



# RFP Review Guide & Checklist

State Purchasing Division  
 March 26, 2007  
 (For Internal Use)



**SHORT TITLE & RFP#:** \_\_\_\_\_

	YES	NO
<b>1. General Stuff</b>		
1.1 Has the <b>procurement file</b> been created?		
1.2 Do we have the <b>SHARE requisition</b> in our possession?		
1.3 Do we have the completed “ <b>Authorization and Plan for an RFP Based Procurement</b> ” form in our possession?		
1.4 Is the <b>title</b> on the front cover?		
1.5 Is the proper <b>procurement number</b> on the front cover?		
1.6 Is the <b>issue date</b> on the front cover?		
1.7 Do we have an electronic copy of the <b>One Page Notice</b> ?		
1.8 Do we have an electronic copy of the <b>RFP</b> ?		
1.9 Do we have the list of recommended <b>potential sources</b> ?		
1.10 Has the user agency provided or concurred with the <b>commodity code(s)</b> to be used?		
1.11 Are there ANY information technology (IT) components or communication components involved in the <u>contract deliverables or end product</u> ?		
1.12 If ANY information technology (IT) components or communication components are involved in the <u>contract deliverables or end product</u> , do we have state <b>OCIO approval</b> (letter/RFP cover statement) in our possession?		
1.13 Do we have electronic copies of <b>any attachments</b> that must be posted with the RFP?		
1.14 Is a clear and logical numbering scheme used?		
1.15 Does the RFP follow the SPD required format?		
	<b>YES</b>	<b>NO</b>
<b>2. Table of Contents</b>		
2.1 Is the Table of Contents <b>complete and accurate</b> ?		
2.2 Is Section I titled “ <b>Introduction</b> ”?		
2.3 Is Section II titled “ <b>Conditions Governing the Procurement</b> ”?		
2.4 Is Section III titled “ <b>Response Format and Organization</b> ”?		
2.5 Is Section IV titled either “ <b>Specifications</b> ” or “ <b>Requirements</b> ”?		
2.6 Is Section V titled “ <b>Evaluation</b> ”?		
2.7 Is Appendix A titled “ <b>Acknowledgement of Receipt Form</b> ”?		
2.8 Is Appendix B titled “ <b>Contract Terms and Conditions</b> ” or “ <b>Price Agreement Terms and Conditions</b> ”?		
2.9 Is Appendix C titled “ <b>Cost Response Form</b> ”?		

	YES	NO
3. Section I, "Introduction"		
3.1 Does " <u>Purpose for this Request for Proposals</u> " clearly indicate <b>WHY</b> the procurement is being conducted and what the <b>DESIRED OUTCOME</b> of the procurement is?		
3.2 Is there anything in " <u>Purpose for this Request for Proposals</u> " that just <b>doesn't make sense or doesn't seem to conform to the Procurement Code?</b> (If so, follow up on it...)		
3.3 Does " <u>Summary Scope of Work</u> " <b>clearly describe what the winning vendor is to do or provide</b> in a brief, high-level form?		
3.4 Does " <u>Scope of Procurement</u> " describe in a <b>brief, high-level form, what all the procurement covers?</b> (This should be broader than the "Summary Scope of Work" and should allow for future contract expansion, if appropriate.)		
3.5 Does " <u>Scope of Procurement</u> " address the contract <b>start date and end date?</b>		
3.6 Does " <u>Scope of Procurement</u> " address <b>extension options</b> , if any?		
3.7 Does " <u>Scope of Procurement</u> " address the <b>maximum length of time</b> the contract can run?		
3.8 Does " <u>Scope of Procurement</u> " address <b>specific exclusions</b> , if any?		
3.9 Does " <u>Scope of Procurement</u> " address <b>who can and who can not use the contract?</b>		
3.10 Does " <u>Scope of Procurement</u> " either say (a) "This procurement will result in a single source award", (b) "This procurement may result in a multiple source award" or (c) "This procurement will result will result in a multiple source award"? ("b" is preferred over "c" since "b" lets you go either way while "c" FORCES you to do a multiple source award.)		
3.11 Does " <u>Procurement Manager</u> " clearly identify the <b>Procurement Manager</b> , including fax number and e-mail address?		
3.12 Does " <u>Procurement Manager</u> " include the statement that any inquiries must be <b>written and sent</b> to the Procurement Manager, <b>that only the Procurement Manager</b> can be contacted and that <b>no other state employees</b> can speak for the procurement?		
3.13 Do the terms defined in " <u>Definition of Terminology</u> " <b>match the procurement and make sense?</b> (Or are they left over from another procurement? If so, beware a botched cut-and-paste job...)		
3.14 Does " <u>Definition of Terminology</u> " include the <b>definition of "mandatory"</b> and clearly state that the failure to comply with a mandatory requirement will lead to the disqualification of the vendor's proposal?		
3.15 Does " <u>Definition of Terminology</u> " include the <b>definition of "desirable"</b> and clearly state that associated terms refer to a discretionary item?		
3.16 Does the " <u>Procurement Library</u> " contain, at a minimum, a reference to <b>1.4.1 NMAC</b> and a link to the SPD web site to get a copy? (If the reference is to "1NMAC5.2" or "93-601", you are dealing with a VERY OLD RFP template and the whole thing should be questioned. Be very careful.)		

3.17	Are there any <b>requirements that require a response</b> in the offeror’s proposal (as opposed to general informational statements of requirements that don’t require a specific response) anywhere in the “ <u>Introduction</u> ” section? If so, they <u>must</u> move to Section IV.		
		<b>YES</b>	<b>NO</b>
<b>4. Section IV, “Specifications” or “Requirements”</b>			
4.1	Is there any <b>overview information</b> provided or is there an <b>Overview section</b> or an <b>Information section</b> ? (If so, there should be no requirements located there.)		
4.2	Are there <b>separate “Mandatory” and “Desirable” sections</b> ? (This is the recommended approach.)		
4.3	Are the “Mandatory” and “Desirable” sections each further broken out into <b>Technical responses and Business responses sub-sections</b> ? (This is the recommended approach.)		
4.4	Are the requirements <b>logically organized</b> ? (Do they seem to “make sense”? If not, this can lead to confusion for offerors and the Evaluation Committee.)		
4.5	Every statement containing “must”, “shall”, “will”, etc., is a mandatory requirement. Failure to respond leads to mandatory proposal disqualification. Is each such mandatory requirement <b>clear and (preferably) standing along</b> ?		
4.6	Every statement containing “may”, “can”, “should”, etc., is a desirable requirement. Offerors may ignore these if they wish. The only penalty for doing so is a possible loss of scoring points if the requirement has scoring points tie to it. Is each such desirable requirement <b>clear and (preferably) standing along</b> ?		
4.7	Does each requirement contain <b>two parts</b> : A statement of <b>the requirement itself</b> (such as “Offeror must agree to attend a state nuclear certification class.”) and a statement of <b>how to respond to the requirement</b> (such as “A statement of concurrence is required.”)?		
4.8	Are there items in the requirements section that could be moved to the <b>detailed Scope of Work</b> and agreed to en mass without being scored? (In other words, are there lots of little requirements that the offeror could simply agree once to do as a group instead of having to address and explain each one? If so, consider moving them to simplify the responses and the scoring. The items in Section IV should be more geared to identifying whether or not the vendor can do the job, and possibly determining how they would do it, and not on telling them everything what must be done. That is what the scope of work is for.)		
4.9	Is each requirement <b>logical</b> (and logically written) and can a <b>clear logical response</b> be provided by an offeror? (Is each related to the successful completion of the scope of work – either supporting WHY they can, or are qualified to, do the job OR requires the offeror to support how they will do something that ties back to the scope of work.)		

4.10	Can the responses to each requirement be expected to be <b>fairly comparable</b> from one offeror to the next? (In other words, can we expect the response to a requirement in one proposal to be easy to compare to the answer to the same requirement in another proposal? Or is there a possibility that the responses to a specific requirement will be scattered all over the place and, thus, difficult to compare and score?)		
4.11	Does EACH requirement have a <b>corresponding evaluation criteria</b> in Section V, Evaluation? (There must be direct traceability - there must be clear tracking back and forth between Sections IV and V.)		
4.12	For EACH requirement, is the <b>anticipated vendor response</b> REALLY what the Evaluation Committee wants to hear, evaluate and compare between proposals? (Saying “Offeror must address” something is very open ended and subject to interpretation. Who knows what you may get or how comparable the answers will be between proposals. Saying “Offeror must address how they will comply with the XYZ state mandate” is very specific and targeted – the answers should be quite comparable.)		
4.13	Is there a <b>planned use or need for the items being asked for</b> ? (If you ask for a copy of their audited financials and then don’t do anything with it, why waste their time and yours?) If not, don’t ask for it!		
4.14	Is the creation and submittal of a <b>project plan</b> (with detailed schedule) one of the requirements? (This is highly recommended in most cases.)		
4.15	Is there a written requirement that the offeror <b>complete and submit the Cost Response Form</b> ?		
4.16	Is there a written requirement that the offeror <b>agree to perform the scope of work</b> ?		
4.17	Are there any requirements that <b>don’t have corresponding evaluation criteria</b> in Section V? (If so, this disconnect must be resolved.)		
4.18	Are the deliverable end products (even if only services) clearly identified?		
		<b>YES</b>	<b>NO</b>
<b>5. Section V, “Evaluation”</b>			
5.1	Does “ <u>Evaluation Point Summary</u> ” clearly indicate which of the requirements (or group of requirements) will be assigned <b>points</b> , which will be <b>pass/fail</b> and which will be <b>both</b> ? (If not, this needs to be clearly called out.)		
5.2	Does each entry in “ <u>Evaluation Factors</u> ” clearly tie back to a requirement (or group of requirements) in Section IV and <b>CLEARLY explain how the response(s) will be judged</b> ? (That is, what factors will be considered when examining a response and determining how many of the available points should be assigned to it? This might be things such as quality of the response, clarity of the response, perceived likelihood of success of the response, applicability of the response to the need at hand, etc. There must be clear tracking back and forth between Sections IV and V.)		

5.3	Are the evaluation factors in the <b>same order as the requirements</b> ? (This simplifies understanding of how each will be scored for the offerors and the Evaluation Committee.)		
5.4	Will the evaluation criteria <b>fairly score the response</b> to the requirement? (Especially given the EXACT wording of the criteria?)		
5.5	Does one of the evaluation factors clearly call out <b>how the Cost Response Form will be scored and how the cost points will be assigned</b> based on what is provided in the cost response form?		
5.6	If an offeror “guessed” what prices his competitors might respond with, could that offeror then easily “plug in the numbers” and <b>calculate his own and his competitor’s cost points</b> ? (If not, then the cost scoring formula may not be fair our useable.)		
5.7	Is a <b>1,000 (total) point scale</b> used? (This is the standard and allows for easy scoring and comparability between procurements.)		
5.8	Is “ <b>Cost</b> ” <b>assigned approximately 30% of the total points</b> ? (300 on a 1,000 point scale.)		
5.9	Does “ <u>Evaluation Process</u> ” clearly call out how the <b>evaluation process</b> will be conducted?		
		<b>YES</b>	<b>NO</b>
<b>6. Section II, “Conditions Governing the Procurement”</b>			
<b>“Sequence of Events”</b>			
6.1	Is the <b>schedule identified as being a best effort</b> and not totally cast in stone? (Such as “The Procurement Manager will make every attempt to adhere to the following schedule:”)		
6.2	Is there a <b>schedule table</b> listing all actions, responsibilities and due dates and is it complete and accurate?		
6.3	Is the RFP being released on a <b>Friday</b> ?		
6.4	Is the Pre-Proposal Conference scheduled for (a minimum of) 3-5 working days after the RFP release date?		
6.5	Is the date, time and location of Pre-Proposal Conference clearly identified?		
6.6	Is attendance at the Pre-Proposal Conference mandatory? If so is this <b>CLEARLY STATED</b> ?		
6.7	Is the “Return of Acknowledgement for Distribution List” scheduled for the same day as the Pre-Proposal Conference?		
6.8	Is the “ <u>Deadline to Submit Written Questions</u> ” (a minimum of) 2-4 working days after the Pre-Proposal Conference?		
6.9	Does “ <u>Deadline to Submit Written Questions</u> ” indicate that <b>questions must be submitted by e-mail</b> directly to the Procurement Manager?		
6.10	Does “ <u>Response to Written Questions</u> ” indicate that <b>questions and answers will be posted to the SPD web site</b> and a notice of same e-mailed to potential offerors that submitted the “Acknowledgement of Receipt” form?		
6.11	Does “ <u>Response to Written Questions</u> ” indicate that a <b>new “Acknowledgement of Receipt” form</b> will be sent out with any questions and answers issued and that it must be completed and returned?		

6.12	In “ <u>Submission of Proposals</u> ”, are the <b>proposals due on a Tuesday, Wednesday or Thursday at either 2:00 or 3:00 p.m.?</b> (Preferably 2:00...)		
6.13	Does “ <u>Submission of Proposals</u> ” include a <b>bolded statement that proposals received after the deadline will not be accepted?</b>		
6.14	Does “ <u>Submission of Proposals</u> ” include a <b>street address</b> where proposals are to be delivered? (NEVER a post office box!)		
6.15	Does the proposal delivery address include the <b>room or suite number</b> , if applicable?		
6.16	Does “ <u>Submission of Proposals</u> ” include a statement that the proposals <b>must be addressed and delivered to the specified address</b> ”?		
6.17	In “ <u>Submission of Proposals</u> ” (as with everywhere else in the RFP) if Mountain Standard Time or Mountain Daylight Time is specified, is it accurate for the dates indicated?		
6.18	Does “ <u>Issuance of Oral/Demonstration Agenda</u> ” indicate that the agenda will be sent out the same day the proposals are due?		
6.19	In “ <u>Proposal Evaluation</u> ”, is the <b>time allowed to score the proposals reasonable</b> for this procurement? (Recommend at least one week. Large and complex procurements can take 30 days or more.)		
6.20	Is “ <u>Selection of Finalists</u> ” addressed?		
6.21	In “ <u>Best and Final Offers</u> ”, is there sufficient time (after finalist notification) for the finalists to prepare and send their BAFO?		
6.22	In “ <u>Best and Final Offers</u> ”, are the BAFOs due on a day other than Monday? (Monday due dates force overnight mailings to happen the previous Friday – depriving the offeror of the weekend to work on them, if they wish.)		
6.23	Is the “ <u>Oral Presentation/Demonstration</u> ” scheduled a few working days after the due date for the BAFOs so the Evaluation Committee can review the BAFOs before the offerors come in for the Oral Presentation/Demonstration?		
6.24	Does “ <u>Finalize Contract</u> ” allow enough time for actually finalize the contract(s), given the complexity of the procurement and the number of contracts to be negotiated, reviewed for legalities and awarded?		
6.25	Is “ <u>Contract Award</u> ” addressed?		
6.26	Is the “ <b><u>Protest Deadline</u></b> ” <b>15 calendar days after the contract award date</b> ? (The contract award date should be counted as day #0. If the 15 <sup>th</sup> day falls on a weekend or a holiday, it should be extended until the next business day.)		
6.27	In “ <u>Protest Deadline</u> ”, is the <b>State Purchasing Agent</b> identified as the recipient for all protest materials?		
6.28	In “ <u>Protest Deadline</u> ”, is there a statement that <b>protests received after the deadline will not be accepted?</b>		
6.29	Does “ <u>General Requirements</u> ” contain a statement that procurement will be conducted in accordance with <b>1.4.1? NMAC?</b>		
6.30	In the “ <u>General Requirements</u> ” section (Listed here in alphabetical order for ease of look-up, not necessarily the order in which they will appear.):		
a.	Is <b>Acceptance of Conditions Governing the Procurement</b> addressed?		
b.	Is <b>Amended Proposals</b> addressed?		

c.	Is <b>Basis for Proposal</b> addressed?		
d.	Is <b>Change in Contractor Representatives</b> addressed?		
e.	Is <b>Confidentiality</b> addressed?		
f.	Is <b>Contract Deviations</b> addressed?		
g.	Is <b>Contract Terms and Conditions</b> addressed?		
h.	Is <b>Disclosure of Proposal Contents</b> addressed?		
i.	Does <b>Disclosure of Proposal Contents</b> include a statement that “Proprietary or confidential data shall be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal.”?		
j.	Is <b>Electronic Mail Address Required</b> addressed?		
k.	Is <b>Governing Law</b> addressed?		
l.	Is <b>Incurring Cost</b> addressed?		
m.	Is <b>Legal Review</b> addressed?		
n.	Is <b>No Obligation</b> addressed?		
o.	Is <b>Notice</b> addressed?		
p.	Is <b>Offeror Qualifications</b> addressed?		
q.	Is <b>Offeror’s Right to Withdraw Proposal</b> addressed?		
r.	Is <b>Offeror’s Terms and Conditions</b> addressed?		
s.	Is <b>Ownership of Proposals</b> addressed?		
t.	Is <b>(Prime) Contractor Responsibilities</b> addressed?		
u.	Is <b>Proposal Acceptance Rights</b> addressed?		
v.	Is <b>Proposal Offer Firm</b> addressed?		
w.	Is <b>Right to Publish</b> addressed?		
x.	Is <b>Right to Waive Minor Irregularities</b> addressed?		
y.	Is <b>Sufficient Appropriation</b> addressed?		
z.	Is <b>Termination</b> addressed?		
aa.	Is <b>Use of Electronic Versions of this RFP</b> addressed?		
ab.	Is <b>Use of Sub-contractors</b> addressed?		
		<b>YES</b>	<b>NO</b>
<b>7. Section III, “Conditions Governing the Procurement”</b>			
7.1	Overview/ <b>“failure to conform may lead to disqualification”</b> statement included?		
7.2	Does <b>Number of Responses</b> indicate that the offeror may submit only one proposal??		
7.3	Does <b>Number of Copies</b> require for one copy of Binder #1 for each Evaluation Committee member plus one more clean copy for the file?		
7.4	Does <b>Number of Copies</b> require for two copies of Binder #2 – one working copy and one clean copy for the file?		
7.5	Does <b>Number of Copies</b> require for one copy of (optional) Binder #3 for each Evaluation Committee member plus one more clean copy for the file?		

7.6	Does <b>Proposal Format</b> require:		
	a. <b>8 ½ X 11 paper</b> (with larger sizes allowed for foldouts)?		
	b. <b>Tabs</b> separating each section?		
	c. That each binder be <b>physically separate</b> ?		
7.7	Does <b>Proposal Organization</b> identify three separate binders be submitted?		
7.8	Does <b>Proposal Organization</b> require that Binder #1 (Mandatory) contain:		
	a. Letter of Transmittal?		
	b. Table of Contents?		
	c. Proposal Summary (Optional)?		
	d. Response to Specifications?		
7.9	Does <b>Proposal Organization</b> require that Binder #2 (Mandatory) contain:		
	a. Completed Cost Response Form?		
	b. Response to Contract Terms and Conditions (if any)?		
	c. Additional Contract Terms and Conditions (if any)?		
7.10	Does <b>Proposal Organization</b> require that Binder #3 (Optional) contain any additional material the offeror wishes to submit?		
7.11	Does <b>Order of Items</b> require that the offeror address the items in the order in which they appear in the RFP?		
7.12	Does <b>Inclusion of Completed Form</b> require that the offeror complete and include any forms required by the RFP?		
7.13	Does <b>Cost Discussion</b> state that all discussion of cost must occur only on the Cost Response Form (Appendix C)?		
7.14	Does <b>Marking of Binders</b> require that the binders be clearly labeled and numbered?		
7.15	Does <b>Marking of Binders</b> require that the original copy of each binder be identified as such on the front cover?		
7.16	Does <b>Letter of Transmittal</b> include a statement that each proposal must be accompanied by a letter of Transmittal?		
7.17	Does <b>Letter of Transmittal</b> require the following items:		
	a. <b>Identification</b> of the Submitting Organization?		
	b. The name and title of the person authorized to <b>contractually obligate</b> the offeror's organization?		
	c. The name, title, phone number and e-mail address of the person(s) to be contacted for <b>clarifications</b> ?		
	d. Requirement that the offeror <b>Explicitly Indicate acceptance</b> of the "Conditions Governing the Procurement" as stated in section number XXX? (Identify based on the RFP numbering scheme used.)		
	e. <b>Be signed</b> by the person authorized to obligate the offeror's organization?		
	f. Requirement that the offeror <b>acknowledge receipt of any and all amendments</b> to this RFP?		

	YES	NO
<b>8. Appendix A, Acknowledgement of Receipt Form</b>		
8.1 Is the <b>deadline</b> for the return of the form indicated?		
8.2 Is <b>who the form must be returned to</b> indicated?		
8.3 Is a <b>fax number</b> provided? (Most forms are returned by fax.)		
	YES	NO
<b>9. Appendix B, "Contract"/"Price Agreement" Terms and Conditions</b>		
9.1 Does the proposed contract contain the following clauses? (Listed here in alphabetical order for ease of look-up, not necessarily the order in which they will appear in the contract.)		
a. <b>Amendment</b>		
b. <b>Applicable Law</b>		
c. <b>Appropriations</b>		
d. <b>Approval of Contractor Personnel</b> (If appropriate)		
e. <b>Assignment</b>		
f. <b>Confidentiality</b>		
g. <b>Conflict of Interest</b>		
h. <b>Contract Administrator/ Manager</b>		
i. <b>Definitions (If needed)</b>		
j. <b>Enforcement of Agreement</b>		
k. <b>Equal Opportunity Compliance</b>		
l. <b>Impracticality of Performance</b>		
m. <b>Incorporation by Reference and Precedence</b>		
n. <b>Indemnification</b>		
o. <b>Inspection of Plant</b>		
p. <b>Invalid Term or Condition</b>		
q. <b>Limitation of Liability</b>		
r. <b>Merger</b>		
s. <b>Non-Collusion</b>		
t. <b>Notice</b>		
u. <b>Notification</b>		
v. <b>Patent, Copyright, Trademark and Trade Secret Indemnification</b>		
w. <b>Payment Provisions (Acceptance, Compensation, Payment of Invoice, Payment of Taxes, Invoices [and Facilities and Equipment, if appropriate.]</b>		
x. <b>Product of Services: Copyright</b>		
y. <b>Records and Audit</b>		
z. <b>Release</b>		
aa. <b>Renewal Provisions</b> (If any. Or statement that there are NO renewals.)		
ab. <b>Scope of Contract (or Scope of Agreement)</b>		

ac.	<b>Scope of Work (Complete and detailed OR a clear reference to where the complete and detailed SOW is located. Recommend SOW be included as a separate appendix if not built into contract.)</b>		
ad.	<b>Shipment and Risk of Loss</b>		
ae.	<b>Status of Contractor</b>		
af.	<b>Subcontracting</b>		
ag.	<b>Succession</b>		
ah.	<b>Survival</b>		
ai.	<b>Term</b>		
aj.	<b>Termination (Termination for Convenience, Termination for Cause, Procuring Agency Rights, Contractor's Rights, Termination Management)</b>		
ak.	<b>Warranty (As required in the RFP)</b>		
al.	<b>Work Site (If appropriate)</b>		
am.	<b>Workers Compensation</b>		
9.2	Does the proposed contract contain the following signature blocks?		
a.	Any required <b>agency specific</b> signatures		
b.	<b>Contractor</b>		
c.	<b>Chief Information Officer</b> (If ANY IT or Communications involved)		
d.	<b>Taxation and Revenue Department</b>		
e.	<b>State Purchasing Agent</b>		
f.	<b>Department of Finance and Accounting</b> (DFA – if required)		
		<b>YES</b>	<b>NO</b>
<b>10. Appendix C, Cost Response Form</b>			
10.1	Does the Cost Response Form clearly indicate <b>what numbers are required</b> and <b>where they should go</b> ?		
10.2	Does the Cost Response Form reduce the offeror's response down to a <b>single number, or a small set of numbers</b> , which can be easily compared to another offeror's cost response form?		
10.3	Do the numbers asked for in the Cost Response Form <b>correspond DIRECTLY</b> to the cost evaluation formula found in the cost evaluation explanation (in RFP section V)? (See #5.5 above.)		
		<b>YES</b>	<b>NO</b>
<b>11. Additional Appendices</b>			
11.1	If there are additional appendices, are they appropriate for this procurement?		
11.2	If there are additional appendices, are they clear, logical and easy to respond to (if required)?		
11.3	Is a Campaign Contribution Disclosure Form required? If so:		
11.3a	Is the form included as a separate appendix?		
11.3b	Does the RFP contain a requirement (in Section IV) that the form be completed and returned with the proposal? (Preferably in Binder #2)		