

BID AND PROPOSAL CHECKLIST **(Competitive Sealed Bid, Proposal and Expedited Procurement)**

PROJECT NAME: _____

CONTACT MONITOR: _____ EXT: _____

Check off applicable items as noted or completed ◀ **Save Documents in Shared Drive**

1. Total Estimated Cost: \$ _____

2. Method of Procurement:

- Competitive Sealed Bid
- Competitive Sealed Proposal
- Expedited Procurement

3. RFP/IFB Issuance, Evaluation and Award Process:

Pre-RFP/IFB Issuance

- Contract Monitor notifies Procurement Officer of the procurement requirement
- Contract Monitor provides draft written Determination of expedited procurement for consideration by Procurement Officer, Executive Director if procurement method is to be Expedited Procurement
- Contract Monitor submits Scope of Work to Procurement Officer for review and incorporation into the appropriate RFP/IFB format
- Procurement Officer, in consultation with the Contract Monitor and MHBE's MBE liaison, determines Minority Business Enterprise goal and subgoals, if any, for contract and possible subcontracts, by:
 - Evaluating whether potential subcontracts are severable from the prime contract;
 - Using the MDOT Directory of Certified MBE firms and NAICS codes to determine the availability of MBE subcontractors to respond to the potential subcontracts;
 - Referring to guidelines established by the Office of Minority Affairs; or
 - Works with the Office of Minority Affairs to designate any contracts to be procured without any certified MBE participation goals
- In the case of an Expedited Procurement in which the public interest cannot reasonably accommodate the use of MBE requirements, Procurement Officer obtains the Executive Director's waiver of MBE requirements in accordance with Md. Code Ann., St. Fin. & Proc. § 14-302(a)(9)(iii)
- Procurement Officer works with Chief Financial Officer to identify funding sources for the Contract, including federal grant funding by Catalog of Federal Domestic Assistance (CFDA) number (to be disclosed in Contract's Federal Funds Acknowledgement section).
- Procurement Officer prepares RFP/IFB and appropriate attachments, such as:
 - Standard Contract
 - Bid/Proposal Affidavit
 - Includes various certifications made by the Offeror, including certification regarding commercial non-discrimination
 - Contract Affidavit
 - Affidavit affirming registration of business with SDAT, etc.
 - Minority Business Enterprise Goal and Forms
 - Include forms where MBE goal exceeds 0%
 - Always state MBE goal in RFP/IFB

- Pre-Proposal Conference Response Form
- Federal Funds Requirements and Certifications
 - Attach where Contract will include federal funds
- Conflict of Interest Affidavit and Disclosure
- Non-Exchange Entity Agreement [Trading Partner Agreement] attaching form for reporting Breach of Unsecured Personally Identifiable Information (PII)
 - Attach where Contractor or its subcontractors will have access to PII
- Non-Disclosure Agreement
 - Attach where access to information the State deems confidential, in addition to or other than PII
- Software Escrow Agreement
 - Attach where MHBE needs continued access to critical software in the event Contractor is no longer viable
- Performance Bond
 - Attach where MHBE seeks assurance, in the form of an insurance or bank bond, that the job for which it is contracting will be completed
- Bid Bond
 - Attach where MHBE seeks assurance at the time of the bid or proposal that Contractor has the capability to perform major Contract
- Contract Monitor reviews and approves draft RFP/IFB
- Assistant Attorney General reviews and approves draft RFP/IFB
- Procurement Timeline finalized by Procurement Officer and Contract Monitor with approval from Executive Director. The following will be determined during this process:
 - Whether to have a pre-bid proposal conference
 - Whether to schedule time for posting of vendor questions and answers
 - Whether to schedule time for oral presentations
 - Whether to provide time to request and obtain best and final offers
 - How much time to provide for evaluation of proposals
 - Bid/Offer due date
 - Projected Contract award date
- Procurement Officer finalizes MBE goals and subgoals in consultation with MBE Liaison and Contract Monitor if applicable
- Contract Monitor and Procurement Officer identify Evaluation Committee members
- Contract Monitor confirms with Procurement Officer and Evaluation Committee members the proposal evaluation dates and location prior to posting of the RFP
- RFP/IFB is given unique alphanumeric identifier prior to posting
 - Competitive procurements should begin with "C." If competitive sealed bid, "CSB," "CSP" if competitive sealed proposal and "CEP" if expedited procurement and, in each case, end with the date the RFP is developed.
- RFP must be supplied to CMS for prior approval if contract utilizes enhanced Medicaid match or if it utilizes a 50% Medicaid match and is in excess of \$1 million
- Procurement Officer obtains signature from Contract Monitor, Chief Financial Officer and Executive Director prior to posting RFP/IFB

Contract Monitor Signature/Date

Chief Financial Officer Signature/Date

Executive Director Signature/Date

RFP/IFB Issuance and Post-Issuance

- RFP/IFB is posted on eMM and the MHBE Website
- Procurement Officer notifies MDOT to broadcast RFP/IFB to all applicable NAICS Codes for potentially qualified MBEs
- MDOT confirms broadcast to NAICS Codes for MBEs
- Pre-Bid/Proposal Conference completed if included in Procurement Timeline

- Procurement Officer provides a current list of certified MBEs to each prospective Offeror
- Procurement Officer completes Responses to Offerors' Questions with Contract Monitor if included in Procurement Timeline
- Procurement Officer posts answers to Offerors' Questions
- Procurement Officer posts RFP/IFB Amendment to the eMM and MHBE Website if Contract Monitor and Executive Director deem appropriate
- Procurement Officer completes Evaluation Matrix in keeping with the criteria set forth in the RFP and forwards to Contract Monitor
- Procurement Officer secures signed Certifications of Impartiality from all Evaluation Committee members

Evaluation Process

- Procurement Officer generates a list of Qualified Bidders/Offerors by completing:
 - Debarment verification for all Bidders/Offerors
 - In the case of a competitive sealed bids, a review of bids received to:
 - Assess whether each bid is responsive (conforms in all material respects to the IFB); and
 - Assess whether each Bidder is responsible (has the capability in all respects to perform fully the contract requirements and the integrity and reliability to ensure good-faith performance)
 - In the case of competitive sealed proposals, a review of offers received to classify each offer as acceptable, potentially acceptable or unacceptable (the offer of a non-responsible Offeror is unacceptable and not reasonably susceptible to award)
- Procurement Officer notifies all Offerors who are determined to be not reasonably susceptible to award and Bidders whose bids are non-responsive or who are non-responsible that their offers/bids will not be further evaluated
- In the case of Competitive Sealed Bids, Procurement Officer determines the most favorable bid and obtains the approval of the Contract Monitor, the Executive Director and, where applicable, the Board prior to awarding the contract [See "Pre-Board Approval Process, Below]
- In the case of Competitive Sealed Proposals, the Procurement Officer distributes acceptable and potentially acceptable offers to the Evaluation Committee
- Evaluation Committee and Procurement Officer complete review of offers using Evaluation Matrix
- Evaluation Committee recommends shortlisted Offerors to be contacted for Oral Presentations, if any
- Procurement Officer schedules Oral Presentations with shortlisted Offerors, if applicable
- Procurement Officer issues clarification questions to oral presentations if applicable
- Procurement Officer, after consultation with the Evaluation Committee, requests Best and Final Offer(s) if in the best interest of the State
- Evaluation Committee evaluates BAFO(s) and makes recommendation for award
- Procurement Officer and Executive Director or Executive Director's designee make final evaluation, including final evaluation of Evaluation Committee's recommendation
- Contract Monitor (or other Executive Director designee) drafts Board Recommendation Memorandum, if applicable

Pre-Board Approval Process

- Where Contract value (including all option periods) is less than \$200,000, Procurement Officer submits proposed Contract to Executive Director for decision on whether to approve or submit to the Board for approval.
- Where Contract value (including all option periods) is \$200,000 or more, or Executive Director determines Contract should go to the Board regardless of Contract value, Procurement Officer assembles the following Necessary Documents to go before the Board of Trustees: **(all documents must be secured 2 weeks prior to Board meeting)**
 - Relevant Procurement Document Checklist
 - Award Recommendation Memorandum (Prepared by Contract Monitor)
 - Describe why goods or services are necessary
 - Describe the procurement methodology used to procure the goods or services (CSB, CSP or EP) and include the RFP/IFB number used in eMM posting
 - Summarize the evaluation process and recommendation
 - Specify the Not to Exceed Amount Requested, including all Option Periods (Describe the amounts of each)
 - Model Motion seeking approval of Contract
 - Procurement Officer obtains signature from Contract Monitor, Chief Financial Officer, Executive Director, and Board Chairman prior to going before Board

Contract Monitor Signature/Date

Chief Financial Officer Signature/Date

Executive Director Signature/Date

Board Chairman Signature/Date

Post-Board Approval Process

- Procurement Officer retains Board Meeting Minutes
- Communications Director will work with Procurement Officer and Contract Monitor to develop Press Release announcing Contract

Award Process

- Procurement Officer issues Notice of Intent to Award Letter and Standard Contract with exhibits to potential Awardee(s)
- Where apparent successful Bidder/Offeror has submitted timely request for waiver of MBE goal(s) (must be submitted at time bid/proposal was due or will not be considered), Procurement Officer evaluates documentation in support of waiver submitted by apparent successful Offeror (Documentation must be received within 10 working days from notification of award or apparent award, whichever is earlier)
- Where MBE waiver is requested, Procurement Officer prepares draft written determination of waiver for the review of Executive Director or Executive Director's designee, who determines whether public interest is served by MBE goals waiver in accordance with COMAR 21.11.03.11(B)
- Where MBE goals waiver is granted, Procurement Officer provides copy of written determination to MBE liaison officer and forwards another copy to the Office of Minority Affairs

- Procurement Officer receives partially executed Standard Contract from Awardee
- Procurement Officer presents Standard Contract to Executive Director for review and signature
- Procurement Officer presents Contract executed by both parties to Office of the Attorney General for legal sufficiency review
- Procurement Officer sends fully executed Standard Contract to Awardee
- Procurement Officer forwards fully executed Contract to Contract Monitor for its records
- Procurement Office scans and logs fully executed contract and other documents into Shared Drive. Include:
 - Bid and Proposal Checklist
 - Relevant Procurement Document Checklist and items listed therein
- Procurement Officer creates BPO/PO into ADPICS System for all contracts valued at over \$25,000
- Contract is added to Contract Log
- Chief Financial Officer is notified of entry into Contract Log
- Chief Financial Officer applies electronic signature to contract log to signify appropriate entry and retention of all necessary documents