Questions for 2007 Partnering Conference – Panel Discussion on Proposals

1. **What is the committee looking for that will set a firm apart? EVERYBODY**

- I believe that the committee is looking for a firm that has similar project experience and can deliver the project on time. The committee is looking for a firm that has demonstrated that they have looked at the project and have provided potential solutions. The committee is looking for specific information such as traffic control, geometric deficiencies and possible typical sections that will accommodate the project. In general, less generic responses and more project specifics will set the firm apart.

- Firm needs to become intimately involved with the project and be able to present this in a professional and complete proposal. The approach captures detailed existing conditions, project issues, and possible solutions. The similar projects are good representations of the work needed and coincide with the team members experience. Capacity should be accurate and thorough.

- Actual design work not just a detailed description of what will be done but project specific concepts and alternates. The winning proposals have gone beyond stating the obvious; they are already taking ownership of the project. They project a confidence in their understanding of the work and how to accomplish it.

- Proposals should exhibit knowledge of the project area, address all aspects of the bulletin, show similar project experience that utilized the assigned project manager, be well written. I want to see the firm's desire to perform the work.

- Show that your team is responsive and can be proactive with the project. Convince the committee members that if they select your firm, this is the last thing they will have to do on this project until the plans are finished.

- A well organized proposal listing the proposed team members and clearly defining how their experience relates to the project. The Project Approach should clearly identify the specific project issues and offer some suggestions as to how they may be solved. A lot of proposals spend way to much time regurgitating data from previous studies without giving any real thought to a proposed solution or identifying issues that may not have been discussed before.

2. **What is the procedure for the Selection process? HILL**

Professional Services Guidance Manual, Secition15-04.0700 REVIEW OF RESPONSES

- Before the selection committee meeting to determine and rank the three most-qualified firms, each voting committee member is to review all responses certified to the committee in using the weighted evaluation factors that appeared in the advertisement. Each committee member is to preliminarily evaluate and numerically rate each firm. These evaluations and ratings are to be considered preliminary and confidential working documents and are not to be available to the public.

- In executive session the members of the selection committee are to discuss the responses and their evaluations and ratings of the responses.
- Using the weighted evaluation factors that appeared in the announcement in the procurement bulletin, the committee is to determine the three most qualified firms and develop a ranking of the three firms.

The committee review procedure is as follows:

1. In making this determination, each committee member is to identify the three firms he or she has ranked as the most-qualified.

Every member's choices (1,2,3) are to be placed on a short list (including ties).

Committee members are to have the opportunity to provide insight into why they believe each firm should or should not be selected for the project.

2. After review and discussion of all firms on the short list with regard to their qualifications and the quality of their proposals, the committee may, by a consensus of the members, eliminate firms from further consideration for the project.

3. After consideration of the evaluation factors, the committee is to vote by secret ballot to individually rank each of the remaining firms.

4. The committee is then to review and discuss the new compilation of short-listed firms identified by the secret ballot.

The selection committee may, by consensus, eliminate any firm from further consideration.

5. If at the end of this process more than three firms remain under consideration, the selection committee is to repeat the above process until only three firms remain for consideration.

6. After consideration of the evaluation factors, the committee members are to vote by secret ballot to individually rank the three remaining firms.

7. If a selection committee vote results in a tie between two firms, one of which is to perform more of the work tasks in Kentucky than the other, the committee is to rank the former firm one place ahead of the latter on state-funded projects.

8. In case of a tie rating for one of the three most-qualified firms where the work performed in Kentucky is equal or it is a federally funded project, the selection committee is to again discuss and then reevaluate the firms that had the tie ratings until the tie is broken.

9. If the selection committee elects, it may interview any of the responding firms to aid in its determination of the most-qualified firms.

10. The committee is to compile and show on the TC 40-18 form, *Committee Ranking to Determine the Three Short-Listed Consultant Firms* **(Exhibit 15-13A),** the list of the three firms determined to be the most-qualified and the ranking of these three firms as determined by secret ballot.

Copies of the TC 40-18 form are to be available to the public after the selected firm receives notice of approval for payment from the Division of Professional Services.

- As you can see from this process, the only part the “numerical ratings” play in the process is to help the committee members determine their initial top 3 firms and for discussion purposes.
- The ratings are relative to the individual committee members and would have little meaning outside that context. Ie. Joe’s rating of a response of 38 may (or may not) be equivalent to Mary’s rating of 27 on the same response.

3. How important is it to spread the work around? DUNAWAY

I believe that spreading the work around helps to ensure good performance for the Cabinet as well as being good for the engineering industry.

4. It seems the Capacity section has the most flexibility. Is their more guidance on how to present this information and can it be presented in a more standardized format that better represents the capacity of the project team considering or can it be eliminated completely? GREENWELL

> First let me say I don’t know how any company stays in business with as much free time as you appear to have. Capacity should be shown for each person whom you provided a résumé. It is to be based on 18 months and should not include overtime hours. A suggestion on format would be listing all projects on the y-axis and then each team member across the top of the x-axis, showing actual % of time needed on an individual project, with a summary of time available for each person at the bottom. And show a total percentage of time available for the team. We do not want to eliminate it completely but would consider giving it less points, which will be at the discretion of the Project Manager.

TEAM WORKLOAD CAPACITY											
Projects[1]	Team Member 1	Team Member 2	Team Member 3	Team Member 4	Team Member 5	Team Member 6	Team Member 6	Team Member 7	Team Member 8	Team Member 9	Etc.
Project 1	% effort[2]										
Project 2											
Project 3											
Project 4											
Project 5											
Project 6											
Project 7											
Project 8											
Project 9											
Project 10											
Vacation											
Marketing											
Other											
Total Available Time	List available number of work hours available during the duration of the proposed project here for each team member.										

[1] **List project names**

[2] **List percent effort for each team member on the project. Note: This also identifies interaction among team members on ongoing projects.**

Include a synopsis of the junior team members that will be engaged if there are any. Simply list name, credentials, contribution to project, and available time during the proposed project.

5. For relatively simple projects, how can a smaller firm compete with a larger firm's shear number of staff even though the project can be handled by few team members? CRUZ

I assume that the persons listed in the proposal are the ones which will perform the work. If they are showing an adequate amount of available time with the appropriate credentials there should be no problem in competing. Again, as mentioned in #3 above it would be helpful to me to have some idea of how much time the proposed project will take. I personally prefer to work with smaller firms if they have the necessary skill set.

Process Questions:

6. When and what type of project specific information is provided to the committee members? Does the committee receive a briefing of the Department's issues and goals for the project? CHOATE

The project manager is available to the committee at the time of selection to give a briefing of the project. This format is not as informative as the two meeting format that the Cabinet once used where the project manager met with the committee at an initial meeting. The written briefing that was once used is probably a compromise to reinstating the two meeting format.

7. Some states select engineering firms based on having them submit a simple letter of interest and then short-list 3-5 firms to have them submit a proposal and maybe participate in an interview. Do committee members think this should be considered by KYTC in order to cut down on the number of proposals that are submitted for a project? HILL

1) It has been KYTC's benefit to have a large number of responses to choose from. The project appraches often provide new and innovative ideas KYTC may not have considered. The Project Manager may use some ideas from a non-winning proposal.

2) The response to announcement format was revamped to make it smaller and closer to a letter of interest. The number of pages for resumes, similar projects and the capacity were reduced. The sub consultant form was eliminated and a team approach was adopted.

3) The only substantial difference from a letter of interest and the full response would be the lack of a project approach. If we required a letter of interest it would include prequalification, resumes, capacity and similar projects.

4) Letter of interest is an option that KYTC can and has exercised in the past for a few special projects. We should consider a 2 tier approach when:
a) mega project such as Louisville Bridges
b) unique expertise required such as TRIMARC or Statewide ITS. We did not on ITS or TRIMARC recently since we only had a select few prequalified firms. On many statewide projects the number of responses we receive is limited.
For the "meat and potatoes" projects we feel the full response is the best option.

5) Having the full response to announcement saves time from advertisement to Notice to Proceed.

8. What information, does the committee have regarding past performance of firms or firm personnel? ELDRIDGE

A listing of the consultant evaluation ratings for Roadway Design projects over the last ten years can be viewed in the Division of Program Performance. Some consultants provide ratings for their similar projects. This is especially helpful for new firms. Some personal judgment and knowledge needs to be considered as well.

9. What information, does the committee have regarding recent selections or being number 2 or 3? DUNAWAY

This information is provided to committee members in the Consultant Selection Report, sent along with every set of proposals, and committees are informed of recent selections at the beginning of the meetings.

10. Can sections be weight more? Like the approach. HILL

YES

- When developing a project advertisement, the project manager or location engineer may recommend a different weighting of the selection factors from the ones that seem to be the standard.
- They may also, propose new selection factors to be used for the selection.
- The new weighting or selection factor must be approved by the Commissioner of Highways as a part of his review of the Procurement Bulletin.

11. How many hours do committee members think are typically spent preparing a proposal for a typical KYTC project? GREENWELL

It is obvious that a lot of time is spent preparing the proposals, a day of field work, one to two days of research, and two to three days writing, assembling and checking (please use spelling and grammar check). I would estimate a staff of 2-3 spends on average a week per proposal. On each selection there will be a few proposals that stand out, and I am sure those have taken more time and resources. Also on each selection there will be proposals that do not appear to have had much effort put forth, if you send in proposals for three projects more than the county, route and mile marker should change. There should be project specific photographs and detailed information regarding the proposed work.

12. Can all the proposals submitted for a project be given a number evaluation so the firms can have a better understanding of where they stand in the selection process if not 1-3? From the RFP, they are evaluated per a 42 point system. CRUSE

I don't think this information can be presented in a way that would be helpful to the Consultant. Each committee member reviews the proposals in their own way and likely would score them differently. I have never had a discussion with another committee member about how they score the proposals and really don't want to. Most of the time the best proposal is obvious with the first vote, subsequent votes usually determine the second and third place finishers.

13. How do Committee Members consider similar projects that were done by individuals working for the firm as opposed to the firm's projects. For

example, many KYTC retirees have gone to work for consultants. Can they (and are they) using their projects worked on with the Cabinet as Similar Projects for the firm? If so, are they given the same weight as projects completed by the firm? CHOATE

Similar projects should have been managed by one of the proposed team members. The team members could have participated on the "similar project" while at their current firm, while employed by another form or while they were a KYTC or other state agency employee.

14. When an employee of one firm switches to another firm is it appropriate for the second firm to show projects completed with the previous firm under firm number 2 projects? (see sample rating system) DUNAWAY

Yes, if no other projects are available and if it is well documented that the projects were done "while with another firm." Be honest!

15. How does a firm overcome the lack of previous experience issue with the selection committee? CHOATE

I think that this can be done in a combination of three ways.

1. Hire personnel with KYTC experience.
2. Work as a sub-consultant to gain KYTC experience.
3. Hire a sub-consultant with KYTC experience to team with you.

16. What are the different ways a firm can gain relative experience? ELDRIDGE

a. By partnering with experienced firms.
b. By completing similar projects with local agencies and according to KYTC standards.
c. By hiring experienced personnel, including former Transportation Cabinet employees.

For scoring Relative Experience, the number of PE's used on a team may also be considered.

17. Currently the KYTC re-advertises many of their projects after completion of Phase I Design. How does the committee view the Phase I design consultant compared to other consultants submitting for Phase II Design for the project? HILL

Title 48 Code of Federal Regulations (C.F.R.) – Federal Acquisition Regulations Systems and "Brooks Law" requires **36.601-1 Public announcement.**

> "The Government shall publicly announce all requirements for architect-engineer services and negotiate contracts for these services based on the demonstrated competence and qualifications of prospective contractors to perform the services at fair and reasonable prices."

- The FHWA has interpreted this, and KYTC has concurred, that the scope of work negotiated in the consultant contract agreement can not exceed the scope of work identified in the RFP.
- If the RFP does not clearly state Phase II final design, then the contracted services can not be amended to add this service.
- KYTC has adopted this for state funded project as well as federally funded projects.

Program Performance is required to certify to the FHWA that the scope of work negotiated in a contract matches the scope of work in the RFP.

The selection committees have in the past selected a firm different from the Phase I designer. Don't take for granted your team will be selected for Phase II roadway deisgn if you had the Phase I. the selection committee is looking for the "best qualified" firm to finish the design.