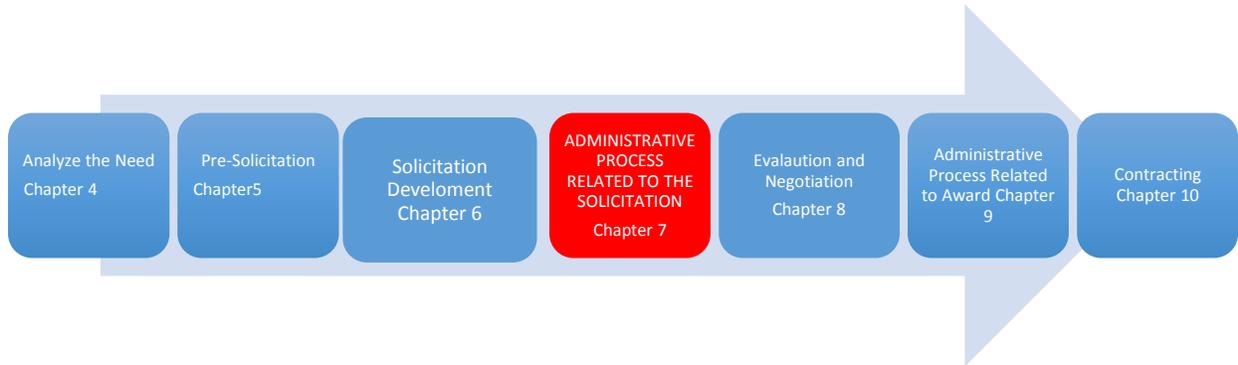


# CHAPTER 7

## Administrative Process Related to the Solicitation



### 7.1. Public Notice

MCL18.1261, et seq. requires the use of Competitive Solicitation for the purchase of goods and services. “Competitive Solicitation” is the formal or informal bidding process of obtaining quotes or proposals from responsible and responsive bidders to determine contract award.

The formal competitive bidding process begins with public notice of the solicitation. Buy4Michigan is the source of public notice for vendors to access information about all solicitations that are required to be competitively bid as identified in Chapter 5 in this manual. Solicitation methods that require formal competitive bidding include the following:

- Request for Proposal
- Invitation to Negotiate

Informal competitive bidding does not require the use of the Buy4Michigan system; however, Buy4Michigan should be used whenever practical. The informal competitive bidding methods including the following:

- Request for Quote
- Direct Solicitation

### 7.2. Posting Requirements

#### 7.2.1. Commodity Codes

The Solicitation Manager must utilize the commodity code(s) specific to the purchase to ensure that all potential contractors registered in Buy4Michigan receive notification of the posting.

#### 7.2.2. Buy4Michigan Posting Requirements

**Request for Proposal (RFP).** A solicitation over \$10,000 must be publicly posted on Buy4Michigan. A RFP with an estimated amount greater than \$50,000 must be posted for a minimum of 14 calendar days unless an exception is obtained from the Chief Procurement Officer or designee.

**Invitation to Negotiate (ITN).** The ITN document, described in Chapter 6, Section 6.6 – Constructing the Solicitation, must be posted on the Buy4Michigan system for a minimum of seven (7) calendar days unless otherwise approved by the Chief Procurement Officer or designee.

### 7.3. State and Vendor Communications

Once the solicitation is published, communication with vendors regarding the content of the solicitation must be limited. Strict State and vendor communication protocol is essential to ensure a fair and competitive purchasing environment. State and vendor communication protocol is as follows:

#### 7.3.1. Communication with Vendors – Providing Notice of Solicitation

The Solicitation Manager, Program Manager, and Subject Matter Experts are encouraged to provide notice (written or verbal) of the solicitation to potential vendors. Communication to vendors must be limited to the posting date of the solicitation and must not include specific details of the solicitation to prevent giving one vendor an advantage over another.

#### 7.3.2. Communication with Vendors – Solicitation Process through Contract Award

The Solicitation Manager is the individual responsible for leading and facilitating all aspects of the solicitation process through contract award, and will serve as the point of contact for potential vendors during this period. Once the solicitation is released, all communication with vendors must be through only the Solicitation Manager. Only written answers by the State will become an official part of the solicitation process.

Any technical questions regarding the Buy4michigan system may be directed to the Office of Financial Management Help Desk.

#### 7.3.3. Communications with Vendors - Question and Answer Period

All vendor questions must be submitted in writing to the Solicitation Manager and in accordance with the instructions in the solicitation. State answers to vendor questions must be posted on Buy4Michigan. If a State answer requires a revision to the solicitation, the revision will act as an addendum to the original solicitation.

### 7.4. Pre-Proposal Meetings and Inspections

If identified in the solicitation, or in any addendum provided in the solicitation, the State may conduct a pre-proposal meeting or allow vendors to inspect the location where the work will be performed. When applicable, the solicitation will identify whether a pre-proposal meeting or inspection will be held. The Solicitation Manager, or designee, is responsible for facilitating the pre-proposal meeting. It is best practice for the Solicitation Manager, or designee to document all attendees. The “Pre-Proposal Meeting form” is an optional tool used to document contract information, date, and time of the vendors who attended the meeting. If the pre-proposal meeting or inspection is mandatory, the Solicitation Manager, or designee, is responsible for ensuring that attendance is documented, and that the Form is maintained as part of the solicitation file.

Open dialog from potential vendors and the State is encouraged during the pre-proposal meeting or inspection – vendor questions may assist the State in identifying potential gaps in the solicitation and provide valuable information a vendor may need to submit an accurate proposal. Statements made by the Solicitation Manager or designee at a pre-proposal meeting or inspection are not considered revisions or additions to the solicitation. Any changes made to the solicitation following a pre-proposal meeting must be made in writing and will act as an addendum to the original solicitation in Buy4michigan.

## 7.5. Revising the Solicitation

The Solicitation Manager is responsible for identifying and posting in writing any corrections or revisions to the publically posted solicitation. A revision is considered a solicitation addendum and must be posted on Buy4Michigan.

## 7.6. Cancelling the Solicitation

The State may withdraw or cancel a solicitation at any time.

## 7.7. Proposal Submission

To be eligible for evaluation and negotiation, the vendor’s entire proposal, and all attachments, must be submitted according to the instructions of the solicitation by the closing date and time. Buy4Michigan does not allow the submission of bids after the closing date and time. Except in limited circumstances, such as technology issues not related to the vendor, or other reasons as identified in the solicitation, a response received after the solicitation closing date and time must be rejected.