

# A GUIDE TO PROPER SELECTION PROCEDURES



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## MISSOURI PROCUREMENT

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**T**raditionally, the selection of Engineers has been based on experience and qualifications. The Qualifications-Based Selection (QBS) process assures a professional client-agent relationship where the Engineer acts and speaks for the client in dealings with regulatory agencies, contractors, manufacturers and suppliers. The introduction of price into the selection process tends to reduce the relationship to that of buyer-vendor, wherein the two parties become economic adversaries.

In 1972, Public Law 92-582, the "Brooks Law" was enacted to preserve professionalism in Federal Procurement. This law mandates selection of Engineers, Architects and Land Surveyors on the basis of experience and competence, through the QBS process. In 1983, a similar "Mini-Brooks Law" was enacted by the Missouri Legislature. In 2007, the Missouri Legislature modified this procurement law to specify that state agencies and political subdivisions must use QBS.

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## MISSOURI LAW (RSMo 1984 Sections 8.285 thru 8.291)

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**8.285. Policy on contracts for architectural engineering, land surveying services.** -- It shall be the policy of the state of Missouri and political subdivisions of the state of Missouri to negotiate contracts for architectural, engineering and land surveying services on the basis of demonstrated competence and qualifications for the type of services required and at fair and reasonable prices.

**8.287. Definitions.** -- As used in sections 8.285 to 8.291 unless the context specifically requires otherwise:

- (1) **"Agency"** means each agency of the state and each agency of a political subdivision thereof authorized to contract for architectural, engineering and land surveying services;
- (2) **"Architectural services"** means any service as defined in section 327.091, RSMo;
- (3) **"Engineering services"** means any service as defined in section 327.181, RSMo;
- (4) **"Firm"** means any individual, firm, partnership, corporation, association or other legal entity permitted by law to practice the profession of architecture, engineering or land surveying and provide said services;
- (5) **"Land surveying services"** means any service as defined in section 327.272, RSMo;
- (6) **"Project"** means any capitol improvement project or any study, plan, survey or program activity of a state agency or political subdivision thereof, including development of new or existing programs.

**8.289. Agencies using services to be furnished statement of firm's qualifications and performance data.** -- Present provisions of law notwithstanding, in the procurement of architectural, engineering or land surveying services, each agency which utilizes architectural, engineering or land surveying services shall encourage firms engaged in the lawful practice of their professions to annually submit a statement of qualifications and performance data to the agency. Whenever a project requiring architectural, engineering or land surveying services is proposed for an agency of the state or political subdivision thereof, the agency shall evaluate current statements of qualifications and performance data of firms on file together with those that may be submitted by other

firms regarding the proposed project. In evaluating the qualifications of each firm the agency shall use the following criteria:

- (1) The specialized experience and technical competence of the firm with respect to the type of services required;
- (2) The capacity and capability of the firm to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project;
- (3) The past record of performance of the firm with respect to such factors as control of costs, quality of work, and ability to meet schedules;
- (4) The firm's proximity to and familiarity with the area in which the project is located.

**8.291. Negotiation for contract -- not applicable, for certain political subdivisions.** --

1. The agency shall list three highly qualified firms. The agency shall then select the firm considered best qualified and capable of performing the desired work and negotiate a contract for the project with the firm selected.
2. For a basis for negotiations the agency shall prepare a written description of the scope of the proposed services.
3. If the agency is unable to negotiate a satisfactory contract with the firm selected, negotiations with that firm shall be terminated. The agency shall then undertake negotiations with another of the qualified firms selected. If there is a failing of accord with the second firm, negotiations with such firm shall be terminated. The agency shall then undertake negotiations with the third qualified firm.
4. If the agency is unable to negotiate a contract with any of the selected firms, the agency shall re-evaluate the necessary architectural, engineering or land surveying services, including the scope and reasonable fee requirements, again compile a list of qualified firms and proceed in accordance with the provisions of sections 8.285 to 8.291.
5. The provisions of sections 8.285 to 8.291 shall not apply to any political subdivision which adopts a qualification-based selection procedure commensurate with state policy for the procurement of architectural, engineering and land surveying services.

**T**he purpose of this act is to insure that the State and its political subdivisions receive the most competent professional service available, based on demonstrated qualifications for the type of services required. Price clearly is an important factor in the selection process, but it becomes a consideration only after the most qualified firm has been selected. These procedures are essential in dealing with projects which involve the health and safety of the citizens and expenditure of public funds.



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## IMPLEMENTING THE LAW

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The law is very specific. Its application can be simple or as comprehensive as the particular project or your agency requires. Many agencies have developed excellent formal procedures which totally conform to the purpose and intent of the law. There can be provisions for: 1) simplified procedures on small projects, 2) continuing services from preliminary studies to final design, and 3) repeat services by the same firm on similar projects.

This guide is intended also to assist those agencies which may seldom use Engineering Services or are not familiar with the Qualifications-Based Selection process. In this case, your Agency may choose not to develop a formal procedure and simply proceed in accordance with the law. The QBS procedure may be applied to small projects by reviewing qualification data on file and making a selection. For larger projects, letters of interest, more detailed qualifications for the project in question, or personal interviews may be appropriate.

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## OBTAINING A SELECTION BASE

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Engineering firms should be providing statements of qualifications for your files on an annual basis. In absence of sufficient qualified firms for specific projects, inquiries may be made to other agencies known to have completed similar projects. ACEC/MO would be pleased to provide a directory of our members, which outlines the specialties of each firm.

Requests for qualifications can also be advertised in newspapers or trade journals. This approach however, usually results in an over reaction by large numbers of distant or questionably qualified firms. Most Agencies find some type of *prequalification*, either by knowledge, recommendation or formal applications to be a preferable approach.

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## THE SELECTION COMMITTEE

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It is desirable that the selection committee be comprised of at least three members. Preferably, at least one of the members should be an experienced public works official and one member should be the individual responsible for the project. Many times City Councils or County Commissions serve as the selection committee and are advised by their public works staff.

It is also appropriate, particularly on large projects, for one elected official to serve as a member or observer of the selection committee and process. This provides a direct liaison to the Council or Board which must approve the committee recommendation.

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## REQUESTING LETTERS OF INTEREST

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Requests for qualifications (RFQ) or request for proposals (RFP) should clearly describe the project or assignment and the agencies expectations for the required services. For small projects keep the description simple and request the response to be brief and concise. A request for no more than one or two page letter plus a brochure, if none is on file, should be adequate.

For larger projects, it is entirely in order to request comprehensive responses which outline the firms approach to the project, qualifications of project personnel and experience on similar projects. Be prepared to spend considerable time in reviewing these responses.

Be sure to allow 2-4 weeks for response and check references. Not just the ones provided, but also other clients whose projects were offered in the experience record.

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## INTERVIEWS

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After RFQs and RFPs are received, a selection can be made, particularly for small projects. But, separate personal or telephone interviews can be very helpful if the Agency is unfamiliar with the selection process.

Three to five firms are selected for interview. Each should be scheduled for a 30 to 45 minute period, with 15 minute breaks between. A portion of the time should be allowed for the firms presentation and a portion reserved for questions.

It is usually desirable to outline the points that are desired to be covered. Keep the interviews on schedule. Again allow adequate time for selected firms to prepare for the interview.

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## RATING OF FIRMS

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Prior to selection from qualification data or on the basis of interviews, it is very desirable to establish a rating procedure. A value should be given to various items of consideration. Each of the selection committee members should rate the competitors individually, then compare notes for the final selection.

A sample evaluation sheet is enclosed. This form lists the items of consideration under Missouri Law, with provision for other items which may be applicable to the specific criteria. Completion of this form by all members of the committee serves as excellent documentation for the qualifications-based selection process and justification for selection.

## NEGOTIATIONS

**A**fter the most qualified firm is selected, a scope of the engineers services is prepared. This may be done by your agency, or by the engineer for your review. Review this scope of services carefully with the engineer to make sure you understand what services will be provided and what items are your responsibilities.

Once a scope of services has been agreed upon, request a formal proposal outlining the agreed work, a schedule for completion and requested compensation. Don't be reluctant to require a detailed estimate of manhours and costs related to the requested compensation.

If possible, have an idea of your project budget and an estimate of engineering costs prior to receipt of the engineers formal proposal. (See DETERMINING FAIR AND REASONABLE PRICES insert.)

## DEVELOPING A CONTRACT

**A**fter agreeing on a price that is fair and equitable to both parties, a contract should be consummated. If you have your own contract form, tailor it to the project in question for your engineers review. If not, request your engineer to present his proposal in the form of a proposed contract.

Contracts may take the form of a one or two page letter with an acceptance statement for the client on small assignments. For major projects, a more comprehensive document is warranted.

Make sure the contract covers the scope of services, a time schedule for completion, and a schedule and basis of compensation. For major projects it is appropriate to include provisions for required insurance coverage, ownership of documents, provisions for cancellation and changes, and other applicable provisions.

## SAMPLE RATING FORM

Agency <b>GOOD CITY</b> <hr/> Project <b>97TH ST. WIDENING &amp; VIADUCT</b> <hr/> By <u>Ron Stewart</u> Date <u>2/23/87</u> <hr/> CRITERIA ITEM		Point Value	FIRMS <i>HENNINGTON ENGRS.</i> <i>9:00 KANSAS CITY</i>	<i>J.B. McINTOSH</i> <i>10:00 GOOD CITY</i>	<i>FOXWORTH ASSOCIATES</i> <i>11:00 SPRINGFIELD</i>		
1. The specialized experience and technical competence of the firm with respect to the services required.  <u>EXPER. WITH MAJOR BRIDGES</u>	<u>30</u>	<u>Excellent</u> <u>25</u>	<u>Locks exper.</u> <u>record with</u> <u>bridges</u> <u>10</u>	<u>Good</u> <u>20</u>			
2. The capacity and capability to perform the work in question, including specialized services, within schedule.  <u>25</u>	<u>25</u>	<u>Adequate</u> <u>20</u>	<u>Would need</u> <u>help</u> <u>10</u>	<u>More staff</u> <u>than req'd.</u> <u>25</u>			
3. The past record of performance with respect to control of costs, quality of work and ability to meet schedules.  <u>REFERENCES</u>	<u>25</u>	<u>Good</u> <u>20</u>	<u>Excellent</u> <u>25</u>	<u>Excellent</u> <u>25</u>			
4. The firm's proximity to and familiarity with the area of the project.  <u>USE OF LOCAL SURVEY AND SOIL FIRMS</u>	<u>20</u>	<u>130 Mi.</u> <u>Does own</u> <u>surv. &amp; soils</u> <u>10</u>	<u>In town</u> <u>Does own</u> <u>surv. &amp; soils</u> <u>20</u>	<u>100 Mi.</u> <u>Would hire</u> <u>local</u> <u>15</u>			
TOTAL POINTS	<u>100</u>	<u>#2</u> <u>75</u>	<u>#3</u> <u>65</u>	<u>#1</u> <u>85</u>			

PROFESSIONAL SERVICES  
EVALUATION SHEET

ACEC/MO and MSPE's professional engineers are ready to serve you. Should you ever have a question regarding professional consulting services, don't hesitate to contact our offices. You will be assisted, or referred to uninvolved Professionals who can provide confidential advice regarding any questions related to the practice of engineering.

**A**s a public official, you must become involved in seeking the design services of Consulting Engineers. Your first reaction probably is to obtain price quotes and go with the lowest bidder. After all, isn't that how you procure copy paper or that new dump truck?

However, in bidding design services, how do you know the low bidder fully understands the requirements of your project? The design work could end up costing much more when you discover additional services are required. Or worse, the project may be completed without all the design services needed, resulting in greatly increased construction costs. Engineering design services fees are only 1-2% of the lifetime project cost yet impact the other 98% of the construction and lifetime maintenance costs.

Look at it another way, when you have major surgery you don't send out bid requests to medical professionals. Or, if you're being sued, you don't select the lowest priced legal professional to defend you. In both cases you select on competence and reputation. Consulting engineers are design professionals with specialized experience and qualifications, who should be selected using the same process. You need to adopt a qualifications-based selection process that will obtain the best firm or individual for your unique project.

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## **FEDERAL AND STATE QBS LAW**

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**I**n 1972, Public Law 92-582, the "Brooks Law" was enacted to preserve professionalism in Federal Procurement. This law mandates selection of Engineers, Architects and Land Surveyors on the basis of competence and experience, through the Qualifications-Based Selection (QBS) process. In 1983, a similar "Mini-Brooks Law" was enacted by the Missouri Legislature and is contained in Missouri Law, RSMo Sections 8.285 thru 9.291. It is mandatory on all Agencies of the State of Missouri and Political Subdivisions of the state.

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## **THE PROPER SELECTION PROCESS**

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**I**n the Qualifications-Based Selection process, a number of firms (3 to 5) experienced in the type of design work needed are invited to present brochures, letters of interest, qualifications booklets for specific projects or to appear for separate personal interviews. The Agencies selection committee then considers the following criteria to determine the most qualified firm for their project.

- The Specialized Experience and Qualifications of the Firm
- The Capacity and Capability of the Firm to meet the Project Schedule
- The Past Record of Performance of the Firm (References)
- The Firms Proximity to and Knowledge of the Project Area

Once the most qualified firm is selected, price becomes an important factor. The Agency and the Consulting Engineer meet to discuss the expectations of the client for the project, to develop a scope of the engineers services, and to define the responsibilities of the agency. Then, and only then, can the engineer develop a detailed manhour and fee estimate to determine a fair and reasonable price for the services. Should the agency and the engineer not be able to agree on price, the agency is free to undertake negotiations with the second, then the third most qualified firms.

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**Note:** The purpose of the prescribed selection process is to assure that all agencies receive the most competent professional services available. Rely heavily on your experienced or professional public works officials for advice. Resist the temptation to yield to self-interest political pressure. These procedures are essential in dealing with projects which involve the health and safety of the citizens and the expenditure of public funds.

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## ADDITIONAL INFORMATION ON PROCUREMENT

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**M**ore detailed information on procurement of professional services, by the Qualifications-Based Selection process is available on request from the following sources.

**American Bar Association (ABA)**

Phone 800/285-2221

321 North Clark Street, Chicago, IL 60654-7598 - Website: <http://www.abanet.org/dch/committee.cfm?com=PC500500>

- Model Procurement Code for State and Local Governments - A/E Selection

**American Council of Engineering Companies (ACEC)**

Phone 202/347-7474

1015 Fifteenth St., N.W., Washington, D.C. 20005 - Website: [www.acec.org/advocacy/qbs.cfm](http://www.acec.org/advocacy/qbs.cfm)

- Bidding is Not the Solution - Case Studies in Bidding
- How to Use Qualifications Based Selection

**American Council of Engineering Companies of Missouri (ACEC/MO)**

Phone 573/634-4080

200 E. McCarty Street, Suite 201, Jefferson City, MO 65101 - Website: [www.acecmo.org](http://www.acecmo.org)

- Membership Directory with Descriptions of the Specialties of each Member Firm
- Professional Services Evaluation Sheet
- QBS Workbook - A Step-by-Step Process for Selecting Design Professional Services
- Quality Checklist - Recommendations and Checklists for Ensuring Quality Infrastructure Projects
- Sample RFQ for Newspaper

**American Public Works Association (APWA)**

Phone 202/408-9541

1401 K Street, NW, 11th Floor, Washington, D.C. 20005 - Website: [www.apwa.net](http://www.apwa.net)

- APWA Red Book of Qualifications Based-Selection Guidelines for Public Agencies (Cost - \$15/\$20)

**American Society of Civil Engineers (ASCE)**

Phone 800/548-2723

1801 Alexander Bell Drive, Reston, Virginia 20191-4400 - Website: [www.asce.org](http://www.asce.org)

- Manual 45 - How to Work Effectively with Consulting Engineers (Cost - \$32/\$24)

**Professional Engineers in Private Practice (PEPP)**

Phone 703/684-2800

A Division of the National Society of Professional Engineers

1420 King Street, Alexandria, Virginia 22314 -

Website: [www.nspe.org/GovernmentRelations/TakeAction/IssueBriefs/ib\\_qbs.html](http://www.nspe.org/GovernmentRelations/TakeAction/IssueBriefs/ib_qbs.html)

- NSPE Issue Brief

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**A**merican Council of Engineering Companies of Missouri is ready to serve you. Our member firms strive to improve their practice and their service to clients. All endorse the fair competition afforded by the Qualifications-Based Selection process.

Should you ever have a question regarding professional consulting services, don't hesitate to contact our President & CEO. You will be assisted, or referred to uninvolved Professionals who can provide confidential advice regarding any questions related to the practice of engineering.

The consultant managing your professional services must be both a professional and a businessman in providing those services. A consultant not only provides highly technical engineering and acts as his client's agent, but is also a businessman and must recover all costs and earn a fair profit to remain in operation. The common law of business balance prohibits paying a little, and getting a lot. The purpose of this publication is to explain how your engineer charges, so that you will be fully informed when you enter into negotiations to establish a fair and reasonable price for professional services.

### METHODS OF CONTRACTING (or Types of Agreements)

Lump sum contracts are best for both the owner and consultant when the scope of the engineer's services are well defined so a realistic fee may be developed, negotiated and agreed upon. A schedule of payments for various phases of the project development should be a part of the lump sum contract.

Cost reimbursable contracts are more desirable when the scope of work cannot be well defined. These contracts may take the form of Direct and Overhead Costs plus a Fixed Fee, Salaries times a Multiplier (2.8 to 3.1) plus expenses, or Standard Billing Rates plus expenses. Cost based contracts should have an agreed target cost, subject to periodic evaluation, which may contain a contingency for unexpected costs. Percentage of Construction Cost, Retainers, Per Diem and other systems of reimbursement are also used, depending on the client and engineers preference. Cost reimbursable contracts are more management intensive than Lump Sum contracts.

### THE CONSULTANTS COSTS

Of the costs included in lump sum contracts, the most obvious costs are direct labor and expenses incurred in developing designs and plans, or in the observation of construction. A secondary, but very real cost, is overhead. This is usually expressed as a percentage of direct salary costs. Overhead items may include:

#### DIRECT SALARY OVERHEAD

Federal FICA  
Employment Taxes  
Holidays  
Vacations  
Sick Leave  
Retirement or Incentives  
Group Insurance  
Unemployment Benefits

#### GENERAL OVERHEAD

Administrative Salaries	Rent and Utilities
Steno and Bookkeeping	Business Taxes
Continuing Education	Travel Expenses
Business Development	General and Liability Insurance
Office Supplies	Telephone and Communications
Automobile Expenses	Dues and Subscriptions
Legal and Accounting	Depreciation
Interest Expense	Unbillable Computer Costs

Total overhead may be expected to vary from 140% to 175%, depending on individual firm policy on time charges. Specialty firms may have slightly higher overhead due to specialized equipment.

### FEES (Including Profit)

In addition to direct and overhead costs, your consultant must charge a fee to cover return on capital investment, professional expertise, risk management and other non-reimbursed costs. The requested fee will vary from 15% or more on small projects to 10% on extremely large projects. An administrative charge of 5% to 15% may occur on expenses of subcontracts to cover the costs of additional liability insurance and the responsibilities for arranging and integrating these services into the total project.

### REASONABLE BILLING RATES (2008 Levels)

Summarized below are general ranges of hourly billing rates (Including Overhead and Profit) deemed to be reasonable. Be cautioned that billing rates of individual firms are not directly comparable, because of variations in individual experience and policies on time charges. For the latest industry fee and billing surveys, go to [www.zweigwhite.com](http://www.zweigwhite.com) or [www.psmj.com](http://www.psmj.com).

Principals and Partners	\$150-\$175	Technicians	\$50-\$90
Project Managers	\$105-\$145	Survey Party (1-2-3 Mbrs.)	\$70-\$125-\$160
Project/Design Engineers	\$70-\$105	Administrative	\$40-\$55

Agency _____ Project _____ By _____ Date _____ CRITERIA ITEM	Point Value FIRMS					
1. The specialized experience and technical competence of the firm with respect to the services required.						
2. The capacity and capability to perform the work in question, including specialized services, within schedule.						
3. The past record of performance with respect to control of costs, quality of work and ability to meet schedules.						
4. The firm's proximity to and familiarity with the area of the project.						
TOTAL POINTS						



# Qualifications-Based Selection

When procuring engineering and related services, government agencies should award contracts based on the qualifications of offerors. In addition to delivering quality projects, government agencies are responsible for safeguarding the public's health and well-being while being accountable to taxpayers. Selection of design professionals using qualifications as the initial criteria accomplishes these goals.

## *What is QBS ...*

QBS was codified in the Brooks Act in 1972 to protect the interests of taxpayers. Over the life of a project, engineering-related services account for less than one-half of one percent of total costs. Yet these services play a major role in determining the other 99.5 percent on the project's life-cycle costs, as well as the quality of the completed project.

The Brooks Act requires a competitive process in which engineers submit their qualifications to the procuring agency (the owner); the owner assesses the relative expertise of the competing firms; and the most qualified firm is selected for cost negotiation. During negotiation, the scope of the project is further defined. If the negotiation does not result in an agreement on project scope, schedule and budget, the owner then negotiates with the second-ranked firm. The cost of the engineering services is a major factor in the procurement, just not the only factor.

## *Why Does QBS Make Sense ...*

Most individuals would not select medical or legal services for a critical matter based solely on cost – these highly skilled services are too important to leave up to the lowest bid. Likewise, engineering is a highly skilled profession, and the services that engineers provide directly affect public safety and welfare. However, the connection between the skill level of the professional and the well being of the public is not as direct, and therefore not as apparent, in the case of engineering as in the case of doctors and lawyers. Hence, the Brooks Act.

QBS has been so successful at the federal level that it is mandated in 44 states for state-funded projects. QBS is also endorsed by the American Public Works Association, which represents the owners who procure engineering services, and is recommended by the ABA in its model procurement code for state and local governments. QBS has also been incorporated into transit, transportation (T-21), aviation (Air-21) legislation, and Superfund. QBS works because it:

1. **Results in Lower Overall Cost** - QBS lowers the overall cost of projects through designs that reduce change orders during construction and minimize long-term maintenance and repair costs. This fact has been demonstrated in reports prepared by the American Institute of Architects and Polytechnic University.
2. **Safeguards Public Interest** - QBS allows government agencies to protect the public's health and safety by focusing on qualifications to achieve the agency's requirements rather than lowest cost.
3. **Benefits Small Firms** - QBS helps small firms compete by providing them a forum to demonstrate the advantages that they often have over large firms, including a greater degree of niche market expertise, more knowledge of local regulations and business practices, and greater involvement of senior level management in the execution of the project. QBS is strongly supported by the ACEC Small Firms Council.
4. **Promotes Communication and Technical Innovation** - Using QBS, owners have the opportunity to fully define the project scope during the selection process. This process results in a project that is fully thought-through, and fosters innovative, creative, cost-saving and timesaving approaches to problems.

## **Why use Qualifications-Based Selection to Procure A/E Services: Talking Points**

- **Engineering Services are Unique**

Engineering Services are procured differently than services in other project phases. When an engineer enters a project, the scope of the work has not been entirely defined; therefore, there are no specific parameters on which to base a price estimate. Price bidding only works when there is clearly a specified project scope such as the construction phase.

The critical element in the design process is the creation of a collaborative spirit between professional and client. If price is an initial consideration, design professionals' proposals will attempt to assume the client's needs. Minimal standards will most likely be used, because a firm cannot judge exactly what the client wants; advanced technologies or new features which could save a great deal over the life of the project, may not be added because another firm not including those features, may offer a lower price.

- **Long-Term Savings**

A high-quality engineer's design can have a dramatic savings effect on maintenance and operations over the life-span of a project. Even though the fee for the design professional amounts to only a small percentage (no more than 6% on Federal work) of the overall project cost, the result of their design can greatly impact the life-cycle costs.

A study on project costs comparing low-bid and qualifications-based procurement procedures – in Maryland and Florida – demonstrates conclusively that the low-bid process can ultimately be more time consuming and cost more than qualifications-based procurement (i.e., when considering the final cost, with change vs. the negotiated price which has a well defined scope of work).

When engineers compete for projects by the qualifications-based method, price is considered; it is taken in to account after the most qualified firm is selected. The Brooks Act procurement procedure for A/E services requires that the negotiated fee for the A/E firm must be "fair and reasonable." If the most qualified firm cannot agree with the owner on a fee, the second most qualified firm is contacted. This process continues until a "fair and reasonable" fee is obtained.

- **Safeguarding Public Interest**

Public health and safety considerations are at stake with public sector projects. There is a responsibility to the taxpayers to obtain the highest quality and safest project design possible. To assure that the highest standards are obtained, the qualifications-based procurement method is most suited for A/E services.

The qualifications-based procurement procedures help to safeguard against abuses often found in the low-bid method of procurement. The QBS selection process creates six

objective steps which a public client follows: public notice, submittals, review of submittals, ranking of respondents, negotiations, and engagement. All evaluations for selection are systematic and consistent. This creates an accountable record of the public owner's selection of the design professional.

- **Encourage Competition**

QBS is the most competitive and open form of federal procurement possible. The process is based on a firm's ability to perform a job, not merely on the lowest price a firm can offer. Since each firm is reviewed with respect to the personnel that will actually work on a project, a small firm has the opportunity to match its design team (of ten including the key principals of the firm) against a larger firm's design team (who may not be the key principals in the firm). Additionally, the skills, experiences and specialization of the firm and specific design team members are considered, not merely a firm's number of employees or national reputation.

When following the Brooks Act procedures, request for design proposals are widely publicized. This encourages a large number of all sizes of firms to compete for federal projects. Far fewer design firms will compete for contracts under the price bidding method. Small firms cannot afford to submit the elaborate and expensive price proposals which are required to compete for projects.

Small and minority firms are at a disadvantage under the price bidding method; to win they must have a lower bid than a larger firm, which is able to spread its cost among a greater number of projects. Frequently, a larger firm will perform certain projects at very low price with the hope of securing the market and making-up for the lost profits on other projects.

- **Summary**

The main advantage of the qualifications-based system is that the design professional and the client work in a collaborative spirit to maximize the quality, value, cost effectiveness and usefulness of the final product. Design professionals believe strongly that their services should be selected on the basis of qualifications and competence. This widely accepted method, adhered to by the Federal government and more than 35 states, provides for vigorous and open competition among design firms in the areas of personnel, experience, prior performance, and technical skills. Using the qualifications-based selection method can assure the acquisition of the most capable professional, while at the same time obtaining a price that is "fair and reasonable" to the client.

## **REQUEST FOR QUALIFICATIONS (RFQ) for Professional Engineering Services**

The (Agency) of,  
CO. invites statements of qualifications for architectural and engineering design services from qualified firms for the design and construction contract administration for the **following project**:

**(DESCRIBE SCOPE OF SERVICES  
REQUIRED)**

(For example: *new construction, renovation, demolition*, approximate size, location, budget, schedule, any special requirements)

**(DESCRIBE RELEVANT STUDIES, SURVEYS, AND PRELIMINARY  
FEASIBILITY WORK ALREADY COMPLETE)**

**(DESCRIBE INVOLVEMENT OF GROUPS IN PROJECT)**

(For example: *boards, committees, citizen groups, etc.*)

Professional liability and statutory required insurance will be required. Letters and Statements of Qualifications due. (Allow a minimum of 14 days for firms to submit their materials.)

Evaluation of responding firms will be based on the following criteria:

1. Description of firm, consultant firms and experience of working together as a team.
2. Professional background and caliber of previous experience of each person of your firm and of each of your consultants to be assigned to this project.
3. Your proposed project management plan and the precise role of each person in accomplishing the work
4. Recent experience on similar projects and how those similarities might relate to this project. Provide names and telephone numbers of persons representing the owner and general contractor for each.
5. Unique or other relevant experience.
6. Capability of the firm to perform the work on schedule.
7. Firm's familiarity with the area of the project.

Please furnish \_\_\_\_\_ **(#)** \_\_\_\_\_ copies of your submittal to by  
o'clock \_\_\_\_\_ (date).

You may direct any questions to  
(telephone number).

(name)