



Williamson County Purchasing Department
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**EVALUATION COMMITTEE POLICY &
CONFLICT OF INTEREST / CONFIDENTIALITY AGREEMENT**
REQUEST FOR PROPOSALS (RFP) AND REQUEST FOR
QUALIFICATIONS (RFQ)

Commissioners Court Approval: **5/17/16**

The Williamson County Purchasing Department has established the following Evaluation Committee Policy in order to provide a selection process that is fair and equitable for all responders to Williamson County's RFP/RFQs.

If situations arise that deviate from these procedures, the Purchasing Agent must be contacted for resolution and a ruling on how to proceed.

Intent:

This policy provides a summary of the expectations, rules, processes and procedures applicable to the evaluation of county issued RFP/RFQs.

Committee Task:

To evaluate written responses to a duly advertised and solicited RFP/RFQ; rank the respondents; determine whether or not presentations/interviews should be held with short listed firm(s) or individuals; provide the recommendation of a selected firm to the Commissioners Court for final approval; abide by all county policies and applicable laws.

Conflict of Interest:

Evaluation Committee members must have no personal interest in any supplier submitting proposals/responses. Each evaluator will be provided with a list of the Offerors to the solicitation.

Prior to beginning his or her evaluation of any proposal responses:

1. A new Statement of Independence, Non-Conflict of Interest, and Confidentiality Form **must be signed by each member of the committee, specific to each Evaluation Committee served.** A conflict of interest is defined as a situation in which an Evaluation Committee member has, or appears to have, a financial or familial relationship with an Offeror.
2. The signed and completed form must be returned to the Purchasing Department and will become a permanent record of documentation for the RFP/RFQ.

Any person serving or proposed as an Evaluation Committee member with a stated or determined conflict of interest:

1. Must be immediately removed from serving on the evaluation committee of concern.
2. Must be immediately reported to the Purchasing Agent.

Failure to keep the process free of all conflicts of interests may result in rescindment of all contracts resulting from the RFP/RFQ evaluation process.

Committee Members Responsibilities:

Each member of an Evaluation Committee must:

1. Read, understand, and comply with the provisions of this document.
2. Return a signed Statement of Independence, Non-Conflict of Interest, and Confidentiality Form to the Purchasing Department before service as a committee member begins.
3. Make efforts to attend each scheduled meeting, including oral presentations, and adhere to all set timelines.

4. Review each of the written proposals and be prepared to discuss each proposal when the Evaluation Committee convenes.
- ~~5. Ensure absolute confidentiality throughout the entire process, until awarded in Commissioners Court.~~
5. **Ensure all respondents receive fair and equal treatment under County Purchasing Act and Williamson County Purchasing Policies. Evaluation Committee members will not have written or verbal communication with respondents to an RFP/RFQ, unless:**
 - a. **Exceptions for Evaluation Committee Members could include:**
 - i. **Site visits to a facility**
 - ii. **Reference checks**
 - iii. **Other specific needs as requested by the Evaluation Committee Chairperson.**

~~The County Purchasing Act and Williamson County Purchasing Policies prohibit all communications outside of the scheduled Evaluation Committee meetings regarding the RFP/RFQ (bids, process, evaluation, issues, etc.). This includes both written and verbal communications with other Evaluation Committee members OR any other person(s), unless:~~

- ~~1. **Facilitated through or attended by, a Purchasing Representative, OR**~~
- ~~2. **Preapproved and documented by the Purchasing Agent,**~~

- ~~a. **Exceptions for Evaluation Committee Members could include:**~~
 - ~~i. **Site visits to a facility**~~
 - ~~ii. **Reference checks**~~
 - ~~iii. **Other specific needs, as requested by the Evaluation Committee Chairperson.**~~

If an Evaluation Committee member is contacted by anyone (employee, vendor, public, etc.) regarding the status of the RFP/RFQ being evaluated, at any time during the process, the Evaluation Committee member must notify the Purchasing Department representative immediately.

Purchasing Department / Representative Responsibilities:

The Purchasing Department / Purchasing Representative's duties include the following:

1. Responsibility for maintaining the integrity of the overall evaluation process.
2. Prepare and release the RFP/RFQ for public posting in BidSync, with input from the Committee Chairperson.
3. Receiving, opening (unsealing) and acknowledging all proposals/responses in a scheduled public meeting.
 - a. **Only a Purchasing Department representative may open any and all proposals/responses.**
4. **ALL** communications with Proposers /Vendors (questions, interviews, status, etc.) until after the RFP/RFQ is formally awarded or withdrawn in Commissioners Court.
 - a. **The Purchasing Representative is the only person authorized by the county to provide communications regarding the evaluation status of any proposals, unless the need for communication has been preapproved and documented by the Purchasing Agent.** **Communication from any other source (employees, Committee Members, Elected Officials, Department Heads, etc.) are highly discouraged in order to prevent any perception of impropriety.**
5. Documenting the committee's attendance, scoring and ranking information of the evaluation, preparation / retention of all required forms, and storage of all records in accordance with the county records retention policy.
 - a. All evaluation forms must include printed names and signature of all Evaluation Committee members. Any committee member who is not a Williamson County employee must be identified on evaluation forms as "Volunteer" or "Paid Consultant"—as applicable.
 - b. Evaluation forms used for each part of the process (Evaluation and Interviews) must include a short summary statement of recommendation from the committee including: 1) the vendor(s) selected; and 2) any clarifying information relevant to the committee's recommendation.
6. Scheduling any presentations or interviews for short listed suppliers, on behalf of the Committee.
7. Communicating the Committee's recommendation(s) to Purchasing management.
8. Entering of any Commissioners Court agenda items into AgendaQuick, and attaching all required documentation.

Committee Chairperson Responsibilities:

~~The Evaluation Committee Chairperson will be selected by either the Department Head or Elected Official requesting the RFP/RFQ, and may be an Elected Official, Department Head or any person deemed qualified by either.~~

Responsibilities of the Committee Chairperson include:

1. Leading the Evaluation Committee in producing specifications and evaluation criteria that will be included in the RFP/RFQ.
 - a. **It is highly recommended that the Evaluation Committee meet as a group (including Purchasing) in order to discuss and prepare specifications and evaluation criteria needed to meet the need of the RFP/RFQ requestor.**
2. Compiling a list of proposed committee members and providing to the Purchasing Agent for review and agreement, **before final selection is completed.**
 - a. Consideration /selection of committee members should include:
 - Technical skills required to properly evaluate the proposals
 - “Stakeholders” that will be users of the item or service being procured
 - Representation from departments other than Committee Chairperson’s department
 - b. Evaluation Committees must include at least 3 voting members, plus at least one member of the Purchasing Department, as assigned by the Purchasing Agent. The Purchasing Department representative will facilitate the evaluation process and is a non-voting member of the Evaluation Committee.
 - c. Voting members should include at least one member who is from a different department or an outside entity. **This requirement may be waived by the Purchasing Agent, if not practical or possible for the proposal being evaluated.**
3. Contacting each proposed committee member to determine if they are willing to serve on the committee.
4. Working with the Purchasing Department representative to ensure that all members of the committee are provided the following items:
 - a. A copy of the Evaluation Committee Policy / Conflict of Interest and Confidentiality Agreement (this policy)
 - b. The RFP/RFQ and all addendums (viewable in BidSync).
 - c. All evaluation criteria.
 - d. One copy of each proposer’s submittal
5. Scheduling all committee meeting dates and locations; invitations to all committee members, including Purchasing.
6. Ensuring that a majority quorum of Committee Members is in attendance for all meetings, including any interviews.
7. Preparing and providing a recommendation letter for the selected supplier to the Purchasing Representative, if requested or needed for clarification purposes.
8. Attending Commissions Court on the day that the recommendation is scheduled to be awarded, in order to answer any questions or concerns.
9. Joint debriefing of suppliers (Chairperson & Purchasing Agent), if requested by a vendor.

Substitutions:

Evaluation Committee Chairperson

1. If the Evaluation Committee Chairperson is unable to attend any scheduled meeting of the Evaluation Committee then it is highly recommended that the meeting be postponed until another time.
2. If rescheduling the meeting is not possible or practical--in the absence of an Evaluation Committee Chairperson, the Purchasing Representative will facilitate the meeting in order to accomplish the task at hand, and will remain and function as a non-voting member of the committee.
 - a. The Purchasing Representative will be allowed to communicate, both verbally or written form, in order to advise the Evaluation Committee Chairperson of what transpired in the missed meeting.

Evaluation Committee Member

1. If an Evaluation Committee Member is unable to attend any scheduled meeting of the Evaluation Committee, the Committee Member may select a qualified delegate to temporarily substitute on their behalf:
 - a. The following requirements must be met **BEFORE the delegate attends any Evaluation Committee meetings:**
 - i. Both the Evaluation Committee Chairperson and the Purchasing Representative must be advised of the substitution.
 - ii. The substitute delegate:
 1. Reads the Evaluation Committee Policy.
 2. Signs the Conflict of Interest / Confidentiality agreement form and submits to either the Committee Chairperson, Purchasing Representative, or their Department Head / Elected Official.
2. The substitute delegate will be allowed to communicate, both verbally or written form, in order to advise the original Committee Member of what transpired in the missed meeting.

Evaluation by the Committee:

1. Evaluations must be based on predetermined criteria set forth in the RFQ/ RFP. Scoring may also be based on total information gathered by Williamson County, at its discretion.
2. **All criteria listed in the RFP/RFQ must each be scored (unless a majority of the committee deems it unresponsive or otherwise disqualified).** Any incomplete scoring by an individual committee member must be addressed for the evaluation will not be considered. This may result in the evaluation completed by this committee member being thrown out, in order to eliminate any skewing of the final scores.
3. Committee members must always have a reasonable, rational and consistent basis for their scores, and be prepared to explain them to the supplier and commissioners court in the event of a protest. Major decisions of Evaluation Committees and committee members must be substantiated and recorded in the proposal file.
 - a. **Please note: all scores and comments of the committee,** become a part of the solicitation file and are considered **public information.**
4. After Evaluation Committee members have individually completed the initial review of all proposals, the Committee will meet as a group in order to discuss and score all evaluation criteria.
5. If presentations or interviews are determined to be necessary, the Evaluation Committee will identify which proposers will be requested to give an oral presentation.
 - a. Fair and consistency among all respondents is paramount and must always be maintained. All selected respondents must all be provided the same opportunities. (Example: If additional information is requested from one of the top (3 to 5) selected respondents—then it should be requested from each respondent.)
 - b. The Evaluation Committee may request presentations from as many proposers as necessary; however, it is recommended that the group come to a consensus and **request presentations from only those proposers who have provided submittals deemed to be in the best interest of the County** (normally 3 to 5).
 - c. All proposers to be scheduled for an oral presentation will be notified in writing by the Purchasing Representative with regard to the date, time, location, scoring criteria, presentation structure and any limitations such as size and number of exhibits or the number of presenters permitted to attend.
 - i. In order to allow sufficient preparation by the vendor, a minimum of 48 hours' notice is required.
6. The Evaluation Committee will determine the final ranking of proposers considered to be most capable of performing the required project / Best Value for the interest of the County after all proposals have been reviewed, evaluated, ranked, oral presentations (if necessary) and re-ranked. Each Evaluation Score Sheet must include a short summary of the Committee's decision and recommendation.
7. If required, all contract negotiations necessary will take place before any recommendation to the Commissioners Court is made.
8. The Evaluation Committee Chairperson will work with the Purchasing Representative to ensure that all recommendations to the Commissioners Court include:
 - a. Signed copies of all Evaluation Score Sheets which include a short summary of all recommendations.
 - b. If necessary or requested, a letter from the Chairperson with any clarifying details needed of the process.
 - c. A copy of the proposed contract, signed by the vendor (usually provided to Purchasing by the Chairperson)
 - d. A signed and notarized Form 1295 (Certificate of Interested Parties), as required per section 2252.908 of the Government Code (obtained by the Purchasing Representative).

The Commissioners Court shall make the final determination regarding all matters related to the award and contracting of the RFP/RFQ.

Questions concerning any of this policy should be directed to the Purchasing Agent.



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(A fillable copy of this document is available on the Purchasing Portal site)

Statement of Independence, Non-Conflict of Interest, and Confidentiality

Name of proposal to be evaluated: _____

I _____, an Evaluation Committee member for Williamson County, Texas, do hereby certify that, to the best of my knowledge, that:

1. I do not have a conflict of interest¹, as a result of any financial or other interest on my part or that of any member of my immediate family, or of my partner(s).
2. I am not employed by nor do I have any arrangement for future employment with any organization under consideration
- ~~3. I have not in the past nor will in the future, solicit or accept gratuities, favors, or anything of over \$50 in monetary value from any company or organization associated with this solicitation, in accordance with Texas Penal Code sections 36.08 and 36.10.~~
3. I am not unfairly prejudiced in regard to any of the proposals.

Further, I certify that:

1. I will have no unauthorized conversation or contact with any proposers regarding their proposals.
2. I understand that proposal documents may not be reproduced for any use outside of official Evaluation Committee business. Certain information about the proposal, such as supplier name, is public information ***but may only be released by the Purchasing Office or an authorized agent.***
3. I understand that in accordance with the County Purchasing Act, this project/service was issued as a competitive RFP/RFQ, and therefore **all information contained in the responses is to be kept CONFIDENTIAL until an award is approved by Commissioners' Court.** ~~Until that time and due to the confidential nature of these proposals, no discussion of these proposals shall occur with anyone outside the proposal Evaluation Committee meetings unless facilitated through or attended by a Purchasing Representative or Preapproved and documented by the Purchasing Agent.~~

Please note that if any information about this proposal is compromised, it may be cause for rejection of the entire proposal. Please refer ALL questions or requests for information to a Purchasing Representative.

~~I also acknowledge and understand that I may be subject to criminal prosecution for the willful falsification of information in this document.~~ I, by the act of signing or typing my name below, hereby certify ~~under penalty of perjury,~~ under the laws of the State of Texas, the foregoing is true and correct.

Signature*

Date

(* By typing your name, this is equivalent to a legal signature)

¹A conflict of interest is defined as a situation, in which an Evaluation Committee Member has, or appears to have, a financial relationship with a responding proposer, or has a family relationship with any responding proposer.

A financial relationship includes involvement of the evaluator and the proposer in a current partnership, joint venture, company, or corporation, ~~and any other relationship that could make it appear that the evaluator would obtain a monetary benefit if a favorable evaluation was given.~~