



ARIZONA DEPARTMENT OF ADMINISTRATION
STATE PROCUREMENT OFFICE

TECHNICAL BULLETIN No. 043

TITLE **Inquiries and other Pre-Offer Exchanges**
REVISION **Number 2**
DATE **February 2, 2015**

I. Authority

- A. Applicable Statute
- A.R.S. § 41-2511 Authority of the director
 - A.R.S. § 41-2512 Delegation of authority and functions by the director
 - A.R.S. § 41-2533 Competitive sealed bidding
 - A.R.S. § 41-2534 Competitive sealed proposals
- B. Applicable Administrative Code
- A.A.C. R2-7-201 State Procurement Administrator: Duties and Qualifications
 - A.A.C. R2-7-202 Delegation of Procurement Authority to State Governmental Units
 - A.A.C. R2-7-B302 Pre-offer Conferences
 - A.A.C. R2-7-B316 Multistep Sealed Bidding
 - A.A.C. R2-7-C302 Pre-offer Conferences

II. Definitions

- A. Pre-offer Conference. A meeting held by the procurement officer with potential bidders/offerors, prior to the opening of the solicitation for the purpose of answering questions, clarifying any ambiguities and responding to general issues in order to establish a common basis for understanding all of the requirements of the solicitation. May result in the issuance of a solicitation amendment to all potential providers. In certain situations, a mandatory conference may be advisable. [Source: NIGP Dictionary]
- B. Procurement Officer. Any person duly authorized to enter into and administer contracts and make written determinations with respect to the contracts. Includes an authorized representative acting within the limits of the authorized representative's authority. [Source: A.R.S. § 41-2503]
- C. Inquiries. Any question received from an offeror during the solicitation process by phone, email or through ProcureAZ.

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III. Policy

- A. Pre-Offer Conference. If a procurement officer conducts one or more pre-offer conferences, the conference shall be scheduled with sufficient time before the bid due date to allow offerors opportunity to consider information presented at the conference when preparing an offer. Offerors may ask questions, but statements made during the conference are not amendments to the solicitation, and should not be construed as a change to the written requirements of the solicitation and do not bind the State. Solicitation amendments are issued for any material change to the solicitation. No minutes of the meeting are taken.
- B. Inquiries.
1. If a question is received verbally the offeror should be redirected to send the question in writing through ProcureAZ. If a question is received by email the offeror should be re-directed to send the question in writing through ProcureAZ. A procurement officer may enter the question directly into ProcureAZ on the offeror's behalf.
 2. Questions and answers should be visible to all offerors to maintain transparency and fairness for all persons interested in the solicitation. Whenever possible, answers should refer the offeror to the area of the solicitation that includes the information pertaining to their question. Answers to the same or similar questions should be the same to maintain consistency and avoid creating confusion or a misunderstanding of the State's intent.
 3. For large and complex solicitations, a procurement officer may establish a date in the solicitation instructions for offeror's to submit questions. Questions should all be answered at one time and uploaded as a solicitation amendment to ProcureAZ. For smaller and less complex solicitations questions can be answered in ProcureAZ on the Q&A Tab.
 4. Any material or significant changes to the solicitation must be addressed by a solicitation amendment.
 5. Any information shared during a one-on-one meeting with an offeror that may directly impact the bid or proposal preparation by any offeror must be shared in a timely manner with all potential offerors on the bid list to avoid providing any offeror with an unfair advantage. If material information is exchanged or discussed, a solicitation amendment must be completed and posted in a timely manner. One-on-one meetings should be avoided, as much as possible, during the time of solicitation issuance and the solicitation due date.
 6. In all situations, offerors should always be reminded that verbal comments are not binding by the State. Only information provided in a solicitation amendment are binding.

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IV. Effective

This Technical Bulletin is hereby authorized and effective this 2nd day of February 2015, unless otherwise revised or repealed.



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State Procurement Administrator