

# Lake Point City Council Special Work Session Meeting Minutes

Date: Wednesday, Oct. 16, 2024

Place: Lake Point Fire Station 1528 Sunset Rd Lake Point, UT 84074

Time: 6:00 PM

1. **Call to Order-** 6:00 pm
2. **Prayer-** Kathleen VonHatten
3. **Pledge of Allegiance-** Jamie Olson
4. **Presiding Officer-** Kirk Pearson
5. **Attendance Roll Call-**

Lake Point Council & Staff (C=Council)	Public	Public
Ryan Zumwalt (Chair) over the phone	Cherilyn Hess	
Kirk Pearson (Vice Chair)	Doyle Garrard	
Jonathan Garrard (C.) arrived at 6:05 pm		
Kathleen VonHatten (C.)		
Alexis Wheeler (C.)		
Jamie Olson (RCDR)		
Joel Whitehorse (Attorney) arrived at 6:08 pm		

6. **Public Comment-**
  - A. No public Comment
7. **Reports/Presentations** (2:09 recording)
  - A. Procurement Training from the State of Utah Division of Purchasing and General Services
    - i) (Cherilyn Hess) introduced herself and her experience
    - ii) She will be going over state purchasing codes and rules. Council asked questions and discussed certain topics throughout the training.
    - iii) Request for Proposal (RFP)
      - 1) Whatever you say you're going to do in an RFP, you do it.
      - 2) Components for an RFP (10:50 recording)
      - 3) Writing an RFP (15:30 recording)
      - 4) Possible but Common Phases of an RFP that Vendors' proposals will move through and are required to meet certain thresholds to move to the next phase.
        - (a) Minimum Mandatory Requirements (Objective Criteria). Here are some possible requirements.
          - (i) Location requirement
          - (ii) Proposal submitted required
          - (iii) Licensed
          - (iv) Minimum Qualification
        - (b) Technical Criteria (Subjective Criteria)
        - (c) Interviews (29:49 recording)
          - (i) If the interview is part of the Technical Criteria Phase the committee can only ask clarifying questions that are part of the RFP without getting new information.
          - (ii) If it is its own phase, it allows you to ask all sorts of questions

- (iii) Recommends the same time allowance and questions to all vendors. You can still ask other questions that might come up, but laying out questions before hand is helpful for vendors.
  - (iv) Recommends asking vendors for no marketing information in the interview, just answer questions.
  - (v) If the committee are not sure if they want an interview phase or might want to cancel the interview phase, the RFP needs to state that.
  - (vi) If an evaluation committee does not show up or is late to an interview, they are no longer able to be on the evaluation committee
- 5) Score Sheets (37:50 recording)
  - (a) (Cherilyn) explained an example of a score sheet and how points are awarded and calculated or can be calculated.
  - (b) She explained what the Procurement Official and Evaluation Team/Committee and what each do in these sheets
- 6) Reasons for canceling an RFP before it is awarded but after it has been opened (47:38 recording)
- 7) Asking Clarifying questions (55:37 recording)
  - (a) Never send vendors to the Cost Phase unless they are comfortable writing a contract to, because they can win the Bid in the Cost Phase.
  - (b) You can ask the same clarification question to all vendors. Suggested to do this in the Interview Phase (if there is an interview phase) rather than the Technical Phase.
- 8) References discussed (59:20 recording)
  - (a) All evaluation members need to be in attendance for a reference call
  - (b) If an evaluation committee does not show up or is late to a reference call, they are no longer able to be on the evaluation committee and their points will not count.
  - (c) If you talk to references, you need to talk to the same number of references for each vendor.
  - (d) Reference surveys can be done. For example, ask for 5 references and the first two that respond to the survey, will be passed on to the evaluation committee. If you only ask for 2 references and you're taking only two, then the process cannot continue until you have the 2 responses from each vendor in the phase.
  - (e) References could be its own phase.
- 9) As the Committee is evaluating the proposals are not blind, the evaluation committee is aware of what company's proposal they are evaluating.
- 10) The scores of the evaluation committee are totaled and averaged to get the end evaluation score (1:09:35 recording)
- 11) The Evaluation Committee should acknowledge their scores are final. After that, they will not be changed.
- 12) Specific Vendors can be invited to submit a proposal for an RFP. They cannot be given addition information.
- 13) Communicating to Vendors while a bid is open (1:13:40 recording)
  - (a) The Procurement Official communicated with the Vendors, but can not give more information than what is publicly posted.
  - (b) Vendors need to know if a question has been asked and the answer that was given.
  - (c) If there are questions the Procurement Official does not know, the questions can be given to the Evaluation Committee, but should not list who asked the question, so there is no bias. Then, post the answers to all
- 14) Evaluation Committee (1:17:04 recording)
  - (a) There needs to be at least three people appointed to the evaluation committee.
  - (b) If the Council is the committee, they can discuss their thoughts on proposals in a public meeting (since it is the Council). Once they acknowledge their scores are final in the meeting, the scores are unchangeable. The Procurement Official can then

- release the evaluation scores and the cost scores, to see who is awarded the contract.
- (c) If the Chair is the Procurement Official/Officer then they cannot be on the Evaluation Committee. The Chair can designate someone else to the Procurement Official.
- (d) The Procurement Official is to be biased and never voice their opinion.
- (e) Formulas for calculating scores need to be included in the RFP.
- 15) Conflict of interests (1:30:00 recording)
  - (a) A conflict of interest should be done individually for those on the evaluation committee for each RFP.
  - (b) If there is a conflict of interest, the person is not allowed to be on the evaluation committee.
- 16) Closed Session possibilities (1:33:40 recording)
- 17) Negotiating costs in an RFP is not allowed. (1:41:00 recording)
- iv) Bids (1:44:40 recording)
  - 1) There are mandatory Minimums, and then it is on cost, and the lowest cost is awarded the bid.
- v) Request for Qualifications (1:47:34 recording)
  - 1) Is when you are looking for the most qualified for the job.
  - 2) These are asking for qualifications like a resume.
  - 3) Once the qualifications are evaluated the evaluation committee ranks the vendors. Take your most qualified and ask them their price. If they are within your budget then you pick them. If they are over your budget, you can tell them they are and negotiate the price.
  - 4) If you reject that vendor, then move on to the next best qualified. Ask their price. If there is negotiation, the negotiation should be similar to the most qualified. You cannot accept an amount you were not willing to accept from another more qualified vendor.
- vi) State Contracts (1:54:07 recording)
  - 1) There are many state contracts that have already been through the procurement process.
- vii) If you have an engineer on contract and you want them to do work that falls under the scope of work under that solicitation, you do not need to send out a new RFP. If the engineering service you need does not fall under the scope of work then you should be sending out a solicitation.
- 8. Attorney Clarification (2:00:53 recording)**
  - A. Joel will review the slides and make comments on any of the slides that might reference state procurement rule
- 9. Public Comment**
  - A. No public Comment
- 10. Adjournment- 8:03 pm**

Note- The minutes may include a summary of what was discussed and are not intended to be verbatim. All public meetings have an audio recording, time stamps are included in the minutes to help the public find where certain topics were discussed. Please see the audio recording of this meeting for a full audio record of the meeting.

Note- Additional information concerning meetings including agendas, minutes, recordings, written/typed public comment, other distributed materials, ordinances, resolutions, public notices, and how to sign up for notifications on the Public Notification Website, can be found at <https://lakepoint.gov> under Departments-Recorder.

**PASSED AND APPROVED** but the Council this 13<sup>th</sup> day of November, 2024



Ryan Zumwalt, Chair

**ATTEST:**



Jamie Olson, City Recorder

