

# I. General Overview and Instructions

This Request for Proposals (“RFP”), is issued in accordance with the State of Utah Procurement Code, Utah Code Annotated (UCA) Chapter 63G-6a, and applicable Rules found in the Utah Administrative Code (UAC). If any provision of this RFP conflicts with the UCA or UAC, the UCA or UAC will take precedence.

**NOTICE:** In this solicitation, if an item is defined through use of a trade name, brand name, or a manufacturer and/or model number, it is intended that the words, “or equivalent” apply; and invites the submission of equivalent products by the Offerors.

## **CANCELLATION OF PROCUREMENT**

The Utah Department of Transportation (the State) reserves the right to cancel this solicitation at any time and not award a contract if such action is determined in writing to be in the best interest of the State.(UCA §63G-6a-709).

## **QUESTIONS AND ANSWERS**

Questions ***MUST*** be submitted through the SciQuest system during the designated Question and Answer period. Questions submitted through any other channel will not be answered. Answers disseminated by the State through the SciQuest system may modify the specification or requirements of this solicitation, and will constitute an addendum to this solicitation.

Questions, exceptions, or notification to the State of any ambiguity, inconsistency, excessively restrictive requirement, or errors in this solicitation, ***MUST*** be submitted as a question during the Q&A period.

**Exceptions to scope/content of the RFP that have not been previously addressed within the Q&A period of the procurement are not allowed and may result in the Offeror’s proposal being considered non-responsive.**

It is the responsibility of the Offeror to submit their proposal as required by this solicitation, including any requirements contained in an answered question and/or addenda.

The identity of those submitting questions will not be published with the answers. However, submitters are cautioned about including context in questions that may reveal the source of questions.

## **ADDENDA**

Any modification to this procurement will be made by addendum issued by the State. Addendums to this solicitation may be made for the purpose of making changes to: the scope of work, the schedule, the qualification requirements, the criteria, the weighting, or other requirements of this solicitation.

Authorized and properly issued addenda shall constitute the official and binding position of the State. Any response to this solicitation which has as its basis any communications or information received from sources other than this RFP or related addenda may be considered non-responsive and be rejected at the sole discretion of the State.

The State accepts no responsibility for a prospective Offeror not receiving solicitation documents and/or revisions to the solicitation. It is the responsibility of the prospective Offeror to monitor the SciQuest system to obtain addenda or other information relating to the solicitation.

## **RESTRICTIONS ON COMMUNICATIONS**

**From the issue date of this solicitation until an award is published, Offerors are prohibited from communications regarding this solicitation with staff, evaluation committee members, or other associated individuals EXCEPT the UDOT procurement officer overseeing this solicitation.**

## **PROPOSAL SUBMISSION**

**Notice: By submitting a proposal in response to this solicitation, the Offeror indicates agreement to perform all tasks as required in the outlined Scope of Work and Requirements. Furthermore, by submitting a proposal to this RFP, the Offeror acknowledges and agrees that the requirements, scope of work, and the evaluation process outlined in this solicitation are understood, fair, equitable, and are not unduly restrictive. The Offeror further acknowledges that it has read this solicitation, along with any attached or referenced documents, including the General Provisions.**

All materials submitted become the property of the State. Materials may be evaluated by anyone designated by the state as part of the proposal evaluation committee. Materials submitted may be returned only at the State's option.

**Proposals must be received by the due date and time (“deadline”).** Proposals received after the deadline will be late and ineligible for consideration.

**Electronic submission instructions:** When submitting a proposal electronically through SciQuest, please allow sufficient time to complete the online forms and to upload proposal documents. The solicitation will end at the deadline. If an Offeror is in the middle of uploading a proposal when the deadline arrives, the system will stop the upload process and the proposal will not be accepted by SciQuest, and the attempted submission will be considered late and ineligible for consideration.

Electronic proposals may require uploading of electronic attachments. SciQuest will accept a wide variety of document types as attachments. However, the State is unable to view certain documents. Therefore, **DO NOT submit** documents that are **embedded (zip files), movies, wmp, encrypted, or mp3 files**. All documents must be uploaded in SciQuest as separate files.

Files submitted electronically must NOT be password protected or locked in any way.

**Cost Proposal submission instructions:** Cost Proposals are evaluated independently from the technical proposal, pursuant to Utah Code Annotated (UCA) § 63G-6-707(5), and as such, must be submitted separate from the technical proposal. Failure to submit cost or pricing data separately may result in your proposal being judged as non-responsive and ineligible for contract award.

**Sample submission instructions:** Offerors may be required to submit product samples to demonstrate whether a procurement item meets the specifications and other requirements set forth in the solicitation.

Samples must be received prior to the solicitation due date and time, and must be furnished free of charge unless otherwise stated in the solicitation. Submitted samples will not be subject to return. Samples must be labeled or otherwise identified as specified in the solicitation.

All costs incurred by an Offeror in the preparation and submission of a proposal, including any costs incurred during interviews, oral presentations, and/or product demonstrations are the responsibility of the Offeror and will not be reimbursed.

## **PROTECTED INFORMATION**

Portions of a proposal may be protected by submitting a Claim of Business Confidentiality Form. **However, an entire proposal cannot be identified as “PROTECTED”, “CONFIDENTIAL” or “PROPRIETARY”, and if so identified, shall be considered non-responsive unless the Offeror removes the designation.**

**Pricing may not be classified as confidential or protected and will be considered public information after award of the contract.**

**Process for Requesting Non-Disclosure:** Any Offeror requesting that a record be protected must provide with their proposal the following information:

1. Must provide a completed Claim of Business Confidentiality *at the time the information (proposal) is provided to the state*, and
2. Must include a concise statement of reasons supporting the claim of business confidentiality (UCA § 63G-2-309(1)).
3. Must submit an electronic “redacted” (excluding protected information) copy of the proposal. Copy must clearly be marked “Redacted Version.”

**Redacted Copy:** If an Offeror submits a proposal that contains information claimed to be business confidential or protected information, the Offeror **MUST** submit two separate proposals: one redacted version for public release, with all protected business confidential information either blacked-out or removed, clearly marked as "Redacted Version"; and one non-redacted version for evaluation purposes, clearly marked as "Protected Business Confidential."

**Offeror acknowledges that its proposal or redacted copy will be made public upon the State’s receipt of a GRAMA request. Offeror will not be notified of any GRAMA request made to the State for offeror’s proposal.** If offeror submits a redacted copy then the State will respond to a GRAMA request for offeror’s proposal with offeror’s redacted

copy. However, if offeror fails to submit a redacted copy then the State will respond to a GRAMA request with offeror's proposal, which will result in offeror's protected/proprietary information, if any, being made public. Contractor acknowledges that notations in the header, footer or watermark of the proposal will not be considered sufficient to constitute a request for non-disclosure of protected/proprietary information.

Failure to comply with the requirements regarding Protected Information releases the State from any obligation or liability arising from the inadvertent release of Offeror information.

## **CORRECTION OR WITHDRAWAL OF PROPOSAL**

Pursuant to UAC R33-7-403, proposals may be modified or withdrawn by written or electronic notice received by the procurement officer prior to the established due date.

A decision to permit the correction or withdrawal of a proposal or the cancellation of an award or a contract shall be supported in a written document, signed by the chief procurement officer or head of a procurement unit with independent procurement authority.

The State reserves the right to waive minor informalities as well as minor deviations. The State also reserves the right to seek clarification on any proposal response.

## **INTERVIEWS AND PRESENTATIONS**

Interviews and presentations may be held at the option of the State. The State shall establish a date and time for the interviews or presentations and shall notify eligible Offerors of the procedures. Interviews or presentations shall be limited to those Offerors meeting the minimum requirements specified in the RFP. Interviews and presentations will be at the Offeror's expense.

Representations made by an Offeror during interviews or presentations shall become an addendum to the Offeror's proposal and shall be documented. Representations must be consistent with the Offeror's original proposal and may only be used for purposes of clarifying or filling in gaps in the Offeror's proposal.

## **PROPOSAL EVALUATION AND COST-BENEFIT ANALYSIS**

All responsive and responsible proposals that have not been disqualified from consideration under the provisions of Part 7 of Utah Code 63G-6a, using the criteria established in this RFP will be evaluated by an evaluation committee in accordance with the Utah Procurement Code, Administrative Rules, policies, and the evaluation criteria set forth in this solicitation.

The Utah Procurement Code §63G-6a-708, requires a cost-benefit analysis to be performed by the State if the highest score awarded by the Evaluation Committee, including the score for cost, is awarded to a proposal other than the lowest cost proposal, and the difference between the cost of the highest scored proposal and the lowest cost proposal exceeds the greater of \$10,000 or 5% of the lowest cost proposal.

## **AWARD PUBLICATION**

After the evaluation and final scoring of proposals is completed, the State shall award the contract as soon as practicable to the eligible responsive and responsible Offeror with the highest score, provided the solicitation is not canceled without awarding a contract (UCA § 63G-6a-709(2)).

The State shall, on the next business day after the award of a contract(s) is announced, make available to each offeror and to the public a written statement that includes:

- (a) the name of each offeror to which a contract is awarded and the total score awarded by the evaluation committee to that offeror;
- (b) the justification statement under UCA § 63G-6a-708, including any required cost-benefit analysis; and
- (c) the total score awarded by the evaluation committee to each offeror to which the contract is not awarded, without identifying which offeror received which score.

## **PROTEST PROCESS**

*Offerors are directed to Utah Code Part 16 and Utah Administrative Code Rule R16 available at <http://le.utah.gov/xcode/Title63G/Chapter6a/63G-6a-S1601.html> and <http://www.rules.utah.gov/publicat/code/r033/r033-016.htm> for available appeal processes.*

## **CONTRACT TERMS AND CONDITIONS, EXCEPTIONS, AND NEGOTIATIONS**

Any contract resulting from this solicitation will include, but not be limited to the following:

- **Scope of Work Specifications, Requirements, and Instructions.**
- **Any addendums to the solicitation as issued through SciQuest.**
- **Attachment A- State of Utah Standard Terms and Conditions.**
- **UDOT Additional Terms and Conditions**

Exceptions and/or additions to the Standard Terms and Conditions are strongly discouraged. Any requested exceptions and/or additions to the Standard Terms and Conditions must be submitted with the proposal. **Exceptions and/or additions submitted after the date and time for receipt of proposals will not be considered.** Offerors may not submit requests for exceptions and/or additions by reference to a vendor's website or URL. URLs provided with a proposal may result in that proposal being rejected as non-responsive. Offerors may submit questions during the Q&A period regarding the Standard Terms and Conditions.

The State may refuse to negotiate exceptions and/or additions that are determined to be excessive; that are inconsistent with similar contracts of the procurement unit; to warranties, insurance, or indemnification provisions that are necessary to protect the procurement unit after consultation with the Attorney General's Office or other applicable legal counsel; where the solicitation specifically prohibits exceptions and/or additions; or that are not in the best interest of the procurement unit.

In a multiple award situation, the State reserves the right to negotiate exceptions and/or additions to terms and conditions in a manner resulting in expeditious resolutions. This process may include beginning negotiations with the Offeror having the least amount of exceptions and/or additions and concluding with the Offeror submitting the greatest number of exceptions and/or additions. Contracts may be executed and become effective as negotiations are completed.

If negotiations are required, Offeror must provide all documents in Microsoft Word format for redline editing. Offeror must also provide the name, contact information, and access to the person(s) that will be directly involved in legal negotiations.

Any mandatorily required acceptance of an Offeror's terms and conditions may result in the proposal being determined to be non-responsive.

An award resulting from this solicitation is subject to successful contract terms and conditions negotiation (if required). The State, at its sole discretion, will determine when contract terms and conditions negotiations become unproductive and will result in termination of award to that Offeror and the State may move to the next eligible Offeror.

## **PERFORMANCE EVALUATION**

Contracts resulting from this solicitation are subject to performance evaluations. Continuous negative performance evaluations and documented feedback from end users may impact a vendor's ability to participate in future solicitations. Performance evaluations may include end user surveys, performance audits, reports, interviews, or other reasonable method of performance evaluation. Vendors will be notified of any negative performance evaluations or end user feedback collected.

## II. Solicitation Specifics

The reference number for this solicitation is **DOT180716LD**. This number must be referred to on all proposals, correspondence, and documentation relating to this solicitation.

### **BACKGROUND**

The Utah Department of Transportation (UDOT), Property Management Section is responsible for the sale and disposal of numerous UDOT surplus land parcels and related improvements throughout the state.

### **PURPOSE OF REQUEST FOR PROPOSAL (RFP)**

The purpose of this request for proposal is to enter into a contract between the Utah Department of Transportation (UDOT) and a qualified firm to provide an electronic online auction and listing service for the disposal of numerous tracts of land and improvements throughout the state. These parcels will vary in size, location, and value.

### **CONTRACT AWARD INTENT**

It is anticipated that this solicitation will result in an award to a single contractor.

### **LENGTH OF CONTRACT**

The contract(s) resulting from this solicitation will be for a **period of Five (5) years with no renewal options for additional years.**

### **PRICE GUARANTEE PERIOD**

**All pricing must be guaranteed for One (1) year.** Following the guarantee period, any request for price adjustment must be for an **equal guarantee period**, and must be made at least 30 days prior to the effective date. *Requests for price adjustment must include sufficient documentation supporting the request and demonstrating a logical mathematical link between the current price and the proposed price.*

Any adjustment or amendment to the contract will not be effective unless approved by the the State. The State will be given the immediate benefit of any decrease in the market, or allowable discount.

### III. SCOPE OF WORK AND ASSOCIATED REQUIREMENTS

All **Scope of Work Requirements** ***MUST*** be demonstrably met by an Offeror in order for their response to be considered. Any breach of requirements once the Contract has been awarded constitutes breach of Contract by the vendor and the Contract may be terminated immediately.

#### **DETAILED SCOPE OF WORK AND ASSOCIATED REQUIREMENTS**

##### **Contractor Responsibilities**

1. Proposed first online electronic auction date is anticipated to be no later than four (4) weeks from the contract signing.
2. Must be able to market and sell multiple parcels in simultaneous/consecutive auctions when parcels become available to sell.
3. Must actively market the parcels for a period of not less than 30 days resulting in bringing buyer and seller together.
4. Must ensure that 100% of proceeds are received by UDOT no less than three (3) business days after the property closing date.
5. Must collect and hold all funds associated with the sale including the earnest deposit, closing costs, and final outstanding balance of the sale. A 10% earnest deposit is required on the day of the sale along with associated closing costs and fees associated with the parcel.
6. Must provide timely reports for any outstanding funds due for the sale of the parcel.
7. Must be able to provide both written and verbal instructions to the successful bidder until such time that all funds are collected and deposited in the trust account. Bidder should note, and be able to convey to the winning auction bidder that a conveyance deed will not be tendered until all proceeds are forwarded to UDOT.
8. Must be fully prepared to plan and execute a marketing plan for the specific parcel offered for sale.
9. Must provide all services necessary for the successful conclusion of the auction sale for a specified rate of commission based on the gross sales amount (minus parcel specific costs such as engineering documentation preparation and appraisal costs) and participate in the following activities:
  - a. Attend in person or by video conferencing in pre-planning meetings to determine how the parcels should be packaged for sale at auction to best improve the positive results for the auction.
  - b. Advertise the auction on specified marketing sites and manage all inquiries generated from those sites.
  - c. Have the resources in place to advertise the auction through real estate multiple listing sites throughout the State of Utah, the region and nationally as determined and coordinated with UDOT at the start of the auction pre-planning process.
  - d. Place physical signage on the parcels outside of the highway right of way. Signage shall be of sufficient size so that passing motorists can quickly understand and be directed to the electronic auction web site.
  - e. Act as a clearinghouse to manage deals between parties.
  - f. Provide the staff necessary to manage the auction process and complete the auction sale.

10. Must have the ability to allow interested parties to opt-in to an automated email notification identifying when new listings are posted to the website.
  - a. Ideally, the opt-in notifications may be parsed out by a geographical area (e.g., by UDOT Region, County, City, or Zip Code).
11. Transmit all associated documents at the time of closing pertaining to a parcel's auction summary and closing by electronic mail within 24 hours of closing.
12. Must have a team of professionals that can be the "on-the-ground" resource when necessary to show parcel(s) and answer questions throughout the auction process.
  - a. Must assign a project manager as a point of contact for this contract after award has been made.
13. Must be able to provide listing activity reports including but not limited; web hits, number of bidders, marketing activities, etc., along with individual auction transaction and overall trend analysis reports upon request.
14. Online Auction service providers will be required to follow and be familiar with Utah Administrative Code R907-80- Disposition of Surplus Land and applicable state and federal laws.
15. Other duties as negotiated and specific to the sale.

### **UDOT Responsibilities**

Utah DOT Property Management Section will provide Project Manager(s) as a point of contact for this project after award has been made.

# IV. INFORMATION REQUIRED IN SUBMISSION OF PROPOSAL - REVISED 08/14/2013

## **PROPOSAL RESPONSE REQUIREMENTS**

All offerors ***must*** submit proposals that detail their experience and qualifications in the requested areas (each area must be addressed. Do not list “not applicable”).

For ease of evaluation, the submitted proposals must provide a point-by-point response, addressing in detail each area of the evaluation criteria. The criteria are not intended to limit a proposal's content or exclude any relevant or essential data. Offerors are at liberty and are encouraged to expand upon the criteria to demonstrate the Offeror's capability to provide the State with a solution.

Offerors bear sole responsibility for providing evidence in their response that they are capable of performing the requested Scope of Work.

### **A. Mandatory Minimum Offeror Requirements/Qualifications (Pass/Fail Criteria)**

The following are minimums and will be evaluated as a pass/fail criterion. Failure to meet any one of the mandatory requirements/qualifications will result in the proposal being rejected. A rejection of a proposal for not meeting mandatory minimum requirements can occur at any time in the evaluation process.

**Offerors must provide sufficient evidence and/or documentation demonstrating that the offeror is compliant with the following mandatory minimum requirements:**

1. **Must be a licensed Utah Real Estate Broker.**  
*Provide a copy of license.*
2. **Must have an active Trust Account for the receipt and disbursements of funds.**  
*Provide evidence of an active account.*
3. **Must assign a project manager as a point of contact for this contract after award has been made.**  
*Provide the name and contact information for the project manager.*

### **B. Technical Response Requirements (Scored Criteria)**

Responders shall submit a written response to the Bidder Responsibilities listed in the Scope of Work.

The following Technical Response Requirements will be evaluated as Scored Criterion.

Offerors submitting Technical Proposals in response to this solicitation must provide a **detailed narrative demonstrating their capability, capacity, depth of experience, and prior accomplishments as follows:**

**1. Detailed Work Plan (35 Points possible):**

- A. Responders must submit a **Work Plan detailing how they will meet each of the Vendor Responsibilities** as listed in the Scope of Work.
- B. In addition, Responders must provide responses in their Work Plan that addresses the following:
  - 1. Identify what **steps are taken to work with the client** to list a parcel for auction.
  - 2. Identify your **approach to contract management** (i.e., pre-planning, communication (client / bidder), etc.
  - 3. Must provide a report summary detailing the **size of your database** of buyers.
  - 4. Identify your **reporting capabilities and marketing strategies**.
    - a. Must provide up to three (3) report samples, no more than 10 pages in total.
    - b. Must provide up to five (5) marketing samples, no more than 10 pages in total.
  - 5. Detail the **breadth of your listing capabilities**
    - a. Identify and list if you are a current member of local and national listing services (i.e, LandWatch, LoopNet, CoStar, MLS, etc.)
    - b. Identify social media advertising approach.
    - c. Identify web traffic statistics to site.
    - d. Identify the number of properties listed for auction and the number of properties sold during 2017.
  - 6. Provide **staffing plan and experience/background of those individuals** assigned to this contract.

**2. Knowledge and Experience with providing electronic on-line auctions (30 Points possible):**

- A. Responders must provide **information demonstrating their knowledge and experience** in providing electronic on-line auction services. As part of this information, responders must be able to document and verify at least five (5) past auction results, both positive and negative.
- B. Responders must provide information evidencing their **capabilities and experience in marketing and selling multiple tracks in various locations** through electronic on-line auction services.
- C. Must provide a list of **three (3) references** active within the last two (2) years.

References must be valid, accurate, and current (within the past two (2) years).

**The State will conduct reference checks to verify the accuracy of submitted materials and to ascertain the quality of the engagements. The State reserves the right to pursue any or all references; either submitted or state-researched, to assist in completing the Technical Proposal Evaluation.**

References will be evaluated in regards to the following:

- How comparable were the services provided by the offeror to those requested in the Scope of Work?
- How comparable were the references to the State?
- How well do the references support the services of the offeror?

### 3. Technical Capability (30 Points possible):

- A. Responders must provide information evidencing their **Technical capability to provide electronic on-line auction services** meeting the requirements of the Scope of Work.

### C. Cost Response Requirements (Scored Criteria)

**Cost: Offerors are to provide as per the Cost Proposal Form.**

1. Responder must identify all items/activities included in the “fully burdened” listing price, i.e., advertising, marketing, administrative fees, etc.
2. If the responder wishes to include a “buyer’s premium” as part of their proposal, they must include any such item(s) as part of their commission rate, and only one commission rate is to be proposed per listing. Identify all items/activities included in the “commission rate,” i.e., advertising, marketing, administrative fees, etc.
3. Items/activities identified as part of the “commission rate” shall not also be included or listed under the “fully burdened” listing fee, nor may any item listed under the “fully burdened” listing fee be included as part of the “commission rate.”

**NOTE: Offerors may not change/modify the format of the Cost Proposal Form and must submit pricing in the exact format requested for a fair comparison of pricing among all offerors. Altering the format or conditioning the cost on acceptance of additional/conflicting terms or limitations may result in a finding that your proposal is non-responsive.**

**Cost will be evaluated independently from the Technical response, and must be submitted as a separate document from the Technical Proposal submission. Inclusion of any cost or pricing data within the Technical Proposal may result in your proposal being judged as non-responsive.**

The cost proposal must address all costs associated with the services described in the RFP over the life of the project. The cost of this project should be defined according to the specific tasks or steps to be taken.

## **PROPOSAL FORMAT**

Proposals should be concise, straightforward and prepared simply and economically. Expensive displays, bindings or promotional materials are neither desired nor required. However, there is no intent in these instructions to limit a proposal's content or to exclude any relevant or essential data.

**Proposals must include and be organized and titled using each of the following specific headings:**

- 1. Section Title: UDOT Vendor Information Form.** UDOT's Supplier Information Form completed and signed by the offeror.
- 2. Section Title: Executive Summary.** The one or two page executive summary is to briefly describe the Offeror's proposal. This summary should highlight the major features of the proposal. The reader should be able to determine the essence of the proposal by reading the executive summary.
- 3. Section Title: Protected Information. All protected/proprietary information must be included in this section of the proposal,** by completing and submitting a Claim of Business Confidentiality form.

If offeror's proposal contains protected/proprietary information (refer back to the Protected Information section of this solicitation for additional information) then offeror ***must also*** submit a redacted copy of the proposal at the same time offeror submits its proposal. The redacted copy of the offeror's proposal must be submitted in compliance with the other sections of this solicitation.

If there is no protected information, write "None" in this section.

- 4. Section Title: Potential Conflicts of Interest.** Offeror must identify any conflict, or potential conflict of interest, that might arise during the contract.

If no conflicts are identified or expected, write "None" in this section.

- 5. Section Title: Exceptions and/or Additions to the Standard Terms and Conditions.** Proposed exceptions and/or additions to the Standard Terms and Conditions ***must*** be submitted in this section. Offeror must provide all proposed exceptions and/or additions, including an Offeror's terms and conditions in Microsoft Word redline format. Offeror must also provide the name, contact information, and access to the person(s) that will be directly involved in terms and conditions negotiations.

If there are no exceptions and additions to the Standard Terms and Conditions, write "None" in this section.

6. **Section Title: Mandatory Minimum Requirements/Qualifications.** Offerors must provide the required documentation/narratives demonstrating compliance with the stated Mandatory Minimum Requirements/Qualifications. Offeror's failure to meet any one of the mandatory requirements will result in the proposal being classified as non-responsive and will be rejected under the provisions of the Utah Procurement Code.

7. **Section Title: Detailed Technical Proposal.** This section should constitute the major portion of the proposal and must be a concise overview of the Offeror's assessment of the work to be performed, the Offeror's ability and approach, and the resources necessary to fulfill the requirements. This section should demonstrate the Offeror's understanding of the desired overall performance expectations, deliverables, if any, and outcomes. Clearly indicate any options or alternatives proposed. In any case wherein the Offeror cannot comply with a provision outlined in the "Detailed Scope of Work", **such inability must be stated in response to the applicable requirement.** Offerors should reference the Scope of Work in their response.

For ease of evaluation, the Detailed Technical Proposal Section must be a **specific point-by-point response**, addressing in detail each area of the evaluation criteria in the **Technical Response Requirement** sections:

1. Detailed Work Plan
2. Knowledge and experience with providing electronic on-line auctions
3. Technical Capability

**Length of Detailed Technical Proposal -**

- **Maximum page limit: (30) 8-1/2 x 11 pages, single sided, 10 pt. font.**
  - **All submitted materials (Cover page, index, Vendor Information form, Technical response, resumes, marketing material & reporting samples, etc.) are included in the total count.**
  - **Responses received that exceed the page limit, will be deemed non-responsive.**
  - **All proposals are to have clarity for complete understanding. Brevity is appreciated.**

**re: Page Limit-** *The page limit is intended to apply towards the narrative portions of the Detailed Technical Response (Skill Sets, Previous Experience, References), and is not intended to include any requested Samples.*

8. **Section Title: Cost Proposal.**

1. Cost Proposal Form

2. Listing of all items/activities included in the "fully burdened" listing price

3. Listing of all items/activities included in the "commission rate".

**REMINDER:** The Cost Proposal will be evaluated independently from the Technical Proposal, and must be submitted as a separate document (Cost Form Form) from the Technical Proposal. Inclusion of any cost or pricing data within the Technical Proposal will result in the proposal being judged as non-responsive.

# V. Proposal Evaluation and Contract Award

## PROPOSAL EVALUATION PROCESS

This solicitation will be evaluated under a Multiple Stage process.

### Stage 1: Initial Review

In the initial phase of the evaluation process, all proposals timely received will be reviewed for responsiveness to solicitation requirements. Proposals not conforming to solicitation requirements or unable to meet the minimum and/or mandatory requirements will be eliminated from further consideration.

### Stage 2: Detailed Technical Proposal Evaluation

Stage Two will consist of an evaluation committee conducting a detailed Technical evaluation of each responsive and responsible proposal that has not been disqualified in Stage 1.

Responsive proposals will be evaluated against the Evaluation Criteria established in this solicitation.

<b>TECHNICAL EVALUATION CRITERIA</b>	<b>POINTS POSSIBLE</b>
<b>1. Detailed Work Plan</b>	35
<b>2. Knowledge and experience with providing electronic on-line auctions</b>	30
<b>3. Technical Capability</b>	30

- **Total Technical Evaluation**  
(Includes all evaluation criteria except cost): **(95 Technical Points available)**

Each area subject to evaluation **MUST** be addressed in detail in the proposal.

The evaluation committee will tally the final scores for the Technical Criteria to arrive at a consensus score by an average of the individual scores.

Only those proposals achieve 65 points may be subject to presentation for clarification purposes. Presentations will be limited to material submitted for the Technical Evaluation (no new technical information will be allowed at this point).

**Only those Proposals that achieve a minimum 65 points of the possible Total Technical points (95 points) will proceed on to Stage 3: Cost Proposal Evaluation.** Proposals with a score of less than the minimum required technical score will be deemed non-responsive and ineligible for further consideration.

### Stage 3: Cost Proposal Evaluation

Each responsive and responsible proposal that has not been disqualified or rejected in Stage 2, Technical Evaluation will advance to Stage 3, Cost Proposal Evaluation as follows:

#### COST EVALUATION CRITERIA

#### POINTS POSSIBLE

see Cost Proposal Form (Page 17)

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- *Total Cost Evaluation*

*(32 Cost Points Available)*

Evaluation of Cost Proposals: The offeror with the lowest total cost will receive the maximum available Cost points. All other offerors will receive points as determined by the ratio\* of their cost to the lowest offered cost. Final cost scores will be calculated based on the following:

*\*Ratio Calculation: Points assigned to each offeror's Cost Proposal will be based on the Lowest Proposed Cost. The offeror with the Lowest Proposed Cost will receive 100% of the cost points. All other offerors will receive a portion of the total cost points based on what percentage higher their proposed cost is than the Lowest Proposed Cost. An Offeror whose proposed cost is more than double (200%) the Lowest Proposed Cost will receive no points. The formula to compute the points is:  $Cost\ Points \times (2 - (Proposed\ Cost / Lowest\ Proposed\ Cost))$ .*

### DETERMINATION OF BEST VALUE AND CONTRACT AWARD

#### Single Award:

The proposal with the highest total combined score will be determined to provide the best value to the Conducting Procurement Unit, or if a cost benefit analysis is required, the final determination based on the cost benefit analysis.

The State reserves the right to award the contract to technically qualified Offeror(s) with a lower score in the event the high scoring offer is determined to not be the best value offered to the State, based on a cost benefit analysis.

After the evaluation and final scoring of proposals is completed, the State shall award the contract as soon as practicable (subject to the requirements of UCA § 63G-6a-708) to the eligible responsive and responsible Offeror with the highest score, subject to UCA § 63G-6a-709(2) of the Utah Procurement Code, provided the RFP is not canceled in accordance with UCA § 63G-6a-709(2)(b).

**REQUEST FOR PROPOSAL**  
**Solicitation #DOT180716LD**

**COST PROPOSAL FORM**

To be submitted as a separate document from the Technical response document

**Respondent's Name** \_\_\_\_\_

**Cost is to be submitted based on the following:**

**I. COMMISSION RATE (per listing)- (18 points possible):**

**\*\*Note: No rates above 6% will be considered.**

Up to \$1,000,000.00	_____	% (10 Points)
\$1,000,000.01 - \$5,000,000.00	_____	% (4 Points)
\$5,000,000.01 - \$10,000,000.00	_____	% (2 Points)
\$10,000,000.01 and above	_____	% (2 Points)

**II. FULLY BURDENED LISTING FEES (per listing- (14 points possible):**

Fully Burdened Listing Fees shall address all costs associated with per listing described in the RFP over the life of the project. The cost of this project should be defined according to the specific tasks or steps to be taken.

Residential	\$	_____	per listing (2 Points)
Commercial	\$	_____	per listing (4 Points)
Agricultural	\$	_____	per listing (4 Points)
Vacant Land	\$	_____	per listing (4 Points)

**NOTES:**

1. In addition to submitting this form, **Responders must also provide a listing of all items/activities included in the "fully burdened" listing price, i.e., advertising, marketing, administrative fees, etc.**
2. If the responder wishes to include a "buyer's premium" as part of their proposal, they must include any such item(s) as part of their commission rate, and only one commission rate is to be proposed per listing. In addition to submitting this form, **Responders must also provide a listing of all items/activities included in the "commission rate," i.e., advertising, marketing, administrative fees, etc.**
3. Items/activities identified as part of the "commission rate" shall not also be included or listed under the "fully burdened" listing fee, nor may any item listed under the "fully burdened" listing fee be included as part of the "commission rate."

Cost Points will be assigned using the following cost formula: points assigned will be based on the Lowest Proposed Cost. The offeror with the Lowest Proposed Cost will receive 100% of the cost points. All other offerors will receive a portion of the total cost points based on what percentage higher their proposed cost is than the Lowest Proposed Cost. An Offeror whose proposed cost is more than double (200%) the Lowest Proposed Cost will receive no points. The formula to compute the points is:  $\text{Cost Points} \times (2 - (\text{Proposed Cost} / \text{Lowest Proposed Cost}))$ .

**IMPORTANT: Offerors may not change/modify the format of this cost form. The State relies on this cost sheet to accurately and fairly compare offeror costs. Cost Proposals received in a modified or alternate format may be disqualified.**

**REQUEST FOR PROPOSAL  
Solicitation #DOT180XXLD**

**Proposal Evaluation Score Sheet**

**Firm Name:** \_\_\_\_\_

**Evaluator:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Determination:**  
**NR = Non Responsive.** Response does not address requirement.

**Scoring:**  
**1 = (Poor):** The proposal fails to address the requirement described in the RFP or it addresses the requirement inaccurately or poorly.  
**2 = (Fair):** The proposal addresses the requirement described in the RFP in an unsatisfactory manner  
**3 = (Good):** The proposal addresses the requirement described in the RFP in a satisfactory manner;  
**4 = (Very Good):** The proposal addresses the requirement described in the RFP and, in some respects, exceeds it.  
**5 = (Excellent):** The proposal addresses and exceeds the requirement described in the RFP

**Stage 1: Determination of Responsiveness:**

Mandatory Minimum Requirements	Pass	Fail	Notes
1. Licensed Utah Real Estate Broker			
2. Evidence of Active Trust Account			
3. Assigned Project Manager			

**Responses that fail in any of the above will not proceed on to the Technical Evaluation Stage.**

**Stage 2: Detailed Technical Evaluation:**

Technical Evaluation				
EVALUATION CRITERIA	Points Possible	Score (1 - 5)	Weight	Points
<b>1. Detailed Work Plan- (35 points)</b>				
• Quality and responsiveness of Plan	35 points		X 7	
<b>2. Knowledge and Experience (30 points)</b>				
• Demonstrated Knowledge and Experience	30 points		X 6	
<b>3. Technical Capability (30 points)</b>				
• Demonstrated Capability	30 points		X 6	
<b>Total Technical Evaluation Points (95 points possible)</b>				

**Only those Proposals that achieve (65 points) of the possible Total Technical score (95 points) will proceed on to Stage 3: Cost Proposal Evaluation.** Proposals with a score of less than the minimum required technical score will be deemed unacceptable and ineligible for further consideration.

**Stage 3: Cost Proposal Evaluation:**

**Cost Evaluation**

EVALUATION CRITERIA	Points Possible	Points
<b>I. Commission Rate (18 points)</b>		
• Up to \$1,000,000.00	10 points	*Inserted by Purchasing
• \$1,000,000.01 - \$5,000,000.00	4 points	*Inserted by Purchasing
• \$5,000,000.01 - \$10,000,000.00	2 points	*Inserted by Purchasing
• \$10,000,000.01 and above	2 points	*Inserted by Purchasing
<b>II. Fully Burdened Listing Fees (14 points)</b>		
• Residential	2 points	*Inserted by Purchasing
• Commercial	4 points	*Inserted by Purchasing
• Agricultural	4 points	*Inserted by Purchasing
• Vacant Land	4 points	*Inserted by Purchasing
<b>Total Cost Evaluation Points (32 points possible)</b>		

<b>TOTAL EVALUATION POINTS (127 POINTS POSSIBLE)</b>	
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\* Purchasing will use the following cost formula: The Cost Points assigned to each Offeror's Cost Proposal will be based on the lowest Overall Total Cost. The Offeror with the lowest Overall Total Cost will receive 100% of the cost points. All other Offerors will receive a portion of the total cost points based on what percentage higher their Proposed Overall Total Cost is than the Lowest Proposed Overall Total Cost. An Offeror whose Proposed Overall Total Cost is more than double (200%) the Lowest Proposed Overall Total Cost will receive no points.

The formula to compute the points is:  $\text{Cost Points} \times (2 - (\text{Proposed Overall Total Cost} / \text{Lowest Proposed Overall Total Cost}))$ .