

RFP Process

(in accordance with KCC 2.93)



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I. Process for Non-Professional and/or Technical Consultant Service Contracts Under \$25,000

For Technical Consultant Service Contracts with an estimated value under \$25,000, including taxes, and in the absence of an approved waiver, the contracting agency must conduct a competitive solicitation process. This is typically done by composing and issuing a short Request for Proposal (RFP) document to three to five consultant/firms qualified to provide the service(s) needed. This may be done in “letter” form, and is usually transmitted via a direct e-mail.

A. At a minimum the RFP should include:

1. A description of the service needed;
2. The time schedule for the work to be completed;
3. The qualifications required to perform the service;
4. The evaluation criteria and associated points or weights to be used in rating proposals received. Evaluation criteria often include:
 - Background
 - Experience
 - Methodology and/or approach to conducting the work,
 - References,
 - Price – either a lump-sum price to complete a project, or a fully loaded hourly rate for key personnel and other direct costs);
5. Grant stipulations and requirements, if applicable;
6. The submission deadline (a proposal submitted via return e-mail);
7. Whom to contact with questions;
8. The date, time and place of a pre-proposal conference (optional);
9. The dollar range being considered for the service to be acquired (optional - Note that it cannot exceed \$25,000); and
10. The required format for the proposal responses to follow (cover letter, maximum page count for proposal narrative, samples if required, etc).

B. Responses to the RFP often would include a resume or statement of qualifications demonstrating pertinent experience and be submitted in accordance with the required format.

C. Evaluation of Proposals

1. Once the proposals have been received by the contracting agency, the technical evaluation committee shall evaluate and rate the proposals. Evaluation points shall be awarded strictly on the basis of the criteria outlined in the RFP. Each proposal must include a written rating on a form that includes space for comments by the raters. This should be electronic; MS Excel is a good program and format to follow.
2. To ensure an equitable, impartial and legally defensible evaluation process, the proposals shall be evaluated by the committee with a minimum of three appropriately qualified evaluators.

D. At the end of the written evaluation process, the project manager may wish to document the top-ranked proposers and conduct interviews. Interview scoring is separate, and may never exceed 40 percent of the total (written and interview) scores summed together. Top-ranked proposers are usually those that are above some identifiable point differential between lower-ranked proposers (such as interviewing those proposers with scores of 93, 91 and 89 out of 100, but not interview the next proposer who has a score of 80). In any case, all proposers must be notified of their status and the final outcome of the evaluation.

E. At the conclusion of the evaluation process, price and schedule will be negotiated with the highest ranked proposer. If the contracting agency and the selected proposer cannot reach agreement on the final price and/or a final work scope, the contracting agency may then negotiate with the next highest rated proposer, and as necessary, each subsequent proposer until a contract has been reached, or the solicitation terminated.

F. Should the contracting agency be unable to reach agreement with any of the proposers solicited, it should determine whether the estimated value is reasonable and/or whether the scope of work should be changed.

G. Once negotiations have been completed, a final procurement memorandum should be prepared for the agency's contracting file. It should include:

1. The prices, fees, and/or total dollar amount quoted by each proposer contacted for the proposed work;
2. A summary of the selection criteria, point system and the final rating of each proposer;
3. The consultant selected, with explanation why; and
4. The final contract amount negotiated.

H. The following documents should be attached to the department's procurement memorandum/contract file:

1. A copy of the original Request for Proposal (RFP) letter;
2. A copy of each proposals received from proposer; and
3. The rating and evaluation materials, including a scoring summary sheet.

Note that the department is responsible for maintaining these records should an audit be conducted. Records retention should match the County's retention policy.

II. Process Steps for Non-Professional and/or Technical Consultant Service Contracts \$25,000 and Over

In accordance with KCC 2.93, the Procurement and Contract Services Section (PCSS) is responsible for issuing Request for Proposals (RFPs) for Technical Consultant Service Contracts with an estimated value of \$25,000 or more. During the solicitation process, only PCSS staff will have contact with and receive questions from prospective proposers, and provide responses to questions received. This is important to maintain the fairness and integrity of the competitive process, and ensures all proposers are given the same information in an appropriate and timely manner.

The following guidelines and instructions illustrate the necessary steps to develop and conduct the solicitation, manage the evaluation process, and complete the contract award.

A. Initiating the Solicitation Process

The requesting agency must perform the following prior to submitting their requirements to PCSS:

1. Tasks:

- a. Ensure budget appropriation;
- b. Identify funding sources (i.e. any federal grant funding);
- c. Draft the Scope of Work;
- d. Estimate solicitation and project timeframe;

2. Service Request

The requesting agency must submit a service request in order to initiate the formal RFP solicitation process. This is accomplished through the web-based Procurement Service Request System. This system is designed to effectively and quickly process requests, and includes an automated notification system that allows client users to track the status of their requests.

The following information must be included with the service request:

- Proposed solicitation title
- Draft of the initial Scope of Work as an attachment to the Service Request module
- Proposed date for advertisement
- Project Manager

Please note the Service Request submission category will be “new technical services solicitation”.

Upon review and acceptance of the Service Request, PCSS will assign a buyer, create a solicitation number, and provide the listed Project Manager with a questionnaire that will be used to establish the parameters of the solicitation and assist in creating the Procurement file.

3. Questionnaire response

The requesting agency will provide responses to the questions and provide a number of required items to PCSS. These include:

a. Completed Insurance Requirements form

This form establishes the solicitation insurance requirements as set by the King County Office of Risk Management.

b. Completed Subcontracting/Apprenticeship Opportunities Worksheet (SOAW) form

This form determines potential subcontracting incentives, goals or requirements as set by the Business Development and Contract Compliance (BDCC) group.

c. Scope of Work

A draft of the Scope of Work provided as an electronic file in MS Word format (MS Excel as applicable) with the solicitation specifications and any attachments.

d. Mailing list (e-mail addresses)

A list of known companies and individuals the requesting agency wishes to receive notification of the upcoming solicitation. This list is typically provided in MS Excel format.

Upon completion, the questionnaire will be directly returned to the assigned PCSS Senior Buyer or Buyer, who will be the requesting agency's liaison for the duration of the solicitation process.

4. Draft RFP

PCSS will create a draft RFP using the provided draft Scope of Work, and will return to the Project Manager for further development and refinement, considering the elements below.

B. Structure of the RFP

Each of the following may be included as part of the RFP's Section II, Scope of Services:

1. Technical Specifications or Scope of Work

The technical specifications or Scope of Work needs to be clear and accurate description of the services to be procured. It should be concise without excessive narrative to include:

- Project background, including history and objective
- Description of need(s) or outcome(s) as estimated by the County
- Minimum qualifications expected of the proposer
- Presumed deliverables dependent on proposer's solution
- Timeline for completion.

The basic information above is always a part of the Scope of Work. More detailed information and directions on how to write a scope are available from PCSS.

2. Proposal Evaluation Criteria and Contract Award

Each RFP will have evaluation criteria that are used to review and score each submitted proposal. The evaluation criteria need to include all significant factors and sub-factors the County reasonably expects to consider in evaluating competitive

proposals. This includes the relative importance assigned to each evaluated element, as well as the consideration of price with all other evaluation factors.

Typically evaluation criteria at a minimum include:

- Methodology and approach to the work
- Experience and past performance
- Personnel to perform the work
- Cost to perform the work

The County uses a numerical evaluation process. Individual evaluation factors are rated on a numerical scale and by relative importance. This is accomplished by awarding points in each evaluation category. The award factors most important to the County receive higher point scores. For example, the sample table below illustrates this process:

Category	Points
Methodology and Approach	40
Personnel	30
Relevant Background and References	20
Cost	10
Totals	100

The above represents scores using an unweighted scale. You may also use weighting to add more importance to some criteria over others. The following table illustrates this:

Category	Weight	Points	Total
Methodology and Approach	4	40	(160)
Personnel	3	30	(90)
Relevant Background and References	2	20	(40)
Cost	1	10	(10)
Maximum Possible Points			300

The above example is scored on scale of values, with evaluation categories having a pre-assigned weight and a possible score in that category, which is then added together for a full weighted score (i.e., under “Methodology and Approach, with a category weight of 4 and a score of 32 would equal an extended score of 128 points; those categories with higher weights would equate to higher scores over categories with lesser weights).

A typical written evaluation process includes a 100-point scale, although higher point totals may be used. Interviews, if conducted, cannot exceed 40 percent of the total points assigned. The typical format for written/oral evaluation points is 100 for written, 40 to 50 for interviews.

C. Contract Requirements

The following will be included as part of the provided sample contract. PCSS will insert the appropriate contract/required information into the RFP boilerplate.

1. Standard Contractual Terms and Conditions – Services Contract

Each advertised RFP will include the terms and conditions required by the County, typically in the form of a sample Services contract. Other contract forms may be substituted, such as the Agency contract boilerplate, when the County is using the RFP to select organizations to receive grant money. Unless the Requesting Agency has specific special requirements, the approved Services contract shall be the default selection.

2. Special Requirements for FTA, EPA, Homeland Security, or other Federal Funding

The requesting agency **must** inform PCSS of any additional requirements that the County must comply with to qualify for and maintain funding received from a state or federal agency, such as the Federal Transit Administration (FTA), Environmental Protection Agency (EPA) as well as others. Generally, these requirements are identified in grant documents. As necessary, contact your Grant Coordinator and/or the Prosecuting Attorney's Office (PAO) for assistance as needed.

3. Insurance Requirements

Risk Management is responsible for establishing insurance requirements for any procurement and resulting contract. Boilerplate language has been established for insurance coverage, indemnification, and hold harmless requirements. Based on Risk Management's determination of insurance requirements for the solicitation, PCSS will insert the proper language with required coverages and limits.

4. Required Forms

The following forms will be required in the final contract. These forms are noted in the RFP, and PCSS will make the forms available to any proposer who requests them:

- a. Equal Benefits Compliance form
- b. Consultant Disclosure form

When federal and/or state funding is involved in the procurement, the following forms may also be required. Check the funding source documents for grant, federal, state and local requirements:

- c. Disclosure of Lobbying Activities
- d. Buy America Certificate (Applicable to physical goods.)
- e. Certificate regarding Debarment, Suspension, and Other Matters – Primary Covered Transactions
- f. Lower Tier Participant Proposer Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions
- g. Performance and Payment Bond

D. Internal Review of Draft RFP

1. Prior to final publication and posting to the web, the requesting agency and PCSS must review the RFP in its entirety to ensure clarity and minimize conflicts and ambiguities in the Scope of Work and specifications.
2. If there are requested deviations or modifications from standard King County terms and conditions included in the standard contract boilerplate, the requesting agency must consult with PAO and/or Risk Management prior to advertising the RFP.
3. If required by a grant, provide time for the state or federal authority to review the RFP.

E. Advertise, Publish and Web Posting

1. A newspaper advertisement must be published a minimum of 13 days prior to the due date for receipt of proposals in the largest locally published paper, currently the Seattle Times (RCW 36.32.235). Current procedure calls for PCSS to also place the advertisement in the Daily Journal of Commerce to reach the RFP's intended audience, as well as other newspapers serving the community.

PCSS will also post the solicitation to the Procurement website, utilizing the County's Online Vendor Registration (OVR) system to distribute notifications to potential proposers. All subsequent information such as addenda and pre-proposal attendance sheets will also be available at the website, as will the final selection at the conclusion of the bid process.

2. If a requesting agency wishes to reach a larger or specialized audience in order increase competition, the agency may consider outreach through other media such as:
 - Specialized web sites serving a particular service industry.
 - Minority consortium newspapers
 - Trade magazines
 - The Wall Street Journal
3. The advertisement shall include, at a minimum, the following information:
 - a. RFP number and title;
 - b. Nature of the services to be performed;
 - c. Time and location of a pre-proposal conference, if applicable;
 - d. Due date and location for receipt of proposals;
 - e. Contact phone number to call with questions.

F. RFP Announcement and Distribution

On the publication date the OVR system issues an electronic notification to all vendors who have registered to receive solicitations with the same NIGP commodity code(s) assigned to the bid document.

While this process reaches out to many vendors interested in doing business with the county, it may not contact all potential proposers for the solicitation. Requesting agencies are strong encouraged to provide a mailing list that includes all business

entities (contact name, e-mail addresses and if possible, phone numbers) that the agency knows to be capable of providing the requested services. This list is generally provided in MS Excel format, although other formats are acceptable.

G. Responding to Proposers' Questions

After issuance of the RFP, proposers may have questions requiring clarification of the scope of work or the provided sample Services contract. It is important that the following steps be adhered to during the solicitation process:

1. All questions *must* be directed to PCSS. Requesting agency personnel are prohibited from talking with proposers about the RFP or directly answering questions. The RFP will identify a single point of contact in PCSS that proposers can contact with questions regarding the RFP requirements.
 - For questions received via the telephone, direct the proposer to submit its question in writing to PCSS. This allows the County time to review the question, clarify it when necessary, discuss the answer with the requesting agency, determine whether to issue addenda, and prepare an adequate response.
2. PCSS will prepare addenda that include questions received and the County's responses. Addenda are generally issued no later than seven days prior to the proposal due date.

While a date will be published regarding the receipt of questions, proposers may submit questions at any time during the solicitation process. After the question due date, the County will make a best effort to respond; however, late questions may not receive a response.

H. Pre-Proposal Conference

Pre-proposal conferences are generally conducted for advertised solicitations in order to better address questions and distribute information effectively. The pre-proposal conference provides a venue for briefing prospective proposers, and is advantageous to the procurement process in that questions and responses can be distributed to all parties simultaneously. Conducting a pre-proposal conference allows proposers the opportunity to ask questions directly of department personnel, and learn more about the RFP. Under most circumstances PCSS encourages the use of the pre-proposal conference to add clarity to the solicitation process.

The County encourages questions and open discussion during the conference. The County is not required to provide immediate answers to questions, as it may be necessary to discuss the question further before providing a response.

An agenda may be developed for the conference. Examples of agenda items include:

- A brief overview of the scope of work;
- Special procurement or contractual procedures;
- As applicable, an explanation of the SCS and/or DBE programs and the goals set for the procurement;
- Explanation of any grant requirements;
- Review and response to questions received in advance.

It is important to ensure that appropriate County personnel capable of discussing the scope of work attend the conference.

During the pre-proposal conference, the agency representatives and PCSS need to identify any discussions, questions and provided responses that may require additional follow-up or distribution via addendum.

PCSS will provide a copy of the pre-proposal conference attendee list as requested, and may provide certain questions and answers in a prepared written addendum during the conference.

I. Addenda

The primary purpose for Addenda to an RFP is to:

- Issue changes, modifications, or clarifications
- Disseminate follow-up questions and answers and/or pre-Proposal conference meeting minutes
- Change the time and date for receipt of Proposals

The following are typical elements of an RFP Addendum:

1. Addendum Requirements

- a. RFP number;
- b. Addendum number (Addendum 1, Addendum 2, etc.);
- c. Contact person name, phone number and address;
- d. Time and date for receipt of Proposals (revised as necessary);
- e. Procedure to acknowledge receipt of the Addendum;
- f. Clarification questions and County responses;
- g. Specific changes to the RFP. Clearly identify what information is being deleted, modified and/or added.

2. Addendum Distribution

- a. Each addendum issued will be posted to the web. All registered vendors that have also documented their receipt of the RFP will be notified of the availability of addenda. PCSS will typically also e-mail an announcement of the addendum's publication to both the original notification list as well as the list of attendees at the pre-proposal conference.
- b. Addenda must be issued in a timely fashion, generally at least 7 calendar days prior to the due date for the proposals.

J. Receipt of proposals (KCC 2.93.040)

1. Proposals shall be sealed and submitted to the King County Procurement Office in accordance with the directions in the RFP prior to the due date/time.
2. Proposals shall be date and time-recorded when received, and secured until proposal opening.
3. Proposals received after the due date/time shall not be considered for award and will be kept by PCSS unopened or returned to the proposer.

4. Proposals shall be available to the requesting agency after PCSS processing, which includes updating submitters contact information, recording SCS documentation, and other responsiveness issues. Proposals will typically be available within 24 hours of receipt.