Timeline for PPEA Procedures

- The Town shall adopt procedures sufficient to enable compliance with the PPEA prior to consideration of any proposals by private entities.
- The Town shall perform annual compliance reviews to ensure consistency with the PPEA statute and periodically engage in a more comprehensive review of the guidelines.

Solicited Proposals

- Requirements for proposal shall be as specified in the solicitation and must comply with applicable provisions of the PPEA.
- Solicitations shall be made by issuance of a written Invitation to Bid (ITB) or Request for Proposal (RFP).
  - The ITB or RFP should be posted in public areas generally used for posting the Town's notices (including the Town website).
- The Town must provide any other affected local jurisdiction with a copy of any proposals by certified mail express delivery, or hand deliver within five business days of submission of the proposal to the Town.
  - Affected local jurisdiction shall have 60 days from receiving the proposals to submit written comments and indicate compatibility with their comprehensive plan, infrastructure development plans, capital improvements budget, or other government spending plan.
    - The Town will consider these comments prior to entering into a comprehensive agreement with a private entity.
  - The Town may begin or continue its evaluation of proposal(s) during the 60 day period.
- The Town will evaluate proposals at the detailed phase according to the criteria provided by the guidelines.
- At least 30 days prior to entering into an interim or comprehensive agreement, the Town shall hold a public hearing on the received proposals.
- Once the Town has made a decision to award the project to a selected private entity, the proposed agreement shall be posted on the Town's website and/or published in a newspaper according to the guidelines.
- The Town and selected private entity shall enter into a comprehensive agreement detailing the terms for developing or operating the project according to the guidelines.
  - Prior to a comprehensive agreement, the Town and selected private entity may enter into an interim agreement according to the guidelines.
  - The Town may establish an advisory committee to review terms of proposed interim or comprehensive agreements.
- Once the Town and the selected private entity have entered into an agreement, the Town shall make procurement records available to the public, upon request, according to the guidelines.

- Where the expected value of the contract is $5 million or more, individuals and/or private entities that have submitted proposals may not provide contributions/gifts over $50 to any individual or entity with jurisdiction over the proposal until execution of a comprehensive agreement.
- The Town shall electronically file any agreements and supporting documents with the Auditor of Public Accounts within 30 days of the execution of the agreements.
- The Town shall establish a date for the commencement of activities related to the project.

Unsolicited Proposals

- Six complete copies and initial review fee received by Office of the Town Manager without published ITB or RFP.
  - Town will determine whether to accept proposal at the conceptual stage.
    - If proposal is not accepted, proposal will be returned with the initial review fee.
    - If accepted, public notice shall be given within 10 working days of acceptance.
      - Public notice shall specify a time period of at least 45 days during which the Town will receive competing unsolicited proposals. Original unsolicited proposal may be evaluated during this time. The Town shall establish criteria and key decision points for proposals during this time prior to selection of project.
    - Copies of proposal shall be available upon request and according to the FOIA.
    - Unsolicited proposals (both the original and any others submitted) must contain information as specified in the Town guidelines concerning contents of initial submission.
    - The Town will determine whether to proceed using procurement through competitive sealed bidding or competitive negotiation according to the guidelines.
- The Town may determine which proposals (if any) to review at the conceptual stage.
  - If multiple proposals are considered, the Town will determine whether the unsuccessful proposer should be reimbursed for costs of review and whether these costs should be assessed to the successful proposer in the comprehensive agreement.
  - Proposals at the conceptual stage must follow formatting according to the guidelines.
- The Town must provide any other affected local jurisdiction with a copy of any proposals by certified mail express delivery, or hand deliver within five business days of submission of the proposal to the Town.
  - Affected local jurisdiction shall have 60 days from receiving the proposals to submit written comments and indicate compatibility with their comprehensive plan, infrastructure development plans, capital improvements budget, or other government spending plan.
    - The Town will consider these comments prior to entering into a comprehensive agreement with a private entity.
  - The Town may begin or continue its evaluation of proposal(s) during the 60 day period.

- If the Town proceeds with review of any proposals at the detailed phase, each proposal must include all information according to the guidelines concerning formatting.
- The Town will evaluate proposals at the detailed phase according to the criteria provided by the guidelines.
- At least 30 days prior to entering into an interim or comprehensive agreement, the Town shall hold a public hearing on the received proposals.
- Once the Town has made a decision to award the project to a selected private entity, the proposed agreement shall be posted on the Town's website or published in a newspaper according to the guidelines.
- The Town and selected private entity shall enter into a comprehensive agreement detailing the terms for developing or operating the project according to the guidelines.
  - Prior to a comprehensive agreement, the Town and selected private entity may enter into an interim agreement according to the guidelines.
  - The Town may establish an advisory committee to review terms of proposed interim or comprehensive agreements.
- Once the Town and the selected private entity have entered into an agreement, the Town shall make procurement records available to the public, upon request, according to the guidelines.
- Where the expected value of the contract is $5 million or more, individuals and/or private entities that have submitted proposals may not provide contributions/gifts over $50 to any individual or entity with jurisdiction over the proposal until execution of a comprehensive agreement.
- The Town shall electronically file any agreements and supporting documents with the Auditor of Public Accounts within 30 days of the execution of the agreements.
- The Town shall establish a date for the commencement of activities related to the project.