Evaluation Criteria- Additional MFD Points in RFPs

I. Overview

Montgomery County Code, §§ 11B-57 through 11B-64, as amended by Bill 48-14, requires that a minority-owned business (MFD) be encouraged to participate in a procurement where a MFD percentage goal has been set under §11B-60 (a).

Consistent with this law, the Office of Procurement has included an evaluation factor that awards additional points (up to ten percent (10%) of the total available points assigned to the Request For Proposals), to an offeror that: (1) has a County-recognized MFD certification; or (2) has no County-recognized MFD certification, but through subcontracting with MFD certified firms, exceeds the set, aggregate fiscal year (FY) percentage goal related to the applicable purchasing category (i.e. professional services; nonprofessional services; goods; or construction) (referenced herein as “set percentage purchasing category goal” or “participation goal”).

Additional points will be awarded in the following manner:

(a) to an offeror that has a County-recognized MFD certification- Additional points, up to a total of 10% of the evaluation points, may be awarded for both (i) its MFD status, and (ii) its MFD subcontractor participation, as shown in its MFD Performance Plan, in proportion to the applicable set percentage purchasing category goal, regardless of whether the participation exceeds the set percentage goal for MFD participation; or,

(b) to an offeror that has no County-recognized MFD certification - Additional points, equal to 10% of the evaluation points, may be awarded if the MFD Performance Plan submitted by Offeror with its proposal shows that its MFD subcontractor participation exceeds the set percentage purchasing category goal.

Consistent with, and subject to, the methodology noted in (a) and (b) above, an Offeror may receive additional MFD points only if it has a County-recognized MFD certification or submits an MFD Performance Plan with its proposal that supports the additional MFD points. For a list of County–recognized MFD certifications, please see: www.montgomerycountymd.gov/mfd.

II. Calculation Criteria

The calculation for additional evaluation points awarded under the above-stated criteria for this solicitation is as follows:

1. Additional points must not exceed 10% of the total evaluation points.

2. For a listing of current FY set percentage purchasing category goals, please refer to www.montgomerycountymd.gov/mfd.

III. Eligible Categories

A. If the Offeror has a County-recognized MFD certification, it will receive additional points that equal 5% (.05) of the total evaluation points, as well as additional points based on its MFD subcontracting participation percentage compared to the set percentage purchasing category goal (regardless of whether the Offeror’s MFD participation exceeds the set percentage purchasing category goal), in proportion to the total evaluation points. In this circumstance, additional points are calculated as follow:

1) Add points equal to 5% of the evaluation points (for having a County-recognized MFD certification).
2) Add further additional points based on the MFD subcontracting percentage submitted by the Offeror, divided by the set percentage purchasing category goal, the result of which is then divided by 10, to determine the percentage of the total evaluation points to award.
3) Total additional points is the sum of items 1) and 2) above, up to a maximum of 10% of the total evaluation points.

B. If the Offeror has no County-recognized MFD certification, it will receive no points for its own MFD participation. However, if that Offeror’s MFD subcontracting participation percentage exceeds the set percentage purchasing category goal, it will receive additional points equal to 10% (.10) of the total evaluation points. The Offeror will not receive additional points if its MFD subcontracting percentage does not exceed the set percentage purchasing category goal.

IV. Examples

The following scenarios may provide helpful illustrations of the process. For each scenario, assume the solicitation is for professional services. In the non-professional services category, the goal for MFD participation is 22%. Additionally, assume that the total possible evaluation points are 100, so that the 10% maximum for additional MFD points corresponds to no more than 10 total possible points.

- **Scenario 1**: The Offeror has a County-recognized MFD certification, and submitted an MFD subcontracting plan with 25% (.25) participation (which exceeds the set 22% (.22) MFD participation goal).
  
  **Result:** 10 additional points are awarded.
  
  **Calculations:** 5 [= .05 x 100] additional points for the Offeror having a County-recognized MFD certification, and 10 points for exceeding the set participation goal: [5 + 10 =] 15 points. Accordingly, the Offeror would receive the maximum allowable 10 additional points.

- **Scenario 2**: The Offeror has a County-recognized MFD certification, and submitted an MFD subcontracting plan with 7% (.07) participation (which is less than the 22% (.22) set participation goal).
  
  **Result:** 8 additional points are awarded.
  
  **Calculations:** 5 [= .05 x 100] additional points for the Offeror having a County-recognized MFD certification. Because its MFD subcontracting percentage partially meets the set participation goal, the Offeror receives [.07 ÷ .22] = .32 / 10 = .032 x 100 evaluation points =] 3 additional points. The Offeror receives a combined [5 + 3 =] 8 additional points.
• **Scenario 3:** The Offeror has a County-recognized MFD certification, and submitted no MFD subcontracting plan.
  
  **Result:** 5 additional points are awarded.
  
  **Calculations:** $5 \times 100 = 500$ additional points for the Offeror having a County-recognized MFD certification, and 0 points for MFD subcontracting.

• **Scenario 4:** The Offeror has no County-recognized MFD certification, and submitted an MFD plan with 25% (.25) MFD subcontracting participation (which exceeds the 22% (.22) set participation goal).
  
  **Result:** 10 additional points are awarded.
  
  **Calculations:** Although the Offeror has no County-recognized MFD certification, it receives 10 additional points because its MFD subcontracting exceeds the 22% set percentage purchasing category goal.

• **Scenario 5:** The Offeror has no County-recognized MFD certification, and submitted an MFD plan with 13% (.13) minority subcontracting participation (which is less than the 22% (.22) set percentage purchasing category goal).
  
  **Result:** 0 additional points are awarded.
  
  **Calculations:** Offeror has no County-recognized MFD certification, and its proposal does not exceed the 22% (.22) set percentage participation goal. It receives 0 additional points.

• **Scenario 6:** The Offeror has no County-recognized MFD certification, and either submitted: (i) no MFD plan, or (ii) an MFD plan with a percentage of MFD participation that does not exceed the set percentage purchasing category goal.
  
  **Result:** 0 additional points are awarded. (See “Calculations” in Scenario 5 above).

<table>
<thead>
<tr>
<th>Scenario: (with MFD goal of 22%, and total of 100 points)</th>
<th>Prime: MFD</th>
<th>Prime: Non-MFD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submits MFD plan with 25% participation</td>
<td>5 points for Prime being MFD</td>
<td>10 points for exceeding MFD goal</td>
</tr>
<tr>
<td></td>
<td>10 points for exceeding MFD goal</td>
<td></td>
</tr>
<tr>
<td>Total: 10 points (Ceiling)</td>
<td>Total: 10 points</td>
<td></td>
</tr>
<tr>
<td>Submits MFD plan with 7% participation</td>
<td>5 points for Prime being MFD</td>
<td>0 points for NOT exceeding MFD participation goal</td>
</tr>
<tr>
<td></td>
<td>3 points for partial MFD participation</td>
<td></td>
</tr>
<tr>
<td>Total: 8 points</td>
<td>Total: 0 points</td>
<td></td>
</tr>
<tr>
<td>Submits NO MFD plan, or an MFD plan with 0% to 22% participation</td>
<td>5 points for Prime being MFD</td>
<td>0 points for NOT exceeding MFD participation goal</td>
</tr>
<tr>
<td>Total: 5 points</td>
<td>Total: 0 points</td>
<td></td>
</tr>
</tbody>
</table>

V. Waiver Provisions

Prior to Contract Award, the Director, Office of Procurement, or his/her designee, may determine whether an offeror has demonstrated good faith efforts to meet the subcontracting requirements under County law. The Director, upon a finding that the Offeror demonstrated good faith efforts to comply with the subcontracting requirements, has the authority to waive, in whole or in part, the MFD requirement in order to permit the Offeror to remain eligible for a Contract Award.