

UNIVERSITY OF NEBRASKA

CAPITAL PLANNING and DEVELOPMENT

ARCHITECTURAL OR ENGINEERING PROFESSIONAL SERVICES FOUR-YEAR CONTRACTS SELECTION PROCEDURES

UNFP 6.3.2.2

I. Reference and Application

- A. Nebraska Consultants' Competitive Negotiation Act (*Neb. Rev. Stat.* §§ 81-1701 et seq).
- B. Application: The selection procedures apply to all Board approved projects.

II. Objectives and Limitations

The objective of these procedures is to provide guidelines necessary to comply with Board Policy (RP-6.3.2) *Qualification Based Selection of Professional Services of Architects, Engineers, Landscape Architects and Registered Land Surveyors* and ensure that the process to select a design firm is consistent, standardized, objective, and impartial in selecting the most qualified design firm for the design of University facilities: and to create an expedited selection process for projects with fees budgeted below a specified range. The selections will be divided into multiple categories, including: 1) general purpose, 2) mechanical/electrical, 3) research specialty and 4) civil engineering. Firms may apply and be considered for one or more than one category.

III. Definitions

- A. Design Firm: Architect or Engineering firm providing professional services.
- B. Design Services: Professional services within the scope of the practice of architecture, professional engineering, or landscape architecture as defined by the laws of the State of Nebraska.
- C. Project Evaluation Board (PEB): Project Evaluation Board or PEB shall mean the committee selected by the University to review and evaluate all Statements of Qualifications received in response to a Request for Qualifications. PEB members are responsible to provide fair, unbiased evaluations and assessments of submitting firms based on the University's published evaluation criteria. (See RP 6.3.8)

IV. Procedure

- A. Stages of Design Services Selection
 - 1. Request for Qualifications (RFQ) is prepared.
 - 2. Notice of RFQ is published.
 - 3. Statements of Qualifications (SOQ) are received.

4. A Project Evaluation Board (PEB) reviews the SOQs and prepares a “short list.
 5. Interviews or discussions may or may not be held prior to a final ranking by the PEB.
 6. University negotiates a Design Services Contract with the highest ranked firm.
- B. The Chief Facilities Officer, or designee prepares the Request for Qualification using the standard RFQ format (See UNFP 6.3.2.3). The RFQ includes:
1. The number of persons or firms to be included on the short list.
 2. Evaluation criteria to be utilized by the Project Evaluation Board (PEB) and the relative weight of each evaluation criteria.
 3. Notification that all firms must be certified by submitting an annual statement of qualifications and performance data (U.S. Government Standard Form 330, Architect-Engineer Qualifications, Part II – General Qualifications or as otherwise specified by the University) to the Chief Facilities Officer.
 4. Notification that past *Architect/Engineer Performance Evaluations* will be used to supplement the selection process.
 5. Draft Professional Services contract.
- C. Public Notice
1. A public notice is issued soliciting interested parties for a contract to provide design and construction administration of University facilities and structures. The public notice identifies:
 - a. Nature or description of contract work
 - b. Contract and/or project number
 - c. Due date and time for Statement of Qualifications (SOQ) submittal
 - d. Physical location for receipt of responses
 - e. Number of firms to be on the short list
 - f. University contact name, address, and phone number – an e-mail address may be provided if desired
 2. Two separate advertisements of the public notice in appropriate Nebraska newspapers are required: one each week for two consecutive weeks.
- D. Evaluation Criteria
1. The Chief Facilities Officer or designee, is responsible for creating the detailed evaluation criteria that shall be used in the evaluation and selection decision.
 2. The Design Services selection criteria contained in Design Services RFQ Template should be used as a starting point in creating the criteria.
 3. The most important criteria carry the most points relative to the point total.

- E. Project Evaluation Board (PEB) (See RP 6.3.8)
1. PEB Responsibilities
 - a. Evaluation based on published criteria only
 - b. Avoidance of even the appearance of bias or conflict of interest
 - c. Preservation of integrity of evaluation process
 - d. No leading questions asked of firms during interviews
 - e. No correspondence or communication with firms without providing the same information to all of the firms
 - f. No preferential treatment
 - g. Same basic questions asked of all firms
 2. Project Evaluation Board members should each complete the Confidentiality and Conflict of Interest Certification form (See UNFP 6.3.8.1).
- F. Review Statement of Qualifications (SOQs)
1. After receipt of the SOQs, they are distributed to each Project Evaluation Board (PEB) member with a score/ranking form.
 2. Published criteria from the RFQ are included so each Board member is aware of the evaluation criteria.
 3. PEB members independently review and evaluate each SOQ.
 4. PEB members then meet to make a recommended Short List.
 5. Discussion is held and significant deviations are noted and discussed by the PEB members to ensure all appropriate information is considered.
 6. Final calculations are individually made and each member ranks the respondents.
- G. Develop Short List
1. In order of preference, based on criteria published in the RFQ, the PEB recommends a Short List of persons or firms deemed to be the most qualified to provide the required design services.
 2. The number of persons or firms on the Short List shall be the number of persons or firms specified in the RFQ, which will typically be a minimum of six firms for each category.
 3. If a smaller number of responsive and responsible persons or firms respond to the solicitation than required for the Short List, the PEB may proceed with the selection process with the remaining persons or firms if at least three persons or firms remain for each category. The University may also re-advertise, as the Chief Facilities Officer deems necessary or appropriate.
 4. Short List selection and order of preference is determined based on demonstrated

competence and qualifications.

5. The Short List is approved by the Chief Facilities Officer.

H. Conduct Interviews or Discussions with Short Listed Firms

1. Short Listed firms are invited to participate in an interview with the PEB.
2. All Short Listed firms, no matter their ranking in the original Short List, begin the interview/discussion selection process with equal status.
3. Participants from the selected Short Listed firms will be limited by the number and key positions the PEB wants involved.
4. Specific direction will be provided to the Short List firms regarding time limits and aspects of the Design Services category to be prepared to discuss.
5. No presentation and no presentation material will be allowed in this phase of the evaluation.
6. Upon completion of the interview and discussions, and based on the evaluation criteria, the PEB members will rank the firms most qualified for the proposed category. Ranking is based on a combination of both the written SOQ and the interview/discussion. Multiple firms will be selected for each category.

I. Contract Award

1. Upon completion of the selection process, the Chief Facilities Officer will submit the recommended firms to the Board of Regents for approval. Notwithstanding any provision of these procedures to the contrary, the Board of Regents shall have the right to reject any firm presented to it for approval.
2. The University's files for the contracts awarded shall contain the basis on which the contract awards are made.

J. General Considerations

1. Until award and execution of a contract by the University, only the name of each firm on the Short List shall be available to the public. All other information received by the University in response to the Request for Qualification or contained in the SOQs shall be confidential in order to avoid disclosure of the contents that may be prejudicial to competing offerors during the selection process. The SOQs shall be open to public inspection after the contract is awarded and the University has executed the contract. To the extent that a Design Firm designates and the University concurs, trade secrets and other proprietary data contained in an SOQ shall remain confidential.
2. The University may cancel a Request for Qualifications or reject in whole or in part any or all SOQs if it is in the best interest of the University. The Chief Facilities Officer shall make the reasons for cancellation or rejection part of the contract file.