

## Section 2.9

### Request for Proposal (RFP)

In accordance with Texas Government Code § [2156.121](#), TPASS is authorized to determine whether to delegate sole oversight of the use of the Competitive Sealed Proposal or Request for Proposal (RFP) method of procurement to a state agency or to retain oversight.

An RFP is a written request for proposals for goods or services the state intends to acquire by means of the competitive sealed proposal procedure, similar to the Invitation for Bid procurement process; however, instead of competitive sealed bids, a negotiation phase is included and a best and final offer is permitted.

Specific guidelines concerning documentation, procedures, and handling requirements for using the competitive sealed proposal procedures are addressed in the TPASS [Contract Management Guide](#). Texas Government Code §§ [2156.121 - 2156.125](#), [2157.121 - 2157.125](#) and the TPASS Contract Management Guide should be reviewed before submitting an RFP to the TPASS Division.

Under most circumstances, purchases are based on competitive bids. Negotiations are not authorized when utilizing an Invitation for Bid (IFB) procurement method; however, if only one response is received, negotiations are allowed and encouraged. Negotiations of contracts are permitted and encouraged for solicitations process by an RFP.

#### **Legal Sources:**

[Texas Government Code §§2156.121-2156.125](#)

[Texas Government Code §§2157.121-2157.125](#)

[Contract Management Guide](#).