

**SALT LAKE COUNTY  
COUNTYWIDE POLICY ON  
REQUESTS FOR PROPOSALS (RFP)**

**Reference--**

Salt Lake County Ordinance Chapters 3.15, 3.16, 3.20, 3.22, and 3.24.

**Purpose--**

This policy is established to set standards and guidelines for procurement using a Request for Proposals (RFP).

**1.0 Introduction**

RFPs are typically used to procure professional services, consulting services, or complex technology services and systems. Section 13.0 of this policy outlines the procedures for the expedited RFP as authorized under Ordinance 3.22.00.

**2.0 Policy**

2.1 RFPs are used where competitive bids are not advantageous to the county. RFPs permit discussion with competing proposers and enable comparative, judgment-based evaluations of proposals. Contracts are awarded to the proposers whose proposals are found to be the most advantageous to the county, based on the evaluation criteria outlined in the RFP. Contracts and Procurement will maintain a standardized format to be used in the drafting of RFPs.

**3.0 Approvals**

3.1 The RFP procedure may be used with consent of the purchasing agent or designee. The decision to use the RFP process will be based on one or more of the following factors:

3.1.1 When the county has identified a specific need and is seeking proposals that offer the best method or solution to address it.

3.1.2 When the purchasing agent or designee determines that the use of competitive sealed bidding is not advantageous to the county, and when multiple evaluation criteria are required and negotiations may be necessary.

3.1.3 Other relevant factors deemed appropriate by Contracts and

Procurement. The requesting agency must submit information sufficiently detailed for Contracts and Procurement to determine that the services or product(s) should be acquired through the RFP process.

- 3.2 When Contracts and Procurement determines that the RFP process will be used, the requesting agency shall provide an RFP development document or prepare a draft of the RFP document that addresses the following elements:
  - 3.2.1 Scope of Work and Requirements: description of the scope of work and minimum requirements of the service or product needed.
  - 3.2.2 Time Frame of Work to be Performed: when the project will start and time period to complete the work.
  - 3.2.3 Scoring Criteria: all evaluation factors and their relative importance.
  - 3.2.4 Funding: appropriated funds, or the funding plan for the services or products needed.
- 3.3 Contracts and Procurement shall prepare the RFP and submit it to the elected official, department director, or their designee for review and approval. Contracts and Procurement may release the RFP to the public only after receiving approval from the elected official, department director, or their designee.
- 3.4 The District Attorney's Office shall review the RFP document if requested by the purchasing agent or county agency representative.
- 3.5 Upon release of the RFP, Contracts and Procurement will notify the following, as required:
  - 3.5.1 Agency division director.
  - 3.5.2 The elected official or department director.
  - 3.5.3 For capital improvement projects, the capital improvement committee chair.
  - 3.5.4 The Attorney.
  - 3.5.5 The Mayor or Designee.

#### **4.0 Procedure**

The requesting agency must submit to Contracts and Procurement all applicable elements of the RFP outlined in Sections 3.0 through 5.0 of this policy.

- 4.1 Administrative Procedures: the requesting agency will provide Contracts and Procurement with a schedule, which shall include:
  - 4.1.1 Pre-proposal Conference: the purpose of such a conference is to answer questions related to the services/project. The conference is optional unless the purchasing agent deems it mandatory.
  - 4.1.2 Proposal Closing Date: the date should be set no earlier than twenty (20) calendar days from the date of RFP release. Additional time should be allowed based on the complexity of the RFP. In urgent situations, the purchasing agent may authorize a shorter response time.
  - 4.1.3 List of Potential Proposers (if known): the requesting agency may provide the names and contact information of firms that may be interested in providing the product or service.
- 4.2 Procurement Procedures: Contracts and Procurement will proceed as follows when the above information is provided:
  - 4.2.1 Dates: Contracts and Procurement will coordinate with the requesting agency regarding all due dates and meeting schedules.
  - 4.2.2 Announcements: RFPs will be electronically noticed through the county's designated system if the estimated dollar amount exceeds the formal advertising limit.
  - 4.2.3 Documentation: all documentation will be assembled and distributed to potential proposers by Contracts and Procurement. Only Contracts and Procurement may issue any subsequent amendments that become necessary.
  - 4.2.4 Amendments to an RFP may be issued prior to the due date for submission of proposals.
  - 4.2.5 Receipt of Proposals: the RFP shall provide instructions for submitting proposals. On the closing date and time, the proposals will be opened and logged, identifying only the names of the proposers. Proposal content will not be disclosed publicly at this stage.
  - 4.2.6 Late Proposals: no proposals shall be accepted after the closing date and time. This policy applies regardless of the circumstances surrounding the lateness of the proposal.
  - 4.2.7 Distribution of Proposals: proposals received will be distributed to

the selection committee members following the proposal submittal date.

- 4.2.8 Call for Meetings: the selection committee may meet after the proposals are received to make an award or develop a short list of proposers with whom to conduct discussions described in Section 6.0.

## **5.0 Selection Committee**

County Ordinance 3.22.020 provides that the purchasing agent will establish a selection committee to review the proposals. The requesting agency may submit a list of potential committee members to Contracts and Procurement. All selection committee members will impartially review the submitted proposals.

- 5.1 Material communications with proposers: once an individual is appointed to a selection committee, or becomes aware of a reasonable likelihood that he or she will be appointed to a selection committee, the individual shall not have material communications with any prospective proposers concerning the procurement, outside the official process, except as requested in writing by the selection committee chair. "Material communications" is defined for this section as communications that could reasonably provide, or could reasonably create the appearance of providing, a competitive advantage in the procurement process. Selection committee members or potential committee members may only communicate with proposers or prospective proposers during the pre-proposal conference and the discussions described in Section 6.0. If information or clarification regarding the RFP is needed, prospective proposers are to contact Contracts and Procurement.
- 5.2 Conflict of Interest Statement: all selection committee members must submit a conflict of interest and disclosure statement to Contracts and Procurement before evaluating proposals. Selection committee members with a restricted conflict of interest will be disqualified and may be replaced. Failure to submit the conflict of interest and disclosure statement will result in disqualification.
- 5.3 Committee members must not disclose or discuss proposals with anyone outside of the selection process. They shall not forward electronic copies or make copies of any proposals. After the selection process, any hard copy proposals must be shredded or returned to Contracts and Procurement.

## **6.0 Discussions with Proposers**

As provided in the RFP, discussions may be held with top-ranked or short-listed responsible proposers to ensure full understanding of, and conformance to, the solicitation requirements. All such discussions shall be conducted as follows:

6.1 Interviews, Demonstrations and On-site Visits.

6.1.1 Interviews, demonstrations and on-site visits are to be directed by the selection committee chair or designee. Only selection committee members may be present during the interviews, demonstrations, or on-site visits unless the purchasing agent approves a written exception. Any selection committee member who does not attend all interviews, demonstrations, or on-site visits will have their scores excluded from the final award determination.

6.1.2 Time limits for interviews, demonstrations, or on-site visits, will be equal in length for each proposer.

6.1.3 Except as provided in subsection 6.1.4.4, the respondent's written proposal cannot be changed in any aspect at the interviews, demonstrations, or on-site visits.

6.1.4 The selection committee may conduct interviews and demonstrations by written questionnaire. All such questionnaires shall be conducted as follows:

6.1.4.1 The selection committee shall prepare a single questionnaire of clarifying questions and send an identical copy to each top-ranked or short-listed proposer invited to interview.

6.1.4.2 Proposers who receive a questionnaire may answer and deliver it to Contracts and Procurement before the due date on the questionnaire.

6.1.4.3 Upon receipt of a proposer's questionnaire response, the purchasing agent shall review the answers and identify any portions that materially change the proposal. All such material changes to the proposal shall be concealed and may not be disclosed to, or considered by, the selection committee in its evaluation.

6.1.4.4 A proposer's questionnaire response becomes part of the proposer's proposal. In the event the proposer is awarded the contract, its questionnaire response shall be included in the contract except to the extent it increases the County's obligations or liability in the proposal or materially changes the nature of the procurement.

6.2 Clarifying Statements.

6.2.4 At any time after the proposal closing date and prior to an award, the purchasing agent may invite a proposer to clarify a portion of its proposal by sending the proposer a copy of the relevant portion along with a notice

that substantially complies with the following:

"Salt Lake County Division of Contracts and Procurement invites you to restate the enclosed portion of your proposal, in writing, for the purpose of providing clarification. If you choose to provide such a restatement, it must be delivered to the Division of Contracts and Procurement before the due date listed. If you choose not to provide such a restatement, your proposal will be evaluated in its original form."

6.2.5 Proposers shall be accorded fair and equal treatment with respect to any opportunity for clarification of proposals. If multiple proposals are similarly unclear, each affected proposer must be invited to clarify.

6.2.5.1 Upon receipt of a proposer's written clarifying statement, the purchasing agent shall review the statement and identify any portion that materially changes the proposal. All material changes to the proposal shall be concealed and may not be disclosed to, or considered by, the selection committee in its evaluation.

6.2.5.2 A proposer's written clarifying statement becomes part of the proposer's proposal. In the event the proposer is awarded the contract, its written clarifying statement shall be included in the contract except to the extent it increases the County's obligations or liability in the proposal or materially changes the nature of the procurement.

6.3 No proposer will be given information pertaining to another proposer's proposal or evaluation standing at any time prior to award.

## **7.0 Best and Final Offer**

7.1. An amendment to the RFP may be made by a request for best and final offers (BAFO).

7.2 Only proposers who timely submitted proposals may submit best and final offers. If the selection committee short-lists proposals based on their scores, best and final offers may only be sent to short-listed proposers.

7.3 The purchasing agent or designee shall set the due date for submission of best and final offers. Proposers shall also be informed that if they do not submit a best and final offer or a notice of withdrawal, their immediate previous offer will be construed as their best and final offer.

7.4 Once best and final offers are requested, proposers may correct any mistakes, make relevant modifications to their proposals, or withdraw their proposal.

7.1 Requests for best and final offers must not materially change the nature of the

procurement. If the purchasing agent or designee believes a contemplated request will significantly change the nature of the procurement, the RFP must be canceled or a new RFP issued.

## **8.0 Evaluation**

- 8.1 The RFP must include evaluation criteria tailored to the specific scope of work or project. These criteria should be developed carefully and reflect the priorities of the solicitation. The proposals will be evaluated solely on the criteria set forth in the RFP.
- 8.2 Evaluation criteria are the factors the selection committee uses to determine which proposal best meets the county's needs. Evaluation criteria must be fully described and weighted according to their importance in satisfying the county's needs.
- 8.3 The weighting of the evaluation criteria must be finalized before advertising the RFP.

## **9.0 Scoring**

The selection committee chair or designee will direct the scoring process of the proposals based on the evaluation criteria specified in the RFP.

- 9.1 In coordination with the selection committee, the purchasing agent or designee may classify a proposal as non-responsive if the proposal does not conform in all material aspects to the requirements of the RFP.
- 9.2 Each member of the selection committee will score all proposals received, except those deemed non-responsive.
- 9.3 The selection committee chair or designee may score pricing separately from other evaluation criteria.
- 9.4 The top-ranked proposer, based on all scoring, will be awarded.
- 9.5 After all discussions with proposers or best and final offers have concluded, the committee members that participated in the discussions may re-score the proposals.
- 9.6 The pricing criteria may only be re-scored by the selection committee chair or designee after a best and final offer has been received.

## **10.0 Preference System in Procurements under this Policy**

- 10.1 The procurement officer shall apply the Preference System (County Ordinance 3.24) to procurements under this Policy as follows:

- 10.1.1 A proposer shall receive one (1) point added to the total score of its proposal for each Preference for which the proposer qualifies.

## **11.0 Award Notification**

The purchasing agent or designee will notify the mayor of the selection committee's award. Committee scores will be maintained by Contracts and Procurement. Contract negotiation may begin once the mayor and each proposer has been notified of the award.

## **12.0 GRAMA**

- 12.1 Salt Lake County is a governmental entity subject to the Government Records Access and Management Act (GRAMA). GRAMA and any applicable federal law govern requests for records.
- 12.2 Business Confidentiality Claims: generally, any document submitted to the county is considered a public record. If a person or business believes that any part of their submission contains protected information, they must include both of the following at the time of submission: (1) a written claim of business confidentiality, and (2) a concise statement of the reasons why the information should be protected. Generally, GRAMA only protects trade secrets or commercial information that, if disclosed, could reasonably be expected to result in unfair competitive injury. The purchasing agent or designee shall review and determine the validity of a claim of business confidentiality and inform the claimant of its decision and the right to appeal the classification. Failure to provide support for a claim of business confidentiality may result in the proposal being deemed non-responsive.

## **13.0 Expedited RFP Procedure**

In accordance with County Ordinance 3.22.100, an expedited procedure may be used in the following situations: (1) the total fee or price for product or services will be below the expedited RFP cost limit; (2) when grant funds are used to procure goods or services pursuant to the terms and conditions of the grant regardless of the dollar amount and the standard RFP procedure would prevent the county from timely compliance with the terms of the grant; or, (3) when a partner is needed for a grant application and the standard RFP procedure would prevent the county from timely submitting the grant application. The proposal closing date for an expedited RFP shall be no earlier than five (5) calendar days from the date of issue, unless the purchasing agent authorizes a shorter response time.

- 13.1 Expedited RFP procedure: The requesting agency must submit an expedited RFP draft or development document to Contracts and Procurement, including scope



of work and minimum requirements, timeline for solicitation and for work to be completed, and evaluation criteria. Contracts and Procurement will then process the request in accordance with County Ordinance 3.22.100.

- 13.2 The requesting agency will recommend a selection committee of at least two members to review and score proposals.
- 13.3 Requests for professional services below the small cost limit may be processed as a small cost purchase. An expedited RFP contract or a small cost purchase order for professional services may not be awarded to the same vendor for the same services for the same agency within a one-year period for the same project.
- 13.4 To facilitate the expedited RFP requesting process, Contracts and Procurement will establish the format to be used in the request.

**14.0 Request for Qualifications or Multi-Stage Selection Process**

- 14.1 The county may use a multi-stage selection process if the purchasing agent deems it to the advantage of the county. In the first stage, proposers submit their qualifications and experience for evaluation. In subsequent stages, the county may request pricing proposals or select from the top---ranked proposers identified in Stage 1.
- 14.2 The purchasing agent may approve a multi-stage process after receiving justification from the procurement officer or the requesting agency.
- 14.3 Procedure:
  - 14.3.1 The county shall initiate the multi-stage selection process by developing and issuing a Request for Qualifications (RFQ).
  - 14.3.2 The multi-stage invitation for and RFQ shall provide:
    - 14.3.2.1 Indication the county is engaging a multi-stage selection procurement and will only consider bids or proposals from qualified proposers who are top ranked in the initial stage(s).
    - 14.3.2.21 The evaluation criteria for all stages will be described in the first stage documents of the procurement.
  - 14.3.3 Evaluation of multi-stage selection process. The county shall evaluate and rank all proposers consistent with the criteria set forth in the RFQ which may include evaluation of a proposer's past performance, responsiveness

7030

to the RFQ, project team, project approach, management plan, minimum standards for responsiveness, and other such standards used in the industry.

- 14.3.4 The number of first stage proposals recommended to move to the subsequent stages will be determined by the selection committee after reviewing the committee's scores and ranking of the proposals.

APPROVED and ADOPTED this 22 day of July, 2025.

SALT LAKE COUNTY COUNCIL

  
Dea Theodore, Chair

ATTEST:



Lannie Chapman, County Clerk

