

The Request for Proposals Template

PW&S has developed standard RFP templates to accommodate a wide range of projects, usually of significant value, complexity and risk. The terms and conditions included in these templates reflect the common law of contracts as it applies to an RFP.

The templates are colour-coded to allow departments choices and options when completing them.

What Templates are Available

There are three standard template documents that provides a unified structure for the development of Requests for Proposals:

1. General Services – janitorial, banking, insurance
2. Consultant Services – business studies,
3. Architectural & Engineering Services – construction design services.

These templates are available in Microsoft Word 97 format at:

http://intranet.pws.gov.nt.ca/EContracts/Home_Page.asp

Why Use a Template

It is important to remember that an RFP process normally results in the establishment of Contract A (bid contract) between the GNWT and any proponent who submits a compliant proposal, and that the RFP document define the terms and conditions for the bid contract. The extent of information required by the current RFP templates is necessary to clearly define and limit obligations of the GNWT and define the obligations of any proponent.

Although RFP templates may appear long and technical, they are not difficult to complete. The challenge is to develop an RFP document that clearly defines the departmental requirements while

ensuring that the effort to respond is not too costly in comparison to the value of the contracting opportunity.

What Can Go Wrong

If a proponent challenges the legality of an RFP process, the government must rely on the terms and conditions built into the RFP template as part of the response the proponent. Therefore, changing the wording in these templates may remove some of the protective language developed by Legal Division, and create risks and potential liability to government. If departments believe that something in the templates is not applicable to their project, advice should be sought from Legal Division before changes are made.

In addition, departments should avoid taking any actions or making any decisions during an RFP process that could be construed as providing an unfair advantage to any proponent, as legal proceedings could result.

If the evaluation process is not followed, the department responsible may find itself being challenged by unsuccessful proponents.