

INVITATION TO NEGOTIATE (ITN)

WHAT IS AN INVITATION TO NEGOTIATE?

An ITN is a formal competitive solicitation for the purchase of goods and/or services, where factors other than price are to be considered in the award determination. These factors may include such items as vendor experience, project plan, design features of the product(s) offered, scope of services, etc. Extensive negotiations, with a shortlist of vendors, may be part of the ITN process.

WHEN IS AN ITN USED?

An ITN may be used when the total cost of the goods and/or services exceed \$75,000.00, the award decision is not being made on lowest price alone, and the scope of work is not clearly defined. Examples of procurement needs that may fall under this format include: software purchases, acquiring consultants and design-build projects.

END-USING DEPARTMENT IS RESPONSIBLE FOR:

- Submitting a requisition for the purchase;
- Developing the specifications/requirements for the goods and/or services;
- Determining what information will need to be provided by vendor in order to evaluate the proposals;
- Developing and defining evaluation criteria to be utilized in the evaluation process;
- Developing initial timeline requirements, including possible Pre-Proposal Conference requirements;
- Developing a list of known vendors that can be reached out to by Purchasing department with notice of the ITN's availability;
- Establishing members for the Evaluation Committee.

PURCHASING IS RESPONSIBLE FOR:

- Working with end-using department to finalize evaluation criteria, proposal requirements and timeline;
- Scheduling Pre-Proposal Conference, if applicable;
- Finalizing ITN document for advertisement;
- Assisting end-using department in developing a list of known vendors that be reached out to with notice of the ITN's availability;
- Advertising solicitation, posting on website(s) and sending it to known vendors;
- Scheduling opening of ITN;
- Conducting opening all sealed proposals on scheduled Opening date.

EVALUATION REQUIREMENTS:

- The Evaluation Committee shall be comprised of a minimum of three (3) members and a maximum of seven (7) members;
- A Purchasing representative will facilitate the evaluation process;
- All Evaluation Committee meetings are public and must be posted on the Public Meetings section of the Purchasing website at least seven (7) days in advance of each meeting;
- The Committee must assign a minute taker to be present at the Evaluation Committee meeting(s) and take minutes using the appropriate meeting minutes template (available in the Forms section of the Purchasing website).

EVALUATION PROCESS:

- The Evaluation Committee reviews and evaluates the solicitation responses according to the evaluation criteria and points outlined in the ITN and develops a ranked order of vendors.
- The Committee determines a short list of vendors. Those vendors selected for the short list will continue in the evaluation process, which may involve vendor presentations, site visits, oral interviews, inspection of the vendor's facilities, additional written information, internal staff analysis and presentations, feedback from outside consultants, discussions with the vendors about their capabilities and plans for servicing FIU, and/or any other information deemed helpful to more fully evaluate the vendor.
- A Negotiation Team may negotiate with the short-listed vendors. After negotiations have been completed to the satisfaction of the Negotiation Team, or if no negotiations are held, following the initial evaluation,

the short listed companies will be given a deadline for submission of a “best and final offer” (BAFO). The negotiation process will stop upon submission of the BAFO. Vendors will not be allowed to make further adjustments to their offer or communicate further with the University, except to respond to requests for clarification from the Evaluation Committee.

- The Evaluation Committee reviews and evaluates the BAFO, solicitation response, taking into account all information gained from any site visits, vendor presentations, vendor management team interviews, inspection of the vendor’s facilities, and discussions with the vendors about their capabilities and plans for servicing FIU (as applicable) according to the evaluation criteria and points contained in the ITN, and develops a ranked order of vendors.
- The recommendation of the Evaluation Committee will be submitted to the Director of Purchasing for review and approval and to the designated decision maker for a final decision regarding award. The University Official considers the Evaluation Committee’s recommendation and determines which vendor(s) to enter into a Contract with.

AWARD AND CONTRACT PROCESS:

- If an award is made as a result of the ITN, an Intent to Award will be posted to the Purchasing website for seventy-two (72) hours once the decision maker makes the final decision;
- A Purchasing representative will prepare the final contract documents and forward them to the Office of the General Counsel for review and approval;
- A Purchasing representative will obtain the necessary signatures on the approved contract and distribute a fully executed copy of the contract to the vendor and end-using department.

ESTABLISHING AUTHORITY:

BOG 18.001

Revised 5.2.2013