Professional Services
Process A to Z

Mike Hill & Eric Pelfrey

I Need a Consultant
...I Think
Processes & Responsibilities

- Professional Services is Responsible for
  - Consultant Prequalification
  - Professional Services Procurement Bulletin
  - Consultant Selection based on Quality
  - Design Fee Negotiation
  - Contracting Process
Professional Services Customers

- Consultants
- KSPE/ACEC
- FHWA/USDOT
- LRC GCRC
- Secretary’s Office
- SHE’s Office
- Legal Services
- Program Management
- Highway Design
- 12 Highway Districts
- Environmental Analysis
- Structural Design
- Geotechnical
- Right-of-Way / Utilities
- Planning
- Accounts / Purchases
- Audits (Internal/External)
- ...and more
Consultant Prequalification

- To be considered for a contract to provide professional engineering and engineering-related services for the Transportation Cabinet, a firm shall meet the Cabinet's prequalification requirements before responding to a Cabinet advertisement for professional services.

- The Division of Professional Services shall ensure that the Cabinet has at its disposal and available for use a current list of prequalified consulting engineering firms and other professionals.
Consultant Prequalification

- Application and Review
- Prequalification Categories
- Criteria for Prequalification
- Notification to Firms
- Annual Submission of Prequalification Application and Certification Letter
**KENTUCKY TRANSPORTATION CABINET**

**Division of Professional Services**

**CONSULTING ENGINEER AND RELATED SERVICES PREQUALIFICATION APPLICATION**

<table>
<thead>
<tr>
<th>NAME OF FIRM:</th>
<th>DATE:</th>
<th>STATE:</th>
<th>YEAR ESTABLISHED:</th>
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<table>
<thead>
<tr>
<th>MAIN OFFICE</th>
<th>TELEPHONE NUMBER:</th>
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<tbody>
<tr>
<td>Street:</td>
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<table>
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<tr>
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<td>Street:</td>
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<td>Street:</td>
<td>City: State: Zip:</td>
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CHECK THE PREFERRED MAILING ADDRESS:
- [ ] Main Office
- [ ] Kentucky Branch Office #1
- [ ] Kentucky Branch Office #2

**WEB SITE ADDRESS:**

**E-MAIL ADDRESS:**

**FAX NUMBER:**

This application is based on the following factors: (Check appropriate designation)

<table>
<thead>
<tr>
<th>ORGANIZATION</th>
<th>TYPE OF APPLICATION</th>
<th>CERTIFIED DBE IN KENTUCKY</th>
<th>TOTAL EMPLOYEES IN FIRM</th>
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<tr>
<td>[ ] Individual</td>
<td>[ ] New</td>
<td>[ ] Yes</td>
<td>Minority Female</td>
</tr>
<tr>
<td>[ ] Partnership</td>
<td>[ ] Updated</td>
<td>[ ] No</td>
<td>Minority Male</td>
</tr>
<tr>
<td>[ ] Corporation</td>
<td>[ ] Reinstatement</td>
<td>[ ] (If yes, attach a copy of KYTC certification letter.)</td>
<td>Non-Minority Female</td>
</tr>
<tr>
<td>[ ] Professional Limited Liability Company</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Federal Identification Number: ____________________________

Is firm licensed with Kentucky State Board of Licensure for Professional Engineers and Land Surveyors?
- [ ] Yes
- [ ] No
  License Number: ____________________________
PROCEDURES FOR UPDATING PREQUALIFICATION FOR ENGINEERING AND ENGINEERING-RELATED SERVICES WITH THE DEPARTMENT OF HIGHWAYS

KRS Chapter 45A requires that consulting firms desiring to be prequalified with the Transportation Cabinet provide annual updates of their qualifications. The anniversary date is the date of the letter from the Cabinet granting approval of the firm’s prequalification request. This shall establish the firm’s annual renewal date by which the firm is expected to have renewed its qualifications with the Cabinet.

Annual applications shall include one (1) original and one (1) copy of the application for each functional area requested, and one (1) original and one (1) copy of a current marketing brochure; unless otherwise communicated to the firm in writing. Copy for functional area may be submitted as an electronic document in Adobe PDF format on CD or DVD media (in lieu of hardcopy for each functional area).

In odd calendar years, in lieu of a full application, firms may submit a letter certifying that nothing has substantially changed from the previously submitted application along with annual certifications. This odd year update request should include information regarding any previously approved changes from the last even year full update. The request should include certification of liability insurance and an officer of the firm must attest that the firm is financially solvent and have a working arrangement with financial institutions such that all outstanding financial obligations will be met. If a substantial change has occurred or the firm is requesting prequalification additional area(s) a full application will be required.

A firm desiring to be considered for an award as a prime shall provide an original certificate of a continuous professional liability policy in an amount not less than $1,000,000 with the application. A certificate of self-insurance shall not be accepted by the Transportation Cabinet.

It is the sole responsibility of the firm to initiate a renewal of its prequalification with the Cabinet. The Cabinet does not send notices of a need to renew. If the firm makes no effort within thirty (30) days of its annual renewal date, then the firm is automatically removed from the Cabinet's listing of prequalified firms.
Advertisement for Services

The project manager will submit to the appropriate location engineer project information for advertisement of consulting services. This will include, but not be limited to, the following information:

- County
- Route
- District
- Item Number
- Project Description
- Project Manager
- User Division(s)
- Approximate Fee
- Location Map
- Purpose and Need
- Project Length
- Method of Design
- Available KYTC Studies
- Project Funding
- Scope
- Special Instructions
- Project Schedule Milestones
- DNA Study
The Highway Design location engineer will provide:

- Selection committee members
- DBE requirement
- Prequalification requirements
- Structure design
- Environmental services
- Photogrammetric services
- Geotechnical services
- Traffic
- Utility design
- Evaluation factors and numerical values
The Division of Professional Services will complete:

- Secretary’s and Governor’s Pool representatives for the Selection Committee from a random draw

- Procurement schedule:
  - Response due date
  - Selection Committee meeting dates
  - Fee Proposal due
  - Negotiations
  - Anticipated Notice to Proceed
Professional Services

This page contains vital information relating to the procurement of professional engineering and engineering-related services. Revisions are made frequently. Please check back periodically for updates.

NOTICE: Updated Roadway Design Production-Hour worksheet

The Division of Highway Design and Division of Professional Services have updated the Department's standard "Production-Hour Worksheet". For all projects that include roadway design, consultants and Department Project Managers should agree to using this form. This new form can be found on the Professional Services website under the Forms link along the right, as well as on the Highway Design website under the Miscellaneous Forms link along the right.

Updated Production-Hour worksheet

KYTC has revised the Instructions for Response to Announcement. Instructions for Response to Kentucky Transportation Cabinet's Announcement for Engineering Related Services.

These revised instructions will apply for Response to Advertisements from the Professional Services Procurement Bulletin 2015-02, posted on August 12, 2014. Responses received that do not follow these guidelines may be returned to the submitting firm. An example response has also been provided. Example Response to Announcement 2014.

Notice: August Procurement Bulletin 2015-02 is now available.
1. 2015-02 Questions and Corrections
   Jefferson/Oldham I-71 S-485.00
   Brecken KY 1159 6-8311.00
   Morgan US 660 & KY 7 10-293.00

Notice: July Procurement Bulletin 2015-01 is now available.
1. 2015-01 Questions and Corrections
   2015-01 Jackson Owsley 10-279.5 KY30.pdf

NOTICE: Implementation of MAP-21 Uniform Act Benefit and Eligibility Changes (Mandatory Training)
### Project Listings

<table>
<thead>
<tr>
<th>Name</th>
<th>Bulletin Number</th>
<th>Item Number</th>
<th>County</th>
<th>Route</th>
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<td>2015-01 Jackson Owsley 10-279_6 KY50</td>
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<td>Jackson</td>
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<td>2014-12 McCracken 1-158</td>
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<td>2014-12 RW Jefferson 5-8203.00 KY 1819</td>
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<td>2014-11 Taylor - New Route 4-142</td>
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<td>4-142.20 &amp; 4-142.30</td>
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</table>
QBS is a nationally endorsed procedure for contracting with design professionals (Architects and Engineers) that will provide the best value to the owner in terms of quality and total project cost.

A competitive procurement approach that emphasizes quality attributes.
QBS Users

- Local, state, and federal governmental agencies that procure A/E services
- Private industry
- Other public and private institutions
- Design professionals when hiring other design professionals
- Other users of services/products who place quality first ("The doctor example")
Engineering Services

- Are services, not commodities

- Engineers provide
  - Technical Expertise
  - Innovation
  - Latest Technology
  - High Degree of Professional Competence
Types of Design Contracts

- Project-Specific Contracts
- Statewide Contracts

Cost can be based on:
- Lump Sum
- Cost Plus A Fixed Fee
- Specific Rate of Compensation
- Cost Per Unit of Work
Contract Negotiations Process

- Consultant Selected
- Project kickoff meeting
  - Pre-Design Conference (Project-Specific)
  - Contract Scoping Conference (Statewide)
- Production-Hour Estimates
  - Consultant Fee Proposal
  - Independent Department Estimate
- Contract Negotiations
- As-Negotiated Fee Package
Contract Execution

- **Write Agreement** *(Microsoft Word document)*
- **Procure Signatures**
  - Consultant
  - Legal Services
  - Deputy State Highway Engineer
  - State Highway Engineer
  - Secretary
- **eMars encumbrance of funds**
- **Notice to Proceed**
The Division of Highway Design and Division of Professional Services have updated the Department's standard “Production-Hour Worksheet”. For all projects that include roadway design, consultants and Department Project Managers should agree to units using this form. This new form can be found on the Professional Services website under the “Forms” link along the right, as well as on the Highway Design website under the “Miscellaneous Forms” link along the right.
The project team may deem it necessary for the consultant to do additional work on a project.

A contract modification may necessary because:

- The project limits have been substantially revised from those initially indicated in the pre-design minutes.
- A change of scope has occurred.
- The consultant is requested to revise the plans because of a direction change by the Department.
Contract Modification Negotiations

- Contract Modification Initiated
  - Department Project Manager
  - Formal request from Consultant
- Scoping Meeting (or Informal Discussion)
- Production-Hour Estimates
  - Consultant Fee Proposal
  - Department
    - Independent Estimate
    - 500 hour rule (approximately $75k)
- Contract Negotiations
- As-Negotiated Fee Package
Contract Modification Execution

- Write Contract Modification (Microsoft Excel document)
- Procure Signatures
  - Consultant
  - Project Manager / Location Engineer
  - Deputy State Highway Engineer
  - State Highway Engineer
  - Secretary (only if monetary increase)
- eMARS encumbrance of funds
- Notice to Proceed
Final Payment

- Upon contract completion, a hardcopy Final Payment request is submitted to Professional Services
- Encumbrance is liquidated
- Office of Audits notified
600 KAR 6:065. Pooling of engineering or engineering-related services

Pool Size - 1 to 4 firms

Contract upset limit - $350,000 to $2,000,000
  - Letter of Agreements - $50,000 to $300,000

Projects assigned via Letter Agreement
  - Based on rotational or geographical basis

Term – 2 years (typically on the biennium)
## Statewide Contracts – Highway Design

### Service Provided
- Surveying
- Aerial & Photogrammetric
- Roadway Design
- Roadway Drainage Design
- FEMA Drainage Design
- Roadway Signing Plans
- Pavement Rehabilitation
- Value Engineering

### KYTC Contact
- Dan Farrell, PLS
- Kevin Martin, PE
- Ron Matar, PE
- Dan Hite, PE
- Shawn Russell, PE
## Statewide Contracts – Environmental

<table>
<thead>
<tr>
<th>Service Provided</th>
<th>KYTC Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Studies</td>
<td>David Waldner, PE</td>
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<tr>
<td>Underground Storage Tanks and Hazardous Materials</td>
<td>Chris Cummins, PG</td>
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<tr>
<td>Environmental Investigations and Remediation</td>
<td>Craig Craig, PG</td>
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<tr>
<td>Cultural Historic and Archaeological Studies</td>
<td>David Waldner, PE</td>
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<tr>
<td>Environmental Storm Water and Technical Support</td>
<td>John Drake</td>
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</tbody>
</table>
Statewide Contracts – Construction

**Service Provided**

- Highway and Bridge Construction Inspection
- Maintenance Painting Project Management
- Structural Steel Shop Inspection

**KYTC Contact**

- Vibert Forsythe, PE
- Katy Renfroe, PE
- Matt Looney, PE
# Statewide Contracts – Traffic

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<thead>
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<td>Traffic Engineering</td>
<td>Telma Lightfoot</td>
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<tr>
<td>Traffic Operations Structure and Geotechnical</td>
<td>Ted Swansegar, PE</td>
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<td>Electrical Engineering</td>
<td>Ted Swansegar, PE</td>
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<td>TRIMARC Traffic Operations Intelligent</td>
<td>Tina Swansegar</td>
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<tr>
<td>Transportation Systems System Integration</td>
<td>Tina Swansegar</td>
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<tr>
<td>District 7 – Traffic Engineering Services</td>
<td>Logan Baker, PE</td>
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</table>
Statewide Contracts – Structure Design

**Service Provided**

- Structural Design of Culverts and Bridges
- Geotechnical Engineering and Laboratory Testing
- Geotechnical Drilling Services

**KYTC Contact**

- William McKinney, PE
- Bart Asher, PE
- Mike Blevins, PG
# Statewide Contracts – Planning

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<td>Statewide Planning Services</td>
<td>Mikael Pelfrey, PE</td>
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<tr>
<td>Statewide Traffic Data</td>
<td>Jadie Tomlinson, PE</td>
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<tr>
<td>Travel Demand Modeling</td>
<td>Scott Thomson, PE</td>
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<td>Traffic Forecasting</td>
<td>Jonathan Reynolds, PE</td>
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# Statewide Contracts – Maintenance

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<tr>
<td>Fracture Critical Bridge Inspection</td>
<td>Evan Dick, PE</td>
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<tr>
<td>In-Depth Underwater Inspections Maintenance</td>
<td>Mark Swieterman, PE</td>
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<td>Sign Support Inspection</td>
<td>Evan Dick, PE</td>
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<tr>
<td>NBIS Inspection</td>
<td>Josh Rogers, PE</td>
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</tbody>
</table>
Statewide Contracts – Various

**Service Provided**

- Aviation Planning and Engineering Services
- Local Public Agency Services (SHE Office & Local Programs)
- Right-of-Way Services

**KYTC Contact**

- Craig Farmer, PE
- Amanda Spencer, PE & Don Pasley, Commissioner
- Dean Loy

KY Department of Aviation

Division of Right-of-Way & Utilities
Letter Agreements

- Negotiated same as a Project-Specific Agreement
- Written by Professional Services or User Division
- Signed by User Division Director and Consultant
- Must specify Time, Money and Deliverables
- Now Encumber Funding as entered into eMARS
- Paid by User Division (or Professional Services)
NOTICE: The instructions for invoicing Engineering and Engineering-Related Services have been updated. Please note the following changes.

**TC 40-408 Pay Estimate Instructions 6-24-14**

1) Contract remaining encumbered balances of less than $5,000 will liquidate on July 1st of each year and close the contract. The threshold previously was $1,000, but was raised to $5,000 this year.

2) Consultant vendors must list any DBE participation for this billing period in the designated box in the lower left side of the form. This should include DBE firm name and amount.
<table>
<thead>
<tr>
<th>Description of Work</th>
<th>Method of Fee</th>
<th>Total Contract Amount</th>
<th>Total % Prev. Est.</th>
<th>% This Est.</th>
<th>% to Date</th>
<th>Previous Earnings</th>
<th>Earnings This Estimate</th>
<th>Total Earnings to Date</th>
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<tr>
<td>Preliminary Engineering Services</td>
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<td>500,000.00</td>
<td>100.00%</td>
<td>0.00%</td>
<td>100.00%</td>
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<td>Environmental Services</td>
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<td>100.00%</td>
<td>0.00%</td>
<td>100.00%</td>
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<tr>
<td>CM #1 Additional Preliminary Engineering Services</td>
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<td>300,000.00</td>
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<td>CM #3 Structure Design Services</td>
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<td>$50,252.00</td>
<td>$25,282.00</td>
<td>$75,534.00</td>
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</table>

Page 1 775,000.00 71.05% 6.50% 77.55% 550,617.00 50,384.00 601,001.00
Page 2 - - - -
Totals 775,000.00 71.05% 6.50% 77.55% 550,617.00 50,384.00 601,001.00

**DBE Portion of Estimate**

Joe Small - $12,123.00

I certify the amounts in this estimate are accurate.

Consultant Signature

KYTC Project Manager
<table>
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<th>Description of Work</th>
<th>Method of Fee</th>
<th>Total Contract Amount</th>
<th>Total % Prev. Est.</th>
<th>% This Est.</th>
<th>Total % to Date</th>
<th>Previous Earnings This Estimate</th>
<th>Earnings This Estimate</th>
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<td>Parcel #6</td>
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<td>$4,000.00</td>
<td>0.00%</td>
<td>0.00%</td>
<td>80.00%</td>
<td>$3,000.00</td>
<td>$3,000.00</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>Parcel #7</td>
<td>Lump Sum</td>
<td>$6,000.00</td>
<td>50.00%</td>
<td>50.00%</td>
<td>80.00%</td>
<td>$3,000.00</td>
<td>$3,000.00</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>Parcel #8</td>
<td>Lump Sum</td>
<td>$6,000.00</td>
<td>100.00%</td>
<td>0.00%</td>
<td>100.00%</td>
<td>$6,000.00</td>
<td>$6,000.00</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>Parcel #9</td>
<td>Lump Sum</td>
<td>$5,000.00</td>
<td>100.00%</td>
<td>0.00%</td>
<td>100.00%</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Parcel #10</td>
<td>Lump Sum</td>
<td>$6,000.00</td>
<td>100.00%</td>
<td>0.00%</td>
<td>100.00%</td>
<td>$6,000.00</td>
<td>$6,000.00</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>Parcel #11</td>
<td>Lump Sum</td>
<td>$5,000.00</td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Contingency Parcel

Page 1: $60,500.00 (53.72% total, 12.40% to date)
Page 2: $0.00 (0% total, 0% to date)
Total: $60,500.00 (53.72% total, 12.40% to date)

Total Earnings to Date: $40,000.00
Less Previous Earnings: $32,500.00
Total This Estimate: $7,500.00

I certify the amounts in this estimate are accurate.

Consultant Signature: [Signature]

KYTC Project Manager: [Signature]
NOTICE: KYTC has revised the Instructions for Response to Announcement. Instructions for Response to Kentucky Transportation Cabinet's Announcement for Engineering Related Services These revised instruction will apply for responses to advertisements from the Professional Services Procurement Bulletin 2015-02, posted on August 12, 2014. Responses received that do not follow these guidelines may be returned to the submitting firm. An example response has also been provided. Example Response to Announcement 2014
I Need a Consultant…I Think

http://transportation.ky.gov/Professional-Services/

Professional Services
Process A to Z

Mike Hill & Eric Pelfrey

I Need a Consultant...I Think

http://transportation.ky.gov/Professional-Services/