



RFP #13-2710-002 Professional Consulting Services for Enterprise Systems and Applications

Introduction

On November 14, 2013, the County's Information Technology Department (IT) issued RFP #13-2710-002 for Professional Consulting Services for Enterprise Systems and Applications. This RFP had an opening date of November 21, 2013 at 2PM. The deadline for vendor questions regarding this RFP was November 15, 2013. The RFP also stipulated on the proposal form, page three, no late proposals will be accepted. Requests for Proposals were sent to eleven companies, two companies replied, however, one of them missed the deadline by approximately one minute and was not considered.

Background-Section 7.1 of the RFP

This procurement for IT services was modeled after the New York State Technology Contract process. This procurement process allows the County to pre-qualify vendors to do work in various areas of technology services and requires vendors to state a maximum (not to exceed) price for services. The County then awards a Master Service agreement. However, the award of the Master Services agreement does not guarantee work to the pre-qualified vendor. Following the award of the master services agreement, the County would then conduct a mini-bid process amongst the pre-qualified vendors for each project. As a result of this mini bid process, the County may award work to more than one pre-qualified vendor for each project. The County would then negotiate a Statement of Work (SOW) with the selected vendor outlining terms of the work etc. for each project. The mini bid for this particular proposal was for three different projects.

Concerns Regarding RFP #13-2710-002

- 1) A one week response deadline for receiving proposals seems inadequate to ensure a competitive process. This is in direct conflict with the County's RFP Manual which states on page nine section e, Submission of Proposals:

“The Offeror must be given adequate time to prepare their proposals. If the procurement is running behind schedule, there is a tendency to cut time out of the response period. This is a mistake. Experience has shown that the quality of proposals suffers if the response time is too short. Some viable Offerors choose not to submit a proposal and the proposed costs tend to be higher. In addition poorly prepared proposals are far more difficult and time consuming to evaluate. A 30-day period from issuance to proposal submission is the recommended minimum duration. Most procurements have a longer response period. Some can be done in two weeks, but this should be left for unforeseeable circumstances only. it is recommended the response time be at minimum 30 days and some can be given two weeks but that should be reserved for unforeseen circumstances only. “

- 2) A one day deadline to submit questions regarding the RFP is in direct conflict with the County's RFP Manual, attachment C. Attachment C suggests the option of a pre-proposal meeting one week from the release date and the submission of questions, if any, of up to one week after the pre-proposal meeting date. Audit interprets the suggested submission time for questions as a minimum of one week to a maximum of two weeks.
- 3) Only one proposal was received by the November 21, 2013 2PM deadline. Another proposal was received by the County IT Department at 2:01 PM on November 21, 2013 and was deemed by County IT to be late and not for consideration. County IT did an email verification to determine this was received at 2:01 PM. The time stamp was not audited.

Given the fact only one vendor responded by the deadline and the submission period was only one week, awarding the RFP and issuing three requisitions totaling \$160,000 does not appear to be in the best interests of the taxpayer. The response time should have been longer to allow more vendors to submit proposals.

- 4) Mipro's (chosen vendor) response states the hourly rates quoted do not include travel and living expenses. History with the County shows expenses for these items from MiPro can be significant. In looking at section 7.3.10 of the RFP travel and living expenses will not be reimbursed by the County. Section 7.3.10 states, "Any expenses related to the execution of this Master Services Agreement such as parking, travel expenses, lodging, time in transit, supplies, pagers, cell phones, criminal background checks, or any other, is the responsibility of the selected Contractor(s)."
- 5) There is a County policy requiring a minimum number of three vendors be *solicited* when issuing an RFP (page fourteen section one). However, there is not a County policy requiring a minimum number of *required responses* in order to award an RFP. It is suggested a policy be enacted to require a reasonable number of responses be required before awarding an RFP. If the required responses are not received, the possibility of reissuing the RFP should be explored. In the event the required number of responses are not received and the RFP is not re-issued, it should be documented as to why the companies did not to reply to the RFP (similar to page 3 of the RFP example, section 1.6.4 of the County's RFP Manual).
- 6) County policy does not require RFPs to be sent return receipt (page fourteen section 3). In section two, page fourteen, under the Issuance Stage in regards to the release of RFPs via e-mail, it states, "Onondaga County does not currently support an exclusively electronic release of RFP documents. However, if a vendor requests the material electronically, it can be released that way as long as the email is kept for Freedom of Information Law (FOIL) compliance purposes and receipt is confirmed."

It is suggested when sending RFP's via e-mail a County policy be formalized and some sort of confirmation of receipt by the vendor be an option. This may prevent the possibility of a vendor not receiving a proposal due to spam or any other electronic glitches, etc.

Discussions with Select Vendors Regarding RFP #13-2710-002

The Comptroller's Office contacted all the vendors solicited. Below is a list of their responses. It should be noted some vendors chose not to respond.

- 1) The vendor indicated they did not see the RFP until after the deadline passed. By the time they heard there was an RFP and went to the County website it was too late. Their contact email address was confirmed but the vendor maintains they did not receive the solicitation in their email inbox. There is a possibility it could have gone to their spam folder. They did reply to the subsequent RFP.

- 2) The vendor stated the RFP was not sent to the appropriate contact within their business. Also, the way the RFP was written, combining PeopleSoft and Hyperion, appeared to be unusual. They felt they did not have the applicable PeopleSoft qualifications.
- 3) The vendor stated the time frame to reply was too short and historically an RFP written in that matter indicates there is already a preferred vendor in mind.
- 4) The vendor indicated under normal circumstances two weeks is the normal turnaround time to compile a response to an RFP. Anything under two weeks has to go before a sales support team to inform them why the response time is shorter, so they may assess the cost efficiency of completion.
- 5) The vendor felt, although they do some business with the County, they were not qualified to comply with all aspects of the RFP.
- 6) The vendor felt the timeframe was too short to appropriately reply, but their company would have loved the opportunity to respond and maintains they would have been a good fit.
- 7) The vendor thought the way the RFP was written made it difficult for them to respond. There were very specific qualifications and they were swamped with other RFP's. The short time period to respond made them decide to forego submitting a proposal.
- 8) The vendor stated their company was well qualified for the work specified but in the ir experience an RFP written in that matter indicates there is already a preferred vendor in mind.

Conclusion

The County has issued three requisitions for a total of \$160,000. The requisitions are #12700 for \$56,000, #12701 for \$56,000, and #12702 for \$48,000. Due to the short time period allowed for questions, as well as, for response, we believe this RFP was not in conformance with the County's standard RFP procedures. In the best interests of competition and protecting the taxpayers these requisitions should be cancelled and the RFP redone with more appropriate deadlines for both responses and questions.