



DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES OFFICE OF STATE PROCUREMENT

OSP Procedures Request for Qualifications (RFQ) Procurement

Arkansas Code Annotated § 19-11-204(10)(B) defines Request for Qualifications (RFQ) as a procurement method used, with prior written approval from the Director of the Office of State Procurement (OSP), when price competition occurs after a list of qualified vendors is selected, is irrelevant, and/or the qualifications or specialized expertise of the vendor is the most important factor in selection.

Under Arkansas Code Annotated § 19-11-801, legal, financial advisory, architectural, engineering, construction management, and land surveying services must be procured by RFQ. (Construction related procurement requests should be directed to the Department of Transformation and Shared Services, Division of Building Authority.) See also OSP Rule R1:19-11-203.

Arkansas Code Annotated § 19-11-802(e)(1) allows for RFQs to be issued under it for certain procurements other than legal, architectural, engineering, construction management, land surveying, and interior design services if the: (A) State Procurement Director approves the use of a request for qualifications and determines that it is the most suitable method of procurement; and (B) the director's approval under Arkansas Code Annotated § 19-11-802(e)(1) is submitted to the Legislative Council for review. Absent authority from the Director of the Office of State Procurement and submission to the Legislative Council, an agency cannot issue an RFQ under Arkansas Code Annotated § 19-11-802.

An agency should give public notice of an RFQ opportunity as it would with an invitation for bids or a request for proposals but may also send notice directly to those vendors the agency considers to be best-qualified and capable of performing the scope of work or services required.

Agencies requesting an RFQ under Arkansas Code Annotated § 19-11-802(e) must:

1. Determine why an RFQ is the most suitable method of procurement, why cost should not be considered in the procurement, and how the cost of the contract will be controlled if cost is not a factor in the procurement.
2. Complete the [Request for Qualifications Request Form](#) located on the Forms and Reporting page of the OSP website.
3. Save the completed form as *RFQ Request—Department/Agency Name*.
4. Submit an email with the subject line: *RFQ Request—Department/Agency Name*, with the completed form as an attachment, to the OSP review mailbox at osp.review@arkansas.gov for determination.
5. If the State Procurement Director determines that an RFQ is appropriate, OSP will submit it for legislative review with the next submission of contracts for review. In the interest of transparency, any preliminary RFQ approvals and determinations should be identified on the transmittal letter to the relevant legislative committee.
6. Upon receiving approval for the RFQ, AASIS-using agencies will:
 - a. Name the signed approval document *RFQ Approval* and save to the contract file.
 - b. Create a purchase requisition for the procurement and process as normal.

- i. If the purchase requisition will be routed to OSP, requires Department of Information System Review or Governor's Office review, attach the signed approval document to the purchase requisition.
- c. Attach the signed approval document to the purchasing document and code the purchasing document *RFQ* in the *Our Reference* field to route the purchase to OSP for release.
- d. If a contract is a type, amount, or both that requires to be submitted for review prior to execution, then it is still subject to such review prior to execution. RFQ is merely a procurement method and does not excuse non-compliance with any other applicable laws subjecting particular types of contracts to prior review.