

**\*Response to Council Question Regarding the Consultant Selection Process in Conjunction with Competitive Requests for Proposals\***

The Purchasing Ordinance requires formal competitive procurements for transactions estimated to cost more than \$50,000, unless otherwise exempt. These procurements are issued through either an Invitation for Bids (IFB) or a Request for Proposals (RFP). When an IFB is utilized, a contract is awarded to the lowest responsive and responsible bidder. Alternatively, when using the RFP process, a contract is awarded to the entity that provides the best overall value to the City.

For certain RFPs, specifically those for architectural and civil engineering services, proposals must be evaluated strictly based on the demonstrated competence and qualifications of the proposers, *before* pricing can be considered (see California Government Code §4256). Once a top-rated firm is selected, then pricing is revealed to the evaluation team, and negotiations will commence. Based on a variety of factors such as the proposer's project understanding and/or level of effort assumptions, sometimes there is significant pricing variability, which cannot be the determining factor for consultant selection.

Going forward, staff will provide more information in Reports to Council on the consultant selection process to more fully describe the selected firm's demonstrated competence. Out of fairness to the firms who were not selected, only the merits of the winning proposal will be highlighted rather than emphasizing the shortcomings of the other submittals.

For more information on the consultant selection process, please contact the City's Purchasing Officer, Pete Gonda, at [pgonda@sunnyvale.ca.gov](mailto:pgonda@sunnyvale.ca.gov) or [408-730-7418](tel:408-730-7418) .