



Concept To Contract

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Session Overview

1. Review of Sealed RFP Format
 - Case Study
2. Develop the Contract



Test Your Knowledge



Focus On The End Result



RFP Format

I. Purpose

II. Background

III. Statement of Needs



QUESTION # 1

got purpose?

You Must Include A Purpose
Statement In Your RFP

TRUE

RFP Format

IV. Proposal Preparation & Submission Instructions



RFP Format



Specific Proposal Requirements



Evaluation Panel

Proposals
Organized
With Tabs





Evaluation Criteria



Narrative

Methodology

Pricing

Small Business Subcontracting Plan



Question # 2

You cannot change criteria
after issuing an RFP

FALSE



RFP Format

VI. Reporting & Delivery Instructions

VII. Pre-proposal Conference

VIII. Performance Measures



RFP Format

IV

- General Terms & Conditions

V

- Special Terms & Conditions

VI

- Method of Payment & Invoicing

VII

- Attachments

Pricing Schedule

Procurement Category		Catalog Price (\$)	Discounted Price (\$)	Whole Percentage (%) Discount
One-Day Classroom Format	Per Person			
Two-Day Classroom Format	Per Person			
Three-Day Classroom Format	Per Person			
Project Management Category				
One-Day Classroom Format	Per Person			
Two-Day Classroom Format	Per Person			
Three-Day Classroom Format	Per Person			
Business Skills Category				
One-Day Classroom Format	Per Person			
Two-Day Classroom Format	Per Person			
Three-Day Classroom Format	Per Person			
Total Discounted Price (Total of all prices in the Discounted Price column)				

Question # 3

You Must State The Award Method
In The RFP

TRUE



RFP Checklist

APSPM Annex 7-E

Annex 7-E

RFP SOLICITATION AND FILE CHECKLIST

✓	RFP SOLICITATION CHECKLIST	✓	FILE CHECKLIST
	<u>Approval</u> : Required approvals should be obtained prior to preparing the solicitation and a copy placed in the solicitation file. Examples include a release from Corrections to purchase a good(s) or service they produce from a commercial source, authority from the DGS/DPS for an agency to make a direct procurement in excess of its delegated purchase authority (see 1.2, 1.4 and 2.1).		Special Approval
	<u>Approved Request</u> : Written approval to expend funds must be included in the file. When considering the value of the procurement, include all possible renewal periods.		Purchase Requisition
	<u>Statement of Needs</u> : The Statement of Needs describes in general terms what is to be procured.		
	<u>Preproposal Conferences/Site Visits</u> : If a preproposal conference or site visit is to be held, the solicitation must state the date, time, place, and whether attendance is optional or mandatory.		Preproposal sign-in sheet
	<u>General Terms and Conditions</u> : The general terms and conditions or "boilerplate" must be included in every solicitation. Taxes, Use of Brand Names, and Transportation and Packaging General Terms and Conditions are not normally required for service contracts. The Insurance clause is not normally required for goods purchases.		



Take Time to Review



Concept To Contract

CONTRACT

RFP

- ISSUE & RECEIVE
- EVALUATE
- NEGOTIATE
- AWARD

PRE-RFP

- ENDUSER DISCUSSION
- RESEARCH



Concept To Contract



Developing
The
Contract



Which RFP Sections Go Into The Contract?

I. Purpose

II. Background

III. Statement Of Needs

IV. Proposal Preparation & Submission Instructions

V. Evaluation And Award Criteria

VI. Reporting & Delivery Instructions





Which RFP Sections Go Into The Contract?

- VII. Preproposal Conference
- VIII. Performance Measures
- IV. General Terms And Conditions
- IX. Special Terms And Conditions
- X. Method Of Payment & Invoicing
- XI. Pricing Schedule
- XII. RFP Attachments



Every Contract Should Answer These Questions



WHO?

Who is obligated to perform?



What is the obligation?



When must the obligation be performed?

Every Contract Should Answer These Questions



How is the obligation to be performed?



How much will it cost?



Where will the performance take place?

Standard Two Party Contract

APSPM Annex 7-D

Annex 7-D

**COMMONWEALTH OF VIRGINIA
STANDARD CONTRACT**

(For Use with Competitively Negotiated Contracts Only)

Contract Number: _____

This Contract entered into this _____ day of _____, 20____,
by _____ hereinafter called the "Contractor" and Commonwealth of
Virginia, _____ (Department, Agency, or Division) called the "Purchasing
Agency."

WITNESSETH that the Contractor and the Purchasing Agency, in consideration of the mutual covenants,
promises and agreements herein contained, agree as follows:

SCOPE OF CONTRACT: The Contractor shall provide the goods/services to the Purchasing Agency as set
forth in the Contract Documents.

PERIOD OF PERFORMANCE: From _____ through _____.

The Contract documents shall consist of:

- (1) This signed form;
- (2) The following portions of the Request for Proposal dated _____:
 - (a) The Statement of Needs;
 - (b) The General Terms and Conditions;
 - (c) The Special Terms and Conditions together with any negotiated modifications of those Special Terms and Conditions;

Attachment _____, Date _____
Attachment _____, Date _____
- (3) The Contractor's Proposal dated _____ and the following negotiated modifications to
the Proposal, all of which documents are incorporated herein.

Developing The Contract

- ✓ Statement Of Work
- ✓ Specific Instructions
- ✓ Contractor Tasks & Deliverables
- ✓ Agency Responsibilities





Developing The Contract

- ✓ Incorporate Negotiated Points
- ✓ Select Appropriate Terms & Conditions
- ✓ Pricing



Developing The Contract

- ✓ Method Of Payment
- ✓ Invoice Requirements
- ✓ Contractor & Agency Contacts



Developing The Contract

- ✓ Be Clear & Concise
- ✓ Numbers - Ex: Five (5)
- ✓ Use Definitions Correctly
- ✓ Avoid Ambiguous Language





Contract Interpretation

Courts Uphold Intent Expressed in Contract Language

Plain and Ordinary Meaning Rule

Contract Documents are Construed Together

Take Time To Review

...Even If You Are Pressured
To Get It Signed



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