

RECEIVING SOLICITATION RESPONSES

Sealed Response Packets

Procurement law mandates that solicitation responses for an IFB, RFP, or RFQ must be sealed upon receipt. Most responses are delivered through a third-party such as FedEx or UPS, and these will be sealed in the delivery box or envelope. However, especially in the case where a prospective contractor hand-delivers a response, there are times when the response documents are not sealed upon delivery.

Do **not** take receipt of an unsealed response packet. If a prospective contractor brings an unsealed response, advise him/her that he/she must first seal the package before you take possession of it. This may require the delivery person to leave with the packet, find a means to seal it (for example with tape, or in a self-sealing box or envelope) and return to complete the delivery.

It is not the responsibility of the State to provide supplies to a prospective contractor to seal their bid. In addition, the State should **not** hold a bid packet while the prospective contractor leaves to get supplies to seal the bid.

A response packet is considered “sealed” when it is secured in such a manner that access to the response documents would show evident signs of the packet being opened.

Recording the Receipt of Responses

It’s important to record the date and time that a solicitation response (commonly called a bid) is received. This provides a record of the timely-received bids, as well as those which were received late.

OSP uses a time-stamp machine and attaches the stamped, adhesive label to the sealed bid package. Other agencies may have other methods to record the date and time of receipt. Your supervisor can advise you on your agency’s method of recording the receipt of bids.

The recorded date and time of each receipt must be kept as part of the official procurement record.

Securely Storing Responses Until Bid Opening

After recording the receipt date and time, the receiver should place the response packet in a location where it will be secured from possible tampering. The solicitation number should be written on the outside of the package (as directed by the solicitation), and all responses to that solicitation should ideally be stored together. The response packets should stay secured in this location until the buyer retrieves them immediately prior to the bid opening time. This secure location can be in a locked file cabinet or a locked office or file room.

If a response packet does not have the solicitation number noted on the outside of the packet, the receiver is allowed to open the packet to identify to which solicitation the response applies. The receiver should in good faith limit the review of the contents only to ascertaining the solicitation number.

The receiver should then:

1. Write the solicitation number on the outside of the packet.
2. Make a notation on the outside of the packet that it was opened only to identify the solicitation number.
3. Securely reseal the packet and place it with the other responses for that solicitation.

Late Bids

For IFBs, RFPs, and RFQs, a response received after the specified opening date and time is considered a late submission and cannot be accepted. The receiver should **not** open the packet (unless to identify the solicitation number) and should notify the buyer of the late receipt.

The buyer must contact the prospective contractor to notify them of late delivery and advise them of the acceptable methods of returning the bid to the prospective contractor.

The prospective contractor may pick up the submission in person or provide a return shipping label or account number to cover the cost of shipping the submission packet back to the prospective contractor.

HELPFUL HINT

Even if the actual, physical bid opening has unexpectedly been delayed, bids received after the date and time specified in the solicitation document are still considered late and cannot be opened or considered for award.