



# Office of State Procurement

## *RFP Publication and Evaluation*

Agency Training



# Objectives

At the end of this course, learners will be able to:

- Differentiate the various roles of the staff involved in the RFP process
- Apply best practices for vendor communications
- Explain the evaluation process and when presentations and/or BAFOs will be utilized



# RFP Phases

## Planning

- Define Need
- Market Research

## Writing

- Develop Scope of Work
- Write RFP

## Releasing

- Publish RFP
- Receive Proposals

## Evaluating

- Evaluate Proposals
- Select Most Advantageous Proposal

## Negotiating

- Negotiate Contract
- Execute Contract



## RFP Coordinator

- The RFP Coordinator, also called the contact person, is:
  - Designated per the Proposer Inquiries section of the RFP
  - The only person authorized to communicate about the RFP during the Blackout Period
  - The only person authorized to receive the written questions and proposals
- Depending on your agency, the RFP Coordinator may also:
  - Obtain internal approvals (legal and executive management)
  - Document the results of the evaluation committee's discussions and confirm the committee is in agreement with the written document
  - Correspond with OSP via LaGov or ProAct

In Complex Services RFPs, the contact person for the RFP is handled by OSP. In Professional Services RFPs, the role is often called the RFP Coordinator. We'll use the term "RFP Coordinator" to refer to both of these roles.

The RFP Coordinator is the only person authorized to communicate about the RFP during the blackout period. The RFP Coordinator is also the only person authorized to receive written questions and proposals.

At agencies, the role of the RFP Coordinator varies. The RFP Coordinator may have no additional tasks other than receiving written question and proposals, or they may be responsible for obtaining approvals, including executive management and legal; placing the newspaper advertisements; calculating the cost evaluation points; scheduling, documenting, and monitoring the evaluation committee meetings; creating the RFP file; and corresponding with OSP via LaGov or ProAct.



## Evaluation Committee

- Evaluation Committee members are selected by the agency issuing the RFP
- The committee should be identified during the initial drafting of the RFP to provide input to ensure the RFP meets the needs of the agency
- The committee will review the proposals based on the evaluation criteria set forth in the RFP and make a recommendation for award to the agency head
- Evaluation Committee members should plan to clear their calendars for at least a 1-week time frame for review and evaluation of proposals
- Each evaluation committee member must sign a conflict of interest and confidentiality letter prior to receiving the proposals

Evaluation committee members are selected by the agency that issues the RFP. Ideally the evaluation committee members are staff who are subject matter experts in the product or services requested in the RFP. The evaluation committee members should be identified during the initial RFP drafting and they should continue to be included in all the RFP phases. This will allow the evaluation committee members to have a thorough understanding of the RFP and all addenda issued.

The evaluation committee is responsible for reviewing the proposals received in relation to the RFP. It is recommended that final award recommendation is made by consensus of the evaluation committee and that strengths and weaknesses are documented. Once the evaluation committee has a recommendation, they send the recommendation to the head of the agency that issued the RFP.

The time necessary for the evaluation committee members to participate in an evaluation varies depending on the complexity of the RFP and the number of proposals received. At a minimum, the members should anticipate a full-time commitment that will last at least 1 week to potentially over a month

Every evaluation committee member must sign a conflict of interest and confidentiality letter prior to receiving the proposals for review..



## Evaluation Committee Responsibilities

- Understand the requirements of the RFP
- Understand the Evaluation Methodology
  - Technical Scoring (desirable, mandatory, qualitative)
  - Evaluator Consensus
  - Adjective Rating
  - Evaluation Criteria
- Impartially evaluate the proposed solution to the RFP
- Do not compare proposals
- Maintain strict confidentiality
- Review and understand the Evaluation Committee Member Instructions

Responsibilities of the evaluation committee include understanding the requirements of the RFP and evaluation methodology. If you've included the evaluation committee members in all the RFP phases, then the members should have a strong understanding of the all the requirements.

The members need to understand the technical scoring concepts, how evaluator consensus will be reached, what the adjective ratings are and how they are applied, and the overall evaluation criteria.

The evaluation committee is responsible for conducting an impartial evaluation. Bias cannot be shown toward any proposer.

The evaluation committee must refrain from comparing proposals. A proposal is evaluated in light of the material and the substantiating evidence presented to the State.

The members must maintain strict confidentiality. Information regarding the evaluation cannot be shared with anyone, not the significant other and not the best friend. Members cannot discuss the evaluation outside of the evaluation committee meetings. Members must also keep copies of the proposals secure while the copies are in their possession.

The evaluation committee members must review and understand the instructions given to them.



# Example Evaluation Methodology

**Evaluation Methodology**  
**RFP for Group Life Insurance for OGB**  
**File Number: A 300012857 P**

**Technical Proposal Evaluation (Maximum Value of 43 Points)**

1) Proposals will be evaluated based on the criteria indicated in the RFP.

2) The following categories will be evaluated by the Evaluation Committee

- Approach (20 points)
- Qualifications and Experience (20 points)

3) Each category will be scored using Adjective Rating as a guide as follows:

| Adjective Rating | Score (23 Max) | Score (20 Max) |
|------------------|----------------|----------------|
| Excellent        | 23             | 20             |
| Very Good        | 18             | 15             |
| Good             | 14             | 12             |
| Poor             | 10             | 7              |
| Very Poor        | 5              | 5              |
| Inadequate       | 0              | 0              |

4) Technical Proposal Evaluation Procedure

- Prior to receiving proposals, each Evaluation Committee member and Subject Matter Expert, if applicable, will a) verify that no conflict of interest exists with any party involved with the procurement, and b) agree to keep the identity of the evaluation committee and the evaluation itself confidential.
- Evaluation Committee members will first conduct an individual evaluation of each proposal, considering the strengths and weaknesses of each proposal.
- Following individual evaluations, members of the Evaluation Committee will meet to develop consensus scoring and determine proposal strengths and weaknesses.
- The Evaluation Committee will consider each category for all proposals before discussing the next category.
- The Evaluation Committee will document strengths and weaknesses and assign a score for each category of each proposal.
- For a Proposer to proceed to the Financial Proposal and Veteran and Hudson Initiative evaluation, the Proposer shall achieve a minimum score equivalent to fifty percent (50%) of the possible points assigned to the Technical Proposal. Any Proposal failing to receive the minimum score at the completion of the detailed evaluation of the technical proposals will not be evaluated further and will be ineligible for award.

**Financial Proposal Evaluation (Maximum Value of 45 Points)**

The total proposed cost of each Financial Proposal will be determined by:

The proposed monthly rate per one thousand dollar (\$1,000) billed premium rate will be multiplied by the volume identified for each category to determine the monthly premium. The monthly premium will be multiplied by twelve (12) to determine the annual premium. The Proposer's cost for each component listed in the Price Schedule will be computed by summing the annual premium for each component. The annual premium for each of the components will be added together to determine the total annual premium.

The Base Cost Score will be determined by the Evaluation Committee based on the formula included in the RFP:

$$BCS = (LPC/PC) \times EEP$$

Where:

- BCS = Computed cost score (points) for Proposer being evaluated
- LPC = Lowest total proposed cost of all Proposers
- PC = Total proposed cost of Proposer being evaluated
- EEP = Financial Proposal Points

**Veteran and Hudson Initiative Evaluation (Maximum Value of 12 Points)**

Twelve percent (12%) of the total evaluation points in this RFP are reserved for Proposers who are certified small entrepreneurship or who will engage the participation of one or more certified small entrepreneurs as subcontractors. Reserved points shall be added to the applicable Proposers' evaluation score as follows:

**Proposer Status and Allotment of Reserved Points**

- If the Proposer is a certified Veterans Initiative small entrepreneurship, the Proposer shall receive points equal to twelve percent (12%) of the total evaluation points in this RFP.
- If the Proposer is a certified Hudson Initiative small entrepreneurship, the Proposer shall receive points equal to ten percent (10%) of the total evaluation points in this RFP.
- If the Proposer demonstrates its intent to use certified small entrepreneurship(s) in the performance of contract work resulting from this solicitation, the Proposer shall receive points equal to the net percentage extent of contract work which is projected to be performed by or through certified small entrepreneurship subcontractors, multiplied by the appropriate number of evaluation points.
- The total number of points awarded pursuant to this Section shall not exceed twelve percent (12%) of the total number of evaluation points in this RFP.

**Award Recommendation**

The scores for the Technical Proposals, Financial Proposals, and Veteran and Hudson Initiative will be combined to determine the overall score. The Proposer with the highest overall score will be recommended for award.

This is an example of the Evaluation Methodology which was used in an OSP issued Complex Services RFP. Scores are not limited to the points shown in the Adjective Rating table. The evaluation committee may assign any point value within the range.

If your agency wants to use this methodology you must thoroughly read the methodology and update it to align with your RFP, including the heading with RFP number and title, the technical proposal evaluation information, the adjective rating table and applicable points, the financial proposal evaluation information, and the Veteran and Hudson Initiative Evaluation points, if different from 12 points.



## RFP Coordinator vs. Evaluation Committee

### RFP Coordinator

- Does not evaluate proposals
- Does not offer views on proposals or proposers
- Keeps evaluation committee focused on the evaluation

### Evaluation Committee

- Determine strengths and weaknesses
- Decides if and when clarifications, presentations, or BAFO(s) are needed



The RFP Coordinator does not serve on the Evaluation Committee and they do not evaluate proposals. If the RFP coordinator is assisting the evaluation committee, they must be mindful not to offer their view on proposals or proposer. The RFP Coordinator should keep the evaluation committee focused on the evaluation.

The Evaluation Committee drives the entire evaluation process. The committee decides on the strengths and weaknesses and determines the need for further clarifications, demonstrations, or BAFOs from the proposers.





# Blackout Period



- A specified period of time during the RFP process where proposers, bidders, or their representatives are prohibited from communicating with any State employee or State contractor involved in any step of the procurement process about the RFP
  - Proposers or their representatives may contact the RFP Coordinator
- Helps ensure integrity in the procurement process
- Ensures all proposers have access to the same information at the same time
- Begins when the RFP is publicly advertised and ends when the contract is awarded



## Blackout Period Violations

- The incumbent contractor calls the program manager to discuss the status of the current contract
- During the call, the contractor mentions the RFP and asks if the scope of work is the same
- The agency head receives a specification protest 2 weeks before the RFP opens
- Violating the Blackout Period may result in proposal **DISQUALIFICATION**. The proposer, bidder, or State contractor may be liable for damages and any costs related to the cancellation or termination

**DISQUALIFIED**

Any communications received should be forwarded to the RFP Coordinator and the receiver should not respond to the communication.

We have some examples of potential communications that may occur. Are these violations of the blackout period?

In the first example, the incumbent contractor calls the State's program manager to discuss the status of the current contract. Is this a violation of the blackout period? It is not a violation of the blackout period. The incumbent contractor is allowed discuss the current contract with the agency.

Next, during the same conversation, the contractor mentions he saw the RFP posted online and asks if the Scope of Work is the same as the current contract. Does this violate the blackout period? This is a violation of the blackout period. The contractor should be referred to the RFP Coordinator with any questions relating to the RFP.

In our final example, a potential proposer send a specification protest to the agency head 2 weeks before the RFP opens. Is this a violation of the blackout period? This is not a violation of the blackout period. A protest to a solicitation submitted pursuant to Louisiana Revised Statute 39:1671 is exempt from the blackout period; however the protest must be submitted to the chief procurement officer.

The following communications are exempt from the Blackout Period:

A protest to a solicitation submitted pursuant to Louisiana Revised Statute 39:1671

Duly noticed site visits/conferences for proposers

Oral presentations during the evaluation process

Communications between staff of the procuring agency regarding procedural matters such as deadlines, but not substantive matters regarding the procurement or requirements of the RFP

Violation of the blackout period may result in proposal disqualification.



# Written Questions and Answers

- Best practices
  - Get questions in writing
  - Carefully read each part of the question and answer all parts of the question
  - Refer back to the RFP whenever possible, citing relevant sections and pages
  - Make sure answers do not contradict the RFP and all answers are consistent
  - If the answer references a mandatory requirement, then use shall or must in the answer
  - Publish answers to all questions at the same time
  - Do not answer individual questions directly – respond with a link to the posted addendum
  - Redact potential proposer names and identifying information

If there are answers that change the specifications of the RFP, the addendum must include a “Change From”/”Change To” section documenting all changes made



# Proposal Opening

- Often referred to as “Deadline for Receipt of Written Proposals”
- Proposals received before the deadline shall be stored securely and **shall not be opened** until after the deadline has passed
  - **Remember** – Proposers can withdraw their proposal at any time before the deadline
- Best practices:
  - Date/time stamp the proposals when they are received (if needed date/time stamp a piece of paper and attach it to the box)
  - Create a list of all proposals received
  - Conduct a Proposal Opening public meeting at the time the proposals are due where the RFP title and Proposer Names are announced (do not physically open the boxes in this meeting)



The Proposal Opening is the same as the “Deadline for Receipt of Written Proposals”. At OSP, we conduct public bid openings multiple times a week. For a RFP, the RFP title is read out loud and the names of all proposers who responded are read out loud.

Proposals received before the deadline should be stored securely and not opened until after the deadline has passed. Remember that Proposers are allowed to withdraw a submitted proposal up to the date and time that the proposals are due.

If an unidentified box arrives, the box can be opened to see what it is. If it is a proposal, then the RFP it is for should be identified. Then the box should be resealed and a note added to the box that it was opened to see what it was for. Someone not involved in the RFP process, such as an administrative assistant, should be one to open the box.

Best practices for proposal receipt include: date/time stamping the proposal when they are received as this provides a record that the proposal was received before the deadline. It is acceptable to date/time stamp a piece of paper, such as a sticky note, and tape it to the box. It is also a best practice to create a list of proposals received.

Conducting public bid openings is a best practice and promotes transparency.



## Administrative Requirements Review

- The administrative requirements review is conducted by the RFP Coordinator and focuses on the requirements in the RFP that are administrative in nature
- Administrative requirements review includes:
  - Confirming proposal receipt before the deadline
  - Validating the proper number of copies (technical, cost, USB/flash drives, etc.) are included
  - Confirming required forms, licenses, bonds, etc. are included (signed certification statement)

These requirements should all be “met”/“not met” or “pass”/“fail”

The RFP coordinator conducts the administrative requirements review which includes the requirements that are administrative in nature, such as: Was the proposal received before the deadline? Were the correct number of copies received? This includes copies of the technical, cost, and redacted proposals as well as any electronic copies. Were any required forms included? Such as the certification statement, licenses, or bonds.

All of these requirements should be easily answered as “met”/“not met” or “pass”/“fail”.



## Mandatory Requirements Review

- The mandatory requirements review is conducted by the evaluation committee
- Mandatory requirements review includes:
  - A certain number of years' of experience in a particular field
  - Meeting specific federal requirements
- Every RFP has administrative requirements, but not every RFP has mandatory requirements

These requirements should all be “met”/“not met” or “pass”/“fail”

The evaluation committee conducts the mandatory requirements review which includes items such as meeting a requirement for years' of experience or meeting specific federal requirements.

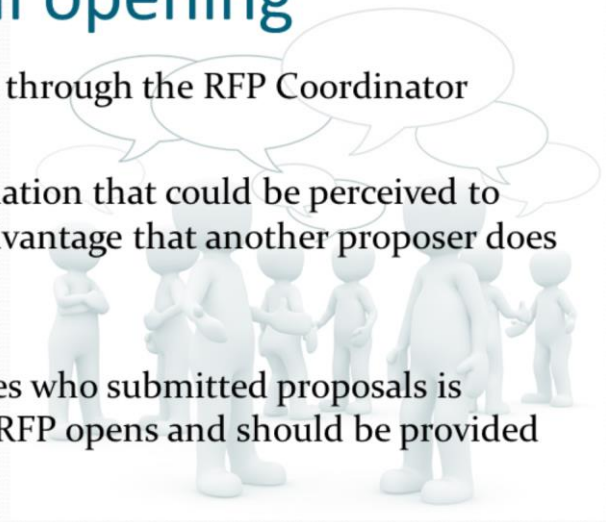
All of these requirements should be easily answered as “met”/“not met” or “pass”/“fail”, but if there is any question on whether or not a mandatory requirement is met, the proposal should be evaluated by the evaluation committee to determine compliance.

Every single RFP has administrative requirements, but not every RFP has mandatory requirements.



## Vendor Communications after proposal opening

- All communications go through the RFP Coordinator
- Don't reveal any information that could be perceived to give one proposer an advantage that another proposer does not have
- The names of companies who submitted proposals is public record once the RFP opens and should be provided



Vendors love to ask questions and you will probably receive multiple emails from vendors over the RFP process. Remember that all communications with vendors are conducted through the RFP Coordinator.

The RFP Coordinator must be very careful to not reveal any information that could be perceived by another party as giving one proposer an advantage over another.

Vendors will often ask for the names of the companies who submitted proposals. Once the RFP has opened, this is public information and should be provided.



## Vendor Communications after proposal opening

- Common questions:
  - When will the award be made?
  - When will I receive the contract?
  - How is the evaluation going?
  - Do you need anything else from me?
  - Can we do anything to speed up the process?
  - When will demonstrations be scheduled?
  - Is there a timeframe for next steps?
  - We had a key staff member leave the company, can I provide you with updated staffing information?

How would you answer these common questions? Most of these questions can be answered as "The evaluation is on-going."





# RFP Phases

## Planning

- Define Need
- Market Research

## Writing

- Develop Scope of Work
- Write RFP

## Releasing

- Publish RFP
- Receive Proposals

## Evaluating

- Evaluate Proposals
- Select Most Advantageous Proposal

## Negotiating

- Negotiate Contract
- Execute Contract



# Evaluation Meetings

- Best practices:
  - Have sign-in sheets for all meetings, including the Kick-off, evaluation meetings, and presentations
  - Use predetermined Evaluation Methodology
  - Tie strengths and weaknesses to the RFP and proposal content
  - Ensure strengths and weaknesses are easy to understand
  - Invite OSP to attend all evaluation meetings



# Evaluation Meetings

- Strengths:
  - Exceed the RFP requirement
  - Meet or exceed a desirable specification
- Weaknesses:
  - Do not meet the RFP requirements
  - Do not answer the RFP requirements
  - Insufficient detail





## Evaluation Meetings

- Strengths and Weaknesses explanations should be based on information contained in the proposal not speculation, and clarifications should be requested when needed
- Tips for writing strengths and weaknesses:
  - Do directly relate to how the proposal addresses the need
  - Do not include pronouns
  - Do use adjectives and terminology relative to the RFP and the proposal
  - Do complete the review of each criteria before moving to the next
  - Do include the page number or section



## Evaluation Meetings

- Any notes are public records and must be maintained in accordance with agency policy
- Evaluate proposals based on the requested information in the RFP and not to other proposals
- Only evaluate what the proposers submitted



Any notes are public records and must be maintained in accordance with agency policy – including all notes made by the evaluation committee members.

The evaluation committee must evaluate proposals based on the requested information in the RFP.

The evaluation committee cannot compare proposals to one another.

The evaluation committee reviews the proposal according to the factors set forth in the RFP.

Only evaluate what the proposers submitted. There may be instances where other factors are allowed to be evaluated, but these factors must be explicitly detailed in the evaluation section of the RFP.

If the RFP allows for evaluation of current/prior experience, the evaluation committee must consider the current or prior experience within reason.



# Determination of Responsibility

- The agency must find that the Proposer:
  1. Has adequate financial resources
  2. Has the necessary experience, organization, technical qualifications, skills, and facilities
  3. Is able to comply with the proposed or required time of delivery or performance schedule;
  4. Has a satisfactory record of integrity, judgment, and performance;
  5. Is otherwise qualified and eligible to receive an award

In Title 34 of the administrative code, the agency is responsible for determining responsibility of the Proposer. There are 5 parts to the determination of responsibility.

The 1<sup>st</sup> is finding that the successful proposer has adequate financial resources for performance, or the ability to obtain such resources as required during performance.

The 2<sup>nd</sup> is finding that the successful proposer has the necessary experience, organization, technical qualifications, skills, and facilities, or has the ability to obtain them (including through probable subcontractor arrangements).

The 3<sup>rd</sup> is finding that the successful proposer is able to comply with the proposed or required time of delivery or performance schedule.

The 4<sup>th</sup> is finding that the successful proposer has a satisfactory record of integrity, judgment, and performance.

The 5<sup>th</sup> is finding that the successful proposer is otherwise qualified and eligible to receive an award under applicable laws and regulations.



# Determination of Responsibility

- Resources available to determine responsibility:
  - Financial statements
  - References from other states
  - Previous experience with the agency or other state agency
  - List of debarred or suspended vendors; SAM.gov
  - The work plan in the technical proposal, if required



There are multiple ways in which a Proposer can be found responsible.

Resources you can use include: publically posted financial statements, audited/unaudited financial statements, letters of credit from a financial institution; references from other states or agencies; previous experience with the agency; checking lists of debarred or suspended vendors and SAM.gov; and the technical proposal submitted including the work plan, if applicable.



# Oral Presentations

- Oral Presentations are conducted during the evaluation process with Proposers determined reasonably susceptible for award
  - Modifications from original proposal are not allowed
  - Cost is not discussed during oral presentations
- Why request Oral Presentations:
  - To clarify or explain one or more areas of the proposal
  - To view a demonstration of the Proposer's system or solution
  - To obtain information which will differentiate between competitive proposals with similar scores



When the evaluation committee decides oral presentations are needed, or when the RFP requires oral presentations, they are conducted with proposers determined to be reasonably susceptible for award.

During oral presentations modifications from the original proposal are not allowed and cost is not discussed.

Oral presentations should be requested when clarity or explanation is needed on one or more proposal areas; to view a demonstrations of the Proposer's system or solution; or to obtain more information which will increase the point difference between competitive proposals with similar scores.





# Oral Presentations

- **Initiating Oral Presentations:**
  - Send written notification to the selected Proposers, including the oral presentation date and time, a list of specific items to be addressed, and any other information pertinent to the presentation
- **Evaluating Oral Presentations:**
  - When the RFP includes language to allow score adjustment, the evaluation committee may adjust the original scores based upon information received in the presentation using the original evaluation criteria in the RFP
  - Strengths and weaknesses from the oral presentation should be documented

Selected proposers are sent written notification to initiate an oral presentation. The notification must include the date, time, and location of the presentation, a list of specific items to be addressed, and other information that is pertinent to the presentation including facility functionality and driving directions.

The evaluation committee will reconvene to evaluate the oral presentation. It is recommended they reconvene immediately following the presentation. The evaluation committee will adjust the original scores, if allowed, based on the original evaluation criteria in the RFP.

Strengths and weaknesses resulting from the oral presentation should be documented, especially if the technical scores are adjusted.



## Reasonably Susceptible for Award

- How to decide which proposers are reasonably susceptible for award?
- Justified by agency



There is no specific method for determining which proposers are reasonably susceptible for award, but the agency must be able to justify the decision made.



## Reasonably Susceptible for Award

- RFP #1: 5 proposers with the following total scores:
  - Proposer 1: 78
  - Proposer 2: 90
  - Proposer 3: 70
  - Proposer 4: 95
  - Proposer 5: 85
- Who is reasonably susceptible for award?
- What if Proposer 3's total score was 55?

What determines if a proposer is reasonably susceptible for award? Let's review some examples.

There are 5 proposers with total scores of 78, 90, 70, 95 and 85. Who should be invited in for oral presentations based on being reasonably susceptible for award? The agency may choose invite in only the top 3, the top 4, or even all the proposers.

There is no right or wrong answer, but the agency must justify the decision.



## Reasonably Susceptible for Award

- RFP #1: 5 proposers with the following total technical scores (cost and HVI points excluded):
  - Proposer 1: 57
  - Proposer 2: 66
  - Proposer 3: 33
  - Proposer 4: 70
  - Proposer 5: 65
- Do these scores change who is reasonably susceptible for award?

When cost and Hudson/Veteran Initiative points are subtracted and the agency only considers the technical scores, there is a more drastic difference in points. It is unlikely in this scenario that proposer 3 would be considered reasonably susceptible for award.



## Reasonably Susceptible for Award

- RFP #2 – 7 proposers with the following scores:

| <b>Proposer</b>       | <b>Technical Score</b><br>(max 290) |
|-----------------------|-------------------------------------|
| <b>Bronze Tiger</b>   | 115.00                              |
| <b>Opal Egret</b>     | 240.00                              |
| <b>Emerald Snake</b>  | 143.00                              |
| <b>Ruby Alligator</b> | 265.00                              |
| <b>Gold Otter</b>     | 80.00                               |
| <b>Diamond Rhino</b>  | 200.00                              |
| <b>Onyx Swan</b>      | 85.00                               |

- Who is reasonably susceptible for award?

This is a real-life example from an RFP issued by OSP. How would you determine who is reasonably susceptible for award and why?

In this example, the proposers who received 50% of more of the technical points were invited in for presentations – Opal Egret, Ruby Alligator, and Diamond Rhino.



## Results after Oral Presentations

- RFP #2 – Ruby Alligator’s technical score increased by 12 points after their presentation

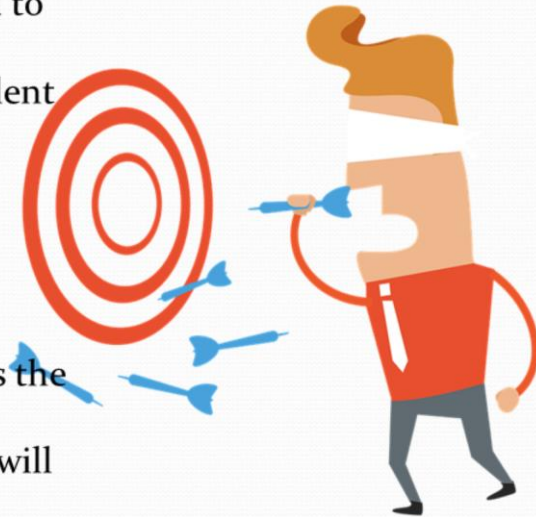
| Proposer       | Technical Score<br>Before Presentations<br>(max 290) | Technical Score<br>After Presentations<br>(max 290) |
|----------------|------------------------------------------------------|-----------------------------------------------------|
| Bronze Tiger   | 115.00                                               | 115.00                                              |
| Opal Egret     | 240.00                                               | 240.00                                              |
| Emerald Snake  | 143.00                                               | 143.00                                              |
| Ruby Alligator | 265.00                                               | 276.00                                              |
| Gold Otter     | 80.00                                                | 80.00                                               |
| Diamond Rhino  | 200.00                                               | 200.00                                              |
| Onyx Swan      | 85.00                                                | 85.00                                               |

Presentations did change the technical scores and Ruby Alligator’s score increased by 12 points.



## Minimum Technical Score

- Proposers are required to achieve a minimum technical score equivalent to 50% of the possible points assigned to the Technical Proposal
- Failure to achieve the minimum score means the proposal will not be evaluated further and will be ineligible for award



Proposers are now required to achieve a minimum of 50% of the technical proposal points in order to proceed to further evaluation for cost and Hudson Veteran Initiative.



## Hudson/Veteran Initiative

- Hudson Initiative began in 2005 and Veteran Initiative began 2009
- Act 585 of the 2018 Regular Session revised the statutes to require no more than 12% of the total evaluation points be reserved for the Veteran Initiative
- Designed to target Louisiana-based small entrepreneurships (SEs) in procurement and contracting opportunities
- Expenditure goals are established each fiscal year
- Louisiana Economic Development (LED) is responsible for certification of businesses

Assuming the Proposer has the minimum amount of technical score points to move forward, you then calculate scores for the Hudson/Veteran Initiative and Cost.

Requirements to be certified by LED:

Business must be independently owned and operated; owners domiciled in Louisiana; officers must be citizens or legal residents of the United States; principal business office must be in Louisiana

Business must have less than fifty (50) full-time employees

Veteran business average annual gross receipts are not to exceed \$10 million for construction, and \$6 million for non-construction for each of the previous three tax years

Hudson business average annual gross receipts are not to exceed \$10 million for construction, and \$5 million for non-construction for each of the previous three tax years

Businesses seeking certification under the Veteran Initiatives may also be required to provide appropriate documentation from the US Department of Veterans Affairs or the Louisiana Department of Veteran Affairs.





## Hudson/Veteran Initiative

- Use [LED Louisiana SmallBiz System](#) to ensure the subcontractor(s) are certified SEs
  - [Search Certification History](#) will provide past certification information for subcontractors
- Use the spreadsheet created by OSP to calculate the points to be awarded
- The determination of scope overlap/duplication should be based upon the detailed description of the subcontracted work to be performed

First, the certifications for the proposed subcontractors must be validated. LED maintains a website where you can search by products and services or commodity code, business name, or certification number. You can even search by parish and owner name. If the subcontractor doesn't show up on the active list, you may also need to use the "Search Certification History" link to confirm if the subcontractor was certified at the time of proposal opening.

OSP created a spreadsheet that will calculate the points to be assigned for the Hudson/Veteran Initiative. The section where agencies often have questions is the scope overlap/duplication section. Scope overlap, if any, is determined by the agency and is based on the detailed description of the subcontracted work to be performed.



# Hudson/Veteran Initiative

## Scope overlap/duplication

- Scope A

- We will use either MPrint Advertising Specialties, Inc. or Promo Ad Specialties to provide promotional/incentive items to be used to incent healthy behaviors, facilitate awareness at outreach events, and foster community and coordination amongst employees



- Scope B

- We intend to subcontract with Agilify, LLC who will provide staff augmentation of business analysts and technical analysts and Antares, LLC who will provide IT consultants including testing analysts, technical writers, and business analysts

In the 1<sup>st</sup> example of potential scope overlap. 2 proposed subcontractors, MPrint Advertising Specialties and Promo Ad Specialties have the same description of services – “promotional/incentive items: to be used to incent healthy behaviors, facilitate awareness at outreach events, and foster community and coordination amongst employees” Additionally, the proposer states they intend to only use one of the proposed subcontractors.

Is this scope overlap? Yes, it is because the proposer explicitly states only one subcontractor will be utilized.

In the 2<sup>nd</sup> example of potential scope overlap, Agilify is offering staff augmentation. The staff augmentation will include business analysts and technical analysts. Antares is offering IT consultants. The IT consultants will include testing analysts, technical writers, and business analysts.

Is this scope overlap? In this example, there may be some scope overlap with the business analysts. The total value of the scope overlap will depend on the subcontract values as well as the number of business analysts proposed and the agency’s determination of how many business analysts are needed.



## Hudson/Veteran Initiative

- Are points awarded when a proposer includes the following statements only in their proposal?
  - “We are eager to partner with Hudson/Veteran Certified businesses once awarded the contract. This will occur once the company assesses the service delivery needs.”
  - “We have executed a letter of intent with East Printing who is Hudson certified. East Printing will provide printing services. The services East Printing will provide represent .5% of the total contract value.”

Does a proposer receive points for the Hudson/Veteran Initiative when following statements only are included in their proposal?

For the first example, a proposer would not receive any points. For the second example, a proposer would receive points.



## Hudson/Veteran Initiative

- If a proposer fails to include:
  - The subcontractor's name,
  - A detailed description of the work to be performed, **and**
  - The anticipated dollar value of the subcontract for the entire contract term (or percent value of the entire contract term)
- Then the proposer will not receive **ANY** points for the Hudson/Veteran Initiative

A proposer must include the subcontractor's name, a detailed description of the work to be performed and the anticipated dollar value of the subcontract for the entire contract term to be awarded **ANY** points.

Failure of the proposer to include those three items means the proposer will not receive any points the Hudson/Veteran Initiative.



## Hudson/Veteran Initiative

- Are points awarded when a proposer includes the following statements only in their proposal?
  - “Our partnership with Emergent Method, a Hudson certified small entrepreneurship, allows us to tap into a highly skilled and dedicated local team in Louisiana. Emergent Method will receive a significant portion of work through recruiting, interviewing, and hiring the staff required in the RFP. Emergent Method will also assist our firm with project management and strategic planning.”
  - “Our subcontractor partner is Franklin Associates, LLC who will provide communications services prior to hurricane season and during declared disasters. Their subcontract has an initial value of \$20,000.”

Does a proposer receive points for the Hudson/Veteran Initiative when following statements only are included in their proposal?

For the first example, a proposer would not receive any points. For the second example, a proposer would receive points.



## Calculating Points – Hudson/Veteran Initiative

- Fill in steps 1-7 on the Hudson/Veterans RFP Points Worksheet
  - RFP # and Title
  - Total number of RFP evaluation points reserved for Hudson/Veterans
  - Proposer Name
  - Choose Yes or No for:
    - Proposer is a certified SE through the Veterans Initiative?
    - Proposer is a certified SE through the Hudson Initiative?
    - Proposer intends to subcontract with certified SE(s)?
  - Enter the total estimated value of the contract
    - Ensure this is the 3-year total

**Hudson/Veterans RFP Points Worksheet** 8/18/2019  
Office of State Procurement v 18.9.17

1. RFP #, Title: \_\_\_\_\_

2. Enter total number of RFP Evaluations points reserved for Hudson/Veterans certified small entrepreneurship (must equal 12% of total RFP Evaluation points) \_\_\_\_\_

3. Proposer: \_\_\_\_\_

4. Is the Proposer a certified small entrepreneurship through the Veterans Initiative? \_\_\_\_\_  
*(If Yes, Proposer should receive 12% of total evaluation points; if No, proceed to question #5)*

5. Is the Proposer a certified small entrepreneurship through the Hudson Initiative? \_\_\_\_\_  
*(If Yes, Proposer should receive 10% of total evaluation points; if No, proceed to question #6)*

6. Does the Proposer intend to subcontract with certified small entrepreneurship? \_\_\_\_\_  
*(If Yes, complete question 7 below; if No to questions 4-6, the Proposer should receive 0 points)*

-----

7. Total estimated value of the contract (Proposer's cost proposal): \_\_\_\_\_

Using the Hudson/Veteran Initiative worksheet:

First complete steps 1-7

Step 1 is the RFP number and title (the RFP number is the RFX number assigned that appears in LaPac)

Step 2 is the total number of RFP evaluation points that are reserved for the Hudson/Veteran Initiative (this is equal to 12% of the total RFP evaluation points)

Step 3 is the Proposer name (there will be one worksheet for each Proposer)

Step 4 is a drop down to indicate if the Proposer is a certified small entrepreneurship through the Veterans Initiative.

Step 5 is a drop down to indicate if the Proposer is a certified small entrepreneurship through the Hudson Initiative.

Step 6 is a drop down to indicate if the Proposer is subcontracting with a certified small entrepreneurship.

Step 7 is the total estimated value of the contract which is based on the Proposer's cost proposal for the entire contract term

If all of these fields are not filled out, the score will not be calculated correctly.



## Calculating Points – Hudson/Veteran Initiative

- Fill in steps 8-9 on the Hudson/Veterans RFP Points Worksheet
  - Subcontractor Name
  - Hudson/Veteran
    - Choose from the drop down
  - Description of Work
  - Subcontract Value
  - Total value of scope overlap/duplication among subcontractors
    - The agency determines if there is scope overlap and the amount of overlap
  - If there is no scope overlap, proceed to the end of the worksheet, otherwise complete step 10

| 8. Subcontractor Information |                    |                |                     |                   |
|------------------------------|--------------------|----------------|---------------------|-------------------|
| #                            | Subcontractor Name | Hudson/Veteran | Description of Work | Subcontract Value |
| A                            |                    | Hudson         |                     |                   |
| B                            |                    |                |                     |                   |
| C                            |                    |                |                     |                   |
| D                            |                    |                |                     |                   |
| E                            |                    |                |                     |                   |
| F                            |                    |                |                     |                   |
| G                            |                    |                |                     |                   |
| H                            |                    |                |                     |                   |
| I                            |                    |                |                     |                   |
| J                            |                    |                |                     |                   |

9. Total value of scope overlap/duplication among subcontractors:

(usually \$0, unless two or more prospective subcontractors are shown for the same work)  
(if \$0, proceed to end)

Step 8 is where the subcontractor information is entered. Use one row for each subcontractor and enter the subcontractor’s name, choose Hudson or Veteran from the drop down based on the subcontractor’s certification, enter a description of the work the subcontractor will do, and enter the value of the subcontract.

If a Proposer proposes more than 10 subcontractors, contact OSP for a revised worksheet.

In Step 9, enter the total value of scope overlap/duplication among subcontractors. This is decided by the agency. If it is zero dollars, proceed to the end of the worksheet. If it is greater than zero, then continue to Step 10.

Remember, if all fields are not filled out, the score may not calculate correctly



## Calculating Points – Hudson/Veteran Initiative

- Fill in step 10 on the Hudson/Veterans RFP Points Worksheet
  - For each Subcontractor, indicate with the drop down whether they are affected by the overlap

| 10. Scope Overlap Correction |                   |                      |                   |                       |
|------------------------------|-------------------|----------------------|-------------------|-----------------------|
| #                            | Subcontract Value | Affected by Overlap? | Overlap Reduction | Net Subcontract Value |
| A                            |                   |                      | \$0               |                       |
| B                            |                   |                      | \$0               |                       |
| C                            |                   |                      | \$0               |                       |
| D                            |                   |                      | \$0               |                       |
| E                            |                   |                      | \$0               |                       |
| F                            |                   |                      | \$0               |                       |
| G                            |                   |                      | \$0               |                       |
| H                            |                   |                      | \$0               |                       |
| I                            |                   |                      | \$0               |                       |
| J                            |                   |                      | \$0               |                       |
|                              |                   |                      | \$0               | \$0                   |

- Proceed to the end to see the calculated points

|                                                                |                        |       |
|----------------------------------------------------------------|------------------------|-------|
| \$0                                                            | Total (Both Programs): | 0.000 |
|                                                                | SubTotal - Veterans:   | 0.000 |
|                                                                | SubTotal - Hudson:     | 0.000 |
| <i>Note: the maximum possible number of points earned is .</i> |                        |       |
|                                                                | Points Earned:         | 0.00  |

In Step 10, the drop down is selected to indicate if each subcontractor is affected by the overlap. Enter “yes” or “no”.

Once the worksheet is completed, the points to be awarded are displayed at the bottom of the sheet.





## Hudson/Veteran Example

- Extraordinary Services has submitted a proposal that includes 4 subcontractors for the Hudson/Veteran Initiative
- The three year estimated contract value based on the proposal is \$1,500,000.
- The subcontractors are:

### American Office Machines, Inc.

- Hudson Certified
- Value of subcontract: \$12,500
- Scope: Office furniture and equipment

### Lemonade Creative Marketing, LLC

- Hudson Certified
- Value of subcontract: \$5,000
- Scope: Printed customer materials

### Communications Consulting Group

- Hudson Certified
- Value of subcontract: \$10,000
- Scope: Translation of customer materials

### J&J Janitorial Services

- Hudson Certified
- Value of subcontract: \$50,000
- Scope: Daily office cleaning

We received a proposal from Extraordinary Services that includes 4 subcontractors. Their cost proposal has a 3-year total of \$1,500,000.

The 4 proposed subcontractors are American Office Machines who will provide office furniture and equipment at an estimated value of \$12,500; Communications Consulting Group who will provide translation services at an estimated value of \$10,000; Lemonade Creative Marketing who will provide printed customer materials at a value of \$5,000, and J&J Janitorial Services who will provide daily office cleaning at an estimated value of \$50,000. The proposer says all of these subcontractors are Hudson certified.



# Hudson/Veteran Example

- First check the certifications on all proposed subcontractors

**Search Certified Businesses**  
Exporting search results to excel provides additional business contact information

Products & Services or Commodity Code:

Business Name:  Parish:

Certification #:  Owner First Name:

Program:  Owner Last Name:

1 results

| Certification Number | Date of Certification | Business Name                  | Contact First Name | Contact Last Name | Parish    | Products & Services                                                                                                                             | Commodity Codes                                                                                                                                                                                                                                                                                                                                                                                                                         | Hudson                              | Veteran                             | Service Connected Disabled Veteran |
|----------------------|-----------------------|--------------------------------|--------------------|-------------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|------------------------------------|
| 5438                 | 6/11/2019             | American Office Machines, Inc. | Karan              | Price             | Jefferson | Sales and Service of Office Equipment, Printers, Computers Fax, Multifunctions machines, shredders, etc. Sales of Office Supplies and Furniture | 14110000-Paper products, 44100000-Office machines and their supplies and accessories, 44110000-Office and desk accessories, 44120000-Office supplies, 45100000-Printing and publishing equipment, 45110000-Audio and visual presentation and composing equipment, 43210000-Computer Equipment and Accessories, 47130000-Cleaning and janitorial supplies, 56120000-Classroom and instructional and institutional furniture and fixtures | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |

- J&J Janitorial Services is not certified, but the other subcontractors are certified SEs

The agency visits LED's website to confirm the certifications of each subcontractor. The agency discovers J&J Janitorial Services is not certified, but the other subcontractors are certified SEs.

What if the Proposer lists the subcontractor as Hudson, but they are also Veteran certified? If this occurs, the subcontractor should be listed on the Hudson/Veteran Initiative worksheet with the category that would result in the most points. Veteran certified small entrepreneurships receive a larger percentage of points than Hudson certified small entrepreneurships. A proposed subcontractor cannot be allocated points for both certifications.



# Hudson/Veteran Example

- Complete steps 1-7

| <b>Hudson/Veterans RFP Points Worksheet</b>                                                                                                                                                      |                                    | 8/23/2019          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------|
| Office of State Procurement                                                                                                                                                                      |                                    | v 18.9.17          |
| 1. RFP #, Title:                                                                                                                                                                                 | <b>300099123, RFP for Services</b> |                    |
| 2. Enter total number of RFP Evaluations points reserved for Hudson/Veterans certified small entrepreneurs (must equal 12% of total RFP Evaluation points)                                       |                                    | <b>12.00</b>       |
| 3. Proposer:                                                                                                                                                                                     | <b>Extraordinary Services</b>      |                    |
| 4. Is the Proposer a certified small entrepreneurship through the Veterans Initiative?<br><i>(If Yes, Proposer should receive 12% of total evaluation points; if No, proceed to question #5)</i> |                                    | <b>No</b>          |
| 5. Is the Proposer a certified small entrepreneurship through the Hudson Initiative?<br><i>(If Yes, Proposer should receive 10% of total evaluation points; if No, proceed to question #6)</i>   |                                    | <b>No</b>          |
| 6. Does the Proposer intend to subcontract with certified small entrepreneurs?<br><i>(If Yes, complete question 7 below; if No to questions 4-6, the Proposer should receive 0 points)</i>       |                                    | <b>Yes</b>         |
| -----                                                                                                                                                                                            |                                    |                    |
| 7. Total estimated value of the contract (Proposer's cost proposal):                                                                                                                             |                                    | <b>\$1,500,000</b> |

We've filled in steps 1-7 for Extraordinary Services

The RFP # and Title (The RFP number is the RFX number assigned that appears in LaPac)

The Total number of reserved points

The Proposer

We indicated that the proposer is not a Hudson or Veterans certified SE and that they are using certified subcontractors

The total estimated value of the contract



# Hudson/Veteran Example

- Complete steps 8-9

| 8. Subcontractor Information |                             |                |                            |                   |
|------------------------------|-----------------------------|----------------|----------------------------|-------------------|
| #                            | Subcontractor Name          | Hudson/Veteran | Description of Work        | Subcontract Value |
| A                            | American Office Machines    | Hudson         | Office furniture and       | \$ 12,500.00      |
| B                            | Communications Consulting   | Hudson         | Translation of customer    | \$ 10,000.00      |
| C                            | Lemonade Creative Marketing | Hudson         | Printed customer materials | \$ 5,000.00       |
| D                            | J&J Janitorial Services     | Neither        | Daily office cleaning      | \$ 50,000.00      |
| E                            |                             |                |                            |                   |
| F                            |                             |                |                            |                   |
| G                            |                             |                |                            |                   |
| H                            |                             |                |                            |                   |
| I                            |                             |                |                            |                   |
| J                            |                             |                |                            |                   |

9. Total value of scope overlap/duplication among subcontractors:   
*(usually \$0, unless two or more prospective subcontractors are shown for the same work)  
(if \$0, proceed to end)*

- Because there is no scope overlap/duplication, proceed to the end

We completed steps 8-9 based on the information in the proposal and as verified on LED's website.

Subcontractor information and scope overlap information. There is no scope overlap in this example.



# Hudson/Veteran Example

- The total points earned (.18) is displayed at the bottom of the worksheet
- This amount of points is added to the score summary for the RFP

| 11. Proposer Points for Subcontractors |           |   |                     |                          |                   |
|----------------------------------------|-----------|---|---------------------|--------------------------|-------------------|
| #                                      | Net Value | ÷ | Total Proposal Cost | × HVI Program Points     | HVI Points Earned |
| A                                      | \$12,500  | ÷ | \$1,500,000         | × 10 points (Hudson) =   | 0.083             |
| B                                      | \$10,000  | ÷ | \$1,500,000         | × 10 points (Hudson) =   | 0.067             |
| C                                      | \$5,000   | ÷ | \$1,500,000         | × 10 points (Hudson) =   | 0.033             |
| D                                      | \$50,000  | ÷ | \$1,500,000         | × 0 points (not cert.) = | 0.000             |
| E                                      |           | ÷ | \$1,500,000         |                          |                   |
| F                                      |           | ÷ | \$1,500,000         |                          |                   |
| G                                      |           | ÷ | \$1,500,000         |                          |                   |
| H                                      |           | ÷ | \$1,500,000         |                          |                   |
| I                                      |           | ÷ | \$1,500,000         |                          |                   |
| J                                      |           | ÷ | \$1,500,000         |                          |                   |
|                                        |           |   | \$77,500            | Total (Both Programs):   | 0.183             |
|                                        |           |   |                     | SubTotal - Veterans:     | 0.000             |
|                                        |           |   |                     | SubTotal - Hudson:       | 0.183             |

Note: the maximum possible number of points earned is 12.

0.18 points from Proposer's use of certified subcontractors, rounded to two decimal places, capped at 12.00 points.

**Points Earned: 0.18**

Because we had no scope overlap, we scrolled to the bottom the worksheet to see the total points to be awarded.



# Hudson/Veteran Example

- The agency realized American Office Machines (row A) is a Veteran certified SE when they verified the certifications on LED's website so American Office Machines receives a higher percentage of points
- The revised points are .20 instead of .18

| 11. Proposer Points for Subcontractors |           |   |                     |                               |                   |
|----------------------------------------|-----------|---|---------------------|-------------------------------|-------------------|
| #                                      | Net Value | ÷ | Total Proposal Cost | × HVI Program Points          | HVI Points Earned |
| A                                      | \$12,500  | ÷ | \$1,500,000         | × 12 points (Veteran) =       | 0.100             |
| B                                      | \$10,000  | ÷ | \$1,500,000         | × 10 points (Hudson) =        | 0.067             |
| C                                      | \$5,000   | ÷ | \$1,500,000         | × 10 points (Hudson) =        | 0.033             |
| D                                      | \$50,000  | ÷ | \$1,500,000         | × 0 points (not cert.) =      | 0.000             |
| E                                      |           | ÷ | \$1,500,000         |                               |                   |
| F                                      |           | ÷ | \$1,500,000         |                               |                   |
| G                                      |           | ÷ | \$1,500,000         |                               |                   |
| H                                      |           | ÷ | \$1,500,000         |                               |                   |
| I                                      |           | ÷ | \$1,500,000         |                               |                   |
| J                                      |           | ÷ | \$1,500,000         |                               |                   |
|                                        |           |   | <b>\$77,500</b>     | <b>Total (Both Programs):</b> | <b>0.200</b>      |
|                                        |           |   |                     | SubTotal - Veterans:          | 0.100             |
|                                        |           |   |                     | SubTotal - Hudson:            | 0.100             |
|                                        |           |   |                     | <b>Points Earned:</b>         | <b>0.20</b>       |

*Note: the maximum possible number of points earned is 12.*

*0.20 points from Proposer's use of certified subcontractors, rounded to two decimal places, capped at 12.00 points.*

The agency realized American Office Machines is Veteran certified and adjusts the Hudson/Veteran drop down in step 8 to Veteran and the points earned is updated.



## Cost Evaluation

- The cost score is calculated using the formula in the RFP:

$$BCS = (LPC \div PC) \times FPP$$

- Where:
  - BCS = Computed cost score (points) for Proposer being evaluated
  - LPC = Lowest proposed cost of all Proposers
  - PC = Total cost of Proposer being evaluated
  - FPP = Financial (Cost) Proposal Points
- The RFP Coordinator or other designated individual per the RFP calculates the score

The cost evaluation formula in both the complex services RFP boilerplate and professional services RFP template is where the computed cost score is equal to lowest proposed cost divided by the proposed cost of the proposal being evaluated, then multiplied by the number of reserved cost points.

Either the RFP Coordinator, or other designated individual per the RFP (if so designated) will calculate the points.



## BAFOs

- Request a Best and Final Offer (BAFO) when:
  - It is needed for an apples to apples comparison
  - The cost submitted by all proposers is too high
  - The scores of two or more proposers are very close after evaluation
- BAFOs are initiated by sending written notification to the selected proposers, including:
  - Specific items to be addressed
  - Instructions and deadline for submittal
  - Evaluation criteria & scoring methodology, if different from the RFP
- BAFOs are requested after the initial evaluation is completed and before the submittal of award recommendation

A BAFO, best and final offer, may be requested when proposers appear to have misunderstood the scope of work or services; the cost submitted by all proposers is too high; or the scores of two or more proposer are very close after evaluation.

Initiating a BAFO is very similar to initiating an oral presentation. Written notification is sent to the selected proposers that includes a list of the specific items to be addressed, instructions and deadline for submittal, and the evaluation criteria and scoring methodology, if different from the RFP.

Best and Final Offers occur after the initial evaluations are completed, but before the submission of the award recommendation.





## BAFOs

- Evaluating a BAFO:
  - BAFO cost replaces original cost, if cost is requested
  - Technical proposal is re-evaluated, if requested
  - Use either the evaluation criteria and weights in the RFP or the evaluation criteria and weights stated in the BAFO letter
- BAFOs are optional and can only be conducted if the language reserving the right to conduct a BAFO is included in the RFP

An invitation to participate in a BAFO does **NOT** obligate the State to enter into a contract.

When evaluating BAFO responses, the BAFO cost, if requested, will replace the original cost and the technical proposal is re-evaluated (if requested). In the evaluation of the BAFO, either the same evaluation criteria and weights in the RFP are used or, if different from the RFP, the evaluation criteria and weights stated in the BAFO letter are used.

BAFOs can only be conducted if the RFP contains language reserving the right of the agency to conduct a BAFO. If this language is removed from the RFP for any reason, a BAFO cannot be conducted.

The State has no obligation to enter into a contract with the proposer or proposers with whom a BAFO is conducted.



The agency will submit the award recommendation packet to OSP for review and approval. Once approved, the agency will issue the Notice of Intent to Award letters to the successful Proposer(s) and regret letters to the unsuccessful Proposer(s).

The protest period begins upon issuance of the letters and lasts for 14 days.

If a protest is received, a Stay of Award is issued and the State cannot proceed further with awarding of the contract unless the chief procurement officer makes a written determination that the awarding of a contract is necessary without delay to protect the substantial interests of the state.

If a protest is received, the chief procurement officer will make a decision in writing. A protest decision by the chief procurement officer can be appealed to the Commissioner of Administration if the protestant disagrees and the protestant can seek judicial review if there is disagreement with the commissioner's decision.

Once the stay of award is lifted, the agency will move forward with contract negotiations.

If a protest is received, it can take 6 months, or longer, to completely resolve the protest.



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