Best Value Selection Process

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Best Value Selection

- OAC 153:1-6-01 - Construction Manager at Risk
- OAC 153:1-6-02 - Design-Build Firm

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Best Value Selection

"Best Value" means a selection process in which proposals contain both pricing and performance components, and award is based upon a combination of pricing and performance considerations to determine the offer deemed most advantageous and of the greatest value to the public authority.

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Best Value Selection

- Two Step Process
  - Request for Qualifications Phase (RFQ)
  - Request for Proposals Phase (RFP)
- Firm

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Best Value Selection

Public Authority Obligations:

- Identify qualifications criteria and how it will be evaluated;
- Identify the performance criteria and pricing criteria and how they will be evaluated and weighted;

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Public Authority Obligations *(cont'd)*

- Identify any minimum or mandatory technical requirements;
- Establish process for maintaining records of decisions at each phase.

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- RFQ Phase - "DAS 330 Form"
- "Most Qualified Firms"

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Evaluation Committee to review 330s

- Public Agency Staff
- A/E may be on committee but may not vote (CMR)
- Criteria Architect shall be consulted in DB Selection, but may not vote

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During RFQ Phase:

"A public authority shall answer any questions from interested firms in writing and make all questions and answers available to all interested firms."

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Short List of Firms:

"...select no fewer than three firms which it considers most qualified to provide the required services, except that the evaluation committee shall select and rank fewer than three firms when it determines in writing that fewer than three qualified firms are available."

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RFP Phase:

Once the evaluation committee has selected the short-listed firms, a public authority shall release a request for pricing and technical proposals.

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Documents provided to all short listed firms for Construction Manager at Risk:

- a description of the project, including a statement of available design detail;
- a description of any preconstruction services;

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Documents provided to CMR *(cont'd)*

- the form of construction management contract; a description of any preconstruction services;

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Documents provided to CMR *(cont'd)*

- A description of how the guaranteed maximum price for the project shall be determined,

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Documents provided to CMR *(cont'd)*

- A request for a pricing proposal, including the estimated cost of construction for the project

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Documents provided to all short listed DB firms:

- a description of the project and project delivery;
- the design criteria produced by the criteria architect or engineer;

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Documents provided to all short listed DB firms *(cont'd)*

- a description of the proposed design services;
- the form of the design-build services contract;

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Documents provided to all short listed DB firms *(cont'd)*

- a description of how the guaranteed maximum price for the project shall be determined

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Best Value Selection

Documents provided to all short listed DB firms *(cont'd)*

- a request for a pricing proposal, including the estimated cost of construction for the project, for the purpose of calculating the fees proposed by a design-build firm.

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Pre-proposal submission meetings:

Prior to the submission of technical and pricing proposals, a public authority may meet individually with each short-listed firm to permit the firm to ask questions regarding the proposal requirements. firm.

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Pricing Proposal - CMR

- CMR shall include at least the following in its pricing proposal:
  - A list of key personnel for the project;
  - Statement of the general conditions and contingency;

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Pricing Proposal - CMR

- CMR shall include *(cont'd)*
  - A fee proposal, which includes:
    - preconstruction fee;
    - construction fee;
    - at-risk fee;
    - general conditions cost;
    - contingency amount (percentage).

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Pricing Proposal - DB

- DB shall include at least the following in its pricing proposal:
  - a list of key personnel and consultants for the project;
  - design concepts adhering to the design criteria produced by the criteria architect or engineer;

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Pricing Proposal - DB

- DB shall include *(cont'd)*
  - Statement of general conditions and contingency (percentage);
  - a preliminary project schedule; and

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Pricing Proposal - DB

- DB shall include *(cont'd)*
  - A pricing proposal that includes:
    - Design services fee (AOR);
    - Pre-construction fee;
    - Design-build fee.

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Interview Phase:

The evaluation committee shall interview each short-listed firm that submits a pricing and technical proposal.

The purpose of the interview is to allow each short-listed firm an opportunity to clarify and respond to questions related to its proposal.

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Interview Phase *(cont'd)*

The public authority may provide a list of questions to the short-listed firms in advance of each interview.

The interview will not be scored or included in the scoring of the proposal.

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Interview Phase *(cont'd)*

Should a public authority find any major discrepancy or irregularity in a pricing proposal, the public authority shall notify the affected firm in writing to address the concern at the interview and require the firm to provide its response in writing no later than the date of the interview.

(The committee may request the assistance of the project's professional design firm or other independent advisors.)

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Determination of Best Value:

The evaluation committee shall evaluate each pricing and technical proposal utilizing the performance criteria and pricing criteria in the RFP.

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Determination of Best Value *(cont'd)*

The committee shall evaluate the performance criteria separately from pricing criteria and then combine the evaluations to reach a final evaluation.

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Best Value Selection

Determination of Best Value *(cont'd)*

The committee shall rank the short-listed firms based on the final evaluation of each proposal to determine the best value.

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Construction Manager at Risk Best Value Rating

Construction Manager: _____ Interview Date: _____

Evaluator's Name: _____ Signature: _____ Date: _____

Construction Manager's Qualifications

Factor	Selection Criteria	Range	Score	x	Weight	=	Subtotal (A)
Understanding of Owner's Project							
	Scope / Budget / Quality	0 - 10					
	Schedule Adjustments	0 - 10					
	Pre-Qualification Plan	0 - 5					
	EDGE Participation Plan	0 - 10					
	Value Added Suggestions	0 - 10					
	Assumptions / Clarifications	0 - 5					
Team Experience							
	Management Capabilities	0 - 15					
	CM at Risk Experience	0 - 10					
	Similar Building/Project Types	0 - 10					
	LEED* Project Experience	0 - 5					
		Subtotal (A) =	0	x	55%	=	0.0

* LEED = Leadership in Energy & Environmental Design developed by the U.S. Green Building Council

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Construction Manager's Price Proposal

Factor	Component	Price	Proposal	x	Weight	=	Subtotal (B)
Pre-Construction CM Services							
	Direct Personal Expenses						
	Reimbursable Expenses		$0				
	CM as Agent Fee (Fixed)						
Construction CM Services							
	Direct Personal Expenses						
	General Conditions		$0				
	CM at Risk Fee (Fixed)						
Construction Contingency							
	Percent of Construction		$0				
	Est. Construction Budget**	$1,400,000					
		Subtotal (B) =	$0	x	45%	=	$0

**Est. Construction Budget = Standard figure used for comparison purposes only

Best Value Calculation

Subtotal (B)	/	Subtotal (A)	=	Value***
$0		0.0%		

***Value = Weighted combination of Qualifications and Price with the lowest cumulative figure equating to the Best Value Selection

SAO F120-12v0510 Page 1

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Best Value Selection

Guaranteed Maximum Price Option:

If a public authority intends to seek a guaranteed maximum price ("GMP") proposal ...the following procedures shall be followed:

1. The public authority shall define the guaranteed maximum price proposal requirements;

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Best Value Selection

Guaranteed Maximum Price Option *(cont'd)*

2. The short-listed firm shall submit its GMP proposal to the public authority in a separate sealed package;

3. The GMP proposal shall be opened after the evaluation committee concludes its interviews and scoring of the performance and pricing criteria;

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Best Value Selection

Guaranteed Maximum Price Option *(cont'd)*

4. The evaluation committee shall conduct a comparative analysis of, and normalize, the GMP proposals received from the short-listed firms. In performing the analysis, the committee may request the assistance of the project's professional design firm or other independent advisors;

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Guaranteed Maximum Price Option *(cont'd)*

5. Each firm's GMP proposal shall be considered with the performance score given by the evaluation committee and the committee shall rank the short-listed firms based on the final evaluation of each short-listed firm's proposal to determine the best value.

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Best Value Selection

Guaranteed Maximum Price Option *(cont'd)*

2. The short-listed firm shall submit its GMP proposal to the public authority in a separate sealed package;

3. The GMP proposal shall be opened after the evaluation committee concludes its interviews and scoring of the performance and pricing criteria;

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Public Records:

Records that are maintained by the public authority during the qualifications phase and proposal phase are public, to the extent permitted by sections 149.43 and 149.433 of the Revised Code, and shall be available for inspection only after the announcement of the public authority … of the selected firm.

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Best Value Selection Design-Build

153.692

For every design-build contract, the public authority . . . shall first obtain the services of a criteria architect or engineer by doing either of the following:

(A) Contracting for the services consistent with sections 153.65 to 153.70 of the Revised Code;

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Best Value Selection Design-Build

153.692 *(cont'd)*

(B) Obtaining the services through an architect or engineer who is an employee of the public authority and notifying the department of administrative services before the services are performed.

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Best Value Selection Design-Build

153.693

For every design-build contract, the public authority planning to contract for design-build services, <u>in consultation with the criteria architect or engineer,</u> shall evaluate the statements of qualifications submitted by design-build firms specifically regarding the project, including the design-build firm's proposed architect or engineer of record.

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Best Value Selection Design-Build

153.694

If a professional design firm selected as the criteria architect or engineer creates the preliminary criteria and design criteria for a project and provides professional design services to a public authority to assist that public authority in evaluating the design-build requirements provided to the public authority by a design-build firm, that professional design firm shall not provide any design-build services pursuant to the design-build contract . . .for the project for which the professional design firm was selected as the criteria architect or engineer.

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Best Value Selection Design-Build

Stipend

(1) A public authority may provide a stipend for a responsive pricing and technical proposal received from the non-selected short-listed firms. The decision to award a stipend is at the sole discretion of a public authority.

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Best Value Selection Design-Build

Stipend *(cont'd)*

(2) The amount of the stipend shall be determined by a public authority and may be a lump sum amount or a percentage based on the level of effort anticipated to be expended to meet the proposal requirements.

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Best Value Selection Design-Build

Stipend *(cont'd)*

(3) After the award of the design-build contract and upon the submission of complete and acceptable documentation to the public authority of all actual costs of preparing a pricing and technical proposal, the remaining eligible design-build firms may receive payment up to the amount specified in paragraph (H)(2) of this rule, or the design-build firm's actual costs of preparing the proposal, whichever is less.

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