

Committee members are required to record in the spaces provided below each category, brief comments that lend insight on why points were added or subtracted from the neutral score.

3. We will review the proposals as a group at the PEC meeting and each member will be asked to discuss their scores for each individual category. All PEC members will benefit from this dialogue and it will provide an opportunity to uncover and remedy any confusion or misunderstandings. PEC members will then be given the opportunity to change their initial scores as a result of the discussion if they feel that is appropriate. As chairman of the PEC, I reserve the right to remove an individual PEC member if, after committee deliberations, the member is unable to demonstrate a rationale, credible and consistent basis for their application of the evaluation criteria.
4. Evaluators may not “vote” on any part of any particular proposal or determine point awards as a group. The Procurement Code requires that points be awarded solely on the basis of your independent judgment.
5. After the final scoring session I will collect the score sheets. Each evaluator will be required to return all evaluation material and notes to me for inclusion in the procurement file.

Once the final rankings have been established, the evaluation committee’s work is done. If you have any questions, please contact me as soon as possible. Thank you for your time and effort in reviewing and evaluating these proposals.

Attachments

RFP EVALUATORS GUIDE

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PEC INTRODUCTION

You have volunteered or been selected to serve on a Procurement Evaluation Committee (PEC) for a Request for Proposal (RFP). The PEC and its functions are an essential part of the RFP procurement process.

Vendors respond to an RFP by submitting a proposal to the state for evaluation by a PEC. The procurement officer separates the technical portion of their proposal from the cost portion and submits the technical portion to the PEC who in turn evaluates it and awards points in order to establish a ranking between all the vendors that responded to the RFP.

WHO SERVES ON THE PEC?

The procurement officer responsible for the procurement determines the number and makeup of the PEC. It has to have at least three members that are state employees or public officials but there is no restriction on the total number of members that can participate as long as none of them have a conflict of interest. For most procurements a three to five member PEC is adequate.

Sometimes the procurement officer will include a mixture of members from multiple departments in order to secure as much subject matter expertise as possible. They could even include experts from outside Alaska but those members would first have to be approved by the Commissioner of Administration.

WHAT DOES A PEC MEMBER DO?

You are one of several evaluators on the PEC. 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. The PEC’s combined evaluation points, taken together with the state’s procurement preferences and cost, will determine the final rankings that the procurement officer will use to complete the award process.

HOW MUCH TIME IS REQUIRED?

The exact time for the evaluation committee’s work will depend on how quickly the procurement officer can review the proposals for conformance to the RFP, how many there are, and any unanticipated legal issues.

Evaluating complex proposals is intense, time-consuming work, which must be accomplished on a limited time schedule. You should expect to spend full workdays in evaluation meetings, and you should arrange your regular work to avoid interruptions during the committee’s work sessions.

The amount of time needed for the PEC to evaluate proposals will depend on the number of proposals received and the quality of each proposal.

WHERE WILL WE MEET?

All of the PEC deliberations will be conducted at a location selected by the procurement officer.

THE PROCUREMENT OFFICER'S ROLE

The procurement officer has the overall responsibility for all matters involving the procurement. They will function as the chairman of the PEC and will guide the PEC members through their duties. They may or may not score the proposals.

The procurement officer is bound to follow the procedures laid out in the RFP and is limited to the evaluation topics and considerations that were published in the RFP. Neither the procurement officer nor the PEC members are allowed to deviate from the procedures and evaluation requirements of the RFP.

NUMERICAL SCORING SYSTEMS

Most RFPs are scored using a numerical scoring system. You will assign a number of points to each evaluation question on the score sheet provided by the procurement officer. According to state regulation 2 AAC 12.260 (b) you are not required to provide a written explanation of your individual scores, however, this does not open the door to arbitrary or capricious scoring. If the procurement officer sees scores that appear unusual, you may be asked to explain them, or reconsider if an error seems apparent. You should always have a reasonable, rational, and consistent basis for your scores, as you might be required to explain them to a hearing officer or judge in the event of a protest.

NON-NUMERICAL SCORING SYSTEMS

Sometimes the evaluation criteria can be too difficult to categorize into specific questions or is too subjective to use a numerical rating system; making it necessary to use a non-numerical scoring system. This type of evaluation requires you to provide written documentation about how you came to your conclusions and how you ranked each proposal. Your explanation must be rational and consistently applied from proposal to proposal.

Your explanation must be to the satisfaction of the procurement officer. The procurement officer will not tell you how to exercise your independent judgement, but will make sure your written description of how you ranked the proposals is rational, understandable, consistent with your ratings, and is not in conflict with the terms or requirements of the RFP. The procurement officer will not write or re-write your explanation on your behalf; it must be in your own words.

INDEPENDENT JUDGMENT

Procurement regulations require that “each committee member shall exercise independent judgment” (2 AAC 12.260 (h)).

What does that mean? In part it means that you have been entrusted with an essential part of an important public decision. The emphasis is on “you” in this regard. The role was not given to your friend, your colleague, your supervisor, or anyone else but you. It is yours and yours alone and it is to be exercised only by you.

Does this mean you can't seek to increase your knowledge before you award points by asking questions and seeking appropriate information? Certainly not; the prime requirement is that you exercise your judgment in a manner that is not dependent on anyone else's judgment or wishes.

For example, if someone tells you who they want you to give the most (or fewest) points to, and you do it to please them, you have allowed your actions to be dependent on that other person's wishes.

It is possible you will hear from other persons not on the evaluation committee (even if you do not 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.

The exercise of independent judgment applies not only to possible influences from outside the evaluation committee, but also to influences from within the PEC. It is normal and acceptable for there to be debate, even passionate debate, within the committee about how well a proposal meets the evaluation criteria. As an independent evaluator you may be swayed by debate in making your judgment about how many points you wish to award, and that is perfectly OK.

However, evaluators may not act in a concerted way to either favor or disfavor a particular proposal or group of proposals, as this would be in opposition to the requirement that evaluators act using independent judgment.

Attempts by anyone, including colleagues, subordinates, and superiors, to influence you to improperly favor or disfavor a particular proposer, such as awarding or withholding points in a manner that might affect the outcome of the committee results, must be reported to the procurement officer immediately.

EVAUATION PROCESS

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, proposals must be evaluated or scored using the criteria set out in the RFP. In addition, evaluation committee members should record brief comments that lend insight on why they awarded points or failed to award points based on RFP evaluation criteria for a particular item.

Whenever practicable you should score proposals using the Two-Pass Scoring Method. That means you read the RFP and each proposal all the way through one time without scoring. Then you go back and read each proposal again, assigning points as you go. This method helps ensure that you have a complete understanding of all the offers before you award any points.

WHAT ABOUT THE COST PROPOSAL

The procurement officer scores the cost proposal. In most cases cost will not be revealed to the PEC until after it has compiled its deliberation. In general this is done to avoid the possibility of the prices influencing the scoring when non-cost criteria are being considered.

PROTESTS, APPEALS, AND LAWSUITS

Protests, Appeals, and lawsuits are a part of procurement life. It is likely 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, but generally they are not. Most actions are related to procedural issues and involve only the decision of the procurement officer. However, it is not uncommon for a protester to review the scoring of individual evaluators. That is why it is essential that you work hard to score the proposals in a consistent and explainable manner.

COMMUNICATING WITH OFFERORS

When it comes to this procurement, your world begins and ends in the PEC. If the procurement officer has provided for the offerors to have communication with the PEC, it will be done while the PEC is in session so that all the members can benefit for the communication at the same time.

It is not appropriate for you to have direct communication with any of the offerors outside of the formal in-session communications arranged by the procurement officer. Any attempt by one of the offerors to have direct or indirect communication with you outside of a PEC meeting should be avoided and reported to the procurement officer.

NON-DISCRIMINATION

Procurement regulations require that “evaluations not be based on discrimination due to the race, religion, color, national origin, sex, age, marital status, pregnancy, parenthood, disability, or political affiliation of the offeror. (2 AAC 12.010)

ETHICAL CONSIDERATIONS

This document is not intended to advise you with regard to the statutory ethics considerations. If you are in doubt about your ability to act ethically on this PEC because of a conflict of interest or an ethical concern, you should immediately notify the procurement officer.

Your awareness of a potentially ethical conflict may not arise until you are well into the evaluation process. Even so, you should immediately notify the procurement officer. If worse comes to worse, you may be excused from the PEC either at your own request or the request of the procurement officer. The procurement officer will avoid even the appearance of impropriety in the evaluation process, so there is non-personal stigma attached to either excusing yourself or being excused by the procurement officer.

On the other hand, if you stay throughout the process either knowing or suspecting you have an ethical conflict in participating, you could be jeopardizing an important state project and the hundreds of hours of time invested in it by both the state and the offerors.

The consequences of sticking it out could very well result in adverse publicity, personal embarrassment, embarrassment to the Governor’s administration, possible court action, or worse. It is far better to disclose problems at the earliest possible time, and allow the opportunity to make any adjustments to keep the process fair to all competitors.

NON-CONFLICT OF INTEREST FORM

Once the proposals have been received and it is clear which companies are involved in the RFP, the procurement officer and each member of the proposal evaluation committee must sign a “Non-Conflict of Interest” form. This form must be signed before any PEC member, including the

procurement officer, begins their evaluation of the proposals. The signed forms must be maintained in the procurement file. The form and other procurement documents are available at DGS' web site: <http://doa.alaska.gov/dgs/policy.html>

PROCUREMENT CODE CONSIDERATIONS

The Alaska Procurement Code is found in statute at AS 36.30. You are not required to read or know it in order to participate in this evaluation committee. The procurement officer will be your guide through this process and is responsible for seeing that the Code and its regulations are followed precisely.

PENALTIES

The state spends hundreds of millions of dollars per year through procurements, making them one of the main ways money is transferred from the government to private hands. With that much money, it is not surprising that the government wants to minimize any possibility for corruption.

Because procurement is an activity that involves the spending of very large sums of money, it is a Class C felony to willfully circumvent the Procurement Code.

REPLACING PEC MEMBERS

It is important for you as an evaluator to review your commitment to follow through on this duty. No one's best interests are served, and an important procurement might be crippled, if you are not sure you can complete your assignment on the PEC. Please carefully consider what you have read in this guide and let the procurement officer know if you have any reservations before you start.

The procurement officer is empowered to replace any PEC member or reconstitute the PEC in any way the procurement officer deems appropriate. Any member may request to be replaced at any time, which can be granted or denied by the procurement officer.

TIMELINESS AND ATTENDANCE FOR PEC DELIBERATIONS

PEC work is short-term, highly focused, and highly scheduled; it may also involve out-of-town travelers, and possibly expensive consultants. It is important to be on time for every meeting and that your attention is not divided by any other concerns.