



TO: John K. Gardner, Chief Financial Officer
CC: Darlyn Adams, Procurement Officer
FROM: Ara Heinz, Procurement Specialist
SUBJECT: RFQ Process (Conceptual vs. Production Design)
DATE: October 24, 2014

To date, we have issued three Requests for Qualifications (RFQs) since the approval of the Capital Projects Plan in September 2013. The first RFQ was released in October 2013 for Conceptual Design Services, the second for Production Design Services was released in September, and the most recent RFQ for K-12 Building Modifications was released earlier this month. (Qualification packages for the K-12 Building Modifications are due on Monday, October 27th.)

The RFQ for Production Design Services was released with the understanding that it was Part Two of a two-part process. Part One was the solicitation under which SHW Group was awarded a contract for Conceptual Design Services. The Scope of Work for the first RFQ stated, "The District uses a two-part process to plan, design, and deliver its projects. The first part involves planning, conceptual design development, and community input. The second part involves fully documenting design and constructing the project. This Agreement is for all services necessary to complete the first part of our two-part process."

Because this process is somewhat different from the way that we have traditionally solicited for these types of services, we did receive questions about the process which were addressed in addenda related to that RFQ. One such question/answer communication, published in Addendum # 1 on November 7, 2013 was:

Q: If awarded the contract for Conceptual Design and performance is satisfactory, would a firm automatically have the opportunity to take the project through construction documents and contract administration, or will there be another RFQ for that portion of the work? If there is another RFQ for that portion of the work, would the firm not be able to submit because they provided the work for the conceptual design?

A: This solicitation is for the conceptual design/planning portion of work only, and the awarded firm will NOT automatically have the opportunity to take the project(s) through the next phase of work. It is the intent of the District to release several solicitations for the next phase of work to cover the multiple projects listed in RFQ 1314-17. Because the work resulting from this solicitation is only the conceptual design/planning phase of a complete construction project, any firm, including the one awarded the contract associated with RFQ 1314-17, will be allowed to submit for Phase Two of the projects.

The Summary of Services Required (Article 5: Scope of Work) for this current RFQ (1415-12) states:

The District utilizes a two-part process to plan, design, and deliver its projects. Part One involves planning, community input, and Conceptual Design. Part Two involves production work to fully document the design for purposes of bidding and constructing the project.

The Part One planning and conceptual design phase has been completed (included in this RFQ) and has produced narratives, program summaries, and various plans and illustrations which define each project in sufficient detail so that the scope of the project is easily understood, budgets and schedules can be confirmed, approvals can be granted with justification, and ultimately, the Part Two production of contract documents can advance seamlessly.

This RFQ is for all services necessary to complete Part Two (Production Design Services) of this two-part process, including completion of design documents, bid phase, construction administration, and close-out. The District intends to select multiple firms to assign projects as may be deemed in the best interests of the District.

As detailed in both RFQs, the District is implementing a 2 part process to fully design its new facilities. If we cancel our current RFQ and move forward with a sole-source procurement, it appears as if we are not following through on our *intent* of the two-part process, and I believe that our "fair and equitable treatment of all persons who deal with the procurement system of the District" (HCS Procurement Code, Article I, A, 5) as well as our *Obligation of Good Faith* (HCS Procurement Code, Article I, B) will be called into question. Acting in a manner true to these values is necessary to preserve the public's confidence and trust.

In addition, when we solicited for Part One of this process last year, only 1 local firm submitted their qualifications. However, another local firm did respond stating their intent to submit qualifications when Part Two was released. I am attaching their letter for your review.

We have had a good response to both of these RFQs from a variety of firms, and it appears as if the K-12 Building Modifications RFQ is following suit. With the interest that we have had and continue to have in these projects, my role as a Procurement Specialist for the District leads me to believe that our credibility within the community would be called into question if we did not follow through with the process that we published in the solicitations. As stewards of tax-payer's funds, public opinion should be considered as a factor in the decisions made by the District, within the confines of the law.

Attachment: Letter from UWPB regarding RFQ 1314-17