

	STATE OF ILLINOIS CHIEF PROCUREMENT OFFICER - HIGHER EDUCATION	
	Topic: Receipt of Solicitation Responses and Conduct for Solicitation Openings	Number: 2019-01
	Effective Date: May 1, 2019	Approved by: <i>Ben Brady</i>
	New <input checked="" type="checkbox"/> Revises <input type="checkbox"/> Replaces <input type="checkbox"/> Supplements <input type="checkbox"/>	
	Statute Cite: 30 ILCS 500/20-10(d); 30 ILCS 500/20-15(d); 30 ILCS 500/20-155(a); 30 ILCS 500/25-85; 30 ILCS 500/35-30(d); 30 ILCS 535	Rule Cite: 44 Ill. Admin. Code 4.8; 4.15; 4.1525; 4.2005; 4.2010; 4.2015; 4.2033; 4.2035; 4.2080; 4.4020(d)

SCOPE

This procedure applies to the receipt of and opening of all competitive solicitations. It is limited to the topic of receipt and opening of solicitations and does not encompass other topics, such as administrative review for responsiveness.

PURPOSE

The purpose is to demonstrate the process of receipt and opening is fair and transparent through use of uniform procedures.

RECEIPT OF SOLICITATION RESPONSES

All information recorded by a university in the receipt of and recording of solicitation responses is done in permanent ink/marking.

When a response to a solicitation is received in the location identified in the solicitation, it is date and time-stamped and stored in a secure manner, such as a locked file cabinet, a locked room, or a secure electronic portal. Electronic submissions of bids/proposals automatically notate the date and time the submission was made to the Higher Education Procurement Bulletin.

If a solicitation response is opened in error prior to the time set for opening or because it was not clearly identified as a solicitation response, the university prepares a dated and signed written statement explaining the error or mistake and includes in the statement the names of all persons involved. The response that was opened in error is re-sealed and stored in a secure manner with any other responses until the time set for the opening of the solicitations.

No information regarding solicitation responses may be disclosed to anyone prior to the opening, except as authorized by the State Purchasing Officer (SPO). The SPO and the purchasing director determine who is authorized to have information prior to the opening of solicitations. A university buyer or purchasing staff may confirm receipt of a proposal to a vendor. Example: If a vendor e-mails to verify receipt of its' proposal, the buyer can confirm it received the proposal, but the university may not respond to any questions regarding submissions by other vendors. Similarly, if a university employee who is not assigned to the procurement requests information on how many responses have been submitted prior to the opening, the buyer may not disclose any information without authorization from the SPO and purchasing director.

Late Submissions: It is the responsibility of the vendor to ensure delivery at the time and place specified in the solicitation. Any bid or proposal received after the date and time for receipt, or at other than the location specified in the solicitation, is late. Any late bid/proposal (regardless of delivery method) is dated, time-stamped, and initialed by the university and a record is made for each late bid/proposal, modification or withdrawal. The record includes the name of the vendor, the date and time of the attempted delivery, and is kept as part of the procurement file. An example of a late submission record is attached. For electronic submissions, the Bulletin does not accept late bids/proposals.

- The university shall not accept a bid/proposal when a vendor attempts to personally deliver the bid/proposal after the date and time for receipt. The bid/proposal is date and time-stamped, a copy of the date/time-stamp is made for the procurement file, and the bid/proposal is immediately returned to the vendor. The vendor is advised the bid/proposal is not accepted as it is late.
- Bids/proposals that are delivered by mail or courier that arrive late are date and time-stamped and a copy of the date/time-stamp is made for the procurement file. The university notifies the vendor in writing (e-mail, mail, courier) the bid/proposal is not accepted as it is late. The university gives the vendor the opportunity to retrieve the late submission at the vendor's cost.
- If a vendor disputes that the bid/proposal is late or there is a question of timeliness, the university shall accept the bid/proposal, advise the vendor it is being accepted as disputed, and refer the matter to the SPO. No late submission will be considered unless the SPO determines it would have been timely but for the action or inaction of State personnel directly serving the procurement activity (e.g. providing the wrong delivery address).

Late submissions not returned to a vendor are disposed of in accordance with university record retention policies after all procurement related activity is complete (including the time for protest) and the resulting contract is executed.

SOLICITATION OPENING PROCEDURE

Responses to competitive solicitations are opened publicly in the presence of a State witness and read aloud. The information is documented on a form prescribed by the Chief Procurement Officer (solicitation opening/tabulation record sheet or "record sheet") or through a secure electronic portal. A "State witness" is an employee of the State or university who observes the opening of bids or sealed proposals and is different from the individual opening (the "opener") the responses. The opener should be a person familiar with the solicitation, such as the buyer or other procurement staff member.

Solicitation openings are public meetings and can be attended by vendors, the SPO, Procurement Compliance Monitors (PCM), university personnel, and members of the public. The record sheet contains a sign-in for attendees at the solicitation opening.

Any recording errors should be marked through with ink/permanent mark and initialed by the person opening the responses and the State witness.

All solicitation methods: The record sheet contains the title of solicitation (as published on the Bulletin), the Procurement Bulletin number, the procurement method, and the due date and time for the solicitation. This information is completed by the opener prior to the unsealing or opening of the solicitations. As each response is opened, the name of the vendor (as submitted by the vendor), the date/time the response was received by the university, and how the submission was received (paper or electronic submission) is read aloud and written on the record sheet.

Electronic Submissions: Universities will have the ability to accept electronic submissions to solicitations. Where universities have identified that electronic submissions are allowed, after opening all paper submissions, the opener and State witness open any electronic submissions. The opener and State witness need access to a computer where the submissions are opened so as to open any electronic submissions. The submissions are located on the Bulletin notice for the particular solicitation. The same information is read aloud and recorded on the record sheet for an electronic submission as is read aloud and recorded for a paper submission.

Request for Proposals (RFP), RFP for Professional & Artistic Services (P&A), Request for Information for Real Property or Capital Improvement Leases (RFI-RPL), Best Value openings: The solicitation opener unseals a proposal, and as identified above, announces the name of the vendor, the date and time the proposal was received, and whether it was a paper or electronic submission. The price proposal is not opened or read aloud. The opener notes on the record sheet whether a sealed price proposal was received by marking either Yes or No in the appropriate column. If it is apparent during the opening that a price proposal was included but is not in a separate sealed envelope/container, that information should be noted on the comment line. The solicitation opener seals the price information in an envelope or appropriate container with the vendor's name written or affixed to the envelope/container.

If any explanatory comments are required, they are noted on the comment line. This process is repeated for each proposal received.

Qualifications Based Selection (QBS) openings: QBS proposals are often referred to as statements of qualifications or statements of interest and are opened substantially similar to RFPs, except the vendor does not submit a price proposal (for QBS, the price is negotiated after a vendor is selected). The solicitation opener unseals a proposal, and as identified above, announces the name of the vendor, the date and time the proposal was received, and whether it was a paper or electronic submission.

If any explanatory comments are required, they are notated on the comment line. This process is repeated for each proposal received.

Invitation for Bid (IFB) openings: The solicitation opener unseals a bid, and as identified above, announces the name of the vendor, the date and time the bid was received, and whether it was a paper or electronic submission. The price proposal is read aloud and recorded according to the price format as outlined in the IFB. If a modification to a previously submitted bid is received, it is recorded on a separate line.

If any explanatory comments are required, they are noted on the comment line. This process is repeated for each bid received.

- *Construction IFBs:* A university's record sheet for construction bids that is substantially similar to the CPO's record sheet may be used with the advance written approval of the CPO or Deputy CPO. Where a base bid and alternate bids are requested, a university records the base bid on one line and the alternate bid on a separate line.

If the IFB is in the design-bid-build format where the work is separated into the different subdivisions of work, a separate record sheet is completed for each subdivision of work and the university identifies in the solicitation title the subdivision of work category on each record sheet.

- *IFBs with options:* a university records the base bid on one line and the option(s) bid price on a separate line(s), identifying in the comment line what each line represents (base, option 1, option 2).
- *Market Basket IFBs:* a university records each market basket price on a separate line, identifying in the comment line what each line represents (basket 1, basket 2).

Immediately after all of the solicitation responses have been opened, read aloud, and recorded, the record sheet is signed by the person opening the responses and the State witness and placed in the procurement file. The record sheet is posted to the Bulletin with the Notice of Award/Notice of Intent to Award.

	Procedure Steps	Responsible Party
1.	Receipt of Solicitation Responses	
1.1	Use permanent ink/marking in all documentation of receipt and opening of solicitation responses.	University
1.2	Immediately upon receipt date and time stamp response. Store responses in a secure manner (such as locked cabinet, locked or office, or secure electronic portal).	University
1.3	If a response is opened prior to the time set for opening in error or because it was not identified as a solicitation response, prepare statement explaining the reason(s) for the mistake or error (including the name of every person involved). Date and sign the statement and place it in the procurement file. Reseal the response and store with other responses in a secure manner until the time set for the solicitation opening.	University
1.4	Confirmation of receipt of response may be given to the submitting vendor. No other information is disclosed to any person not assigned to the procurement without the authorization of the SPO and purchasing director.	University
2.	Late Submissions	
2.1	In person delivery after the date/time for receipt: Date and time-stamp the bid/proposal, retain a copy of the date/time-stamp for the procurement file, and immediately return the bid/proposal to the vendor. Advise the vendor the bid/proposal is not accepted as it is late. Make record.	University
2.2	Mail/courier delivery after the date/time for receipt: Date and time-stamp the bid/proposal and retain a copy of the date/time-stamp for the procurement file. Advise the vendor in writing the bid/proposal is not accepted as it is late. Give the vendor the opportunity to retrieve the late submission at the vendor's cost. Make record.	University
2.3	Where there is a question as to whether a bid/proposal is late, accept the bid/proposal and advise the vendor it is being accepted as disputed. Refer the matter to the SPO for resolution.	University/SPO
2.4	Late submissions shall not be considered unless the SPO determines it would have been timely but for the action or inaction of State personnel directly serving the procurement activity (e.g. providing the wrong delivery address). SPO consults with CPO as needed. Make record.	SPO/CPO
2.5	Dispose of late submissions not returned to a vendor according to university record retention policies. All procurement related activity must be complete (including the time for protest) and the resulting contract executed prior to disposal.	University
3.	Solicitation Opening	
3.1	Verify with mail room, central receiving, receiving dock, or front desk that all bids/proposals are retrieved for opening.	University

3.2	Verify if electronic submissions are allowed. If allowed, ensure opener and State witness have access to a computer in the place specified for opening.	University
3.3	Responses are opened publicly by two state employees, an opener and a State witness.	University
3.4	Hold the solicitation opening at the place, time, and date specified in the solicitation or addendum. The opening is accessible to the public. Attendees sign in on the record sheet at the completion of the opening.	University
3.5	The opener announces the time set for the opening responses has arrived.	University
3.6	Open each paper solicitation, read aloud the information required on the Opening/Tabulation Record Sheet (record sheet), and record the information on the record sheet.	University
3.7	Open each electronic solicitation, read aloud the information required on the Opening/Tabulation Record Sheet (record sheet), and record the information on the record sheet. Electronic submissions are located on the Bulletin notice for the particular solicitation.	University
3.8	<p>Read aloud the following information to attendees:</p> <p>RFP/P & A/ RFI-RPL/Best Value - name of each vendor, date and time response received, how the proposal was submitted (paper or electronic), and whether a price proposal was included;</p> <p>QBS - name of each vendor, date and time response was received, and how the proposal was submitted (paper or electronic);</p> <p>IFB - name of each vendor, date and time bid received, how the proposal was submitted (paper or electronic), each pricing response (total, base, alternate, options, market basket price) as is applicable and outlined in the IFB.</p> <ul style="list-style-type: none"> • <i>Construction IFB base bid and alternates:</i> record the base bid on one line and the alternate bid on a separate line. Repeat for each alternate bid received. If the IFB is a design-bid-build, record each subdivision of work on a separate record sheet. • <i>IFB with options:</i> record the base bid on one line and the option bid price on a separate line. Repeat for each option price received. Identify in the comment line what each line represents (base, option 1, option 2). • <i>Market Basket IFB:</i> record each market basket price on a separate line. Identify in the comment line what each line represents. 	University
4.	Transparency	
4.1	Attach the record sheet to the Bulletin notice as a public document at the time of notice of award or notice of intent to award.	University

(UNIVERSITY LETTERHEAD OR IDENTIFIER)

LATE SUBMISSION RECORD

Bulletin Number: _____

Vendor Name: _____

Due Date and Time of Submission: _____

Date and Time of Attempted Submission: _____

Attach date/time stamp.

Submission Accepted? Y or N (circle one)

Vendor Notified Submission is Late? Y or N (circle one)

If written notification, attach correspondence.

Submission Returned? Y or N (circle one)

Comment (if applicable): _____

Print/Sign University Representative: _____

