

The Evaluation Committee, Evaluation Criteria and Award

Pursuant to HRS Chapter 103D

Evaluation Committee §3-122-45.01

- ✦ Prior to preparation of the RFP, a determination shall be made by the Procurement Officer (PO) or Head of the Purchasing Agency (HOPA).
- ✦ Determination that the evaluation will be made by the PO or by evaluation committee.
- ✦ The approved list of committee members shall be documented and place in contract file.

Evaluation Committee Members

- ✦ At least three governmental employees.
- ✦ Have sufficient qualifications in the areas of the goods, services, or construction to be procured.
- ✦ Private consultants may serve.
- ✦ Contract administrator (CA) shall serve as a member of the committee.
- ✦ The CA or a designee shall serve as chairperson.
- ✦ The PO or designee shall serve as advisor.

The private consultant as a committee member shall:

- ✦ Have sufficient knowledge to serve on the committee;
- ✦ Serve without compensation, unless justified and determined in writing by the HOPA; and
- ✦ Sign an attestation (SPO Form 024)

By signing the attestation, the committee member will:

- ✦ Attest to having no personal, business, or any other relationship that will influence their decision in the evaluation process;
- ✦ Agree not to disclose any information on the evaluation process to other than an employee of a governmental body; and
- ✦ Agree that their names will come public information upon award of the contract.

Responsibilities of a committee member are:

- ✦ Participate in the development of the RFP;
- ✦ Familiarize themselves with the RFP with emphasis on the evaluation criteria;
- ✦ Not disclose any information on the evaluation process;
- ✦ Evaluate the proposals solely against the criteria established;
- ✦ Score each proposal individually.

Evaluation Committee Chairperson Responsibilities

- ✦ Shall ensure that EC members are apprised of any changes to the RFP throughout the process
- ✦ Conduct EC meetings
- ✦ Calculate the points to be assigned to each proposal. Compose a summary of scores.

EC Chairperson Responsibilities continued....

- ✦ Split or assign the work to avoid duplication of effort
- ✦ Ensure that each EC member first scores each proposal individually and that each member's score sheet is made part of the file
- ✦ Conduct EC discussions after initial scoring of proposals

EC Chairperson Responsibilities continued....

- ✦ Summarize scores to determine priority-listed offerors
- ✦ Conduct all oral discussions, if any, with priority-listed offerors
- ✦ Responsible for coordinating all written inquiries and responses to the written inquiries
- ✦ Conduct debriefings

Possible Committee Members

- ✦ Actual end users
- ✦ Financial background
- ✦ Procurement personnel
- ✦ Other agency representatives

Other ways EC Chair may have EC assist in the RFP process:

- ✦ May assist in the development of specific parts of the solicitation
- ✦ May assist in the response to vendor clarifications
- ✦ May assist in the development of specific parts of the evaluation criteria

Evaluation Criteria and Contractor Selection

- ✦ Total number of points
- ✦ What makes up total points
- ✦ May attach score sheet to RFP
- ✦ Minimum points to be listed as acceptable, potentially acceptable

Criteria Essentials

- ✦ Mandatory Requirements
- ✦ Scored Mandatory Requirements
- ✦ Desirables

Mandatory Requirements

- ✦ Proposer is required to submit information for these requirements.
- ✦ No points are awarded for these requirements.
- ✦ These are strictly evaluated on a pass/fail basis.
- ✦ Proposer is to describe how its company complies with each mandatory requirement.

<input type="checkbox"/> PRODUCT INFORMATION SHEET FILLED OUT FOR EACH CHAIR, ATTACHMENT A.	
<input type="checkbox"/> BACK UP LITERATURE NOTING RANGES/SIZES INDICATED ON PRODUCT INFORMATION SHEET.	
<input type="checkbox"/> BACK UP LITERATURE PROVIDING INFORMATION TO MAKE UP MODEL NUMBER.	
<input type="checkbox"/> LETTER OF WARRANTY CERTIFICATION BY MANUFACTURER.	
<input type="checkbox"/> PROOF OF MANUFACTURER BEING IN BUSINESS FOR 5 YEARS.	
<input type="checkbox"/> PROOF OF QUALITY REGISTRATION.	
<input type="checkbox"/> ANSI/BIFMA TEST CERTIFICATE BY INDEPENDENT LABORATORY.	
<input type="checkbox"/> PROOF OF ACCREDITATION OF LABORATORY CONDUCTING TESTS.	
<input type="checkbox"/> CERTIFICATE(S) OF UPHOLSTERY TEST(S).	
<input type="checkbox"/> FOAM CERTIFICATE OF ANALYSIS	

Scored Mandatory Requirements

- ✦ What is required?
- ✦ What does it need to do?
- ✦ When does it need to happen?
- ✦ How should the requirements be submitted?
- ✦ What points will be awarded?
- ✦ What are the minimum acceptable limits?

Desirables

- ✦ Proposer is not required to submit information; however, points will be awarded to those proposers who provide the best solutions.

SECTION FOUR

EVALUATION CRITERIA

.01 INTRODUCTION

The evaluation of proposals received in response to the RFP will be conducted comprehensively, fairly and impartially. Structural, quantitative scoring techniques will be utilized to maximize the objectivity of the evaluation. The Evaluation Committee will evaluate each proposal in accordance with the criteria set forth below. The evaluation criteria and corresponding points are listed below. Primary Award will be made to the responsive, responsible Offeror whose proposal is determined to be the most advantageous to the State of Hawai'i based on the evaluation criteria listed in this section.

.02 EVALUATION PROCESS

The evaluation will be conducted as follows:

- Evaluation of Proposal Requirements
- Evaluation of POS Proposal Application
- Recommendation of Award

A. Evaluation Categories and Threshold

<u>Evaluation Categories</u>	<u>Possible Points</u>
Proposal	
Experience and Qualifications	20 points
Proposed Approach	40 points
Evaluation Process	20 points
Cost Proposal	20 points
TOTAL POSSIBLE POINTS	100 Points

**SECTION FIVE
EVALUATION CRITERIA AND CONTRACTOR SELECTION**

5.010 GENERAL INFORMATION

Evaluation Committee. The Evaluation Committee will evaluate each proposal in accordance with the five (5) criteria set forth below. A proposal that is unrealistic in terms of technical or schedule commitments, or unrealistically high or low in costs will be deemed reflective of an inherent lack of technical competence or indicative of a failure to comprehend the complexity and risk of OOE requirements as set forth in this RFP. Evaluation of the proposals shall be within the sole judgment and discretion of the Evaluation Committee.

Initial Evaluation. The initial evaluation by the Evaluation Committee will consist of evaluating all proposals received against criteria one (1) through five (5). The maximum number of points achievable in the initial evaluation phase is seventy-five (75).

On-Site Demonstration. The Offerors submitting the three (3) proposals receiving the highest point totals will advance as priority-listed Offerors to the On-Site Demonstration phase, criteria six (6).

5.020 EVALUATION CRITERIA

The award will be made to the responsive, responsible Offeror whose proposal is determined to be the most advantageous to the State and the Counties of Honolulu, Hawaii, Maui and Kauai based on the evaluation criteria listed in this section.

THE TOTAL NUMBER OF POINTS USED TO SCORE THIS CONTRACT IS 100.

Cost as an Evaluation Factor

- ✦ When applicable, cost shall be an evaluation factor.
- ✦ The proposal with the lowest cost factor must receive the highest available rating.
- ✦ Each proposal that has a higher cost factor than the lowest must have a lower rating for cost.
- ✦ The points allocated to the higher-priced proposals must be equal to the lowest proposal price multiplied by the maximum points available for price, divided by the higher proposal price.

Here's the Formula:

✦ $[\text{Lowest price} \times \text{total points (maximum)}] \div$
 $\text{Offerors's proposal} = \text{Points}$

Example:

Lowest priced offer - $\$50,000 \times 20 \div \$50,000 = 20$ points

2nd lowest priced offer - $\$50,000 \times 20 \div \$53,000 = 19$ points

3rd lowest priced offer - $\$50,000 \times 20 \div \$55,000 = 18$ points

The score sheet:

- ✦ List all items to be scored.
- ✦ Categorize into themes or groups.
- ✦ Prioritize and weigh by importance.
- ✦ Make it easy to use and understand.
- ✦ Allow space for comments.

**CAMPAIGN SPENDING COMMISSION
INDIVIDUAL SCORING FORM
REQUEST FOR PROPOSALS**

Offeror: _____
RFP Number: RFP-07-007-O
RFP Title: Independent Investigator Services for the Campaign Spending
Commission
Date: _____
Evaluated By: _____
Position Title: _____

Evaluation Criteria

- A. Background and Summary (10 points available) SCORE: _____
(Total A.1 – A.3)
1. Lists how the applicant has demonstrated a thorough understanding of the investigative process involving campaign contribution and expenditure violations. (Maximum of 3 points)
Comments: Points: _____
2. Indicates how the goals and objectives are in alignment with the proposed service activity. (Maximum of 3 points)
Comments: Points: _____

Before the proposals are due:

- ✦ Hold a EC meeting to discuss how each item will be evaluated.
- ✦ Start from maximum points or 0?
- ✦ Do the points add up?
- ✦ Test the score sheet

A Walk Through the Evaluation Process

Initial steps:

- ✦ Ensure that proposals were received by date and time requested.
- ✦ Will not be opened publicly.
- ✦ Opened in the presence of two or more officials.
- ✦ Log in all proposals received.
- ✦ Check each proposal that all mandatory requirements are provided.

Proposal Register Information

- ✦ Name of each offeror
- ✦ Number of modifications received, if any.
- ✦ A description to identify what is being procured.

Distributing the proposals:

- ✦ Original proposals to remain stored in a secure place.
- ✦ Copy of each proposal maintained for future “public inspection” file.
- ✦ Proposals only viewed by EC and State Personnel that have legitimate interest in the solicitation.
- ✦ Each committee member should receive his/her own copy of each proposal.

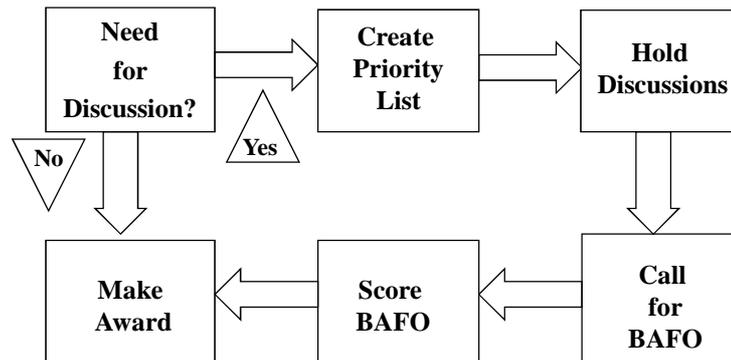
Let the scoring begin.....

- ✦ Review each proposal and notate score accordingly....
- ✦ Notate comments as to why maximum number of points not given.
- ✦ May not be able to rate on first review.
- ✦ Price score should be the same for everyone.
- ✦ Apply applicable preference.

Evaluation of Proposals §3-122-52

- ✦ Evaluation factors shall be described in the RFP.
- ✦ A numerical rating system shall be used.
- ✦ The points to be applied to each evaluation factor shall be described in the RFP.
- ✦ When applicable, cost shall be an evaluation factor.
- ✦ An evaluation factor must be included which takes into consideration whether an offeror qualifies for any procurement preference.
- ✦ Evaluations may not be based on discrimination.

Award With or Without Discussions



Creating the Priority List

- ✦ Classify each proposal as acceptable, potentially acceptable or unacceptable.
- ✦ All responsible offerors who submit acceptable or potentially acceptable proposals are eligible for the priority list.
- ✦ The priority list may be limited to at least three highest-ranked proposals.

Holding Discussions with Priority-Listed Offerors

- ✦ Promote understanding of requirements and priority-listed offerors' proposals
- ✦ Facilitate arriving at a contract that will provide best value to the State.

Fair and Equal Treatment to Each Priority-Listed Offeror

- ✦ Any substantial oral clarification shall be reduced to writing.
- ✦ If during discussions there is a need for any substantial clarification or change in the RFP, the RFP shall be amended by addendum and distributed to only priority-listed offerors.

Best and Final Offer (BAFO)

- ✦ Addenda to the RFP shall be distributed only to priority-listed offerors.
- ✦ The PO shall establish a date and time for the priority-listed offerors to submit their best and final offers.
- ✦ BAFOs shall be submitted only once.
- ✦ No other discussion of or changes in the BAFO shall be allowed prior to award.
- ✦ Priority-listed offerors shall also be informed that if they do not submit a BAFO, their immediate previous offer will be considered as their BAFO.

Making the Award

- ✦ Award shall be issued in writing based on evaluation criteria set forth in the RFP.
- ✦ The award will be posted for five (5) working days.
- ✦ The contract file shall include the basis for selecting the successful offeror.

Cost/Pricing Data

- ✦ Used if competition is restricted or lacking/or the prices offered appear high.
- ✦ It is important to know the market and supplier's situation in regard to the market.
- ✦ Should be used when the procurement through RFP process is expected to exceed \$100,000.
- ✦ An aggregate adjustment (up or down in excess of \$100K) is made to any contract.

Requirement of Cost or Pricing Data

- ✦ If the contract is based on multiple offers, prices published in a public price list or catalog, prices substantiated through prices previously paid or by sources independent of the supplier, or prices set by law or regulation, cost/pricing data not required.

Sole Offer

- ✦ 1. An award may be made to the single offeror, provided the PO determines in writing that the price submitted is fair and reasonable and that either other prospective offerors had reasonable opportunity to respond or there is not adequate time for re-solicitation.

Rejection of Offer

- ✦ 2. The offer may be rejected if the price is not fair and reasonable and prospective offerors did not have reasonable opportunity to respond or there is time to conduct a new procurement.

After rejection, a new request for proposals may be solicited.

More options if only one offer received.

- ✦ 3. The proposed procurement may be cancelled.
- ✦ 4. An alternative procurement method may be conducted.

Using Alternative Procurement

- ✦ The alternative procurement method may be conducted to include, but not be limited to, direct negotiations with the sole offeror first, and then with any other vendor should negotiations with the sole offeror fail.
- ✦ Use of form SPO-015.

No Proposals Received or There Are No Responsible Offers

Considerations:

- ✦ Time constraints;
- ✦ Competition in the marketplace;
- ✦ Whether the additional potential cost of preparing, soliciting, and evaluating competitive sealed proposals is expected to exceed the benefits normally associated with the solicitations.

Alternative Procurement Documentation

- ✦ State the reasons for selection and length of contract period;
- ✦ Receive prior approval of the chief procurement officer or designee; and
- ✦ Be made part of the procurement file upon award by the procurement officer.

Contract File Contents

- ✦ The register of proposals prepared pursuant to section 3-122-51, HAR;
- ✦ A listing of all vendors to who copies of the RFP were distributed;
- ✦ Name of successful offeror and dollar amount;
- ✦ The basis on which the award was made;
- ✦ A copy of the RFP;
- ✦ A copy of the successful offeror's proposal;
- ✦ A copy of all unsuccessful offeror's proposals; and
- ✦ A copy of the executed contract resulting from the RFP.

Public Inspection

(§3-122-58, HAR)

- ✦ The register of proposals shall be open to public inspection upon posting of award(s).
- ✦ The proposals shall be available for public inspection upon posting of award.

Not Available for Public Inspection

- ✦ Those portions the offeror designates in writing as trade secrets or other proprietary data to be confidential subject to subsection 3-122-58(b), HAR cannot be made available for public inspection.

Requests to Inspect the Portions Marked Confidential

- ✦ The inspection shall be subject to written determination by the respective attorney general or corporate counsel for confidentiality in accordance with Chapter 92F, HRS.
- ✦ If the attorney general or corporation counsel determines in writing that the material designated as confidential is subject to disclosure, the material shall be open to public inspection unless the offeror appeals pursuant to section 92F-42(1), HRS.

The Purpose of the Debriefing §3-122-60

- ✦ It provides the opportunity for the non-selected offerors to understand the basis for source selection decision and contract award.
- ✦ It provides the opportunity for the non-selected offerors to see their scores.

Instructions for Non-Selected Offeror

- ✦ A written request for a debriefing to the PO shall be made within three (3) working days after the posting of the award of the contract.
- ✦ The non-selected Offeror may only inquire about their proposal, not any other.

Procurement Officer Responsibilities

- ✦ A debriefing shall be held by the PO or designee within seven (7) working days.
- ✦ Determine whether or not to conduct individual or combined debriefings.

The Protest

- ✦ Shall be filed within five (5) working days following debriefing.
- ✦ Only the award may be protested after the proposals are received.
- ✦ The CPO or designee, prior to commencement of an administrative proceeding or an action in court, may settle and resolve a protest.

Summary

- ✦ Determine if RFP is applicable method of procurement.
- ✦ Form an evaluation committee and prepare the RFP.
- ✦ Advertise and accept proposals.
- ✦ Evaluate proposals and have discussions, if necessary.
- ✦ Call for BAFO, if necessary.
- ✦ Evaluate BAFO proposals, if called for.
- ✦ Make and post award.
- ✦ Conduct debriefings, if requested.

QUESTIONS?

**STATE PROCUREMENT
OFFICE**

**Donn Tsuruda-Kashiwabara
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