Putting it Together From Award to Contract

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Mapping Strategies in Uncertain Times

CLASS OBJECTIVES

We will discuss the following:

- Steps Taken After the Decision to Award is Made for IFBs
- Steps Taken After the Decision to Award is Made for RFPs
- Preparation of the Award Document

CLASS OBJECTIVES--continued

- Supplier Debriefings
- Start-up conference with the Contractor
- Contract Administration
- Completing the File

Steps Taken After the Decision to Award is Made for IFBs

- Obtain certificates of insurance, if applicable, before work begins
- Obtain required payment and performance bonds before work begins
- Post Notice of Intent to Award or Award Notice on eVA

Steps Taken After the Decision to Award is Made for IFBs

- Prepare eVA p.o.—incorporating all Ts & Cs
- Do NOT use a two-party contract

Steps Taken After the Decision to Award is Made for RFPs

- Obtain certificates of insurance, if applicable, before work begins
- Obtain required payment and performance bonds before work begins
- Post Notice of Intent to Award or Award Notice on eVA

Steps Taken After the Decision to Award is Made for RFPs

- Prepare a two-party contract—incorporating the RFP, vendor's response, and points negotiated
- Prepare an eVA p.o.

Steps Taken After the Decision to Award is Made for IFBs/RFPs

- May offer supplier debriefings*
- Return any unused/undamaged samples—at vendors' expense
- Document the file with lessons learned

Steps Taken After the Decision to Award is Made foe IFBs/RFPs

- May conduct a start-up conference with the Contractor
- Assign a Contract Administrator in writing, if needed
- Monitor the contract for compliance/default

Supplier Debriefings

- General good practice, especially if the supplier requests
- Help suppliers improve their competitive performance, which helps improve future competition

Supplier Debriefings

- Be constructive and open by providing constructive feedback
- Goal is to reflect on what happened and how it might be improved in the future

Supplier Debriefings

Potential benefits for the public body:

- Identifies ways of improving the process the next time
- Encourages better bids from those suppliers in the future
- Enhances the intelligent customer role

Supplier Debriefings

Potential benefits for the public body:

- Establishes the entity's role as being fair, open, and ethical—as well as demonstrating a commitment to good practices and openness
- May avoid a protest or law suit

Supplier Debriefings

Potential benefits for suppliers:

- May help them rethink their approach so that they may be successful in future bids
- Offers targeted guidance to new or smaller companies to improve their changes of future business

Supplier Debriefings

Potential benefits for suppliers:

- Can provide reassurance about the bidding process
- Can provide a better understanding of what differentiates public sector procurement from the private

Supplier Debriefings

Potential disadvantage:

- Risk of legal challenge, especially if the procurement were not carried out in accordance with the rules and guidance

Contract Start-up Conferences

- Held to assure both parties understand their duties and obligations under the contract
- Help to avoid default
- Sets the tone for the contract relationship between the contractor and public body

Contract Administration

Plan contract administration efforts in advance—to make life easier for you, the Contract Administrator (CA), and the contractor.

Contract Administration

- Planning and proactive management of a contract are crucial to effective contract management.
- Contract administration planning should occur during the pre-award phase and be reflected in the solicitation and award documents.

Contract Administration

- A contract checklist or milestone chart should be developed for each contract that requires multiple or scheduled actions by the contractor during the contract period.
- This list/chart is essential if the CA is ensure that the contractor fulfills the obligations of the contract.

Contract Administration

- Successful service contract administration usually involves a team approach, with specific administrative tasks delegated to end-users or others (CAs) who can closely monitor contract performance.

Contract Administration

- The anticipated CA(s) and the buyer should work together in establishing administrative requirements or tasks while developing the solicitation.
- The CA should be the end user of the contract and is responsible for the proper adherence to all contract specifications by the contractor.

Contract Administration

- Contract administration must be delegated in writing by the buyer—designating a specific individual or position, highlighting important aspects of the contract, and distinguishing between the CA's authority and that which remains with the buyer.

Completing the File

- A complete file should be maintained in one place for each purchase transaction.
- The file should contain all the information necessary to understand the who, what, why, when, where, and how of the transaction.

Completing the File

Contract files should contain:

- Sources solicited
- Copy of the VBO receipt
- Cancellation notices
- Method of evaluation and award
- A signed copy of the contract or p.o.

Completing the File

Contract files should contain:

- Contractor performance reports
- Modifications or change orders
- Cure letters, usage date
- Any other actions relating to the procurement