



Nevada State Purchasing Division
Department of Administration
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Carson City, NV 89701
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nevadaepro.com

Evaluation committee instructions and acknowledgement

Date _____

Solicitation number _____

Single point of contact name _____

Single point of contact email _____

Soliciting agency _____

Contracting agency _____

Solicitation title _____

The Nevada State Purchasing Division (State Purchasing) of the Department of Administration has prepared these evaluation committee instructions pursuant to [NAC 333.162](#). Each member of an evaluation committee must receive a copy of these instructions. Each member of an evaluation committee shall acknowledge they received, read, and understand these instructions by signing and the final page of this document to the single point of contact listed above.

A solicitation is being conducted in accordance with formal solicitation requirements of [NRS 333](#). You have been identified as a potential evaluation committee member (evaluator). This document describes the role and responsibilities of an evaluator throughout a formal solicitation. Please review this information in detail.

Overview

Pursuant to [NRS 333](#), State Purchasing is responsible for overseeing procurement and contracting rules for State of Nevada using agencies. This solicitation will be conducted in accordance with policies and procedures of [NRS chapter 333, the State Purchasing Act](#) and [NAC chapter 333, Purchasing: State](#).

Agency staff, consultants, and/or State Purchasing develop a scope of work, contract requirements, and a written solicitation. An evaluation committee and evaluation factors with relative weights are identified and approved; and the formal solicitation is advertised and released through nevadaepro.com. Vendors submit proposals by a set date and time; and then parts of those proposals are provided to the evaluation committee. Each evaluator consistently scores each proposal received using the established evaluation factors and relative weights. Pursuant to [NRS 333.335\(6\)](#) the vendor(s) with highest scoring proposal(s) based on total scores assigned by the evaluation committee is issued a notice of intent (NOI) and offered an opportunity to negotiate a final contract.

Prospective vendors and their representatives must communicate only with the contact identified for the solicitation, and a failure to do so can result in disqualification. From before a formal solicitation is released until a contract is awarded, agency staff should not communicate directly with vendors or the public regarding any part of a solicitation. If you are contacted by a vendor, the media, or the public regarding this project, you must report that to State Purchasing. If a vendor offers you something of value you must refuse the offer and report it to your supervisor within 72 hours pursuant to [NRS 334.080](#).

Disclosure

Pursuant to [NRS 333.335\(3\)](#), no member of the committee may have a financial interest in a proposal. This requirement, along with state ethics standards in [NRS 281A](#), require that potential conflicts of interest be disclosed.

State Purchasing maintains the highest standards of professional ethics and personal integrity, and those standards are incumbent upon evaluators. No member of an evaluation committee shall engage in any action, communication or relationship that

compromises or gives the appearance of compromising their ability to reach fair and impartial decisions regarding this procurement. Evaluators must refrain from any private or professional activity that could create a conflict between personal interests and State interests.

All perceived and potential conflicts must be disclosed on this form or in a referenced attachment prior to evaluation participation. If you are unsure whether a prior, current, or future association would present a conflict, please self-disclose. State Purchasing cannot give you legal advice, but should be aware of any possible conflicts. These could include actual or perceived close friendships with individuals among the potential bidding community. You may also wish to consult the [Nevada Commission on Ethics Opinions Database](#) if you are unsure of what types of connections may represent conflicts of interest.

Confidentiality

Formal solicitations are conducted electronically through NEVADAePro, the State electronic procurement system, located at [nevadaepro.com](#). In most situations, vendor proposals and other evaluation materials are provided to evaluators electronically as well, often through a Microsoft Teams private channel or other electronic file sharing system. Regardless of the delivery method, evaluators are responsible for maintaining confidentiality during the process.

Pursuant to [NRS 333.335\(7\)](#) vendor proposals and evaluations of them are confidential until a contract has been awarded. As an evaluator, you will be provided confidential information during the evaluation process. Some information is confidential during evaluation but public after award, other information may be a trade secret or confidential business information that pursuant to [NRS 333.333](#) and confidential almost indefinitely. Maintaining confidentiality during the process includes from other officers or employees in your agency who are not themselves evaluators.

Proposal evaluation and scoring

All proposals must be consistently evaluated in accordance with evaluation factors disclosed in the solicitation. Each evaluator will score each proposal on assigned categories of evaluation factors. An evaluator may review and score an entire proposal of each vendor, or there may be subcommittees that evaluate only specific parts or portions of each proposal. It is critical that evaluators comply with scoring instructions to ensure defensible scoring and limit opportunities for unsuccessful vendors to appeal an award.

For most solicitations, qualitative evaluation factors are scored individually and quantitative factors, like cost, are score using a math formula. After scoring individually, the State generally holds one or more evaluation meetings, either in person or via video conference, where evaluators are given opportunity to discuss submitted proposals and individual evaluator scoring of each proposal. Evaluators are allowed to revise their individual scoring if discussion provided new information or changed their opinion.

Solicitations often include vendor presentations along with an additional round of scoring. Presentations, when appropriate, give vendor proposals that score within a competitive range the opportunity to present and demonstrate their solution to the evaluation committee. Presentations have separate evaluation factors and weights assigned to them, and evaluator score for presentations are added to written proposal scoring for determining the highest scoring vendor or vendors. The scoring methodology will be provided with the evaluation criteria and relative weights and other solicitation specific information prior to scoring.

Evaluators must approach their part in an evaluation as if they will have to defend their decision in court, and in some ways being on the evaluation committee is much like being a jury member. Decisions cannot be arbitrary. Written explanation of scores must be provided upon request of State Purchasing; these may be used for reference during post award discussions and may be subject to disclosure in an appeal or lawsuit. Should individual scores be revised, justification for the change must be documented. When score sheets are submitted by evaluators, they are maintained by the soliciting agency and deemed public record under [NRS Chapter 239](#).

Notice of intent and negotiations

After evaluation scoring is complete, the next step is issuing a notice of intent (NOI) and negotiating with the intended vendor(s). For most solicitations, evaluators are not directly involved in vendor negotiations. Information from a competing proposal cannot be used in negotiations with an intended vendor. In the event good faith negotiations are unsuccessful, the State may rescind an NOI, issue a new NOI to the next highest scoring proposal. This continues until a contract is successfully negotiated, no qualified proposals remain, or the State withdraws the solicitation.

