

## Methods for Soliciting Bids to Establish a Contract

Time begins once there is an approved Proposal or Statement of Work or Request for Offer ready to post.

Method	Proposal	Review by DGS or Off. Of Legal Services (OLS)	How posted & how long	Protest period?	How awarded and when	Contract Review by OLS	Estimated Total Time
Fair & Reasonable	Statement of Work (SOW)	N	SOW sent to vendor	N	Based on acceptance of terms/cost	No	10-14 days
Small Business (SB) \$250k cap	Request for Offer (RFO)	DGS - Y 1-2 wks if add'l review needed	RFO sent to 3 SB's; 5-10 days to respond	No, but bidders can file protest with DGS for hearing	Lowest responsible bidder	No	Up to 3 weeks
MSA Master Services Agreement  Up to \$500k	Request for Offer (RFO)	DGS - Y 1-2 wks if add'l review needed	RFO sent to 3 vendors; 5-10 days to respond	No, but bidders can file protest with DGS for hearing	Lowest responsible bidder	OLS –up to 30 days	Up to 60 days
CMAS CA Multi-Award Schedule	Request for Offer (RFO)	DGS - Y Up to 30 days	RFO sent to 3 vendors; 5-10 days to respond	No, but bidders can file protest with DGS	Lowest bid from a responsible bidder	DGS - Y Up to 30 days OLS –up to 30 days	Up to 90 days
Invitation For Bid (IFB)	Specific, aimed at Y/N responses Not scored	DGS - Y 1-2 wks if add'l review needed	State contract site 10 days	5 days starting with notice of intent to award; 5 days to submit protest; Hearing set	Lowest bid from a responsible bidder; public bid opening	OLS –up to 30 days	6 weeks or more
Request for Proposal 1	Focus on outcome, requirements; aimed at how it is accomplished and for how much?	DGS - Y 1-2 wks if add'l review needed	State contract site 10 days	5 days starting with notice of intent to award	Lowest bid from a qualified responsible proposer; public bid opening	OLS –up to 30 days	6 weeks or more

Method	Proposal	Review by DGS or Off. Of Legal Services (OLS)	How posted & how long	Protest period?	How awarded and when	Contract Review by OLS	Estimated Total Time
Request for Proposal 2	Focus on outcome, requirements; aimed at how it is accomplished and for how much?	DGS - Y 1-2 wks if add'l review needed	State contract site 10 days	5 days starting with notice of intent to award	Highest-scored responsible proposer	OLS –up to 30 days	6 weeks or more

Request for Information (RFI)		OLS does not allow an RFI as basis for a contract	Used to identify those suppliers who intend to participate in an upcoming solicitation from those who have no interest in participating. Also used to “survey” the marketplace to ID what products or services may be available and approx. cost				
Request for Quotation (RFQ) \$50-100k range	item, quantity, and price of <u>goods</u>	OLS does not allow an RFQ as basis for a contract	State contract site 7 days	1 day starting with notice of intent to award	Lowest net cost	OLS –up to 30 days	4 weeks or more

**Responsive Bid:** A bid is considered responsive if it indicates compliance without material deviation from the requirements of the solicitation and the terms and conditions of the proposed contract.

**Responsible Bidder:** A bidder is responsible if they possess the experience, facilities, reputation, financial resources and are fully capable of performing the contract.

#### **Determining responsiveness**

Departments should evaluate bid responses by first determining that each response is clearly responsive to the bid requirements. If a response does not appear to be responsive, the following questions will assist in the determination of the materiality of the requirement:

- Is the response in substantial accord with the requirement? If “no”, the deviation may be material.
- Does the response provide the bidder an advantage over other bidders? If “yes”, the deviation may be material.
- Does the response have a potential significant effect on the delivery, quantity, or quality of the items bid? If “yes”, the deviation may be material.
- Does the response have a potentially significant effect on the amount paid to the supplier or cost to the state? If “yes”, the deviation may be material.