



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-306

Section	Effective	Replaces
COMPETITIVE SOLICITATIONS	9/16/19	PRO-C-12, C-30 Various Dates
Title	Page	
COMPETITIVE NEGOTIATION (REQUEST FOR PROPOSAL (RFP))	1 of 8	

SCOPE: The purpose of this policy is to establish authority and procedures for the competitive negotiation (also referred to as Request for Proposal (RFP)).

POLICY: The RFP process is used to solicit proposals where an award cannot be made strictly on specifications or price and several firms are qualified to furnish the product or service. However, price is always a material consideration.

The State Bureau of Procurement may solicit proposals or may delegate responsibility to the purchasing agency. The agency requests approval to conduct RFPs using procurement plans. See PRO-201, Procurement Plans.

Request for proposals must be constructed to permit the method of award to be based on the most advantageous proposal as judged by an evaluation committee. See PRO-308, Basis of Award for Competitive Negotiation (RFP) and PRO-307, Evaluation Committee (RFP).

All RFPs will provide for consideration of proposals from supplier-diverse businesses, and reporting requirements of contractors doing business with the same, per PRO-606, Supplier Diversity Policy and Reporting.

Additional requirements unique to contractual services procurements will be followed as identified in PRO-204, Contractual Services Procurement.

The use of the RFP process is not allowed in the purchase of stationery or printing. See PRO-505, Printing Procurement Policy and Procedure.

- PROCEDURE:**
- I. Required RFP Elements
 - A. Provide potential proposers with a lead time for response which complies with, at least, the minimum number of days prescribed by PRO-601, Legal/Public Notice. Agencies will provide for lead times that meet their business needs and align



Legal Authority

Wis. Stats. 16.705(2); 16.72(4)(a); 16.75(1)(a); 16.75(2m);
16.75(7); 19.85(1)(e)
Wis. Adm. Code Chapter Adm 7.04; 7.06; 7.07; 7.09; 8.04; 8.07; 10.08
Agencies Affected: All, unless otherwise noted

Authorized:
Sara Redford, Director
State Bureau of Procurement



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-306

Section	Effective	Replaces
COMPETITIVE SOLICITATIONS	9/16/19	PRO-C-12, C-30 Various Dates
Title		
COMPETITIVE NEGOTIATION (REQUEST FOR PROPOSAL (RFP))	Page 2 of 8	

with the complexity of the RFP. If appropriate, an extension of lead time will be given after amendment(s) are made.

- B. An RFP is written in clear, concise, and measurable terms. All specifications which are not otherwise scored by an evaluation committee must comply with PRO-202, Specifications and Standards.
- C. Unless waived by the Bureau, all RFPs will contain standard contractual terms and conditions in accordance with PRO-404, Standard Terms and Conditions.
- D. All RFPs will contain the special terms, conditions or specifications that are unique to the RFP being conducted.
- E. Each RFP shall state the relative importance of price and other evaluation factors in award.
- F. For agencies using the competitive negotiation process to award contracts funded by approved federal grants or programs, the agency will incorporate those requirements and terms in the RFP documents.
- G. All RFPs will prescribe the contract term resulting from the award, i.e. whether the RFP will result in a one-time purchase or a term contract including any provisions for renewal. Term contracts will be established in accordance with PRO-206, Length of Contracts and align with the terms of any applicable approvals obtained from the Bureau.
- H. Where the procuring agency intends to make the resulting contract available to other entities, the RFP will contain provisions to allow for piggybacking and/or cooperative



Legal Authority

Wis. Stats. 16.705(2); 16.72(4)(a); 16.75(1)(a); 16.75(2m);
16.75(7); 19.85(1)(e)
Wis. Adm. Code Chapter Adm 7.04; 7.06; 7.07; 7.09; 8.04; 8.07; 10.08
Agencies Affected: All, unless otherwise noted

Authorized:
Sara Redford, Director
State Bureau of Procurement



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-306

Section	Effective	Replaces
COMPETITIVE SOLICITATIONS	9/16/19	PRO-C-12, C-30 Various Dates
Title		Page
COMPETITIVE NEGOTIATION (REQUEST FOR PROPOSAL (RFP))		3 of 8

purchasing. See PRO-502, Collaborative Contracting: Piggybacking and the Use of Contracts with Other Authorities.

- I. Prior to proposal due date, the procuring agency will construct a score sheet containing a detailed breakdown of the criteria to be used in evaluating the proposals. The score sheet format will reflect the requirements as stated in the RFP and contain the range of points available to score each element.
 - J. A list of evaluation team members and their titles will be created prior to posting the RFP. Identify which member or person advising the committee is trained in the RFP process.
- II. Solicitation of Proposals
- A. All RFPs will be posted on the system(s) required by the Department and be advertised according to the requirements of PRO-601, Legal/Public Notice. By posting opportunities on required systems, procuring agencies are deemed to have provided access to the proposer community to such opportunities. See PRO-103, Procurement Systems and Bidders Lists.
 - B. Procuring agencies will provide the requisite forms, information and instruction on how to submit a responsive proposal. Procedural instruction in the RFP will identify how proposals will be submitted (i.e. physical delivery, mailing, submittal using electronic systems and email options). Complete RFP packages must be available to all proposers up until the specified due date and time.
 - C. Procuring agencies will instruct proposers on how to submit cost and technical or functional elements of the proposal.



Legal Authority

Wis. Stats. 16.705(2); 16.72(4)(a); 16.75(1)(a); 16.75(2m);
16.75(7); 19.85(1)(e)
Wis. Adm. Code Chapter Adm 7.04; 7.06; 7.07; 7.09; 8.04; 8.07; 10.08
Agencies Affected: All, unless otherwise noted

Authorized:
Sara Redford, Director
State Bureau of Procurement



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-306

Section	Effective	Replaces
COMPETITIVE SOLICITATIONS	9/16/19	PRO-C-12, C-30 Various Dates
Title	Page	
COMPETITIVE NEGOTIATION (REQUEST FOR PROPOSAL (RFP))	4 of 8	

III. RFP Amendments

- A. After an RFP has been posted, if the procuring agency determines the need for changes or clarifications, they must issue a written revision to the solicitation to all known recipients and posted in the same manner as II, A.
- B. The procuring agency may also, at its discretion, hold a proposer conference open to all potential proposers. A summary of all such meetings will be committed to writing, posted as an amendment using applicable systems, and retained in the procurement file.
- C. The procuring agency may require the proposer to acknowledge receipt of the amendment(s) in the proposal.

IV. Withdrawal or Modification to Proposals

- A. Any proposer may withdraw, resubmit or modify a proposal at any time prior to the proposal opening. If the proposer requests to withdraw prior to the proposal opening, the purchasing office considers that it did not receive the proposal, and such proposal(s) will not be reflected in the final abstract.
- B. No change is allowed that would impair the interests of the state or would be inequitable to other proposers.

V. Submission of Proposals

- A. Proposers submit a written proposal, using the forms and in the format provided for by the state.



Legal Authority

Wis. Stats. 16.705(2); 16.72(4)(a); 16.75(1)(a); 16.75(2m);
16.75(7); 19.85(1)(e)
Wis. Adm. Code Chapter Adm 7.04; 7.06; 7.07; 7.09; 8.04; 8.07; 10.08
Agencies Affected: All, unless otherwise noted

Authorized:
Sara Redford, Director
State Bureau of Procurement



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-306

Section	Effective	Replaces
COMPETITIVE SOLICITATIONS	9/16/19	PRO-C-12, C-30 Various Dates
Title	Page	
COMPETITIVE NEGOTIATION (REQUEST FOR PROPOSAL (RFP))	5 of 8	

- B. The procuring agency keeps all proposals secure from access until the time of opening and, following the opening, ensures that the evaluation committee maintains proposal security.
- C. If the proposal arrives prior to the due date and time, the procuring agency documents the date and time of receipt.
- D. If the proposal arrives after the due date and time, the procuring agency documents the date and time of receipt and retains it in the procurement file unopened or returns it unopened at the request and expense of the proposer. The proposal cannot be accepted, but a record is kept in the procurement file of its late receipt and its disposition.
- E. In fairness to all proposers, submission times will be strictly adhered to, to the minute. Receipt of a proposal by the state mail system does not constitute receipt of a proposal by the procuring agency.

VI. Opening Proposals

- A. Proposals are opened as soon as practicable after the time and date specified. RFP openings may be open to the public. The names of the proposers may be read aloud. Proposals will not be evaluated at this time, nor awards announced.
- B. Where a public opening is held, a summary of information disclosed at the RFP opening is made available to the public upon request as soon as practical after the opening unless competitive or bargaining reasons dictate that the information should not be made public at that time.

VII. Evaluation Process



Legal Authority

Wis. Stats. 16.705(2); 16.72(4)(a); 16.75(1)(a); 16.75(2m);
 16.75(7); 19.85(1)(e)
 Wis. Adm. Code Chapter Adm 7.04; 7.06; 7.07; 7.09; 8.04; 8.07; 10.08
 Agencies Affected: All, unless otherwise noted

Authorized:
 Sara Redford, Director
 State Bureau of Procurement



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-306

Section	Effective	Replaces
COMPETITIVE SOLICITATIONS	9/16/19	PRO-C-12, C-30 Various Dates
Title	Page	
COMPETITIVE NEGOTIATION (REQUEST FOR PROPOSAL (RFP))	6 of 8	

- A. The procurement lead conducts a preliminary review of proposals received by the due date and time to ensure all required components are included and that accepted proposals meet all mandatory requirements, where applicable.
- B. Generally, no proposer may modify a proposal after the opening. However, the procuring agency reserves the right to clarify, through a written request to a proposer, components of a proposal to ensure the agency can validate the proposal's responsiveness to mandatory requirements.
- C. The procurement lead then distributes responsive proposals to the evaluation committee. See PRO-307, Evaluation Committee.
- D. The evaluation committee reviews the proposals and scores each according to the criteria established in the RFP. The committee then meets to discuss their individual evaluations of each proposal; and to determine any need for interviews, on-site reviews, etc., of the top group of proposers.
- E. For purposes of clarification, the procuring agency may discuss the requirements of the offer with the proposer and permit a proposer to revise his or her proposal to ensure responsiveness to those requirements. Discussions will be in writing or oral discussions will be summarized in writing.
- F. For cost proposals, the RFP manager may clarify as follows:
 - 1. Proposers may correct minor omissions or errors. It is reasonable to permit correcting miscalculations, errors of addition, multiplication or arithmetic mistakes.
 - 2. Modifications in form but not substance are permitted.



Legal Authority

Wis. Stats. 16.705(2); 16.72(4)(a); 16.75(1)(a); 16.75(2m);
 16.75(7); 19.85(1)(e)
 Wis. Adm. Code Chapter Adm 7.04; 7.06; 7.07; 7.09; 8.04; 8.07; 10.08
 Agencies Affected: All, unless otherwise noted

Authorized:
 Sara Redford, Director
 State Bureau of Procurement



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-306

Section	Effective	Replaces
COMPETITIVE SOLICITATIONS	9/16/19	PRO-C-12, C-30 Various Dates
Title		Page
COMPETITIVE NEGOTIATION (REQUEST FOR PROPOSAL (RFP))		7 of 8

- 3. In the case of substantial errors, the proposer may withdraw the proposal after the opening. In the case of a proposal that is withdrawn after the opening, the proposal will be documented on the final abstract.
- G. No change is allowed that would impair the interests of the state or would be inequitable to other proposers.
- H. Unless otherwise determined by the procuring agency, cost proposal information may not be shared with the evaluation committee until after technical/functional scoring is complete.
- I. The evaluation committee may determine which proposals are reasonably apt to be considered for award. Documentation is required for proposals eliminated from further evaluation.
- J. Further communication with remaining proposers may be conducted, in an equitable manner, to provide an opportunity to discuss their proposals. The agency may permit revisions to proposal content and to cost by proposers on the condition that the revisions do not alter the scope or content of the original solicitation to a degree that will affect the justification that was used to eliminate other proposers from evaluation.
- J. Where the RFP provided for the possibility of a best and final offer (BAFO) to be conducted, the procurement lead may engage the proposer(s) reasonably apt to be considered for award to participate in the BAFO process.
- K. In the evaluation, discussion, negotiation, and selection process, the agency will not disclose any information from one proposer to another.



Legal Authority

Wis. Stats. 16.705(2); 16.72(4)(a); 16.75(1)(a); 16.75(2m);
 16.75(7); 19.85(1)(e)
 Wis. Adm. Code Chapter Adm 7.04; 7.06; 7.07; 7.09; 8.04; 8.07; 10.08
 Agencies Affected: All, unless otherwise noted

Authorized:
 Sara Redford, Director
 State Bureau of Procurement



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-306

Section	Effective	Replaces
COMPETITIVE SOLICITATIONS	9/16/19	PRO-C-12, C-30 Various Dates
Title		Page
COMPETITIVE NEGOTIATION (REQUEST FOR PROPOSAL (RFP))		8 of 8

VIII. Award and Abstracting

- A. Using the DOA-3835: Evaluation Committee Report, the agency will document the reason for the award and place the report, as well as supporting documentation, in the procurement file.
- B. An abstract is prepared which includes who proposed, a summary of technical and cost scores for accepted proposals, and who was the successful proposer and why.
- C. For RFPs for services, a notice of intent to award is issued. For RFPs for commodities, a notice of award is issued.
- D. To provide for analysis and abstracting, proposal records and other RFP records may not be available for public inspection before the notice(s) of intent to award is issued or, in the case of RFPs for commodities, before the contract is awarded.
- E. The specifications listed in the RFP will correspond to the specifications that appear in the resulting contract. Any major deviation from original specifications in the resulting contract is grounds for withdrawal of procurement authorization.

IX. Recordkeeping

Agencies will ensure a complete RFP procurement record is created and retained in accordance with form DOA-3840, Procurement Recordkeeping Checklist, the applicable general records schedule and PRO-105, Procurement Record Retention and Access.

REFERENCE: DOA-3835: Evaluation Committee Report
DOA-3840: Procurement Recordkeeping Checklist



Legal Authority

Wis. Stats. 16.705(2); 16.72(4)(a); 16.75(1)(a); 16.75(2m);
16.75(7); 19.85(1)(e)
Wis. Adm. Code Chapter Adm 7.04; 7.06; 7.07; 7.09; 8.04; 8.07; 10.08
Agencies Affected: All, unless otherwise noted

Authorized:
Sara Redford, Director
State Bureau of Procurement