



December 11, 2024

Qualifications Based Proposals

2024 PEPS Conference

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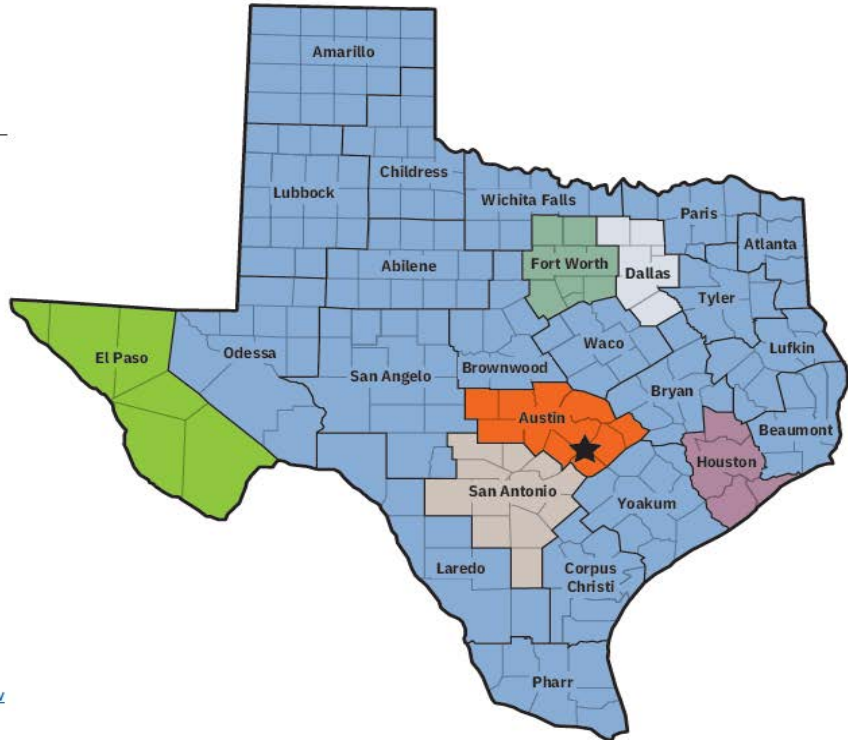
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Agenda



Brooks Act and Professional Services Procurement Act



Procurement Resources



Qualifications-Based Proposals



Request for Proposal



Evaluation Criteria



Questions and Discussion

Laws and Regulations

FEDERAL

- U.S. Code (USC)
 - Title 23 Highways
 - Title 49 Transportation
- USDOT, EPA
- Code of Federal Regulations (CFR)

Laws



Regulations

STATE

- Texas Statutes
 - Government Code
 - Transportation Code
- TxDOT
- Texas Administrative Code (TAC)

Brooks Act

United State Code (USC)

- Title 40 – Public Buildings, Property, and Works
 - Subtitle 1 – Federal Property and Administrative Services
 - Chapter 11 – Selection of Architects and Engineers
 - §1101. Policy
 - §1102. Definitions
 - §1103. Selection procedure
 - §1104. Negotiation of contract

40 USC 1101: Policy

Text contains those laws in effect on October 30, 2024

From Title 40-PUBLIC BUILDINGS, PROPERTY, AND WORKS

SUBTITLE I-FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES

CHAPTER 11-SELECTION OF ARCHITECTS AND ENGINEERS

Jump To:

[Source Credit](#)

§1101. Policy

The policy of the Federal Government is to publicly announce all requirements for architectural and engineering services and to negotiate contracts for architectural and engineering services on the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1129 .)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1101	40:542.	June 30, 1949, ch. 288, title IX, §902, as added Pub. L. 92-582, Oct. 27, 1972, 86 Stat. 1279 .

The words "The Congress hereby declares" are omitted as unnecessary.

Professional Services Procurement Act

Texas Government Code

- Title 10. General Government
- Subtitle F. State and Local Contract and Fund Management
- Chapter 2254. Professional and Consulting Services
- Subchapter A. Professional Services
- Sec. 2254.001. Short Title. This subchapter may be cited as the Professional Services Procurement Act.

Professional Engineering Procurement Services

40 USC 1101-1104 – The Brooks Act
Tx Gov Code Chapter 2254 – Professional Services Procurement Act



23 CFR §172 (federal regulations)
43 TAC Chapter 9 (state regulations)



PEPS manuals, Contract Services manuals,
Administrative or Division-level directives
Guidance documents

Competence and Qualification

Select the most highly qualified provider of those services on the basis of **demonstrated competence and qualifications**

- Request for Proposal (RFP)
 - Evaluation Criteria
 - Technical Approach
 - Project Manager's Relevant Experience
 - Project Planning and Management
 - Key Staff's Relevant Experience
 - Past Performance Score

Procurement Resources

Meeting with TxDOT



- Service Center Manager (SCM)
- or District / Division (DD)

Group Informational Meetings



- Pre-Wave
- Pre-RFP

Request for Proposal (RFP)



- Questionnaire
- Project Team Composition (PTC) Form
- Scope of Services to be Provided
- Non-Listed Categories

Question and Response



- Question period
- Debriefs
 - Group
 - Individual

Meeting with TxDOT



Service Center Manager (SCM) or District / Division (DD)

- Knowledge of the service area.
- Knowledge on historical use.
- Knowledge of the process.
- Consistent message.

Do not contact the Consultant Selection Team (CST)

- Request for Proposal states, "Note: Do not contact these individuals about this procurement. Since the procurement process has started, these TxDOT employees will not respond to questions about this procurement."



Pre-Wave or Pre-RFP Meeting

Description of project(s) being procured

Description of the project limits

Overview of procurement and selection process

Anticipated precertification work categories

Anticipated non-listed work categories (NLC)

Preliminary preclusions or core team restrictions

Information-HUB or DBE requirements

Potential timeline for the advertisement

- HUB –
Historically Underutilized Business

Overview of contract scope

Unique characteristics or factors of the project

- DBE -
Disadvantaged Business Enterprise

RFP Resource Files

Questionnaire

- License or Registration Requirements
- Deputy Project Manager

Project Team Composition (PTC) Form

- Percentage of each category of work
- HUB or DBE Goal

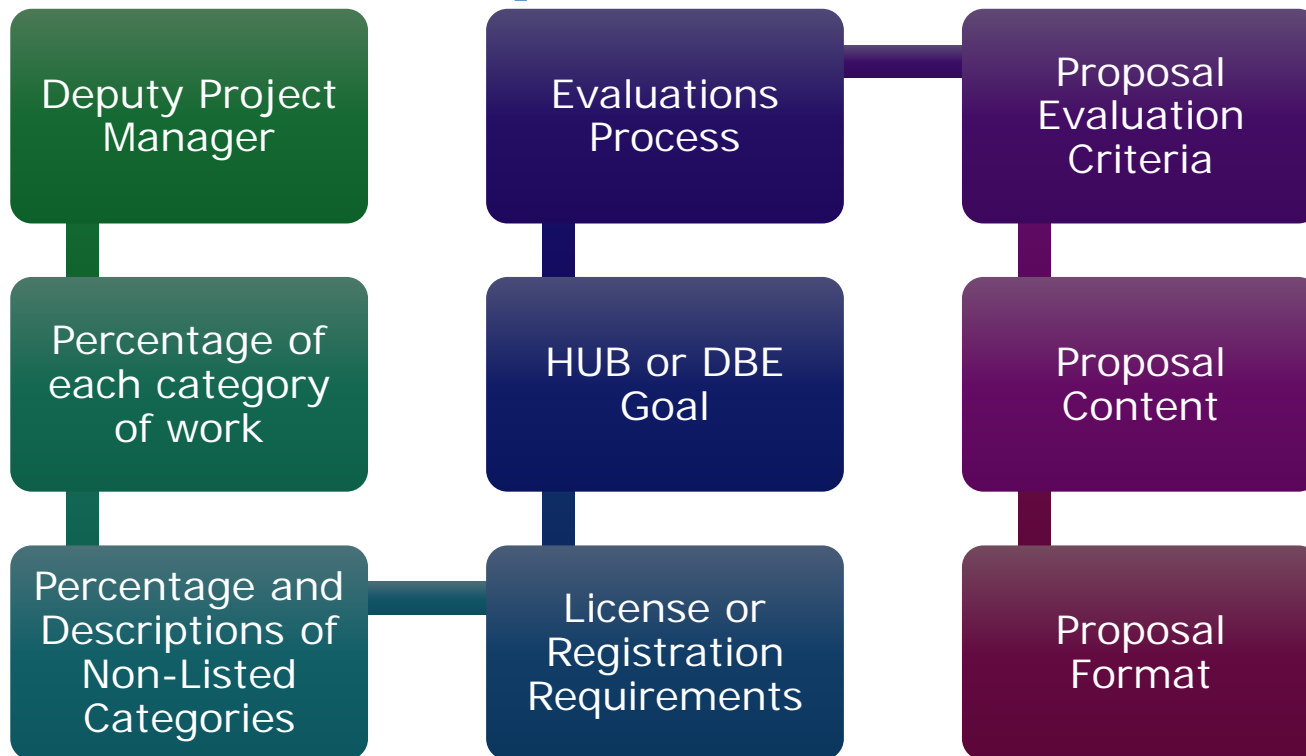
Scope of Services to be Provided

- By the State
- By the Engineer

Non-Listed Categories

- Non-typical needs

Request for Proposal



Proposal Format

Do I need to have an introduction graphic page as a part of the proposal?

Do I need to show this in resume format?

- Address
- Phone number
- Email address
- LinkedIn profile link
- Firm links
- Video links

Proposal

The answer is, no.

Consultant Selection Team members cannot use resources outside of the proposal.



Proposal Evaluation Criteria

Evaluation Criteria	Included Elements	Weighting for Evaluation of Proposal
Technical approach	Project understanding, project approach, innovative concepts or alternatives	XX
Project Manager's relevant experience	Experience with similar or related projects, including both technical and management experience	XX
Project planning and management	Project staffing and resource management (who, how, and why), communication plan, and quality control procedures. Includes the prime firm's past experience with utilizing subproviders and meeting program goals (HUB or DBE) and/or how it plans to utilize subproviders to meet the goals on this contract. Also may include project scheduling or phasing for SD projects	XX
Key staff's relevant experience	Experience with similar projects	XX
Past Performance Score		XX
Total		100

Evaluation Score Average (ESA)

ESA Score	Past Performance Score
$80 \leq \text{ESA}$	5
$60 \leq \text{ESA} < 80$	4
$40 \leq \text{ESA} < 60$	3
$20 \leq \text{ESA} < 40$	2

Evaluation Score Average (ESA) example



Past Performance Score

Collected by the Procurement Engineer from PS-CAMS or the RFP average is used to determine your score.

You don't need to put in a previous contact's information as a reference.

You don't need to put in information about your Past Performance Score in your proposal.

Consultant Selection Team members cannot use resources outside of the proposal.

Proposal Content Paragraph

What is unique?



What are the highlighted project attributes?

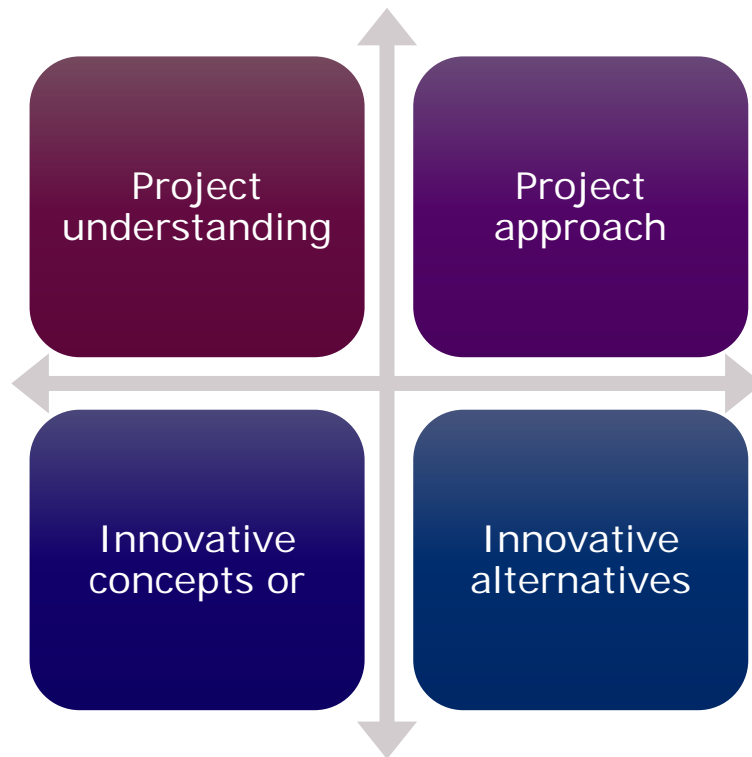


How do my qualifications relate to the content paragraph?



How can I show my competence in what is covered in the content paragraph?

Technical Approach



Innovation

Example: "We have repeatedly used the innovative _____ tool for completing projects. It has proved to be an invaluable tool since 2001."

- How do you use it in your approach?
- How does it help you in your approach?
- What is the benefit?
- Is it innovative?

Relevant Experience

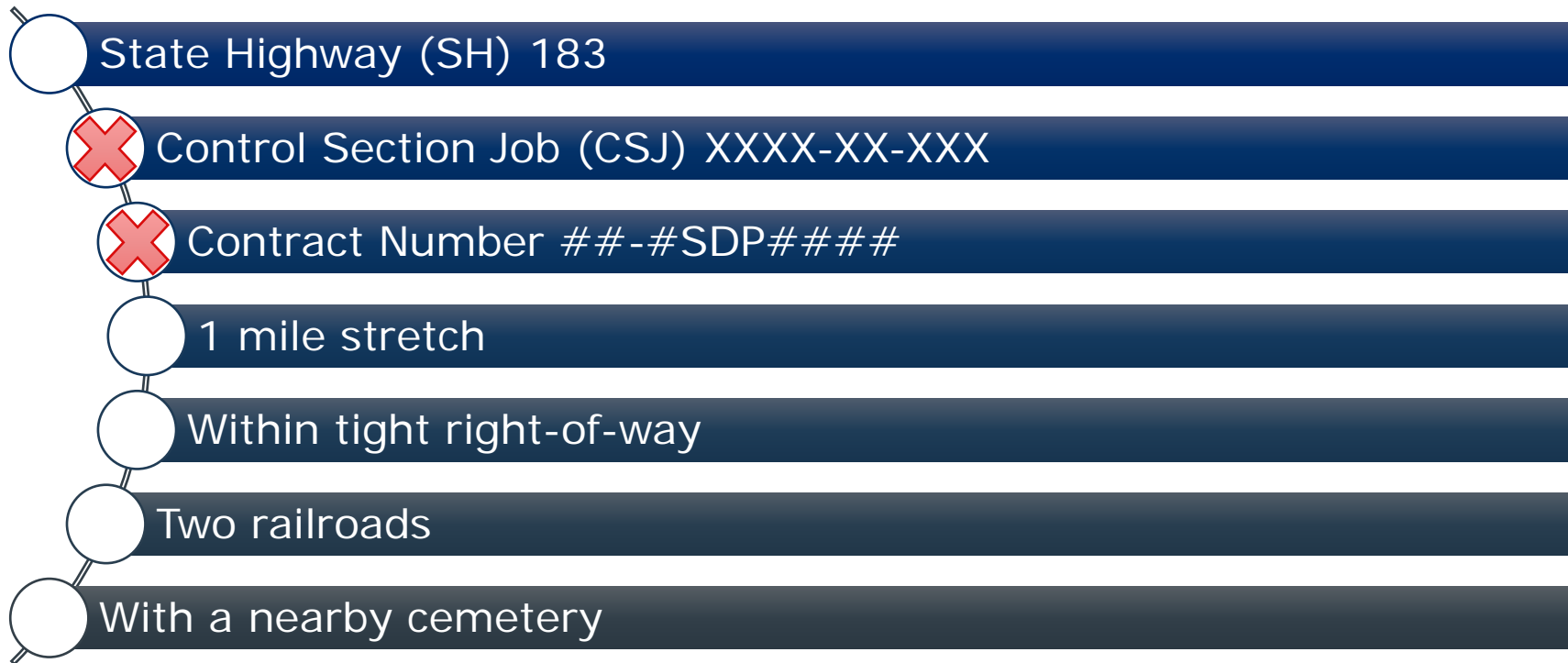
Project
Manager's
Relevant
Experience

- Experience with similar or related projects
- Include technical experience
- Include management experience

Key Staff's
Relevant
Experience

- Experience with similar projects

Project Example



Project Planning and Management

Project staffing and resource management

- Who, How, and Why

Communication plan

Quality control procedures

Includes prime firm's past experience with utilizing subproviders and meeting program goals (HUB/DBE) and/or how it plans to utilize subproviders to meet goals on the contract

Also, may include project scheduling or phasing for SD projects

Qualification versus Savings

Example 1: "I stay within the budget and time."



Example 2: "We stay under the budget and time."



Example 3: "These are the techniques we use to stay under budget and time..."



Expansion on techniques can show your knowledge and application, supporting your qualifications and competence in your approach.



This is not low bid. We are seeking the highest qualified.



Questions to Ask

How does this display my qualifications?

How does this demonstrate my competence?

How does this meet the criteria?

How does this relate to the content paragraph?

How does this relate to the scope of work?

Best Practices

Have a fresh set of eyes review your proposal; keeping the criteria in mind.

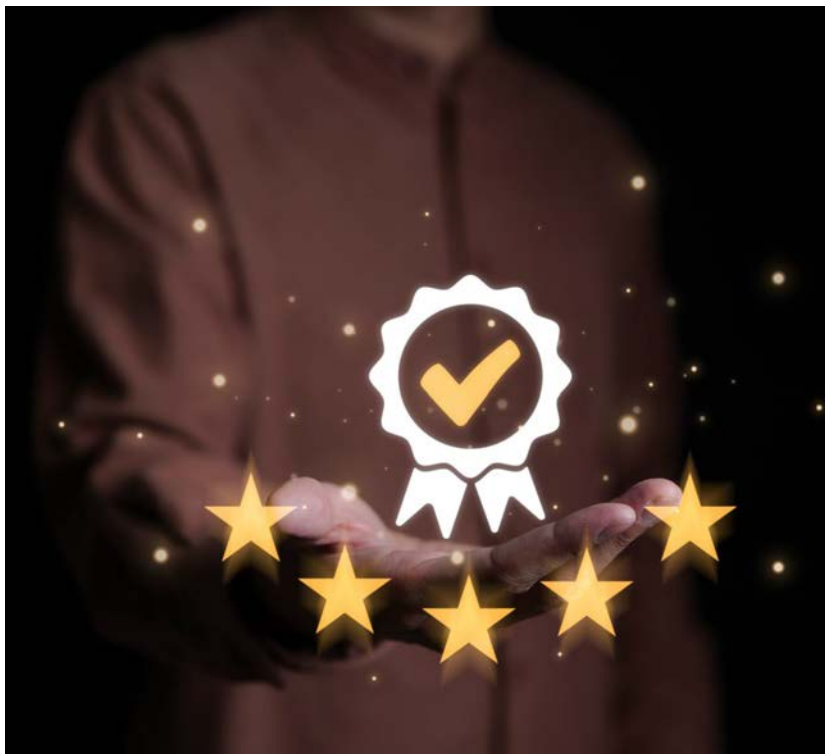
Have someone in your company score your proposal.

Score your proposal.

Qualifications-Based Selection (QBS): Features



Qualifications-Based Selection (QBS): Highlights



Opportunity for high-quality outcomes

Encourages innovation and creativity

Potential for quality service

Resources



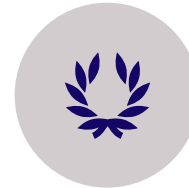
[40 USC CH. 11:
SELECTION OF
ARCHITECTS AND
ENGINEERS](#)



[GOVERNMENT
CODE CHAPTER
2254.
PROFESSIONAL
AND CONSULTING
SERVICES](#)



[Texas
Administrative Code](#)



[ECFR :: 23 CFR
PART 172 --
PROCUREMENT,
MANAGEMENT, AND
ADMINISTRATION
OF ENGINEERING
AND DESIGN
RELATED SERVICES](#)



[U.S.C. TITLE 49 -
TRANSPORTATION](#)

Questions and Discussion

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