

**Governor's Office of
Small, Minority & Women Business Affairs**

Anatomy of a Bid



January
2019

Typical Solicitation Process

- 1. Planning**
 - Cost estimate, Budget approval, Timeline, Key personnel
- 2. Document Preparation**
 - Technical, administrative and contractual requirements finalized
- 3. Publication**
 - eMaryland Marketplace, Direct Solicitation
- 4. Pre-Bid/Proposal Conference**
 - Interact with contractors, explain scope, answer questions
- 5. Receive Bids/Proposals**
 - Public bid opening or confidential proposal evaluation
- 6. Evaluate Responses**
 - Lowest Responsive and Responsible
 - Most advantageous offer
- 7. Recommend Award**
 - Obtain signed contract and forms from winning vendor
 - Receive internal approvals
- 8. Notify Vendors**
 - Provide debriefings for unsuccessful offerors
 - Protest timeline
- 9. Receive Final Award Approval**
 - Control Agency
 - BPW
- 10. Issue NTP**



Know the Language



- **RFP** – Request for Proposals
 - **Offeror** – Entity that submits a proposal in response to a RFP
- **IFB** – Invitation For Bids
 - **Bidder** – Entity that submits a bid in response to a IFB
- **NTP** – Notice to Proceed; written notice from procurement officer that indicates specific date that contract work will begin
- **SF&P** – State Finance and Procurement - codified procurement law
- **COMAR** – Code of Maryland Regulations - specific process used to ensure compliance with procurement law

Bid vs Proposal

Bid:

- Deliverables spelled out in great detail to obtain comparable bids
- Award is made to the **responsible** bidder submitting a *responsive* bid that represents the:
 - Lowest price or
 - Lowest evaluated price
- Bids opened in public; limited ability to cure bid deficiencies
- May obtain bid tabulation sheet; no formal debriefing



Proposal:

- State describes problem; vendor proposes best solution
- Award is made to the overall highest ranked **responsible** offeror
- Separate technical and financial ranking
- Rankings are combined to determine overall best value
- Ability to improve technical/financial offer before final decision
- Non-public proposal evaluation phase
- Unsuccessful offerors may request a formal debriefing

Responsive and Responsible

“Responsive” relates to the tangible documents submitted to the state as of the date and time of bid submission

- Submit a non-ambiguous bid that includes all required submissions and clearly outlines your intent to meet all deliverables on time and at a specified price
- Confirm acceptance of all contract provisions as described in the IFB
- Certain minor irregularities may be cured; major ones are usually fatal

“Responsible” relates to the bidder’s technical capability to deliver the product/service as required; reliability and integrity are also factors

- State can use any available information to determine responsibility
- Past experience, references, samples, financial capability, etc.
- Decision can be made up until the time of contract execution
- Bidder should not be found non-responsive for failure to submit documentation that supports responsibility



Bid Document Organization



- **General Information**
 - Outlines the non-technical requirements associated with the bid and the resulting contract
 - Lays out the bidding rules
- **Mandatory Minimum Qualifications**
 - Included only when necessary and appropriate
 - Must meet in order to have bid considered
- **Scope of Work**
 - Technical deliverables and timeframe that must be met
 - Outlines the responsibilities of the buyer and the contractor
- **Bid Format**
 - Instructions for completing Bid Form and what must be included with the bid submission
 - Successful bidder instructions

General Information

Bid documents provide information on the “mechanics”, timeline, contract type, definitions, small, minority, or veteran participation requirements, basis for award, etc., for the potential bidder to decide whether bidding is feasible

- Is the level of risk acceptable?
- What might be negotiable?
- Bidders must confirm acceptance of all requirements outlined in this section
- Questions and concerns about anything contained in the bid document must be raised BEFORE the bid due date
- Small/minority/veteran businesses should pay particular attention to any provisions outlining participation goals



Mandatory Minimum Requirements



- May or may not be included in a Invitation for Bid (IFB) or Request for Proposal (RFP)
 - Most often used with IFBs



- Evidence requested to prove compliance with mandatory minimum requirements should lead to an objective “yes/no” determination
- If bidder does not meet this requirement, bid will likely be rejected



- If minimum requirements seems overly restrictive, a bidder may ask the Procurement Officer for justification

Scope of Work

- Review carefully to determine internal capability to satisfy all deliverables or if outside partner is needed
- Always seek clarification via written questions; make sure you have a clear understanding of all technical deliverables, including any reporting requirements
- Track and account for all scope changes/deliverables made via amendment to IFB; all changes must be reflected in final bid price
- If partnering, ask how your partnering agreement will be handled during the evaluation of personnel and business technical qualifications
- Make no assumptions regarding technical deliverables and timeframes for delivery; ask questions and seek definitive direction from the Procurement Officer



Bid Format



- Make an effort to attend the pre-bid/conference meeting (offered for most solicitations)
- Estimated quantities used frequently in IFBs; allows for receipt of comparable bids
- **Follow bid instructions very carefully**
 - Usually more than just the bid form is required
- Double-check all bidder calculations to avoid ambiguity
- Late bids **ARE NOT, WILL NOT, CANNOT** be accepted

Bid Notification

- Awards valued at $\geq 15K$ must be posted on eMaryland Marketplace
- There is no requirement to notify or debrief unsuccessful bidders
- May ask Procurement Officer for award details
 - Bid tabulation sheet shows vendors and total bid prices
 - Can request to inspect complete bid documents at Procurement Officer's office
- Many documents are made available immediately
- May request public information documents formally through the Maryland's Public Information Act (PIA)



Keep Learning



The [Governor's Office of Small, Minority, & Women Business Affairs](#) hosts the **Technical Training Classroom** for small, minority, women, and veteran business owners that want to improve managerial efficiency, and gain an insightful understanding of the government contracting arena.
All classes are free. Advance registration required.

To learn more, visit the Technical Training Classroom page at <https://gomdsmallbiz.maryland.gov/Pages/default.aspx>