



Sample Proposal Language

1.1 Bidder's Form of Response to (Insert Agency) RFP _____

The RFP documents are provided in native or PDF formats. More detail is available in Section _____ of this RFP. Each Bidder must respond to the RFP documents in accordance with the procedures and format set forth below. Failure to follow the procedures or respond in the format below may disqualify Bidder.

Do not create or send redlined documents. (Insert Agency) will only review issues raised in the Issues List. Do not send "replacement" paragraphs, as such response will not meet the requirements of this section. (Insert Agency) will not read or consider any response other than that set forth below.

1.2 Issues List (Mandatory)

Bidder's issues, concerns, exceptions or objections to any of the terms or conditions contained in the documents must be documented in an Issues List. The Issues List prepared by Bidder must set out by section or paragraph a description of each issue, concern, exception, and/or objection. **Response: Issues List**, sets forth the Issues List template to be used for the response.

If a Bidder objects to a particular term or condition, the Bidder will need to describe (in business terms and not in proposed contract or legal language) Bidder's concern and compromise terms Bidder is willing to accept. The Issues List must provide the reason or rationale supporting the item of concern and/or business counterproposal. Simply stating that a paragraph is "not acceptable" or supplying Bidder's proposed contract terms without describing (in business language) Bidder's reason or rationale will not be accepted. If Bidder does not identify specific concerns with a particular term or condition, the term or condition will be deemed accepted by Bidder, and (insert Agency) will not negotiate further changes to the term or condition. **Response: Issues List**, includes an example that illustrates an acceptable form of response for the Issues List. The Issues List provided to (insert Agency) must be attached to Bidder's Proposal in an unrestricted, editable Microsoft Word format.

(Insert Agency) reserves the right to discuss the Issues List with the Bidders and require Bidders to clarify and supplement the Issues List(s) starting in Evaluation **Stage 2** and anytime thereafter. Any changes to the Issues List will require Bidder to clarify, revise and resubmit the Issues List.

1.2.1 Redlined Responses

Redlined Documents Will Not Be Reviewed – Do not provide in the response, in the Issues List or otherwise, a redlined contract, paragraph or clauses. Redlined text would require (insert Agency) to make potentially inaccurate assumptions about the Bidder's specific issues or concerns. Redlined text will not be reviewed by (insert Agency).



CM 401 Bidder Issues List

1.2.2 Bidder's Standard Contract or Proposed Language

No Standard Bidder Form Contracts – Do not provide a copy of Bidder's standard contract or proposed language to (insert Agency). As stated above, (insert Agency) requires its own form of RFP documents in negotiations with final Bidder(s). Bidders' standard contract will not be reviewed by (insert Agency).

1.2.3 No Substantial Changes to Material Terms

Bidders are reminded that this is a competitive solicitation for _____ and that (insert Agency) cannot accept a Proposal or enter into a Contract that substantially changes the material terms and specifications published in this RFP.

1.2.4 Uses of the Issues List

The Issues List will be used initially to determine the responsiveness of the Proposal. Proposals that are contingent upon (insert Agency) making substantial changes to material terms and specifications published in the RFP will be determined to be non-responsive. (insert Agency) will consider the nature of the items on the Bidder's Issue List in determining the likelihood of completing a contract with the Bidder. Unresolved issues regarding the material business terms of the contract and documents may affect (insert Agency)'s selection of Bidders to advance to the next stage of the procurement.



CM 401 Bidder Issues List

Response: Issues List

Below is an example of an acceptable response for the Issues List.

Item	Reference Document & Section #	Issue	Bidder Proposed Solution/Rationale
1	Technology Agreement, Section 15.11	Governing Law – Washington	Bidder proposes using California law as the applicable state law. Rationale – California is the location of the Bidder’s headquarters.

Reasons why response is acceptable:

- The proposed solution and rationale explain the issue and why the proposed Section 15.11 is not acceptable.
- There is no redlining.
- There is no replacement paragraph provided.

Use the following template to provide Bidder's response to **Section** _____ of the RFP. Add additional rows as needed.

Item	Reference Document & Section #	Issue	Bidder Proposed Solution/Rationale
1			
2			
3			
4			
5			
6			
7			