MEMORANDUM

To:	University Purchasing Directors and University Purchasing Staff State Purchasing Officers Procurement Compliance Monitors
From:	Ben Bagby, Chief Procurement Officer
Date:	April 2, 2019
Subject:	Pre-Submission Conferences: Frequently Asked Questions

1. **What is a pre-submission conference? Is it the same as a pre-bid conference?**

   Answer: A pre-submission conference and a pre-bid conference are the same. Pre-submission conferences can be held for any type of competitive solicitation (IFB, RFP, RFP P&A, Best Value, RFI—RPL). Pre-submission conferences are held by universities after a solicitation has been posted, but before responses to the solicitation are due to help vendors understand the procurement requirements of a particular solicitation.

   Pre-submission conferences are opportunities to explain to vendors, particularly those who have not done business with universities before, the requirements for doing business with the State (Secretary of State, Department of Human Rights, State Board of Elections, Business Enterprise/Veteran goals).

2. **How do vendors know that there is a pre-submission conference?**

   Answer: The pre-submission conference is announced as part of the solicitation. The solicitation template contains a place to identify whether there is a pre-submission conference. Universities need to identify on the template if attendance is mandatory.

3. **Who conducts the pre-submission conference? Who can attend?**

   Answer: The university conducts the pre-submission conference. Representatives from the purchasing department and university end user(s) who are familiar with the university's needs and the solicitation should be in attendance. Universities may invite CMS to discuss the BEP program, or have someone familiar with BEP available to respond to questions. The SPO, PCM, interested vendors, and the general public may attend the conference.

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4. **How is attendance at a mandatory pre-submission conference documented?**

   Answer: The CPO has developed a Pre-Submission Conference Sign-In Sheet that is required for mandatory conferences. Universities can also use the form for optional pre-submission conferences. Universities should have a sufficient number of sheets available to allow for vendors to sign in timely. The sign-in sheet can be found on the CPO's website under the Procurement Resources/Form tab. All information contained in the sign-in sheet, including time signed in and time signed out, is completed by the vendor or the vendor's representative.
   https://www2.illinois.gov/sites/cpo-he/Pages/Forms.aspx

5. **What happens if a vendor does not attend a mandatory pre-submission conference?**

   Answer: If attendance is mandatory, a vendor (including the incumbent vendor) will be considered non-responsive and disqualified if the vendor (or representative) does not attend, arrives after the meeting is called to order, leaves early, or fails to sign the attendance sheet. Vendors must allow adequate time to accommodate any security screenings at the site and for unexpected delays, such as weather.

6. **A mandatory conference starts at 10:00 a.m. but one vendor did not arrive until 10:08 a.m., after the meeting was called to order. What should the university do?**

   Answer: The university does not admit the vendor to the conference, as the vendor is late. For optional conferences, the vendor may attend.

7. **A mandatory conference was called to order and a vendor leaves prior to the conference being adjourned. The vendor has no other representative at the conference. What should the university do?**

   Answer: The university identifies on the sign-in sheet what time the vendor left. Any bid or proposal submitted by the vendor will be considered non-responsive and the vendor will be disqualified.

8. **Should pre-submission conferences be mandatory?**

   Answer: Mandatory pre-submission conferences may limit competition, particularly from small businesses, and universities should be cautious in requiring a mandatory conference. Pre-submission conferences should be mandatory when it is critical for potential vendors to understand the solicitation. In most instances, a mandatory conference is not required as the solicitation's written specifications should stand alone and not require explanation. However, there may be instances where there is something unique to the solicitation that requires a site visit or a demonstration. For example, if the solicitation is a construction project and it is important for vendors to see the site conditions, a university should require mandatory attendance.

9. **Can pre-submission conferences be held telephonically?**

   Answer: Telephonic pre-submission conferences may encourage greater participation as potential vendors do not have to travel to a conference site and for optional conferences are encouraged. For mandatory pre-submission conferences, it is difficult to obtain all required information by telephone (who attended, when they called in, when they left the conference, signature). For universities interested in conducting a telephonic mandatory pre-submission conference, please contact the CPO or Deputy CPO to discuss how the university will collect and document all required information.

10. **When should the pre-submission conference be held?**

    Answer: The conference should be held long enough after the solicitation has been opened to allow potential vendors to become familiar with the solicitation, but in sufficient time prior to solicitation opening so as to allow potential vendors to consider the conference in preparing their responses.

11. **Handouts were given to vendors who attended the pre-submission conference. Does the university have to post those documents to the Bulletin?**

    Answer: If the pre-submission conference was not mandatory, the handouts are posted to the Bulletin. If the pre-submission conference was mandatory, the university may limit release of the handouts to those vendors who attended the mandatory conference.

12. **A question was asked at a pre-submission conference and the university provided a response that impacted or changed something in the solicitation. What action needs to be taken?**

    Answer: The university needs to publish an addendum or modification to the solicitation on the Bulletin identifying the change.

13. **The solicitation was published, and a pre-submission conference was held. Some of the information at the conference was slightly different from what was in the solicitation document. What information controls?**

    Answer: At the beginning of the pre-submission conference, a university announces that nothing stated in the pre-submission conference changes the solicitation unless a written addendum or modification is made to the solicitation and published to the Bulletin.

14. **A vendor wants to record the pre-submission conference. Is this allowable?**
Answer: Yes, pre-submission conferences are open to the public and may be recorded. A university should announce that the conference may be recorded so that all participants are aware of the potential recording.

15. **Should the university record the conference, or should minutes be taken/published of what was said at the pre-submission conference?**
Answer: It is best practice to have an agenda for the meeting that is followed by the presenter(s). Notes or minutes of the meeting summarizing the questions that were asked, answers that were given, and other relevant information are published to the Bulletin for optional conferences, and may be distributed by e-mail to mandatory conference participants. It is in the university's discretion to record the conference, but if it is recorded, the university announces at the start of the conference it is being recorded.

16. **The responses to questions or an addendum were not published to the Bulletin until a few days prior to solicitation responses being due. What should the university do?**
Answer: The university should work with their SPO to extend the due date for responses to the solicitation.

17. **Can a university publish the Pre-Submission Conference Sign-In Sheet to the Bulletin? What should a university do with the sign-in sheet once the conference is concluded?**
Answer: It is best practice to publish the sign-in sheet to the Bulletin. It assists small, diverse, and veteran owned vendors who are interested in subcontracting in locating potential prime vendors to work with on the solicitation. The sign-in sheet also asks vendors to identify whether they are certified as a BEP, veteran, or registered small business. After the conference concludes and the university publishes it to the Bulletin, the sign-in sheet is placed in the procurement file.

18. **Can a university collect additional information from vendors at a pre-submission conference other than what is contained on the sign-in sheet?**
Answer: Yes. Universities may wish to ask vendors how they heard of the solicitation, whether they anticipate putting in a response to the solicitation, or other information that would be helpful to a university.

19. **Is there an administrative rule for pre-submission conferences?**
Answer: 44 Ill. Admin. Code 4.2005(w).

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