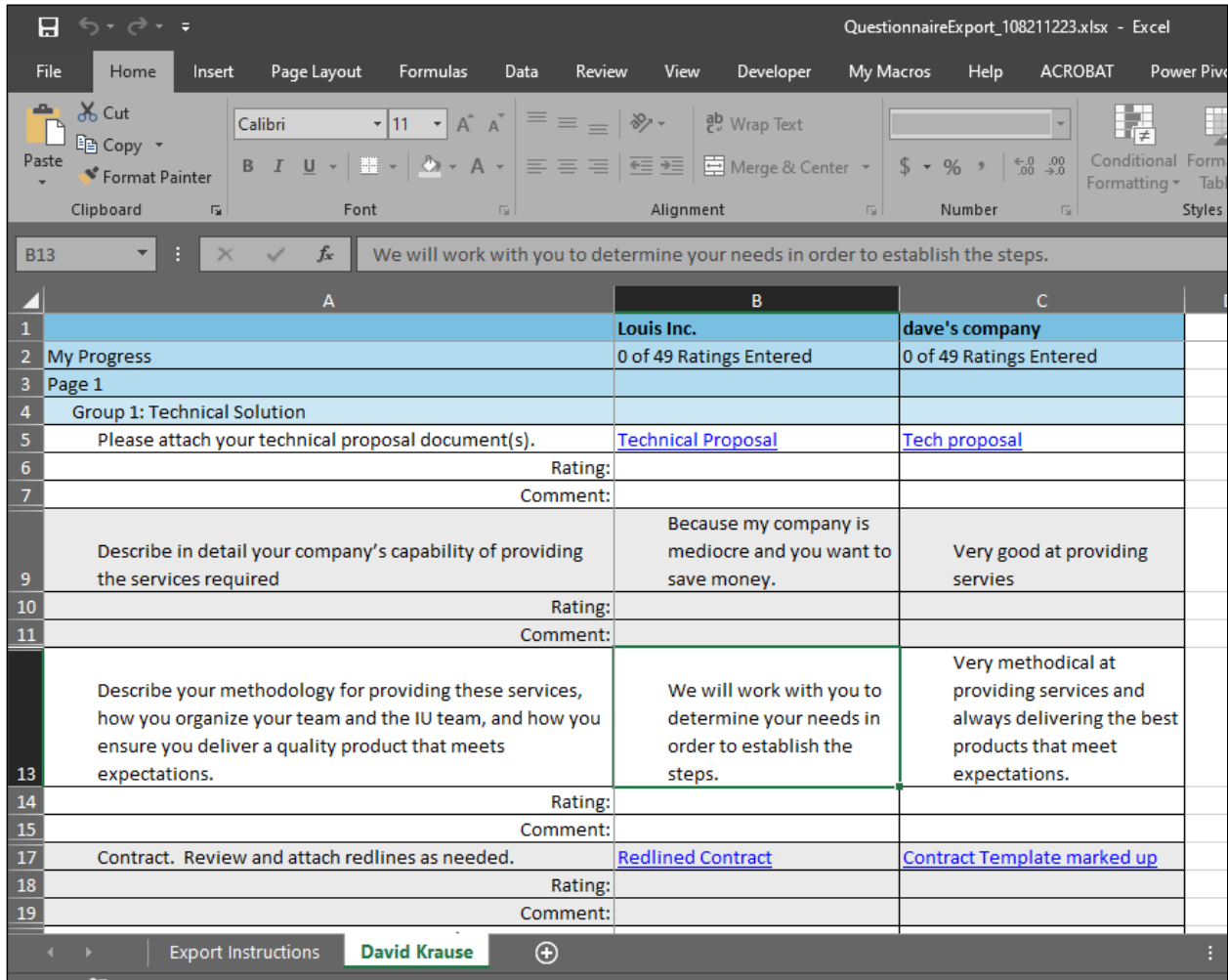
My Response Event Actions History ?

Questionnaire Status: **Published**. The Questionnaire will close on 9/25/2021 12:00 AM CDT
Response status: **In Progress** Questionnaire Actions

View Questionnaire Export or Import

| Supplier Name | My Progress | |
|----------------|-------------------------|--|
| Louis Inc. | 1 of 49 Ratings Entered | Go to Supplier on Questionnaire |
| dave's company | 0 of 49 Ratings Entered | Go to Supplier on Questionnaire |

6. Using the excel option (blue outline).
 - a. Complete the questionnaire outside of Jaggaer and import back into Jaggaer using the same button to import the excel file.
 - b. Each question has a drop down with a rating scale and a cell to add additional comments. Note: comments are limited to 2500 characters.
 - c. Proceed to [Submission step](#).



| | | |
|---|--|-------------------------------|
| Group 1: Technical Solution | | |
| Please attach your technical proposal document(s). | Technical Proposal | Tech proposal |
| Rating: | 7 - Very Good. Substantial ... | |
| Comment: | Because.... | |
| Describe in detail your company's capability of providing the services required | Because my company is mediocre and you want to save money. | |
| Rating: | 6 - Above average | |
| Comment: | | |

| | | |
|--|------------------------------------|-------------------------------|
| Group 1: Technical Solution | | |
| Please attach your technical proposal document(s). | Technical Proposal | Tech proposal |
| Rating: | 7 - Very Good. Substantial ... | |
| Comment: | Because.... | Because they are |

7. Once all questions are rated, click view questionnaire then Submit.

RFP for Testing
61-2022

Type: Request for Proposal
Event Status: Under Evaluation

Settings and Content > **View Questionnaire** Export or Import ▾

Evaluations >

Panel Questionnaire ▾

My Response

- Setup ✓
- Panelists 4
- Panel Questions 49
- Page 1
- Question Weight ✓
- Suppliers 2
- Panel Exports and Imports

Tools >

My Response Event Actions ▾ | History | ?

Questionnaire Status: Published. The Questionnaire will close on 9/25/2021 12:00 AM CDT
Response status: In Progress Questionnaire Actions ▾

| Supplier Name | My Progress | |
|----------------|-------------|--|
| Louis Inc. | ✓ Complete | Go to Supplier on Questionnaire |
| dave's company | ✓ Complete | Go to Supplier on Questionnaire |

Next >

Panel Questionnaire for: RFP for Testing

Complete: All Suppliers have been rated
You have rated all suppliers. You may submit now or continue editing.

Submit

Export Questionnaire

Rate Suppliers Below On Their Responses and Panel Questions

1 of 1 Pages

Expand All | Collapse All

| | Louis Inc. | dave's company |
|---------------------------------------|---------------------------------|----------------------------|
| My Progress | ✓ Complete | ✓ Complete |
| Page 1 | | |
| Group 1: Technical Solution | | |
| Please attach your technical proposal | Technical Proposal | Tech proposal |

Note: Can withdraw after submission and prior to closing time.

Panel Questionnaire for: RFP for Testing

Complete: All Suppliers have been rated
This panel questionnaire is submitted. You must withdraw to make changes.

Withdraw

Export Questionnaire

Rate Suppliers Below On Their Responses and Panel Questions

1 of 1 Pages

Expand All | Collapse All

| | Louis Inc. | dave's company |
|--------------------|------------|----------------|
| My Progress | ✓ Complete | ✓ Complete |
| Page 1 | | |