



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-307

Section COMPETITIVE SOLICITATIONS	Effective 9/16/19	Replaces PRO-C-29, C-34, C-40 Various Dates
Title EVALUATION COMMITTEE (REQUEST FOR PROPOSAL)		Page 1 of 8

SCOPE: The purpose of this policy is to establish the duties of the procurement lead, membership and duties of an evaluation committee, the use of subject matter experts, prescribe official procedure for issue resolution, and the required composition of evaluation committee reports.

POLICY: Before a request for proposal (RFP) is distributed to prospective contractors, the procuring agency will establish an evaluation committee in accordance with applicable rules.

No person will serve on an evaluation committee where the action of that committee might benefit that person, or a member of that person's immediate family, or any organization or business with which that person is associated.

Pursuant to Wisconsin 2006 Executive Order 137 “the evaluation committee shall exclude any employee of the Office of the Governor, and any unclassified Agency Head, Commissioner, Deputy Agency Head, Executive Assistant or Division Administrator.” For UW System Administration and campuses appointees are defined as UW System President and Vice President and Chancellor, Vice Chancellor and Provost positions.

When an RFP includes highly technical or specialized components, the evaluation committee may convene a subgroup of subject matter experts who serve in an advisory capacity and are non-scoring members of the evaluation committee.

Evaluation committee activities will be summarized in an evaluation committee report, made part of the official procurement file. The report will be composed using DOA-3835, Evaluation Committee Report.

PROCEDURE: I. Evaluation Committee Membership



Legal Authority

Wis. Stats. 16.705(2); 230.80-230.83
 Wis. Adm. Code Chapter Adm 7.09(2); 10.08; ER-MRS 24
 2006 Executive Order 137
 Agencies Affected: All, unless otherwise noted

Authorized:
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- A. Each committee will consist of at least three or more scoring members, depending on the complexity and scope of the commodities or services being procured.
- B. Each member of the evaluation committee will possess specific knowledge, skills or unique perspective essential to the RFP evaluation.
- C. Any agency requesting participation by an appointee on an evaluation committee must request permission from the State Bureau of Procurement prior to convening the committee.
- D. The procuring agency will use reasonable efforts to establish an evaluation committee that represents perspectives from outside the primary program. This may include evaluation committee member(s), when appropriate or available, from outside the agency conducting the procurement or from outside state government.
- E. The procurement lead will document the efforts made to secure participation of member(s) from outside the procuring agency.
- F. If necessary, at any time the procurement lead may designate alternate evaluation committee members. The procurement lead will document the reasons for change.

II. Procurement Lead Duties

- A. Each committee will have a procurement lead trained in the Request for Proposal course offered by the Bureau. This person will:



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1. *Not* be an evaluator or score the general/technical portion of the proposals. Procurement leads do score the cost proposal of an RFP.
2. Provide guidance and instruction to the evaluation committee on the RFP evaluation process, and all applicable procurement statutes, rules and policies.
3. Ensure that evaluation committee members understand and sign the Assurance of Compliance with Procedures and Ethical Guidelines for Proposal Evaluation (form DOA-3780).

Agencies may have additional guidelines for evaluation committee members or subject matter experts which may be more restrictive than the minimum requirements outlined on DOA-3780.

4. Act as committee-leader and will be responsible for coordinating and facilitating all evaluation activities of the committee.
5. Be the sole contact for vendors for the duration of the procurement process. Where necessary, the procurement lead may designate another individual as an authorized contact. Written summary of all contacts will be provided to the procurement lead and retained in the procurement file.
6. Relay all pertinent communications to all evaluators.
7. Responsible for the preparation of the official abstract of the evaluation committee scoring.



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8. Prepare the final evaluation committee report for approval and signature by evaluation committee members.
9. Keep accurate records and maintain the official procurement file per PRO-105, Procurement Record Retention and Access.

III. Duties of Evaluation Committee

Committee members will perform all duties and follow instructions as required in form DOA-3721, Evaluation Committee Checklist and prescribed by the procurement lead, specifically:

- A. Sign form DOA-3780 before proposal evaluation begins.
- B. Review all responsive proposals consistent with the evaluation criteria included in the RFP.
- C. Participate in events that affect the evaluation process.
- D. Keep all information obtained from any proposer confidential.
- E. Review and sign the evaluation committee report.
- F. Following a notice of intent to award, refer all requests for information or records related to an RFP to the procurement lead, who will work with their agency records custodian in accordance with internal agency policy.

IV. Use of Subject Matter Experts



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- A. Subject matter or technical experts are non-scoring ad-hoc groups who serve as technical advisors to the evaluation committee. Subject matter or technical experts may be convened as needed and upon request of the evaluation committee.
 - B. All subject matter or technical experts will be required to sign form DOA-3780 prior to participation.
- V. Communication Protocol During Evaluations
- A. Communication among committee members, including the procurement lead, is generally limited to scheduled committee meetings, group written communication or conference calls.
 - B. The integrity of the evaluation and therefore the procurement is based on full disclosure of procurement and evaluation information shared equally among all members. Occasionally, individual committee members may have questions or concerns regarding the procurement that occur outside of scheduled meetings. Evaluation committee member questions or clarifications must be forwarded to the procurement lead who will ensure that all members are informed.

VI. Evaluation Committee Issue Resolution

If a committee member has serious concerns with any part of the evaluation process, the following procedures will be followed:

- A. Internal resolution process
 - 1. The preferred method to resolve issues is to bring the concern to the entire evaluation committee for discussion



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and resolution either directly by the complainant or through the procurement lead.

2. The specific concern should be clearly presented to the procurement lead who will conduct the evaluation committee discussion. The procurement lead must provide timely notice of the complaint to the agency chief purchasing official.
3. The procuring agency's special designated agent may participate in the internal resolution process.
4. The committee discussion will allow other evaluation committee members to share their perspectives and have input on what they observed as well. This process also provides an opportunity for the individual whose behavior is at issue to clarify the intent of the words or actions that are at issue.
5. Maintaining the integrity of the evaluation process is critical. Therefore, a challenge to the integrity of any participant or event in the evaluation process must be taken seriously by the committee and addressed accordingly.

B. External resolution process

1. If the issue is not resolved, any participant in the internal resolution process may contact the State Compliance Officer or authorized designee. A written complaint may be mailed to the following address: Department of Administration, Division of Legal Services, P.O. Box 7864, Madison, WI 53707-7864 or call the compliance officer or authorized designee at 866-203-8989.



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2. The written or oral complaint will clearly describe the issue and the result of the internal resolution process. The compliance officer or authorized designee will log the complaint and conduct a follow up investigation to get the details of the complaint, including interviewing the complainant and evaluation committee members as necessary. The procurement process will be suspended while the investigation is in process. The compliance officer or authorized designee will summarize the results of the investigation in writing and will make a recommendation to resolve the issue to the procuring agency's special designated agent. A copy of the report will go to the director of the Bureau.
3. In order for a meaningful investigation to occur, the complainant will need to identify him/herself to the compliance officer or authorized designee.
4. The compliance officer or authorized designee will maintain confidentiality of the complainant's identity throughout the investigation, to the extent allowed by law and dependent upon the circumstances of the investigation.
5. Upon completion of the investigation, the report including the complainant's identity may lose its confidential status.

By bringing a formal complaint the complainant may enjoy the protections of the State's Whistleblower law (s. 230.80-230.83). The compliance officer or authorized designee will assist the complainant in obtaining Whistleblower status.

VII. Evaluation Committee Reports



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The purpose of the evaluation committee report is to concisely summarize the activity and recommendations of the evaluation committee process.

- A. The procurement lead or designee will draft the report using form DOA-3835: Evaluation Committee Report, on behalf of the evaluation committee.
- B. Evaluation committee members will review the report and recommend any changes.
- C. Evaluation committee members must then sign the evaluation committee report to confirm their agreement with its content and the award recommendation.
- D. Any evaluator who disagrees with the content of the report or the award recommendation must provide a written explanation for his/her objection.
- E. The report will be forwarded to the procuring agency head or designee prior to issuing an intent to award.

REFERENCE: Evaluation Committee Checklist form DOA-3721
 Assurance of Compliance with Procedures and Ethical Guidelines for Proposal Evaluation form DOA-3780
 Evaluation Committee Report form DOA-3835
 Instructions-Evaluation Committee Report form DOA-3835I



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