

## Section 2.26

### **Bid Opening and Bid Tabulation**

#### **Response Due Date and Receipt**

The response due date and time shall be clearly specified in the solicitation document.

Late Response: A response received after the due date and time established by the solicitation document is a late response. Late responses will be returned unopened with a cover letter indicating the reason.

A change in the response due date and time must be published through an Addendum to the solicitation and posted to the ESBD, as applicable. Entities on the original CMBL mailing list and respondents must be properly notified in advance.

The agency may receive responses in person, by US mail or by express mail with the addresses included in the solicitation. The clock used by the agency's mail room or the procurement staff facilitating the receipt will be the sole determiner of the time of day. All responses must be in the possession of the procurement staff and stamped not later than the published response due date and time.

At the discretion of the agency, receipt of responses by fax or email is solely for the convenience of respondents and the procedure must be included in the solicitation. If all or any portion of a response submitted by fax or email is received late, is illegible, or is otherwise rendered non-responsive due to equipment failure or operator error, the response or the applicable portion of the response will not be considered. The agency shall not be liable for equipment failure or operator error. Such failure or error shall not require other solicitation documents to be rejected or require the solicitation to be re-advertised. Typically, late responses are not accepted unless the solicitation specifically provides for such a provision.

Cancellation: If a solicitation is cancelled, all responses will be returned unopened with a cover letter indicating the reason for the cancellation.

#### **Public Opening**

**It is at the discretion of each agency to determine if a public opening will occur on a solicitation. In cases where a solicitation requires cancellation due to required changes in specifications or scope of work which will result in a re-advertisement, the decision not to release information will protect each respondent's information and pricing, providing fairness to all.**

At the option of the agency, a public opening of the sealed responses may be conducted and the date, time and physical location must be included in the solicitation document. The option to conduct a public opening of responses is a statement of openness to reduce the possibility of collusion or favoritism and to foster public confidence in the agency.

A change in the response due date and time or in the public opening date and time must be published through an Addendum to the solicitation and posted to the ESBD, as applicable. Entities on the original CMBL mailing list and respondents must be properly notified in advance.

If a solicitation is canceled, all responses being held for opening will be returned to the respondents unopened with a cover letter indicating the reason for cancellation.

The procurement staff facilitating and conducting the public opening of the responses should request each attendee to sign an attendance log, providing their company name, representative name and title, which will become a part of the procurement file.

The sealed responses may be opened and read in any order.

The recitation of information during the public opening should consist of:

- The solicitation number
- The name of each respondent
- For IFBs ONLY, the proposed price/amount for each item number (if applicable)
- If appropriate, the model number (if different from specified model).

While the information being announced may vary due to the type of procurement, it should be sufficient to identify the response for purposes of a written tabulation, abstract or log, which becomes an official document in the procurement file.

The procurement staff will not discuss whether a product or model meets the written specifications. Respondents in attendance will be advised to submit any concerns in writing to the appropriate purchaser.

### **Unsigned Responses**

Responses should be checked for signature before tabulation. Responses without a signature will be disqualified. The pricing for these will NOT be tabulated and will reflect "Unsigned/Disqualified" in the comment area of the tabulation sheet and on the response document. They will be kept with the main file, and will not be returned to the respondent.

### **Response Tabulation**

The responses and all documents and information about the evaluation of responses and respondents will be withheld until after contract award.

As a general rule, responses should be tabulated when opened but there are times when this is not practical. It is recommended that the tabulation be prepared within three (3) business days from the opening date.

After award, the response tabulation files shall be available for release through the Public Information Act. Response tabulations may be reviewed by any interested person at each agency's office during regular working hours. Agencies should not give response tabulation information by telephone.

At a minimum, the following should be included on the tabulation:

- NIGP Class/Item
- Confidential or Proprietary declarations by respondent
- Vendor (Payee) Identification Number
- Respondent name
- HUB Status
- Price Sheet Line Item Descriptions
- Price
- Delivery Days ARO
- Warranty