

Request for Proposal (RFP) and Request for Information (RFI) Development Timeline for Land Mobile Radio (LMR) Subscriber Units Procurement

**Joint SAFECOM and National Council of Statewide
Interoperability Coordinators (NCSWIC)
Technology Policy Committee**

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Introduction

Overseeing and writing a Request for Proposal (RFP) or Request for Information (RFI) can be complex and challenging, especially for those unfamiliar with the RFP/RFI process or with Land Mobile Radio (LMR) subscriber units. This document clarifies the process by identifying and explaining essential RFP and RFI phases for public safety agencies and entities looking to procure LMR subscriber units. Using feedback gathered from public safety officials within SAFECOM and the National Council of Statewide Interoperability Coordinators (NCSWIC), this document outlines elements of a typical RFP and/or RFI and captures important factors, constraints, and decisions that impact the RFP development process.

While this document presents a general overview of the RFP and RFI process, it does not replace existing RFP policies or statutes, nor does it attempt to solve all issues associated with RFP development. Agencies and entities at the state, local, tribal, territorial, or regional levels should use this resource alongside governing procurement policies and other available resources.

Terms and Definitions

Terms	
Procurement	The business process of obtaining new capabilities, such as purchasing new equipment
Proposal	A written offer or bid produced by the manufacturer/vendor in response to a RFP; the proposal includes pricing information and requirements details
Requirements	Technical preferences, standards, or mandatory requirements
Subscriber Units	LMR end-user devices, including portable and mobile radios
Vendors / Manufacturers	The companies that engineer, produce, and/or sell equipment to public safety communications users
Request for Proposal	Document that outlines the capabilities, services, or technologies a government agency or entity is seeking to procure
Request for Information	Document that solicits information from vendors/manufacturers regarding existing or developing technologies or capabilities

Document Overview

Section		
RFP Development Overview	Overview of the RFP development process and key considerations prior to RFP development	<ul style="list-style-type: none"> - RFP process overview - Determining the need for an RFI - General considerations
RFP Development Timeline	More detailed walkthrough of RFP phases and considerations for RFP process steps and decision milestones	<ul style="list-style-type: none"> - RFP timeline graphic - RFP phases and key milestones - Considerations for each phase and milestone
RFI Development Timeline (Optional)	Walkthrough of the RFI process steps and decision points	<ul style="list-style-type: none"> - RFI timeline graphic - RFI development and release recommendations - RFI timeline considerations

RFP Best Practices Toolkit

This document is the third part of the SAFECOM-NCSWIC Joint Technology Policy Committee's *RFP Best Practices for LMR Subscriber Units Procurement Toolkit*, which was developed to assist users in procuring subscriber units. For more information on subscriber units and RFP best practices, other documents in the toolkit can be found at: <https://www.dhs.gov/technology>

RFP Best Practices for LMR Subscriber Units Toolkit

RFP Best Practices for LMR Subscriber Units Procurement ("Do's and Don'ts")

Describes subscriber units RFP best practices, including lists of "Do's" and "Don'ts"

RFP and RFI Development Timeline for LMR Subscriber Units Procurement

Outlines the timeline and significant steps in the process of developing an RFP or RFI

Describes the various roles within RFP and RFI development, along with associated responsibilities

Provides sample content structure and language, along with a list of general user resources, for developing subscriber unit RFPs and RFIs

RFP Development Overview

This section explores all phases of RFP development, beginning with the first conversations about the need for new subscriber units and ending with equipment implementation. Overall, the complete RFP process should be expected to take anywhere between 9 months to 3 years to complete. Budget cycles, grants, and other factors will likely impact the length of time to develop and release an RFP, as well as collect and evaluate responses and award a contract.

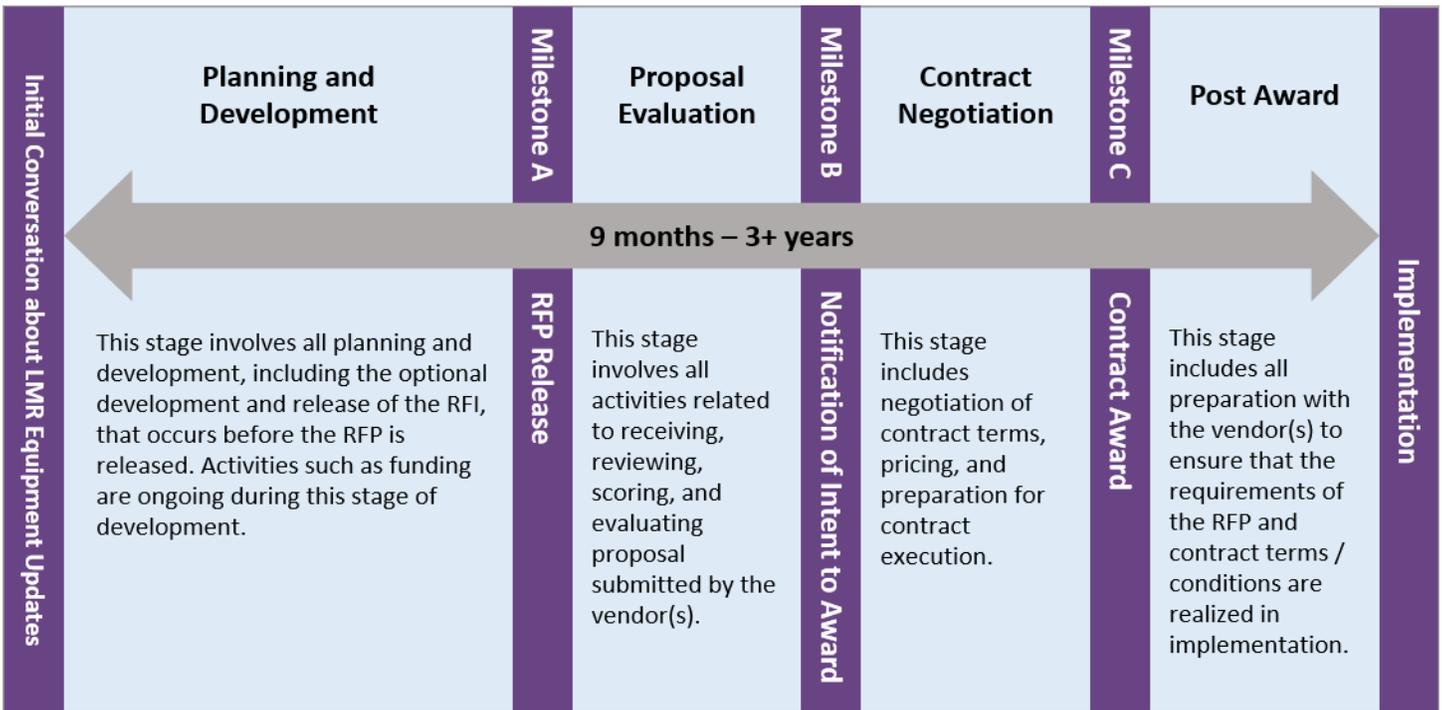


Figure 1 - RFP HIGH-LEVEL TIMELINE STAGES AND DECISION POINT MILESTONES

Procurement Phases

Figure 1 shows the phases of RFP development. Each phase involves distinct activities (see Figure 2) that prepare the RFP developers for the Decision Point Milestones. Although each phase can be broken into smaller decision points, for the sake of adaptability and simplicity, the phases are intentionally presented broadly. Additionally, the RFI – though a phase in itself – is treated separately, given it is not a required step for all subscriber unit procurements (see Figure 3). Also, agencies and entities should note that governing procurement policies may place priority on certain phases of development which alter the sequence of the timeline.

Determining Need for an RFI

The Planning and Development phase may include developing and releasing an RFI. While it may be recommended to issue an RFI, this is an optional step that is not needed in all situations.

What is a Request for Information (RFI)?

- A segment of the standard procurement process whose purpose is to collect written information about the capabilities of various manufacturers – a “see what’s out there” approach to understanding available technologies and associated costs
- A document outlining what an agency or entity wants to accomplish/the technical needs to be met by acquiring new capabilities or equipment, and requests information from vendors concerning those needs
- A tool used during a solicitation to identify a base of potential vendors
- An opportunity to ask vendors questions about capabilities prior to RFP release, proposal review, and contract award/negotiation

When approaching the need to procure new equipment, agencies and entities sometimes have various challenges or questions that an RFI could fitfully address. Some of these include, but are not limited to, the following:

- The agency or entity lacks knowledge or awareness of existing or developing technologies, capabilities, or services, and how those capabilities will meet the agency's or entity's needs
- The range of potential vendors is unknown

- The agency or entity is unable to accurately estimate the costs of replacing, updating, or purchasing additional subscriber units
- The operability or interoperability of various subscriber units is a concern to the agency or entity, and the agency or entity desires to understand how different features and functions across vendors may work in the field or how vendors could address those needs
- The decision makers need more information to justify proceeding with an RFP
- The agency has general questions for vendors that require open conversations between the parties (during certain phases of the RFP process, communications between agencies/entities and vendors may be restricted)

If an RFI is needed, please see the section "RFI Development Timeline" for more details on the RFI process.

General RFP Considerations

Before initiating the RFP planning process, users should be aware of various user-identified considerations that impact the RFP and RFI processes.

System vs. Subscriber Unit Only Procurement

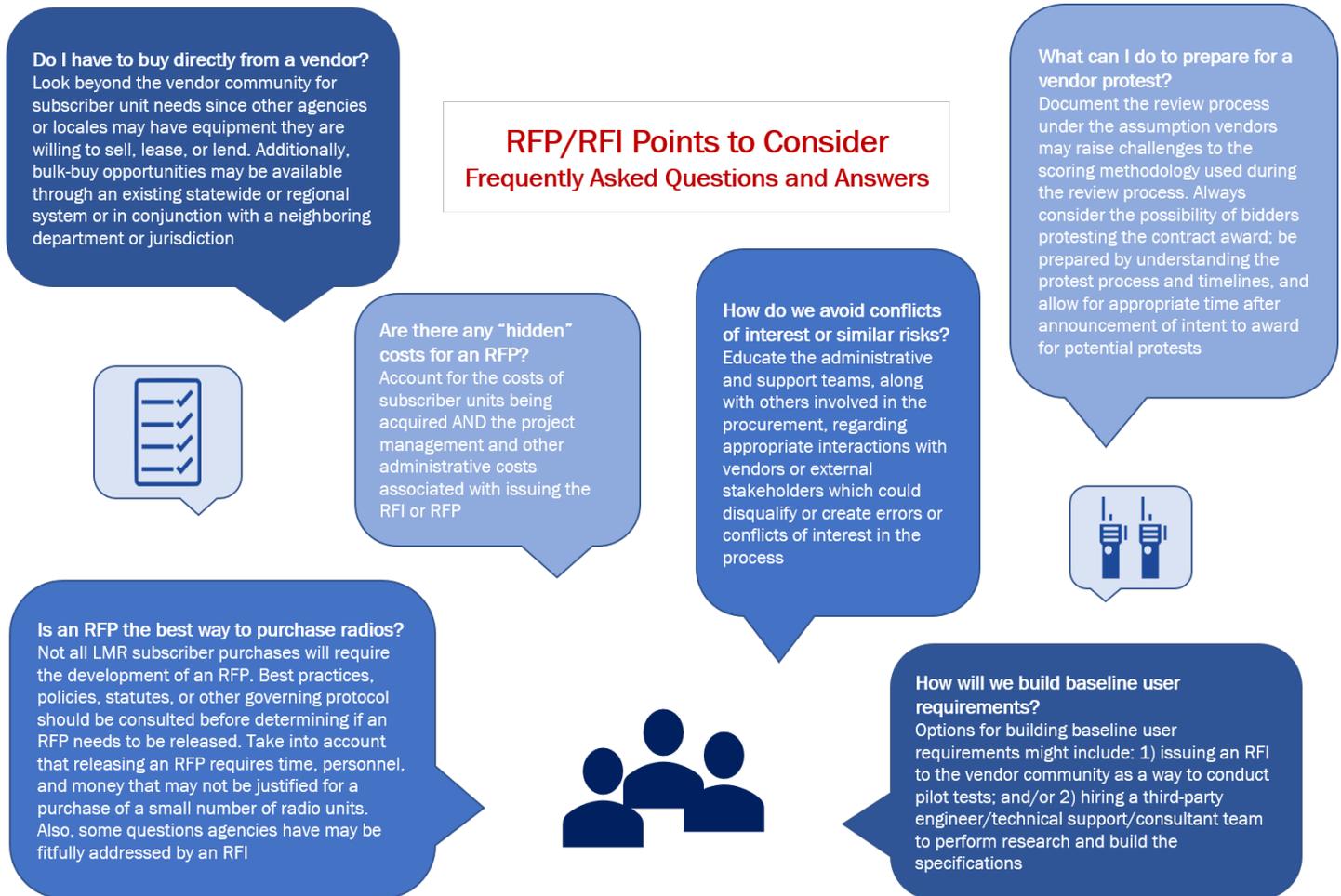
Many agencies or entities choose to include subscriber unit procurement as part of a system procurement or implementation, while other agencies or entities choose to keep subscriber unit procurement separate from system procurement. Also, most contracts include Maintenance and Replacement clauses which allow for individual subscriber units to be obtained or replaced through the currently contracted vendor. Agencies and entities should consult such contract terms before deciding to issue an RFI or RFP.

Legal, Statutory, and Ethical Compliance

During the procurement process, users should be mindful of all legal, statutory, or ethical requirements. Project managers should consider the following activities throughout the process:

- Consult an attorney or agency legal counsel during the process to ensure that legal compliance and statutory deadlines (as applicable) are being met
- Keep record of any documentation received from vendors
- Document the decision-making process, including scoring and evaluation
- Follow all existing federal, state, or agency-specific procurement policies and procedures
- Be aware of appropriate times to communicate with vendors

Additional User-Provided Considerations



Adaptation and Generalization

Although this RFP timeline guide is intended to reach a broad community of users, agencies and entities should recognize that not all steps or actions discussed in this document apply to agencies at every level. Factors such as size of the agency or entity, user needs, budget, laws, existing subscriber unit or system vendors, and geopolitical circumstances impact the RFP process significantly, and as a result produce a wide range of variation among agencies and entities. This document also does not address every user need regarding subscriber units or subscriber unit procurement and should not be seen as comprehensive. Consulting subject matter experts (SMEs), experienced users, or lawyers will be critical in identifying key issues that affect the RFP process for individual agencies or entities. Agencies and entities should be willing to adapt the RFP timeline presented in this document in accordance with their needs.

RFP Development Timeline

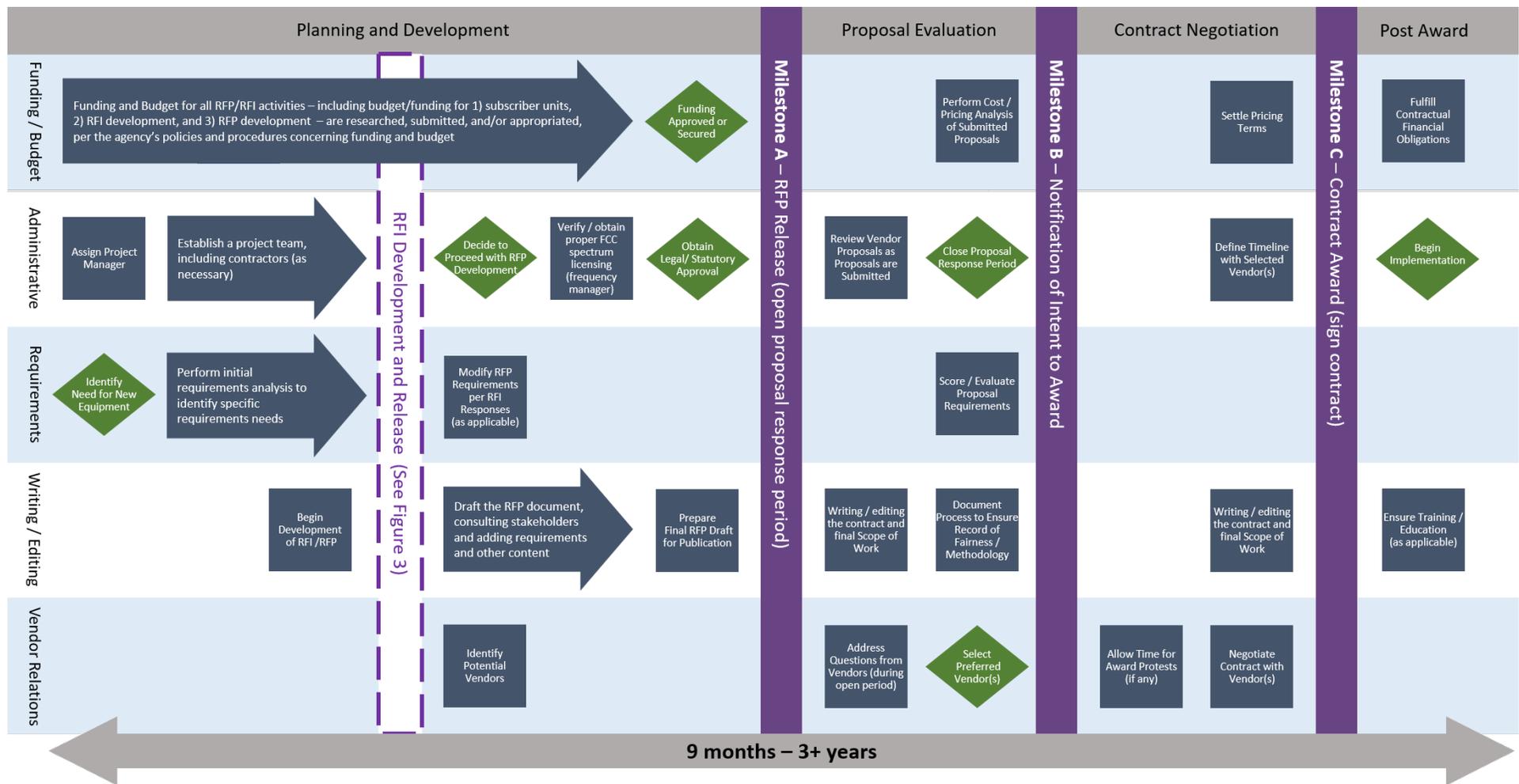


Figure 2 - RFP DEVELOPMENT TIMELINE DECISION POINT MILESTONES BY ACTIVITY

RFP Phases and Decision Point Milestones

For the purpose of organizing major events in the RFP process, groups of activities are delineated into "RFP phases" and "RFP milestones" and assigned to highlight when all ongoing activities need to be completed in order to move along in the process (see "Ongoing Activities" below). These ongoing activities typically progress simultaneously – and sometimes independent of each other – but must come together by the following milestones:

- Milestone A: RFP Release
- Milestone B: Notification of Intent to Award
- Milestone C: Contract Award

Ongoing Activities

Several ongoing activities occur concurrently or span the entire RFP and/or RFI development process. Although some activities must occur before others may begin, oftentimes the processes vary between agencies and entities, and the timelines for different activities may be flexible according to the operational, political, or regulatory environment (e.g., budget may need to be appropriated).

As agencies or entities progress from Planning and Development into later phases of the RFP and RFI processes, they should be aware that multiple processes may be occurring at the same time. It is recommended the procuring agency appoint a project manager to oversee the development process and ensure all applicable tasks are completed in their entirety and in accordance with the established RFP development schedule.

Phase 1: Planning and Development

In this phase, all preparations and decision points prior to issuing the RFP are executed. This includes developing and releasing an RFI (as applicable), and writing the RFP document.

Key Developments	
Funding and Budget	<ul style="list-style-type: none"> • Establish initial budget for RFP development and team • Develop a budget for the RFP and for projected subscriber unit costs • Identify possible funding sources for subscriber unit procurement (e.g., grants, budgetary allocation)

Key Developments	
	<ul style="list-style-type: none"> • Prepare initial forecasts for funding needs • Determine actual funding source(s) • Approve funding source selection
Project Administration	<ul style="list-style-type: none"> • Identify the project champion/executive sponsor • Assign project manager • Identify RFI/RFP team, including contractor support • Engage stakeholders, including potential vendors • Consult existing subscriber unit or system contracts to see if Maintenance and Replacement clause(s) of those contracts allow for purchase of new subscriber units • Verify or obtain (through the frequency manager or designated personnel) proper spectrum band licensing from the Federal Communications Commission (FCC), noting that licensing will take 90 to 120 days, at minimum
Requirements Development	<ul style="list-style-type: none"> • Identify need for new equipment • Determine need to issue RFI for requirements gathering • Develop RFI per base user requirements (as applicable) • Consider sponsoring an RFI “industry day” • Release RFI (as applicable) • Develop baseline user requirements • Identify spectrum management considerations by ensuring radio units can manage spectrum usage to support operable/interoperable communications in a mutual aid situation • Solicit vendor test equipment for end user testing evaluation • Consult relevant standards (e.g., P25, Telecommunications Industry Association (TIA), state code)
Writing, Editing, and Recording	<ul style="list-style-type: none"> • Draft RFP per RFI responses (as applicable) • Develop evaluation/scoring criteria and detailed requirements • Prepare RFP written document for release

Key Developments

Vendor Relations

- Identify potential vendors—perform research, if necessary, to list available manufacturers
- Consider sponsoring an “industry day” (optional)
- Appoint a point of contact for vendors, either from the procurement team or the agency (or both, if applicable)

Time Range

The Planning and Development phase of the RFP timeline has a broad range of timeframes for each piece of development. The size of an agency/entity, quantity and scope of the subscriber units being procured, relevant procurement policies, budget or funding procedures, and quantity and expertise of available personnel contribute to the time it takes to plan and release an RFP.

Involving Third-Party Support

Agencies and entities may need to hire contractors to support RFP development efforts. The following guidelines can help with the decision to evaluate and hire secondary/external support:

- Agency or entity does not have necessary expertise
- Process would be slowed significantly due to low number of available and qualified staff
- Contracted personnel would be more cost-effective than using in-house expertise

Grants and Other Government Funding

Agencies and entities should research opportunities for utilizing federal or state grant funding:

- Federal or state grants may be available to agencies and entities for LMR systems
- Some grants contain rules which may restrict an agency's or entity's ability to implement subscriber units or interoperate across adjacent systems, agencies, or entities
- Grants will include timeframe provisions, meaning that funds may need to be used within a certain timeframe or by a certain date
- Grants may also contain documentation requirements as prerequisites for submitting the grant application.

Budget Categories and Costs Planning

When considering the expense of procurement, three categories (only two categories, if not releasing an RFI) of budgets should be considered:

1. Costs associated with developing, writing, releasing, and evaluating the RFP
2. Costs associated with developing and releasing the RFI
3. Budget associated with the actual procurement of the subscriber units (i.e., the cost of the subscriber units)

The differences between the three budget categories and the costs associated with the various activities (namely, the RFP, RFI, and procurement costs) should be considered from both a budgeting and administrative perspective when initiating the RFP process.

Writing the RFP

The RFP document should follow an organized and consistent style and format. Legal counsel and/or procurement officers or department should be sought to formalize any language which has statutory or compliance mandates. Multiple versions of the RFP may be drafted before the final RFP document is published and sent to vendors.

P25 Standards for Subscriber Units

To maintain compliance with industry standards for interoperability, agencies and entities are encouraged to consult the Project 25 (P25) standards (<http://www.project25.org/index.php>) during requirements development.

Milestone A: RFP Release

At Milestone A, the RFP document is published and sent to the vendors. The period to receive proposals from vendors is opened. Below is a checklist of items that must be completed to reach Milestone A.

Milestone A Checklist	
<input type="checkbox"/>	Funding secured and approved for RFP development and release
<input type="checkbox"/>	Funding approved for subscriber units

<input type="checkbox"/>	All technical requirements recorded
<input type="checkbox"/>	RFP document drafted, edited, and approved for publication

Phase 2: Proposal Evaluation

The Proposal Evaluation phase involves receiving and evaluating vendor proposals.

Note: The Phase 2 and Phase 3 sections do not seek to guide users as to how vendor selection is conducted, or to be all-inclusive to the decision-making process. Rather, these and subsequent sections outline key steps in the phases of proposal evaluation, vendor selection, and contract execution as pertaining to the procurement of subscriber units. This is done to demonstrate that the work of the agency/entity and procurement team is not completed at RFP release, but happens in stages prior to release.

Key Developments

- Period to receive proposals from vendors is OPENED
- Questions from vendors during the open period have been addressed (see "Talking to Vendors" section below)
- Period to received proposals from vendors is CLOSED
- Vendors may not be allowed to communicate with the agency until Notification of Intent to Award (see "Talking to Vendors" section below)
- Evaluate and/or score the vendor proposals (only those received during the open response period) using predetermined methodology/criteria
- Record the analysis and conclusions
- Publish announcement of record and intent to award

Talking to Vendors

Due to the unique legal and political environment of each agency or entity, the rules regarding interfacing with vendors after the RFP is released can vary significantly. Although this document does not intend to answer all procurement-related vendor relations questions, this section addresses several common practices that the user community identified. Agencies/entities may employ one or more of these practices, according to governing procurement policies.

- *Contact with Procurement Officer Only** — Many agencies/entities align with or designate a procurement officer (who typically operates outside of the agency and the requirements team) who remains the sole point of contact (POC) after the RFP is released. All vendor RFP-related questions would be sent directly to the procurement officer. No communications would be permitted between the other members of the agency/entity and the vendor.
- *"Cone of Silence"** — Procurement specialists often refer to the period of no contact between agencies and vendors as the "cone of silence." This period begins at different stages of the RFP process, depending on procurement policy. However, agencies should be aware that a "cone of silence" should exist in the procurement process at some point in time after the RFP is released and the contract is awarded.
- *Written Questions and Responses Only* — Many agencies/entities only allow agency-vendor communications after RFP Release and before Notification of Intent to Award to be in writing. The procurement team or agency will only accept written questions and will send all question responses to all vendors.
- *RFP Amendment* — Along with the Written Questions and Responses Only approach, agencies will publish all responses to vendor questions in the form of an RFP addenda, appendix, amendment, or notification. This documentation will then be sent to all vendors to whom the RFP was released, not just to the agency who requested additional information.
- *Pre-Proposal Conference* — Pre-proposal conferences give all interested vendors an opportunity to meet with agencies or the procurement teams altogether in one place at the same time. Any questions regarding RFP language, conditions, or requirements can then be addressed. Results from the pre-proposal conference can be published and sent to vendors as an RFP amendment.

* **Note:** Be aware that some exceptions may apply; consult procurement policy in these instances.

Milestone B: Notification of Intent to Award

At Milestone B, the vendors are notified that the proposal evaluation period has resulted in a selection of a vendor(s). A contract is *not* signed at this time. Below is a checklist of items that must be completed to reach Milestone B.

Milestone B Checklist	
<input type="checkbox"/>	Period for receiving proposals has been opened and closed
<input type="checkbox"/>	Proposals have been reviewed and evaluated and/or scored
<input type="checkbox"/>	Pricing/cost analysis has been completed
<input type="checkbox"/>	Vendor(s) has been selected
<input type="checkbox"/>	Language for Notification of Intent to Award has been drafted and sent to the winning vendor

Phase 3: Contract Negotiation

The Contract Negotiation phase involves finalizing the terms and language of the acquisition contract.

Key Developments
<ul style="list-style-type: none"> • Allow time for possible award protests from vendors • Negotiate the terms, conditions, and prices of the contract • Have a legal team review the contract language and terms • Document the negotiation process in anticipation of award protests • Finalize and sign the contract

Award Protests

When negotiating and executing a contract, keep in mind that vendors may contest the outcome of the agency's vendor selection. Contracts that are larger in scale (e.g., high number of subscriber units, high costs, long term) are particularly vulnerable to award protests. When writing the RFP, agencies and entities

may want to include details about award protest protocol and timelines. When evaluating and scoring vendor proposals, agencies and entities should ensure compliance to all ethical standards and best practices, as well as document any decision points or methodology relevant to vendor selection. Protest protocols are typically defined by procurement policies and are usually required to include in the RFP.

Milestone C: Award Contract

At Milestone C, the agency and the selected vendor(s) enter into a contract. The contract is signed at this time. Below is a checklist of items that must be completed to reach Milestone C.

Milestone C Checklist	
<input type="checkbox"/>	Contract terms and conditions negotiated, documented, and made clear and final
<input type="checkbox"/>	Budget/costs properly appropriated or defined
<input type="checkbox"/>	Timeline for implementation established
<input type="checkbox"/>	Contract signed

Phase 4: Post Award and Implementation

The Post Award and Implementation phase involves steps defined in the contract required to progress from signing the contract to implementing the new subscriber units in the field.

Key Developments
<ul style="list-style-type: none"> Factor in amount of time to train or educate field operators (as necessary) Implement the new equipment in the system

RFI Development Timeline

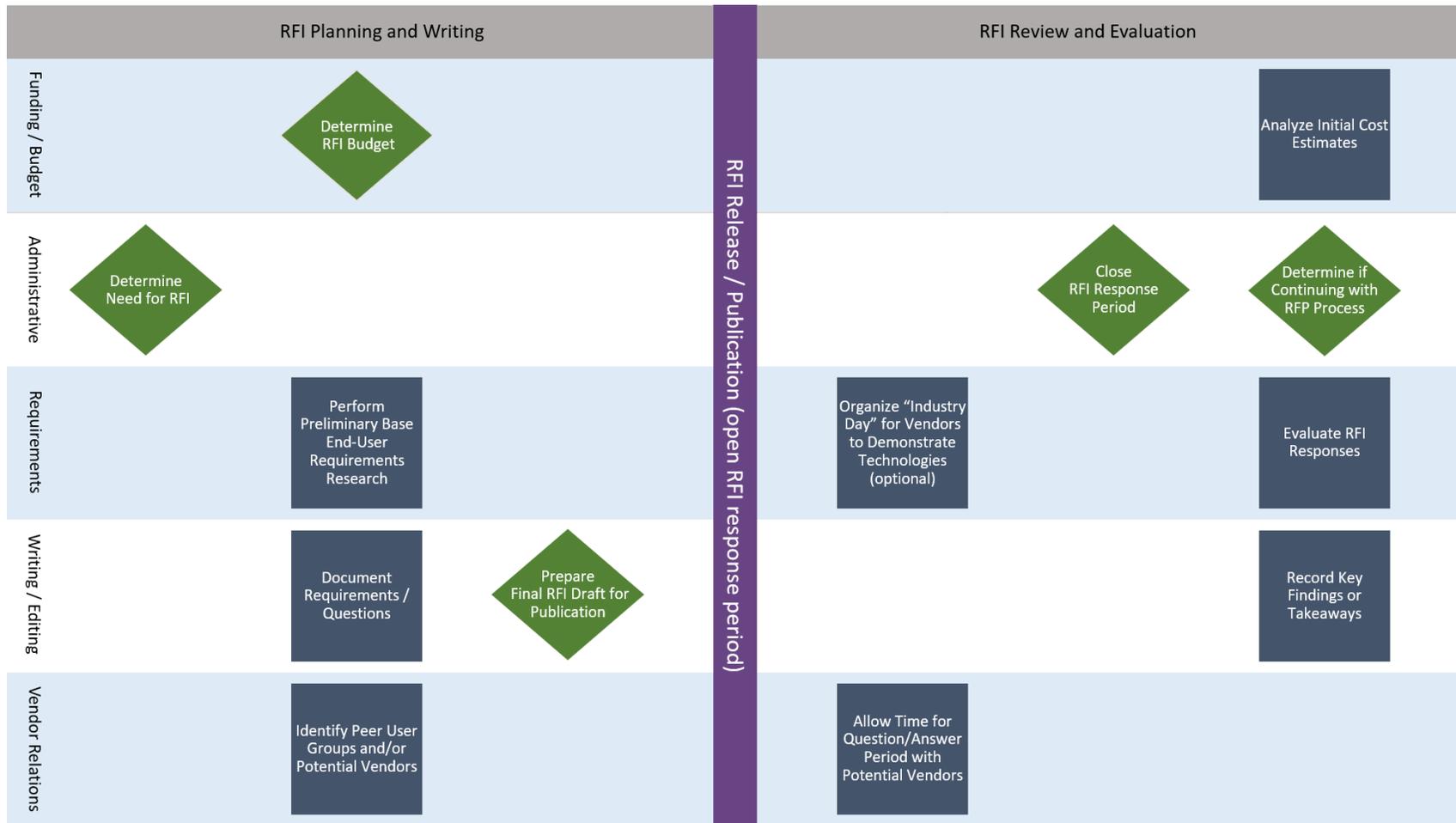


Figure 3 - RFI DEVELOPMENT TIMELINE

RFI Development and Release

Preparing and Releasing the RFI

- Describe the high-level needs of the subscribers, including known requirements
- Determine the timeframe/deadline of question and answer period
- Consider known range of vendors as well as adjacent/similar agencies or entities which may have similar needs or requirements
- Release the RFI to the vendor/subscriber unit user community

Note: Many of the principles included in RFP development are also applicable to RFI preparation

Key Developments for RFI release

- Perform preliminary base end-user requirements research
- Determine need to issue RFI
- Identify potential vendors/other users
- Release RFI to vendor community
- Allow time for question/answer period with potential vendors
- Organize an “industry day” for vendors to demonstrate technologies (optional)
- Close response period and evaluate RFI responses
- Modify RFP language per RFI responses

Reviewing RFI Submissions

- Track information gathered from RFI responses for future reference (e.g., build an information database)
- Transfer useful information, terms, or requirements to the RFP under development
- As necessary, ask vendors follow-up questions

Timeline

User input suggests that the preparation, release, and response period for an RFI can be executed in a few weeks, depending on the flexibility of resources and governing policies of the agency. Given that the RFI is an exploratory phase for the agency, project overseers should not expect to spend too much time or resources on developing an RFI, especially if the agencies or entities know what types of capabilities will be addressed in the RFP.