

## **Contractor Qualifications**

The statement of work should specify the minimum qualifications required of the contractor. Typically in an RFP, the contractor qualifications are less stringent than in an IFB because the contractor qualifications are part of the evaluation criteria. At a minimum, the statement of work should require that the contractor have a specified level of experience in the type of work to be performed.

## **Bonding Requirements**

The three most common forms of bonding are bid bonds (deposits), performance bonds and payment bonds. Agencies must advise the respondents in a solicitation if a bond is required and what forms are acceptable (e.g., irrevocable letter of credit or cashier's check). When considering whether or not to use a bond, remember that the cost of the bond is typically passed on to the agency by the contractor. Some bonds are required by statute for specific types of procurements. Please consult with your attorney if you have any questions about bonding requirements.

## **Evaluation Criteria**

The solicitation document must advise the respondents how a proposal will be evaluated. The evaluation criteria must reflect the essential qualities or performance requirements necessary to achieve the objectives of the contract. The criteria should allow the evaluation team to fairly evaluate the proposals. The evaluation criteria may take a variety of sources of information into consideration such as the written response, the oral presentation, documented past performance of the respondents and references relevant to the contract. Specific portions of the required response should directly relate to the evaluation criteria.

To ensure fairness in evaluation, the evaluation criteria should reflect only those requirements specified in the solicitation document. The language within the solicitation will determine the scope of the evaluation criteria and the flexibility the evaluation team will have when evaluating proposals, so the evaluation criteria should not be unduly restrictive. Respondents must have notice in the solicitation of all requirements. The solicitation should clearly state the consequence of failing to meet these requirements such as reduction in evaluation score or disqualification. Consider carefully any requirements that may disqualify a proposal. For example, the HUB Subcontracting Plan is required by state statute, therefore, agencies have no choice but to disqualify the respondent if they do not submit the plan. However, if the respondent fails to submit a copy of a license, is that really a valid reason for disqualification?

Criteria that was not included in the solicitation may not be used in the selection or ranking of a proposal. For example, if respondents receive additional points for possessing a national accreditation, or meeting the unique needs of the customers, these criteria must be included in the solicitation so that the respondents know there is an opportunity to score higher by providing these options. Likewise, if this information is not requested in the solicitation, respondents who fail to offer these options cannot be penalized.

There are several schools of thought on how much information is provided to the respondents regarding the evaluation criteria. At a minimum, the criteria must include the weight assigned to each criterion. Some agencies prefer to give more detailed information as to how each criterion is broken down into smaller units or they include a copy of the evaluation scoring sheets with the solicitation. Either approach is acceptable.

When determining the evaluation criteria, also consider the proposal submission requirements associated with each criteria. In the sample criteria listed below, methodology is a criterion on which the respondents will be evaluated. What information needs to be included in the response in order to effectively evaluate a

respondent’s methodology – did they copy a project management technique straight from a training manual, or did they tailor this technique specifically to meet the needs of the solicitation? Another example is experience, skills and qualifications of company and staff. What information is required for the evaluation team to score this criterion – years in business, years of staff experience, certified or licensed employees, performing similar size projects, etc? The table below indicates sample evaluation criteria:

SAMPLE EVALUATION CRITERIA	SAMPLE WEIGHT
<b>Cost</b>	<b>60%</b>
<b>Proposed services, including work plan and methodology.</b>	<b>20%</b>
<b>Experience, skills and qualifications of company &amp; staff.</b>	<b>20%</b>

Cost is typically the most significant evaluation factor. However, there are procurements in which the skills and experience of the contractor or other factors may be more important than cost. For example, if a trainer has to have a specific set of skills, the agency may be willing to pay more for these skills. When establishing the criteria weight, consider the importance of the criteria to the overall project. The criteria deemed most important by the agency should be weighted higher than the other criteria. The following diagram demonstrates the relationship of the evaluation criteria and the level of importance.

