



# **Request for Proposal (RFP) Evaluation Team Handbook**

**Updated: February 4, 2016**

**This Handbook conforms to:**

- ***Oakland County Purchasing Policies and Procedures***
- ***Standards of Conduct for Oakland County Officers and Employees***
- ***OMB Uniform Guidance - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*** (2CFR, Chapter 1, Chapter II, Part 200, et al) which requires non-federal agencies to maintain written standards of conduct covering conflicts of interest and the performance of employees, officers and agents engaged in the selection and award, of contracts. The standards must provide for disciplinary actions. (200.318(c)(1))

**OAKLAND COUNTY PURCHASING**  
**REQUEST FOR PROPOSAL (RFP) EVALUATION TEAM HANDBOOK**  
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## **INTRODUCTION**

You have been selected to serve on the Evaluation Team for a Request for Proposal (RFP). The RFP process measures economy and quality when purchasing goods and services, and it ensures fair treatment of vendors desiring to do business with the County. The Evaluation Team and its functions are an essential part of the process leading to the award of an RFP.

It's important for you as an evaluator to know what will be expected of you before committing to this duty. Being on an Evaluation Team may require long hours of concentrated effort. Please carefully consider what you have read in this handbook and let the Buyer know if you have any reservations before you start.

## **THE EVALUATION TEAM, ROLES, AND RESPONSIBILITIES**

The Buyer and the requesting department responsible for the procurement will determine the number and makeup of the Evaluation Team. Teams are usually comprised of three to five members, but they can be any size. The majority of members should be County employees or public officials. The Evaluation Team may include a mixture of members from several departments with diverse backgrounds or include members who are not County employees or public officials.

- **Role of the Team.** The role of the Evaluation Team is to award points to the proposals so that they may be ranked, and recommend a vendor or vendors to contract for services.
- **Role of Team Members.** You will be one of several evaluators on the Evaluation Team. Your duty is to apply judgment in awarding points to the proposals for the purpose of ranking them. You will be limited to considering only the evaluation criteria published in the RFP.
- **Role of the Buyer.** The Buyer will be the Evaluation Team chairperson, and may or may not evaluate proposals. The Buyer has overall responsibility for all matters involving the procurement and its procedures, and he/she is responsible for ensuring applicable County rules and policies are followed, and the appropriate documentation is retained. Once the bids are ranked and a recommendation has been made, the Buyer, in conjunction with the requesting department and Corporation Counsel, as needed, will complete the negotiation.

## **REPLACEMENT OF TEAM MEMBERS**

The Buyer may recommend replacement of any member on the Evaluation Team or reconstitute the Team in any way the Buyer deems appropriate to ensure there is no bias or conflict of interest in the evaluation process.

A Team member may request to be replaced at any time if he/she cannot fulfill the responsibilities and obligations of the Evaluation Team.

## **IMPARTIALITY – IDENTIFYING ANY CONFLICTS OF INTEREST AND BIAS**

Once the proposals have been received and it is clear which companies are involved in the RFP, each member of the Evaluation Team must make sure that he/she can evaluate the bid responses impartially. Any conflicts of interest or bias toward the responding organizations, their management, or employees may result in an Evaluation Team member's inability to evaluate the bid responses impartially. Team members who cannot be impartial will be removed from the Evaluation Team.

An example of a conflict of interest is a situation in which a County employee (or family member) owns a business that is competing for a County contract, and that County employee participates in the decision-making process to award that contract. Threats to independence can stem from:

- Self-interest – Financial or other interests may inappropriately influence an evaluator's decision;
- Bias – Political, ideological, social or other convictions may cause an evaluator not to be objective;
- Familiarity – Relationships with management or personnel, or that of an immediate or close family member may influence decisions; and
- Undue influences – External influences or pressures may impact an evaluator's ability to remain impartial.

The ***Standards of Conduct for Oakland County Officers and Employees*** (Attachment 1) prohibit public officers and employees from:

- Disclosing confidential information prior to the time prescribed for its authorized release (Section 1);
- Soliciting gifts or loans to influence the performance of official duties (Section 4);
- Engaging in a business transaction where the public officer or employee will benefit from their public position, confidential information or authority obtained in that position (Section 5);
- Accepting employment or rendering services for a private or public interest which would conflict with the discharge of the public officers' or employees' official duties or impair their independence (Section 6);
- Participating in contract negotiations relating to a business entity in which the public officer or employee has a financial or personal interest (Section 7);
- Being a party to a contract (Section 8); and
- Directly soliciting a contract for a company of which he/she is an officer or employee (Section 9).

§ 200.318(c)(1) of **OMB Uniform Guidance - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards** requires, in part, that:

- No employee, officer, or agent must participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.
  - Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
- The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.
- The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

It is important to avoid even the appearance of impropriety in the evaluation process. Your awareness of a potential conflict may not arise until you are well into the evaluation process. Team members should disclose potential problems at the earliest possible time, so adjustments can be made to keep the process fair to all competitors. If a conflict of interest is found to exist, that person cannot be a member of the Evaluation Team. **If a non-reported conflict of interest is discovered, the vendor involved in the conflict could be disqualified from the evaluation process.**

If there is any question about a potential conflict of interest, notify the Buyer immediately. The Buyer will report all conflict of interests to the requesting department(s) and will seek to fill the Evaluation Team member slot with an unbiased replacement.

Each Evaluation Team member will be required to complete an **Evaluation Team Member Confidentiality Agreement and Declaration of Impartiality** form prior to beginning the evaluation process. Evaluation Team members who are not County employees are required to meet the same independence thresholds and conduct requirements as County employees participating on the Team. There are separate forms for County and non-County Evaluation Team members. (See Appendix 2 and 3)

If the Buyer becomes aware that a County Evaluation Team member has failed to disclose a conflict of interest situation or has violated the **Standards of Conduct**, Purchasing will notify the offending employee's Manager and Director, and will recommend appropriate disciplinary action be taken under the County's Merit System.

If the Buyer becomes aware that an Evaluation Team member, who is not a County employee, has failed to disclose a conflict of interest situation or has violated the **Standards of Conduct**, Purchasing will notify the requesting department's Manager and Director and the Manager and Director of the department contracting with the non-

County employee. Purchasing will recommend appropriate action, up to and including the cancelation of the non-County employee's contract.

## **REQUEST FOR PROPOSAL**

It is very important that all Evaluation Team members read the Request for Proposal and have a clear understanding of the requirements and evaluation criteria before attempting to evaluate proposals. The Request for Proposal is a document that describes all the requirements of this project, how proposals must be prepared, and how proposals will be evaluated. After the deadline for receipt of proposals, all proposals received must be evaluated against the criteria set forth in the Request for Proposal.

## **RESPONSIVENESS**

The Buyer will review all proposals for responsiveness before distributing them to the Evaluation Team. This will prevent the Evaluation Team from reading a proposal that can't be considered for award. An offeror, an individual or firm that submits a proposal, is considered "responsive" if their proposal has been prepared in full compliance with the requirements of the RFP. If upon further review by the Team, a proposal is found to be non-responsive, the proposal will not be further evaluated. The Evaluation Team cannot evaluate proposals deemed non-responsive.

References will be reviewed to ascertain they meet specific requirements contained in the RFP. If the RFP requests references and none are submitted in the response, the proposal will be considered non-responsive.

## **INITIAL MEETING OF THE EVALUATION TEAM**

The Buyer will communicate with the Evaluation Team before distributing copies of the proposals received. The Evaluation Team should discuss the proposal review and scoring process to ensure each Team member has a clear understanding of the scoring process and how points will be assigned. The Buyer will provide Evaluation Team members with a copy of each proposal, and the evaluation worksheets to be used when scoring proposals.

The Buyer will develop a schedule for the evaluation process, based upon the tentative schedule laid out in the RFP. The Team members will be given sufficient time to read and evaluate each proposal.

## **EVALUATION PROCESS METHODOLOGIES**

There are several ways for the Evaluation Team to evaluate proposals and document the results:

- 1) Each member on the Evaluation Team evaluates each proposal and records their ratings on an evaluation worksheet. The Buyer, or Buyer's designee, compiles the resulting evaluations from all team members, resolves any

factual oversights, makes sure the resulting team members notes are legible, and produces a summary that constitutes the Evaluation Team's recommendation. Each Evaluation Team member's score is weighted equally when determining the Team's recommendation.

- Each Evaluation Team member's tally sheet, including notes made on the sheet, will be retained as the record of the recommendation and are subject to disclosure under Freedom of Information Act (FOIA) requests.
- 2) Each member on the Evaluation Team evaluates each proposal and makes notes about their observations and tentative rating on an evaluation score sheet. The Evaluation Team then meets as a group to review the individual proposals; and the Evaluation Team arrives at a group consensus as to the associated ratings and produces a summary that constitutes the Evaluation Team's recommendation.
- Only the summary containing the Evaluation Team's recommendation should be retained as the record of the recommendation. All individual team members' tentative ratings and observations should be destroyed.
- 3) The Evaluation Team uses one of the approaches described in 1) and 2) above to create a "short list" of qualified bidders. All "short list" bidders are subject to another round of evaluations (such as an oral interview, lowest responsible price, etc.) to determine the vendor(s) who will be recommended for award.
- Documentation of the selection of the "short list" bidders should be retained as detailed in 1) and 2) above. The determination of the recommended vendor(s) from the "short list" should also be retained.

The Buyer and requesting department need to decide which evaluation approach will be used before the solicitation is released to ensure the bidders are aware of the evaluation process, and the criteria and weights that will be used.

### **PRICES MAY NOT BE REVEALED UNTIL AFTER FIRST SCORING**

In some cases, the Evaluation Team may not know the price until after it has compiled its first scoring. In general this is done to avoid the possibility of the prices influencing the scoring when non-price criteria are being considered.

### **EVALUATION WORKSHEET**

An evaluation worksheet is used to guide the Evaluation Team members in their review and evaluation of proposals. An evaluation worksheet provides a listing of individual evaluation criteria and the rating scale to be used. The evaluation worksheet does not include pricing. The resulting evaluation framework is very important because it:

- Provides a means for all Evaluation Team members to review and evaluate proposals in a consistent and objective manner;



- Helps the Evaluation Team discuss differences in their initial review and, for those differences that are based on an incomplete or incorrect reading of the information presented, resolve them; and
- Documents the results of the Evaluation Team's work and provides support for the final recommendations.

Any notations made on the evaluation worksheet may become public record. Each evaluation worksheet should be completed in full by the Evaluation Team member.

## **RATING SCALE FOR USE IN EVALUATION**

The rating scale establishes standards by which points are assigned to proposals, and it ensures that members of the Evaluation Team evaluate each proposal with consistency.

Purchasing uses a standard rating scale with the following six values:

| <b>Evaluation Scoring Criteria:</b> |  |
|-------------------------------------|--|
| 0                                   | Fails to meet minimum requirements/specifications and/or information is missing.                         |
| 1                                   | Meets minimum specifications with exception and/or information is unclear.                               |
| 2                                   | Meets minimum specification and required information is complete and understandable.                     |
| 3                                   | Somewhat exceeds specifications and/or provides a somewhat enhanced solution/features/ or functionality. |
| 4                                   | Greatly exceeds specifications and/or provides greatly enhanced solutions/features/ or functionality.    |
| 5                                   | Provides superior solutions/features/ or functionality.  |

A zero value typically constitutes no response or an inability of the vendor to meet the criterion. In contrast, the maximum value should constitute a high standard of meeting the criterion. Each intermediate value should be set to cover some intermediate condition.

The rating scale needs to be customized for each evaluation criterion. For example, if criteria can be evaluated as only “yes” or “no” (e.g., offeror can submit an electronic report in required format by noon Friday), then the rating scale would have only two possible values (i.e., the maximum points or a zero).

## **COMMUNICATIONS WITH BID RESPONDENT OUTSIDE EVALUATION TEAM MEETINGS PROHIBITED**

You must only discuss this procurement within the activities of the Evaluation Team. If the Buyer has provided for the bid respondents to have communication with the

evaluators, it will be done while the Team is in session so all members can benefit from the communication at the same time. **It's not appropriate for you to have direct communication with any of the bid respondents outside of the formal in-session communications arranged by the Buyer.** Any attempt by one of the bid respondents to have direct or indirect communication with you outside of an Evaluation Team session should be avoided and reported to the Buyer immediately.

## **EXERCISING INDEPENDENT JUDGMENT**

In evaluating proposals, you must exercise "independent judgment." You have been entrusted with an essential part of an important public decision. Exercise your judgment in a manner that is not dependent on anyone else's opinions or wishes.

You can seek to increase your knowledge before you award points by asking questions and seeking appropriate information. Ensure, however, that you do not allow your actions to be influenced by another person's wishes (i.e. a desire that you award more points to a particular offeror.)

It's possible you will hear from other persons not on the Evaluation Team (even if you don't want to) about what you should do in awarding points to this or that proposal. For the most part these contacts by others will not rise to the level of serious concern unless you feel your independence is being compromised in some manner or your decisions are being influenced to the point of being dependent on another person's desires. Report any attempts by others to improperly influence you to favor or disfavor a particular proposer to the Buyer immediately.

The exercise of independent judgment applies not only to possible influences from persons outside the Evaluation Team, but also to influences from within the Team. It's normal and acceptable for there to be debate, even passionate debate, within the Team about how well a proposal meets the evaluation criteria. As an independent evaluator you may be swayed by debate in making your judgment about many points you wish to award, and that is perfectly okay. However, evaluators may not act in a concerted way to either favor or disfavor a particular proposal or group of proposals, as the evaluation would not be based upon the independent judgment of the individual evaluators.

## **EVALUATING PROPOSALS**

It is recommended that Evaluation Team members read each proposal thoroughly without evaluating. Then, review and evaluate each proposal to measure the quality and degree of compliance with the evaluation criteria. Make notes, *notating page numbers*, and give tentative ratings on the evaluation score sheet. Remember, depending on the evaluation method, these forms may become public documents after the notice of intent to award has been posted.

Contact the Buyer if you feel a proposal does not comply with a mandatory requirement (such as a minimum number or years of experience, a required license, etc.) or if you have questions about the scoring process.

Members of the Evaluation Team will need to review and evaluate each proposal individually, without discussing their evaluation with other Team members. **Do not communicate with any of the bid respondents prior to or after the evaluation.** Notify the Buyer if a bid respondent attempts to contact individual Evaluation Team members.

At first glance it may seem obvious that proposals should be compared to one another in order to select the best one. While it's true that a certain amount of comparison naturally occurs during the evaluation process, each proposal must be evaluated or scored using the criteria set out in the RFP. In addition, Evaluation Team members should record brief comments that lend insight into why they awarded points or failed to award points based on the RFP evaluation criteria for a particular item.

### **CONSOLIDATION OF INDIVIDUAL EVALUATION SCORES**

After everyone has completed the evaluation process, the Evaluation Team can meet as a group to discuss the proposals and identify and make clarifications. **If aspects of a proposal need to be clarified, the Buyer will communicate with a bid respondent to clarify uncertainties or eliminate confusion.** This communication may not result in a material or substantial change to the proposal, but Evaluation Team members may modify their scores during the discussion/clarification period. The individual scores will then be read and a total of the combined scores will be calculated.

If any scores appear unusual, the Buyer should ask the evaluator to explain his/her scores, or reconsider if an error seems apparent. Evaluators should always have a reasonable, rational, and consistent basis for his/her scores, as the evaluator might be required to explain the scores in the event of a vendor protest.

If individual evaluation scores are combined into an overall score, the score sheet with the combined scores becomes the final document. ALL individual score sheets should be turned in to the Buyer, who will destroy them once the recommended vendor or vendors are selected.

### **INTERVIEWS / DISCUSSIONS WITH BID RESPONDENTS**

After the initial evaluation, respondent(s) with a bid response reasonably acceptable for award may be offered the opportunity to discuss their proposals with the Evaluation Team.

The Buyer and requesting department should decide whether interviews with bid respondents will be part of the evaluation process before the proposals are solicited. The Buyer and department contact should also decide the criteria to determine which respondents will be invited for a face to face meeting (i.e. scoring above a certain rating, the top three offerors, etc.).

Interview questions/topics and weights should be discussed and agreed to by the Evaluation Team before bid respondents are contacted. The Buyer will distribute the questions/topics in the form of an agenda to the bid respondents and schedule the meetings to allow the bid respondents time to adequately prepare. The Buyer will make evaluation sheets available to the Evaluation Team members.

Bid respondents must be afforded fair and equal treatment with respect to any opportunity for discussion and revision of proposals. **The opportunity for confidential discussions, if held, must be extended to all bid respondents submitting proposals deemed reasonably acceptable for award.** Evaluation Team members should not reveal one bid respondent's price to another, or disclose any information derived from competing proposals. Respondents cannot make modifications to their response to the RFP.

### **SITE VISITS**

Occasionally, a site visit will be an element of the evaluation process. The Buyer and requesting department will determine the evaluation criteria and weights for this portion of the evaluation prior to the issuance of the RFP. If the site visit is included in the evaluation decision, all Evaluation Team Members are required to attend. The Buyer will schedule the site visit with the bid respondent or reference.

### **REFERENCES**

The Buyer and the requesting department will determine the weight to be afforded references in the evaluation process prior to the issuance of the RFP. References can be a weighted criterion, or they can result in a "pass or fail" score. The Buyer and the requesting department will determine an appropriate number of yes/no questions to ask each reference. The questions will be tailored for each bid solicitation to determine whether the bid respondent can provide the services the County seeks, they are responsive to client needs, they meet project deadlines and budget, etc. Within each RFP solicitation, all of the references for all of the bid respondents will be asked the same questions.

A Purchasing staff member will contact the references, record the answers to the designated questions, and prepare a summary sheet for each bid respondent. The reference summary sheet will be made available to all Evaluation Team Members and will be retained in the bid documentation.

### **BEST AND FINAL OFFER**

On rare occasions, the Evaluation Team may not be satisfied with the proposals or feel that the proposals could be improved upon. The Evaluation Team may determine that it is in the best interest of the County to request best and final offers, as opposed to a re-bid. The Buyer will initiate the request for best and final offer. The process cannot be initiated by a bid respondent's request for an opportunity to submit a best and final offer. Best and final offers are not necessary when the Evaluation Team is satisfied with the proposals received.

The Buyer will document which bid respondents will be notified and provided the opportunity to submit best and final offers. The Buyer will send out the request for best and final offers in a letter stating any specific areas to be covered and the date and time in which the best and final offer must be returned. The conditions, terms, or price of the proposal may be altered or otherwise changed, provided the changes are within the scope of the request for proposals and instructions contained in the request for best and final offer.

Best and final offers should normally be submitted only once. However, the Buyer may make a written determination that it is in the County's best interest to conduct additional discussions or change the County's requirements and require another submission of best and final offers. If a bid respondent does not submit a best and final offer or a notice of withdrawal, the bid respondent's previous proposal is considered the bid respondent's best and final proposal.

After best and final offers are received, final evaluations will be conducted. Best and final offers must be reviewed and scored using the same evaluation criteria published in the RFP.

## **COST EVALUATION**

Normally, cost is taken into consideration after the "qualitative" factors have been evaluated. Cost does not need to be evaluated by everyone on the Evaluation Team. It is recommended that cost be evaluated by at least two people, and discussed with the Team.

The evaluators will convert the price to points. The proposal with the lowest cost receives the maximum points allowed. All other proposals receive a percentage of the points available based on their cost relationship to the lowest cost proposal. This is determined by applying the following formula:

$$\frac{\text{Price of Lowest Cost Proposal}}{\text{Price of Proposal Being Rated}} \times \text{Maximum points available} = \text{Awarded Price points}$$

**Example:** The total point available for cost in the RFP was forty (40) points. The cost of the lowest acceptable proposal is \$100,000. Therefore the lowest proposal cost of \$100,000 would be awarded forty (40) points. The second lowest acceptable proposal submitted a cost of \$125,000. The second lowest proposal cost of \$125,000 would be awarded thirty-two (32) points.

$$\frac{\$100,000}{\$125,000} = .80 \quad \times \quad 40 = 32 \text{ points}$$

The points awarded for cost are combined with the total points awarded for the technical proposal to determine the successful proposal.

## **QUALITY ASSURANCE**

**Before making the award, the Buyer and the requesting department must ensure the quality control of the evaluation process by verifying proposal pricing, checking any mathematic computations, and ensuring only those criteria identified in the RFP were considered.** An additional Buyer from Purchasing and the requesting department contact will verify the Buyer's (or Evaluation Team's) computations on the award document.

The integrity of the process and County procurement system is grounded upon the Buyer and Evaluation Team maintaining their independence, and adhering to the procedures and evaluation requirements stated in the RFP.

## **NOTICE OF INTENT TO AWARD**

After the successful proposal is selected, a notice of intent to award will be posted to all bid respondents and any other interested parties. The intent to award normally contains the following information:

- Name of the issuing agency
- Solicitation number and name
- List of all bid respondents that submitted proposals
- Name of the successful vendor.
- Buyer's name and contact information.

## **REJECTION OF ALL BIDS AND RE-BIDDING**

On occasion, a decision may be made to reject all bids or proposals received. Reasons might include: none of the responses met the specifications, the prices received were not reasonable or exceeded the budgeted amount, or competition was insufficient (e.g. few, if any, competitive bids were received). The Buyer will provide a written justification whenever a decision is made to reject all bids or proposals. The Buyer will notify all vendors that responded to the solicitation and explain why all bids or proposals were rejected. The solicitation process may be repeated or canceled altogether.

Repeating the bidding process immediately is acceptable when there are significant changes to the specifications, more vendors are given the opportunity to bid, or there were mistakes in the original solicitation. In fairness to the bidders whose prices have been revealed to their competitors through the bidding process, a solicitation that was opened, but not awarded should not be reissued for at least three months. If the solicitation process is repeated sooner, the Buyer should document the reason.

## **REQUESTS FOR PUBLIC INFORMATION / FREEDOM OF INFORMATION ACT (FOIA) REQUESTS**

After the public opening of bids or proposals, or the deadline for submission of bids or proposals has expired, the proposals and contents of the procurement file become subject to state open records laws, commonly referred to as the Freedom of Information Act (FOIA). Purchasing can expect to receive requests for copies of proposals and evaluation documents. **Information can only be confidential if determined to be so under Michigan's Freedom of Information Act.**

Bid respondents commonly mark their proposals as "confidential." Before releasing the proposal to the information requestor, the Buyer will contact the firm that submitted the proposal and inform them that a FOIA request has been received. The Buyer will inform the respondent that Michigan has an open records law, so information can only be kept confidential if it is determined to be so under Michigan or Federal law. If the respondent's whole proposal is marked "Confidential," the Buyer will ask them to indicate specifically what information or sections they consider confidential. Requests for public information must be answered promptly, so the Buyer will give the bid respondent a deadline to respond.

If the request for public information includes the section that the respondent feels is confidential, Purchasing will contact Corporation Counsel to help determine whether or not that section must be disclosed or can be kept confidential.

## **PROTESTS, APPEALS, AND LAWSUITS**

Protests, appeals, and lawsuits are a part of the procurement process. It is possible that one or more of these actions could occur over the procurement for which you serve as an evaluator. Such actions may or may not center on your activities as an evaluator. Most actions are related to procedural issues and involve only the decision of the Compliance Officer. However, it's not uncommon for a protester to review the scoring of individual evaluators. Therefore, it is essential that the Evaluation Team members score the offers in a consistent and explainable manner and maintain a professional demeanor during the evaluation process.

**Thank you for your participation in the RFP evaluation process!**

**STANDARDS OF CONDUCT  
FOR OAKLAND COUNTY OFFICERS AND EMPLOYEES**

1. A public officer or employee shall not divulge to an unauthorized person, confidential information acquired in the course of employment in advance of the time prescribed for its authorized release to the public.
2. A public officer or employee shall not represent his or her personal opinion as that of an agency.
3. A public officer or employee shall use personnel resources, property, and funds under the officer or employee's official care and control judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.
4. A public officer or employee shall not solicit or accept a gift or loan of money, goods, services, or other thing of value for the benefit of a person or organization, other than the County, which tends to influence the manner in which the public officer or employee or another public officer or employee performs official duties.
5. A public officer or employee shall not engage in a business transaction in which the public officer or employee may profit from his or her official position or authority or benefit financially from confidential information which the public officer or employee has obtained or may obtain by reason of that position or authority. Instruction which is not done during regularly scheduled working hours, except for annual leave or vacation time, shall not be considered a business transaction pursuant to this subsection if the instructor does not have any direct dealing with or influence on the employing or contracting facility associated with his or her course of employment with this County.
6. Except as otherwise provided by State law, a public officer or employee shall not engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the officer or employee's official duties or when that employment may tend to impair his or her independence of judgment or action in the performance of official duties.
7. Except as otherwise provided by State law, a public officer or employee shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates, or other regulation or supervision relating to a business entity in which the public officer or employee has a financial or personal interest.
8. No public servant shall be a party, directly or indirectly, to any contract between himself and the public entity of which he is an officer or employee, except as provided by State law.
9. No public servant shall directly or indirectly solicit any contract between the public entity of which he is an officer or employee, and
  - (a) himself;
  - (b) any firm (meaning a co-partnership or other unincorporated association) of which he is a partner, member or employee;
  - (c) any private corporation in which he is a stockholder owning more than 1% of the total outstanding stock of any class where such stock is not listed on a stock exchange or stock with a present total market value in excess of \$25,000.00 where such stock is listed on a stock exchange or of which he is a director, officer, or employee; or
  - (d) any trust of which he is a beneficiary or trustee; nor shall he take any part in the negotiations for such a contract or the renegotiation thereof or amendment thereto or in the approval thereof; nor shall he represent either party in the transaction; except as provided by State law.



**APPENDIX 2**

**COUNTY EVALUATION TEAM MEMBER CONFIDENTIALITY AGREEMENT**



COMPLIANCE OFFICE  
PURCHASING

OAKLAND COUNTY EXECUTIVE L. BROOKS PATTERSON

Pamela Weipert, Compliance Officer  
(248) 858-0997 | weipertp@oakgov.com

Bid Event #: \_\_\_\_\_ Event Title: \_\_\_\_\_

**Evaluation Team Member Confidentiality Agreement and Declaration of Impartiality**

I understand that the bid evaluation process is confidential. I agree not to disclose information regarding the bid solicitation or any content within the bid documents except as provided by law. I will discuss the bid proposals only with other Evaluation Team members at designated meetings, or with the Buyer, until such time as the bid has been awarded.

I declare that, to the best of my knowledge, I can evaluate the bid responses in an unbiased and impartial manner.

- There is no real or apparent conflict of interest between myself, any of the bid respondents, or demographic area that would in any way interfere with my ability to objectively review, evaluate and make recommendations regarding any of the bids submitted.
- I do not have any business, family or financial interests or connections with any of the bid respondents, nor will I derive any tangible personal benefits from the bid respondents.
- My immediate family members and/or my domestic partner, do not work for, have a financial or other interest, or derive tangible personal benefits from any of the bid respondents.
- I do not have preconceived ideas about the bid respondent organizations, management, or employees that would impair my ability to impartially evaluate the proposal for the work solicited in this event.

I have read ***Standards of Conduct for Oakland County Officers and Employees*** and, to the best of my knowledge, I am not in violation of the standards in regards to evaluating this bid response, and negotiating the terms of this contract. (See Appendix 1 on page 12 of the ***Request for Proposal (RFP) Evaluation Team Handbook for Standards of Conduct.***)

If, during the course of the bid evaluation process, I become aware of new information that would cause me or others to question my impartiality or to breach confidentiality, I will report the confidentiality and/or impartiality issues to the Buyer assigned to this event.

Evaluator's Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date \_\_\_\_\_

Department: \_\_\_\_\_

Email: \_\_\_\_\_ Phone #: \_\_\_\_\_

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## APPENDIX 2 COUNTY EVALUATION TEAM MEMBER CONFIDENTIALITY AGREEMENT

### Information for Evaluation Team Members

All Evaluation Team members should review the ***Request for Proposal (RFP) Evaluation Team Handbook*** for an overview of the Evaluation Team's role, your role as an Evaluation Team member, and the role of the Buyer. The Handbook also provides an overview of the evaluation process.

The Evaluation Team is responsible to ensure bid responses are evaluated in a fair and impartial manner in order to select the vendor(s) who will perform services for the County. The Team is responsible to ensure the process is documented and follows County procedures, such that the recommendation decisions can withstand scrutiny and a bid protest should an interested party object.

### Process Reminders (See the RFP Evaluation Team Handbook for the detailed procedure)

- Do not discuss bids or the evaluation process with anyone except for your fellow Evaluation Team members and the Buyer during the evaluation process.
- The Buyer is the leader and the facilitator of the bid evaluation process.
- All questions about the process should be directed to the Buyer.
- Questions from vendors about the bid solicitation should be directed to the Buyer to ensure a fair and competitive process. Under no circumstance should an Evaluation Team member speak to a vendor about a bid that has not been awarded.
- The scoring criteria and weights were determined before the RFP was released by the Buyer and requesting department. These cannot be changed. The criteria and weights should be accurately reflected on any evaluation forms you are provided.
- The evaluation process – scoring methodology, pre-qualifying bidders, interview process, etc – was established by the Buyer and requesting department contact before the RFP was released, and cannot be changed during the evaluation process.
- Score each bid response against the scoring criteria. Bid responses should not be compared or scored against each other.
- All documents generated by the evaluation process, including the Evaluation Team's scoring matrices are subject to Freedom of Information Act requests. Be sure that the notes you make are professional.
- The Buyer may recommend replacement of any member of the Evaluation Team or change the Team in any way the Buyer deems appropriate to ensure there is no bias or conflict of interest in the evaluation process. A Team Member may request to be replaced at any time if he/she cannot fulfill the responsibilities and obligations of the Evaluation Team.

**NOTE: *A biased Evaluation Team member corrupts the evaluation process results. Participation by a biased Team Member is justification for the bids to be reevaluated or the solicitation to be rebid.***

## APPENDIX 3 NON-COUNTY EVALUATION TEAM MEMBER CONFIDENTIALITY AGREEMENT



OAKLAND COUNTY EXECUTIVE L. BROOKS PATTERSON

COMPLIANCE OFFICE  
PURCHASING

Pamela Weipert, Compliance Officer  
(248) 858-0997 | weipertp@oakgov.com

Bid Event #: \_\_\_\_\_ Event Title: \_\_\_\_\_

### Evaluation Team Member Confidentiality Agreement and Declaration of Impartiality

I understand that the bid evaluation process is confidential. I agree not to disclose information regarding the bid solicitation or any content within the bid documents except as provided by law. I will discuss the bid proposals only with other Evaluation Team members at designated meetings, or with the Buyer, until such time as the bid has been awarded.

I declare that, to the best of my knowledge, I can evaluate the bid responses in an unbiased and impartial manner.

- There is no real or apparent conflict of interest between myself, any of the bid respondents, or demographic area that would in any way interfere with my ability to objectively review, evaluate and make recommendations regarding any of the bids submitted.
- I do not have any business, family or financial interests or connections with any of the bid respondents, nor will I derive any tangible personal benefits from the bid respondents.
- My immediate family members and/or my domestic partner, do not work for, have a financial or other interest, or derive tangible personal benefits from any of the bid respondents.
- I do not have preconceived ideas about the bid respondent organizations, management, or employees that would impair my ability to impartially evaluate the proposal for the work solicited in this event.
- The company for which I work does not have any financial or other interest, or derive tangible personal benefits from any of the bid respondents.

I have read ***Standards of Conduct for Oakland County Officers and Employees*** and, to the best of my knowledge, I am not in violation of the standards in regards to evaluating this bid response, and negotiating the terms of this contract. (See Appendix 1 on page 12 of the ***Request for Proposal (RFP) Evaluation Team Handbook*** for ***Standards of Conduct.***)

If, during the course of the bid evaluation process, I become aware of new information that would cause me or others to question my impartiality or to breach confidentiality, I will report the confidentiality and/or impartiality issues to the Buyer assigned to this event.

Evaluator's Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Company: \_\_\_\_\_

Email: \_\_\_\_\_ Phone #: \_\_\_\_\_

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## APPENDIX 3

# NON-COUNTY EVALUATION TEAM MEMBER CONFIDENTIALITY AGREEMENT

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#### **Process Reminders (See the RFP Evaluation Team Handbook for the detailed procedure)**

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- The Buyer is the leader and the facilitator of the bid evaluation process.
- All questions about the process should be directed to the Buyer.
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