



Writing Winning Proposals

RICO GAMINO, CTPM, CTCM

Procurement Director

Texas Facilities Commission

Agenda

I. WHAT IS AN RFP?

RFP vs. IFB

What Type of Solicitation is an RFP?

Responding to RFPs

II. BASIC STRUCTURE OF THE RFP

General

Statement of Work

Proposal Requirements

Drop Dead Documents – And Why

III. THE HUB SUBCONTRACTING PLAN (HSP)

IV. THE PRE-PROPOSAL CONFERENCE

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IV. THE EVALUATION AND AWARD PROCESS

RFP Opening/Deadline

Evaluation Criteria

How to Score Well

Negotiations/BAFO

Contract Award

IV. CONTRACT EXECUTION

V. CONCLUSION/QUESTIONS

I. What is an RFP?



RFP vs. IFB

- The acronym RFP stands for ***Request for Proposal***
- A ***Request for Proposal*** is a written document inviting suppliers to submit a formal proposal to provide good(s) or service(s) for the ordering entity.

I. What is an RFP?



RFP vs. IFB

- The acronym IFB stands for ***Invitation for Bid***
- An ***Invitation for Bid*** is a written document inviting suppliers to submit a formal bid to provide good(s) or service(s) for the ordering entity.

I. What is an RFP?



RFP vs. IFB

What is the difference?

- A ***Request for Proposal*** is generally used for procuring **services**.
- An ***Invitation for Bid*** is generally used for procuring **goods**.

I. What is an RFP?



RFP vs. IFB

What is the difference?

- An RFP is a formal and competitive method of procurement whereby suppliers are requested to submit proposals in a format that allows the consideration of factors in addition to the price in the evaluation and award process.
- An IFB is a formal solicitation of sealed bids. The supplier offering the best value (meeting minimum qualifications) at the lowest price is awarded the contract.

I. What is an RFP?



RFP vs. IFB

What is the difference?

- Typically, negotiation is **NOT ALLOWED** in the Invitation for Bid solicitation method (Emergency and only one bid response is the exception).
- The RFP solicitation method allows for a Best and Final offer (BAFO) and for negotiation.

IFB vs RFP

IFB

- Shorter time frame
- Evaluated against specs
- Public Bid Opening – Names & Prices
- No Negotiation Allowed
- Best Value = Low Bid

RFP

- Longer time frame
- Evaluated against criteria
- Public Opening – Names only
- BAFO & Negotiation Allowed
- Best Value = Combo of Price & Quality

I. What is an RFP?

WHAT TYPE OF SOLICITATION IS AN RFP?

RFPs . . .

- Are used to procure services via the Competitive Sealed Proposal (CSP) method of procurement
- Are issued to find a supplier that can meet or exceed the ordering entities needs
- Allow ordering entity and supplier to work from same set of rules, requirements, schedules, and information
 - Private companies
 - No legal requirement to post RFPs in a particular place
 - Can limit number of requests as they see fit

I. What is an RFP?

WHAT TYPE OF SOLICITATION IS AN RFP?

RFPs . . .

- Allows ordering entity the opportunity to clarify requirements, negotiate with vendors, and request a Best and Final Offer, or “BAFO”
- Are solicited various ways
 - Government
 - Required to announce RFPs in a public forum (Electronic State Business Daily)
 - Private companies
 - No legal requirement to post RFPs in a particular place
 - Can limit number of requests as they see fit

I. What is an RFP?



What type of Solicitations is an RFP?

Where are some places you can find RFPs?

- Electronic State Business Daily (ESBD)
- Business Industry Journals
- Trade/Contractor Association Plan rooms
- Agency/ Company website
- Federal Biz Ops
- Newspaper / Texas Register

I. What is an RFP?



Responding to RFPs

- Choose wisely
 - Time and effort are required
 - Consider business ROI
- If you decide to respond
 - Understand the requirements of how to respond and the evaluation criteria used to determine award
 - Understand the RFP structure
 - Understand the Scope of Work
 - Understand the required deliverables

I. What is an RFP?



RESPONDING TO RFPs

- Write proposals for the ordering entity
 - Only their opinion matters
 - Look at it from ordering entity's point of view
 - Prove you can meet or exceed the ordering entity's needs
 - Consider your resources
 - Look for language/anomalies that may affect your ability to provide products/services within allotted timeframe for stated price
 - Proposal will be viewed by many and possibly subject to open records laws; keep proprietary information to a minimum

I. What is an RFP?



RESPONDING TO RFPs

- **ANSWER THE QUESTION!**
 - Organized, paginated, table of contents
 - Write your proposal in the same format as the RFP
- **ANSWER THE QUESTION AS TO HOW YOUR COMPANY CAN BEST PROVIDE THE GOODS AND/OR SERVICES REQUESTED**

II. Basic Structure of the RFP

GENERAL

Each ordering entity may have its own format; however, most RFPs consist of the following information:

- Introduction / Scope
- Contract Term
- Compensation and Fees
- Definitions
- Statement of Work
- Schedule of Events
- Proposal Requirements
- Contract/ Terms and Conditions



II. Basic Structure of the RFP

GENERAL

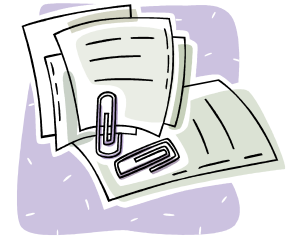
- Introductory paragraph citing applicable Texas Government Code <https://statutes.capitol.texas.gov/>
- Broad description of project
- May include a 'Background' section



II. Basic Structure of the RFP

Statement of Work (SOW)

- Core of the RFP
- Includes detailed specifications or ordering entities need(s)
- **Key words**
 - May
 - Can
 - Must
 - Shall



II. Basic Structure of the RFP

STATEMENT OF WORK (SOW)

- The Statement of Work typically gives you quite a bit of flexibility when writing your proposal.
- You also have an opportunity to convince the ordering entity that your delivery of services will be the best value.



II. Basic Structure of the RFP

STATEMENT OF WORK (SOW)

- Review and Response = Team Effort
 - Writers
 - Marketers
 - Purchasers
 - Sales
 - Techs
- Discuss RFP/SOW questions or concerns with ordering entity ASAP
 - Per the instructions in the RFP
 - Single poc = Purchaser
 - Be ready to suggest alternatives
 - Have all questions answered before completing proposal (***This is critical!!***)
 - Acknowledge all addenda in your response



II. Basic Structure of the RFP

STATEMENT OF WORK (SOW)

- Be specific
 - How your services exceed that of other suppliers
 - How you meet entities requirements



II. Basic Structure of the RFP

STATEMENT OF WORK (SOW)

Example:

“Building should be readily accessible by people with disabilities.”

Response A	Response B
Our building is readily accessible by people with disabilities.	<p>Our building...</p> <ul style="list-style-type: none">• Is located on main bus route; front door next to stop• Has parking lot with drop-off zone, parking stalls adjacent to building• Has floors covered in non-slip coating that are also painted to help people who are visually impaired• Has building entrance ramps, large elevators, and extra-wide doors and restroom stalls to accommodate wheelchairs• Specific OSHA and ADA references



II. Basic Structure of the RFP

PROPOSAL REQUIREMENTS

- Most RFPs request the following **additional** information be submitted:
 - Company Info / History
 - Experience & Qualifications
 - Methodology
 - Financial Information
 - References
- Organized, paginated table of contents
- Other requirements
 - Specified number of originals
 - Specified number of copies
- Preparation/submittal costs paid by supplier



II. Basic Structure of the RFP

PROPOSAL REQUIREMENTS

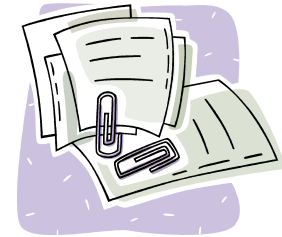
- Make your RFP easier to read and qualify by
 - Writing your proposal in the same format as the RFP
 - Keeping your language simple
 - Responding to every requirement within the RFP
 - Not including extraneous information
 - Ensuring all signatures and attachments are included
 - Submitting your proposal on time



II. Basic Structure of the RFP

DROP DEAD DOCUMENTS – AND WHY

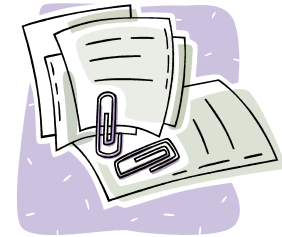
- Every RFP requires specific critical documentation be included.
- Exclusion of critical required documentation generally results in disqualification
 - Meaning no one sees your proposal, and it is not evaluated or reviewed
- Common required documentation includes
 - Execution of Proposal
 - Non-Collusion Affidavit (if required)
 - Bid Bond (if required)
 - HUB Subcontracting Plan



II. Basic Structure of the RFP

DROP DEAD DOCUMENTS – AND WHY

- Execution of Proposal
 - Signed document that certifies that respondent has not provided false information, is complying with all applicable laws, and is basically an ethical business partner. Required by most ordering entities.
- Non-Collusion Affidavit
 - Certifies that the respondent did not collude with another respondent to drive the price upwards or downwards.



II. Basic Structure of the RFP

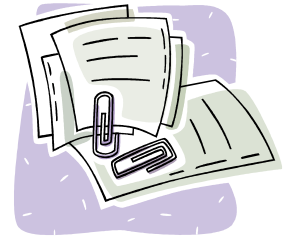
DROP DEAD DOCUMENTS – AND WHY

- Bid Bond
 - Guarantees that the respondent will enter into a contract if awarded. Bond paid by respondent.
- HUB (Minority or Small Business) Subcontracting Plan
 - Details what work will be subcontracted, who the respondent plans to subcontract with, and contact information for each subcontractor. Required by most government entities where the contract award is expected to be \$100K or more. Some entities might have lower thresholds.



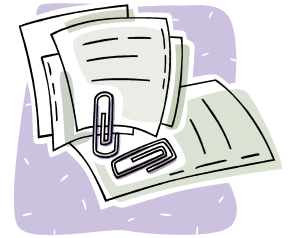
III. HUB Subcontracting Plan (HSP)

- Supported by Texas Government Code Chapter §2155.505 and Texas Administrative Code Chapter Title 34, Part 1, Chapter §20, Subchapter's §20.14 – §20.28
- Requires the solicitation to include a HUB Subcontracting Plan (HSP); and requires a completed HSP from anyone submitting a solicitation response.
 - Each HSP must demonstrate evidence of Good Faith Effort (GFE) in developing the plan.
 - In addition, GFE shall be shown with any instructions or directions as specified in the HUB subcontracting plan template.



III. HUB Subcontracting Plan (HSP)

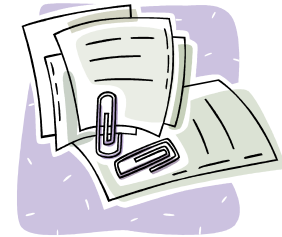
- In making an HSP determination, consider the total expected contract value, including the initial term and any renewal options. If the total is expected to exceed \$100,000K, then an HSP is required.
- The soliciting agency's HUB Director/Coordinator reviews the submitted HSP's independently and makes a pass/fail determination.
- Yes, this means your proposal or submittal can be disqualified for non-compliance, and you will not have the opportunity to correct after the fact.
- The approved HSP becomes a material aspect of the contract.



III. HUB Subcontracting Plan (HSP)

What are the four available 'Good Faith Effort' requirements?

1. Utilization of HUB's for all (100%) of your subcontracting needs
2. Utilization of HUB's to meet the stated percentage HUB subcontracting goal for the type of contract
3. Self performing for all your subcontracting needs
4. Traditional Good Faith Effort
 - Notification/opportunity to at least three certified HUB's registered in the applicable Class/Item Code for each subcontracting opportunity
 - Notification/opportunity to minority and women owned trade organizations
 - Must allow seven working days notice for notified HUB's and trade organizations to respond to bid opportunity



III. HUB Subcontracting Plan (HSP)

- The Agency/Entity you are responding to should have a point of contact listed for questions during the posting.
- This is usually the Purchaser, however there may also be a contact listed for the agency HUB Director/Coordinator to assist you in completing the HSP.
- **DON'T WAIT UNTIL AFTER THE PRE-PROPOSAL CONFERENCES TO ASK FOR HELP; AT THAT POINT IT MAY BE TOO LATE TO FULFILL THE TRADITIONAL 'GOOD FAITH EFFORT' OF SEVEN (7) WORKING DAYS NOTICE TO HUB VENDORS TO PROVIDE A QUOTE ON SUBCONTRACTING OPPORTUNITIES.**
- **INVOLVE THE AGENCY/ENTITY HUB DIRECTOR/COORDINATOR AS EARLY AS POSSIBLE IF YOU THINK YOU MAY NEED ASSISTANCE.**



IV. The Pre-Proposal Conference

PURPOSE

- Provides suppliers an opportunity to
 - Review RFP requirements
 - Facilitate a clear understanding of requirements
 - Promote competition
 - Network with subcontractors
- May be mandatory so ordering entity can
 - Emphasize specific requirements
 - Get an idea of the quantity and quality of competition
 - Potential respondents will have visited the site; vetting opportunities
- In general, the ordering entity will
 - Describe goals and objectives of the RFP
 - Provide instructions about the solicitation document and process
 - Answer potential respondent's questions



IV. The Pre-Proposal Conference

STRUCTURE

- Introductions
- Goals
- Objectives
- Organization of RFP and what is needed to respond in order to qualify for evaluation
- HUB Subcontracting Plan review
 - Networking opportunity with subcontractor/HUB attendees
- Key Requirements
- Schedule of Events
- Evaluation and Award
- Questions and Answers



IV. The Pre-Proposal Conference

WHY YOU SHOULD ATTEND

- Better understanding of the Scope Of Work
 - Technical players at the ppc
- Better understanding of the RFP requirements
 - How to respond in order to be evaluated and score well
- Identification of Primes and Subcontractors

SUBMITTING QUESTIONS

- Technical questions should always be submitted in writing
 - Per the instructions in the RFP – single POC = Purchaser
 - For your protection AND the ordering entity's protection
- How to submit questions
 - Always reference the applicable section number
 - Be specific and succinct
 - In writing



V. The Evaluation and Award Process

RFP OPENING/DEADLINE

- Submittal process
 - Where, How, When: Specified in RFP
 - Late proposals generally not accepted
- Public opening
 - Names of respondents read aloud
 - No other information released until final contract award; protects integrity of future negotiations and BAFO (if any)
- Open records laws
 - Applies to public sector
 - Requires disclosure of all non-proprietary information after contract award; OAG makes determination for items marked 'Confidential'
 - Tabulation information generally available on-line or through ordering entity



V. The Evaluation and Award Process

EVALUATION CRITERIA

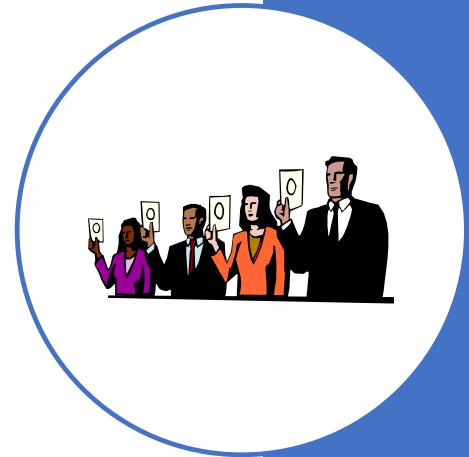
- Once all proposals are received and the opening has occurred, an evaluation team will review and score the proposals
- Proposals are generally evaluated, using weighted values, on the following criteria:
 - Price
 - Company History
 - Financial Stability
 - Vendor Performance
 - Experience & Qualifications
 - Methodology
 - References



V. The Evaluation and Award Process

EVALUATION CRITERIA

- “Best Value” (TGC2155.074) generally includes
 - Price
 - Installation costs
 - Life-cycle costs
 - Quality and reliability of the goods and services
 - Delivery terms
 - Vendor performance
 - Cost of training or maintenance after award
 - Technical capabilities
- TGC 2155.075 Requirement
- Awards made under TGC 2156.124
- Awards made under TGC 2269



V. The Evaluation and Award Process

EVALUATION CRITERIA

- Points may also be awarded for
 - Supplier's management of the RFP process (thoroughness of proposal, timeliness, etc.)
 - Support services
 - Geographical locations served
 - Any best value criteria ordering entity includes in RFP
 - Demonstrated budget compliance
 - Demonstrated schedule compliance



V. The Evaluation and Award Process

EVALUATION CRITERIA

- RFP specifies evaluation criteria and how much weight each criterion carries. For example:

Evaluation Criteria	Weight
Price	60%
Relevant Exp & Qual	20%
Methodology	10%
Vendor Performance/References	10%

- Other examples of evaluation criteria:
 - Budget Compliance
 - Schedule Compliance
 - Financial/Litigation
 - Safety / QC



V. The Evaluation and Award Process

EVALUATION CRITERIA AND PROCESS

- Purchaser qualifies responses to determine eligibility for evaluation
- Agency HUB Coordinator reviews submitted HUB Subcontracting Plan
 - TAC Title 34, Part 1, Chapter 20, Subchapter B, Rule 20.14 Subcontracts - construction 24-hour rule
- Quantitative and qualitative evaluation criteria may be separated
 - Purchaser (or evaluation team lead) typically computes the compensation and fees, or quantitative criteria; scores accordingly
- Purchaser or Evaluation Team Lead reviews Evaluation Team Brief and obtains Non-Disclosure Statement
 - These are the rules of the evaluation and affidavit of fairness and integrity
- Evaluation Team reviews proposals for qualitative criteria, scores each proposal according to meeting/exceeding RFP requirements; typically on a point scale
 - Evaluation meeting may or may not be proctored



V. The Evaluation and Award Process

EVALUATION CRITERIA AND PROCESS (CON'T)

- All proposals and evaluation team member scores are returned to purchaser or evaluation team lead and averaged for a final qualitative score
- The qualitative average is added to the quantitative score for an initial evaluation score
- Ranking is produced
- Evaluation Team meets to discuss next steps
 - There may or may not be a formal interview of the top ranked respondents
 - If there is an interview, this may change the qualitative scores
- Negotiations proceed:
 - BAFO: allows for ALL respondents to revise and discuss their proposals
 - Negotiation: start with the top ranked respondent



V. The Evaluation and Award Process

HOW TO SCORE WELL

1. Respond in exact accordance with RFP requirements.
 - Provide all information requested in the order and format specified
 - Use any scoring rubric or evaluation checklist provided to you
 - **The first indication of your professional qualification is the ability to follow instructions!**
2. Present your proposal in a logical, organized manner
 - Clearly label sections
 - If proposal format is not prescribed, organize proposal to match sequence of RFP
 - Make proposal complete, concise, and precise



V. The Evaluation and Award Process

HOW TO SCORE WELL

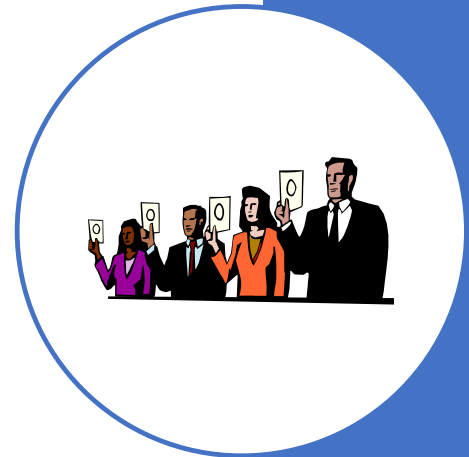
3. Clearly define how you will meet each service requirement and avoid the following:
 - Ambiguous statements
 - Jargon
 - Language not clearly defined within your proposal.
 - Extemporaneous materials not specifically requested in RFP
4. Describe benefits of your product/service
5. Emphasize section of your proposal that carries most weight in RFP
 - Weighted criteria section
 - Pricing structure
6. **BE COMPETITIVE**



V. The Evaluation and Award Process

NEGOTIATIONS/BAFO

- Negotiations may include
 - Pricing
 - Logistics
 - Contract terms
 - Timing
- Generally, negotiations do *not* include
 - Substantive changes
- Prepare for your negotiation
 - Ask for negotiation agenda/interview questions
- Value Engineering with top ranked respondent
 - Usually to adhere to budget



V. The Evaluation and Award Process

BAFO

- After evaluations are complete, the ordering entity may ask for a *BAFO*
- “BAFO” stands for Best and final Offer
- A ‘BAFO’ may be requested either before or after negotiations



V. The Evaluation and Award Process

NEGOTIATIONS/BAFO

- If the Ordering entity asks you for a BAFO (Best and Final Offer), here are your options:
 - Stand by your original price
 - Lower your price with no reduction in your scope of work
 - Lower your price but also reduce the amount of work you will do
 - Offer or modify other terms and conditions beneficial to the ordering entity
- BAFO typically includes the following:
 - Submitted on your company letterhead or a form provided by the ordering entity
 - Reference the RFP or solicitation number and name
 - Include your BAFO terms and conditions
 - Signed by an authorized representative of your company, typically the individual that signed the Execution of Proposal



VI. Contract Execution

Winning supplier announced when

- All BAFOs have been submitted
- Evaluation process is complete
- Negotiations are complete
- Award is made by Agency and/or Commission



VI. Contract Execution

Contract Execution

- Agency sends two originals to awarded vendor for execution
- **This is where some of the biggest delays are in starting the contract**
 - Agency Program may be slow to get the contract draft to Agency Legal Services
 - Agency Legal Services must draft the contract, Agency Program must review
 - Vendor review – if a contract ‘template’ was included in the original solicitation, you, the Vendor, should have already reviewed the contract language – this will speed up the execution process
 - Contract originals sent back to Agency for final execution.
 - Start date is typically the final signature date or stated term date, whichever is latest



VI. Contract Execution

CONTRACT AWARD

- HB1295 84th Legislative Session Requirements
 - TGC Section 2252.908, and new rules promulgated by the Texas Ethics Commission (“TEC”) pursuant to Section 2252.908, require a disclosure of interested parties by contractors that enter into certain types of government contracts. To comply with the law and new rules, contractors must file a Disclosure of Interested Parties Form 1295 (“Form 1295”) with the TEC and the contracting agency
- SB20 84th Legislative Session Requirements
 - Know that the awarded contract and or purchase order, if certain thresholds are met, will be posted on the agency website. This will include the solicitation documents, your response to the solicitation, and the contract/purchase order.



VI. Contract Execution

CONTRACT AWARD

- Post-announcement debriefing
 - May be requested with ordering entity; may not be provided
 - Provides feedback regarding strengths/weaknesses of your proposal
 - Is most valuable as a learning opportunity for future RFP responses
- What a Debrief **IS**:
 - A review of the tabulation and how your response was scored
 - A review of perceived weaknesses in your response
- What a Debrief **IS NOT**:
 - A review or discussion of another participating vendor's response



VII. Conclusion / Questions

IN CONCLUSION

- Responding to RFPs can be a methodical, organized process
- Don't let scope or length of an RFP intimidate you
 - Take it all in stride and respond to every requirement
 - Answer all sections to the best of your abilities
 - **In the end, you will convince the ordering entity that you are the best supplier for the job because you have offered your services at a competitive price, and defined your capabilities and qualifications through your proposal submittal to determine a best value award!**



Questions?

- Contact Information:
 - Rico Gamino
 - Email: rico.gamino@tfc.state.tx.us
 - Phone: 512-936-3567

