

09 NCAC 06B .0405 DEBRIEFING OFFERORS

(a) Pre- or post-award-debriefings of successful and unsuccessful offerors may be completed by personal meeting or by written or electronic communication (e.g., telephone, email, etc.).

(b) Debriefing shall not include point-by-point comparisons of the debriefed offeror's proposal with those of other offerors. Moreover, debriefing shall not reveal any information not then available for public inspection or properly designated as confidential in accordance with Rule .1001 of this Subchapter, the N.C. Public Records Law, or any other applicable laws.

(c) If debriefing is authorized by terms of the solicitation:

- (1) The purchasing agency shall implement the debriefing process as follows:
 - (A) Include an official summary of the debriefing in the record, per Rule .1402 of this Subchapter, by the protest-period due-date;
 - (B) Schedule a debriefing within five business days after receipt of an offeror's written request for a debriefing;
 - (C) If requested, grant at its discretion, rejected offeror(s) a delayed debriefing for any good cause shown;
- (2) Accommodation of a competing offeror request for delayed debriefing does not extend the due dates for filing protests.
- (3) All competing offerors may request a debriefing by submission of a written request to the purchasing agency not more than three business days from notice of award date.
- (4) Offeror may, if notified that it is not included in the competitive range:
 - (A) Request a pre-award debriefing by delivering such request to the purchasing agency not more than three business days after the notice of rejection date; or
 - (B) Request a post-award debriefing by delivering a request for such not more than three business days after the later of the notice of rejection date or notice of the award date.
- (5) Debriefing shall include review of the committee's evaluation of vendor's proposal/offer per terms of the solicitation, including:
 - (A) Any weaknesses, deficiencies, or risks to the purchasing agency, identified in evaluation of the offeror's proposal;
 - (B) Evaluated cost or price (including unit prices) and the State's total cost of ownership;
 - (C) Evaluated vendor responsibility to proposal, including past performance information, etc., as applicable;
 - (D) Evaluated vendor responsiveness and the technical merit of its proposal;
 - (E) Responses to relevant questions from the vendor about whether source selection procedures, applicable regulations, or other applicable authorities, were followed.
- (6) If debriefing is post-award, the information must include the items listed in Subparagraph (c)(4) of this Rule and may also include:
 - (A) Overall ranking of all offerors; and
 - (B) A summary of the evaluation and rationale for award to the successful offeror.

*History Note: Authority G.S. 143B-1322(c); 143B-1350;
Eff. September 1, 2013;
Readopted Eff. March 1, 2016.*