

Agenda Item 5

MEMORANDUM



TO: Historic Preservation Commission
FROM: Donna Kennedy, Economic Development Director
DATE: October 13, 2021
SUBJECT: Solicitation Process for Development Projects

The City of Tempe Procurement Division conducts all procurements in compliance with Chapter 26A of the Tempe City Code. Provided below is an outline of the solicitation process for development projects.

- Procurement works with the requesting department to draft the solicitation (e.g., Request for Proposal, Request for Qualifications, etc.), including the scope of work, evaluation criteria and weights, and submittal requirements. Evaluation criteria can include, but is not limited to, price, experience, methodology, financial strength, organization capacity, and project design.
- The solicitation draft is reviewed and approved by the requesting department and Procurement prior to issuance.
- Once approved, the solicitation is issued to all vendors registered for the relevant commodity codes and any supplemental vendors as determined by City staff, posted on the City's Procurement website, and publicly advertised through the *Arizona Capitol Times* and any other media source as determined by City staff.
- The solicitation is published for a minimum of three weeks or much longer for more complex development projects.
- While the solicitation published, vendors may submit questions or seek clarification, but all communication must go through the Procurement Officer. Vendors are not permitted to contact any other City staff regarding the solicitation from the time the solicitation is issued, until the contract is awarded.
- An addendum to a solicitation may be issued prior to the due date and time. The addendum can make any changes to the solicitation, correct defects or ambiguities, provide additional information or instructions, or extend the due date and time.
- At the due date and time, solicitation responses are publicly opened, and the name of each offeror is read and recorded. All other information contained in the responses is held confidential to maintain the integrity of the procurement process. Any late responses received are rejected and not considered for award.
- A solicitation may be canceled at any time during the process. If the City intends to issue a replacement solicitation within six (6) months after the cancellation, the City shall seal the file and withhold the offers from public review.
- An evaluation team is selected to review the responses and evaluate them in accordance with the criteria and weights published in the solicitation. Evaluation committee members are required to sign an Evaluation Committee Member Statement that requires them to maintain the integrity of the evaluation process and give each offer fair and equal consideration. They must maintain strict security regarding the content of the proposals and any discussions with the committee. Additionally,

committee members are required to disclose any actual or potential conflict of interest as defined in Arizona Revised Statute and the City's Code of Ethics.

- At any point during the solicitation process, the evaluation committee may determine that an offer is not susceptible for award.
- The committee may interview and negotiate with all vendors determined to be susceptible for award. Subsequent to any interviews and negotiations, best and final offers can be requested.
- The evaluation committee scores the proposals and recommends the most advantageous firm with the highest score to City Council for approval to enter into negotiations to establish a Development and Disposition Agreement.
- If approved by Council, then the Economic Development Department begins the process of negotiating an acceptable Development and Disposition Agreement with the selected firm. If successful, the City will present the completed Development and Disposition Agreement for City Council approval.