



TRANSIT FACILITY CONSTRUCTION PROJECT GUIDEBOOK



Adapted From
OVERSIGHT OF FACILITY PROJECTS GUIDEBOOK
National Cooperative Highway Research Program Project 20-65 Task 63
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Table of Contents

| | |
|---|----|
| INTRODUCTION AND CAPITAL IMPROVEMENT PLAN..... | 3 |
| GRANT RULES and PROCUREMENT | 5 |
| PROJECT ORGANIZATION AND RESPONSIBILITIES | 6 |
| BASIC REQUIREMENT | 6 |
| PERSONNEL..... | 6 |
| BASIC RESPONSIBILITIES | 7 |
| OTHER POTENTIAL TEAM MEMBERS | 9 |
| COMMUNICATION AMONG ALL TEAM MEMBERS..... | 10 |
| LAND ACQUISITION..... | 11 |
| BASIC REQUIREMENT..... | 11 |
| ENVIRONMENTAL SITE ASSESSMENT | 11 |
| ESTABLISHING FAIR MARKET VALUE..... | 13 |
| ACQUIRING THE PROPERTY | 13 |
| ACQUIRING A&E SERVICES..... | 13 |
| BASIC REQUIREMENT..... | 13 |
| PROCUREMENT PROCESS | 14 |
| PREPARATION OF THE SCOPE OF WORK AND THE DESIGN SCHEDULE..... | 14 |
| PREPARATION OF AN ICE | 15 |
| DBE PARTICIPATION..... | 15 |
| DEVELOP THE Request for Proposal PACKAGE | 16 |
| FORMATION OF A SELECTION COMMITTEE | 17 |
| PRE-PROPOSAL CONFERENCE | 18 |
| RFP ADDENDUM | 18 |
| RECEIPT AND RANKING OF PROPOSALS | 18 |
| NEGOTIATION OF PRICE..... | 19 |
| RECOMMENDATION AND AWARD | 19 |
| INDEPENDENT CONSTRUCTION COST ESTIMATE | 19 |
| BASIC REQUIREMENT..... | 19 |
| CONSTRUCTION COST ESTIMATES..... | 20 |
| THE CONSTRUCTION PHASE SOLICITATION & AWARD PROCESS | 20 |
| BASIC REQUIREMENT..... | 20 |

| | |
|--|----|
| DBE..... | 21 |
| DEVELOPMENT OF THE BID DOCUMENTS | 21 |
| ADVERTISEMENT OF THE BID..... | 22 |
| PREPARATION AND ISSUANCE OF BID ADDENDUM | 22 |
| BID OPENING..... | 22 |
| EVALUATION OF BIDS | 22 |
| DETERMINING PRICE REASONABLENESS | 22 |
| NOTICE OF INTENT TO AWARD..... | 22 |
| NOTICE OF AWARD | 22 |
| CONSTRUCTION ADMINISTRATION | 23 |
| BASIC REQUIREMENT | 23 |

INTRODUCTION AND CAPITAL IMPROVEMENT PLAN

The purpose of this guidebook is to provide a useful tool for the South Dakota Department of Transportation (SDDOT) and their subrecipients to use in undertaking construction and rehabilitation projects, either for the first time or with little prior experience. This document provides the basics of construction project management from project inception through planning, environmental clearance, real estate acquisition, design, construction, and closeout. This guidance is structured to use “plain language” to describe the numerous requirements for carrying out a successful and compliant facility construction and/or improvement project. The guidance is targeted to projects generally carried out by small urban and rural systems.

Federal grant opportunities for South Dakota public transit providers are managed by the SDDOT Office of Air, Rail and Transit. The SDDOT acts as a grant recipient and receives federal awards directly from the Federal Transit Administration (FTA). The transit provider receiving the subaward from the SDDOT is known as the subrecipient and is responsible for carrying-out many functions of the grant.

The best opportunity to fund a construction project is to apply for a discretionary grant. The grants are competitive and are announced by the FTA. These grants typically fund capital projects that will assist with the rehabilitation and construction of transit facilities. It’s very important for subrecipients seeking funding opportunities to put a plan in place that works to make their agency’s application stand out from the rest.

The transit provider’s mission, vision, and long-range plan is used to identify the need for a facility construction project. A facility construction project can be the rehabilitation or expansion of an existing facility or it can be the construction of a new facility. The provider’s Transit Asset Management (TAM) Plan can also play a role in identifying a need for a facility improvement project. The TAM Plan lists the condition and useful life of the provider’s assets that could be used to determine the need for additional assets such as a facility.

Due to the dollar amounts involved, planning and budgeting for a facility improvement project need to begin at least three years ahead of construction work. The use of grant funds requires SDDOT oversight and on-going monitoring which involves complex and often confusing federal requirements. Grant funds generally need to be used within two years of award. In order to carry out a successful and compliant improvement project, subrecipients need to have adequate local funds budgeted prior to the start of construction with a plan and timeframe in place to complete the project. Having a project plan and budget in place demonstrates the technical and financial capacity to successfully administer and use grant funds.

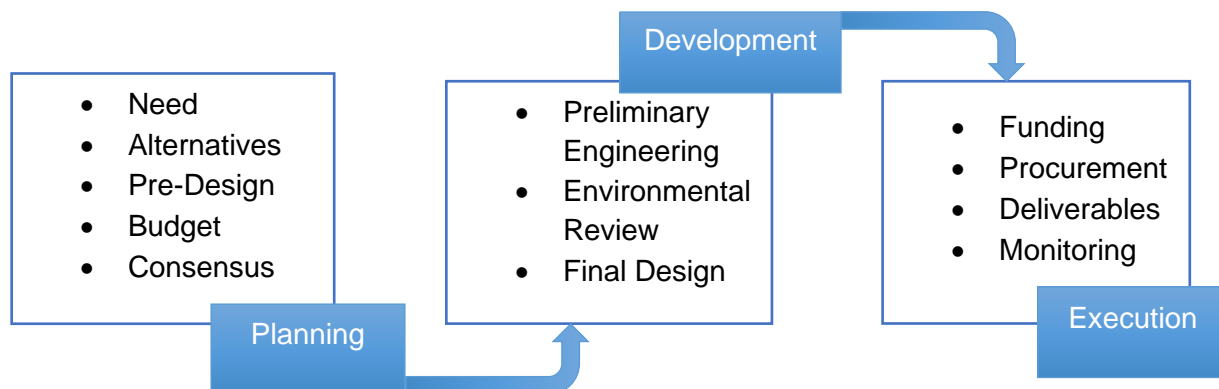
Capital Improvement Planning Process

A complete discussion of the Capital Improvement Plan (CIP) process can be found in the SDDOT Capital Planning Manual. Transit providers in South Dakota already complete a 5-year plan or 5-year asset plan on an annual basis. A 5-year plan containing information used for a construction project is frequently called a Capital Improvement Plan or CIP. A CIP is a planning and management tool used to coordinate the location, timing, and financing of capital assets over a multi-year period.

Capital assets include rolling stock such as buses and vans, fixed facilities such as buildings, and major capitalized equipment such as vehicle lifts and diagnostic equipment. The asset needs in the plan compete for limited funding. A capital improvement plan helps providers prioritize their needs. A CIP is critically important and one of the major responsibilities of transit providers.

Starting the Project Budget One of the benefits of starting the construction project planning process early is that the first or preliminary estimate only needs to be in the ballpark for the CIP. As you work through the planning process and get closer to the project start date, the construction cost estimate will become more accurate. Talking to peer transit providers with similar projects or using industry per foot construction costs is a good way to establish a preliminary project number.

The three major phases leading to project implementation: planning, development, and execution. The first phase is accomplished by identifying the need, comparing alternatives, developing a budget, and gathering consensus for the project.



Facility Cost Considerations While transit systems may do a good job of the planned purchase or construction of a new transit facility, often the impacts to operating budgets are overlooked or underestimated. An unexpected heating/air conditioning bill that is double or triple the amount paid in the previous location can spell disaster to an already tight budget. Some of the expenses that may increase in a new facility include:

- Increased utility costs
 - Heating/air conditioning
 - Electricity and/or gas utility
 - Additional phone lines
 - Water/sewer costs

- Increased housekeeping and maintenance costs
 - Increased staffing or use of a janitorial/maintenance company
 - Increased supply costs (rest room facility supplies, cleaning supplies, etc.)
 - Maintenance services

- Miscellaneous Inspections and/or Tests
 - Sprinkler systems
 - Alarm system tests/monitoring
 - Backflow tests

- Increased deadhead time if facility is a considerable distance from the first stop or pickup (even an additional 10 miles per day for 10 vehicles over the course of a year is an additional 2,500 extra miles on a vehicle; for a fleet of 10 vehicles, 25,000 additional miles.)

- Deadhead miles are important for two reasons:
 - Deadhead miles must be considered in a fully allocated cost rate and could significantly affect your rates.
 - Additional miles could mean additional maintenance costs and earlier replacement of vehicles.

- Furnishings, etc.

GRANT RULES and PROCUREMENT

The common grant rules for Federal Transit Administration (FTA) recipients are contained in 2 CFR Part 200 and 1201, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.” In addition, the executed funding agreement between subrecipient and SDDOT. The common grant rule defines specific federal requirements for States and their subrecipients including those that guide the subject of this guidebook. Such requirements are summarized below.

SDDOT will follow the most restrictive procurement process of federal, state, and local regulations along with incorporating the required federal requirements. Subrecipients of SDDOT are required to adopt procurement policies according to the SDDOT Procurement Policy template.

State subrecipients that are private non-profit agencies or private for-profit agencies must comply with the requirements contained in the most recent FTA Circular 4220.1 that provides third party contracting guidance. These private non-profit or private for-profit agencies do not have the same flexibility as States and their public-entity subrecipients.

Requirements referenced in this document that do not necessarily apply to States and public entity subrecipients are still recommended and represent sound business practices. For example, development of an independent cost estimate (ICE) is a sound business practice to determine the financial feasibility at the earliest stage of a project.

For procurement guidance refer to the SDDOT Procurement Template and Fact Sheet. Note: Subrecipients need to follow the most restrictive procurement policies required for your agency structure.

PROJECT ORGANIZATION AND RESPONSIBILITIES

BASIC REQUIREMENT

A transit construction project involves numerous steps or phases. Successful completion of these steps requires individuals with varying skill sets. Each project should be outlined to identify the skill sets required and a determination should be made as to how the project will be organized. This process will result in a comprehensive listing of the team members involved with the project, as part of a Project Management Plan (PMP). Additionally, each team member's responsibilities should be clearly defined in the reporting organizational structure. A best practice is to produce a responsibility matrix that lists key project steps which identifies the members of the team that will have either lead or support responsibilities for each step.

SDDOT recognizes that Project Management Plans are only required for very large construction projects and that there are likely more roles listed than subrecipient staff. It is recognized that subrecipient staff will be performing multiple roles in a construction project or hire an outside source to perform this work.

PERSONNEL

At a minimum, every transit construction project should involve the following individuals and resources:

1. Chief executive officer (CEO)
2. Project manager
3. Financial manager
4. Grants manager
5. Procurement manager
6. Disadvantaged business enterprise liaison officer (DBELO)
7. Architect/engineer

8. Construction contractor

The following personnel may also be required:

1. Construction manager
2. Property acquisition specialist
3. Environmental specialists

BASIC RESPONSIBILITIES

The following paragraphs describe the basic responsibilities of each team member. Additional detailed descriptions of responsibilities are included in other sections of this guidebook.

| Title | Subrecipient | SDDOT | Contractor\Consultant |
|---|---------------------|--------------|------------------------------|
| Chief executive officer (CEO) | X | | |
| Project manager | X | | X |
| Financial manager | X | | |
| Grants manager | X | X | |
| Procurement manager / *Contract Administration | X | X | X* |
| Disadvantaged business enterprise liaison officer (DBELO) | X | | X |
| Architect/engineer | | | X |
| Construction contractor | | | X |
| Construction manager | X | | X |
| Property acquisition specialist | X | | X |
| Environmental specialists | X | | X |

CEO

The CEO is the highest-ranking staff member of the agency for which the project is being undertaken. This individual reports to a governing board (typically, a Board of Directors or a municipal policy body). The CEO is the person with the overall responsibility for the project.

Project Manager

The project manager is the project staff member responsible for defining the scope of the project and communicating the project vision and implementation to the project team. Tasks would include developing the initial project schedule and the initial project budget. The budget and schedule are updated by the project manager during implementation phase of the project. The project manager is responsible for documentation and should have a direct reporting relationship with the Chief Executive Officer. All oral and written communications should be documented and flow through the project manager to and from all other team members. This role can be conducted by the applicant or a contractor\consultant depending on the size of the project and bid award.

Financial Manager

The financial manager is responsible for authorizing project expenditures and managing the project budgets and associated change orders.

Grants Manager

The grants manager is responsible for submitting the application to the funding agencies for grants that will support project expenditures. Additionally, the grants manager is responsible for completing any grant amendments or revisions that may be necessary during project implementation and ensuring grant compliance such as reporting, is a key responsibility. This role would be the responsibility of the applicant and SDDOT the initial grant application would be prepared and submitted to SDDOT by the applicant. The application is reviewed and submitted to FTA in a grant for approval. It the responsibility of the applicant to inform SDDOT on the process and changes to the project through the project tracking reporting process. SDDOT is responsible to update the grant accordingly for milestones and amendments.

Procurement Manager and Contract Administration

The procurement manager is responsible for acquiring third-party services required to implement the project work. These services normally include design and engineering services as well as construction management of procured resources. The procurement manager's primary directive is to ensure the third-party services are acquired using full and open competitive processes that result in contract awards to qualified firms while complying with the requirements of the grant funding agencies which have funded the project. Once the applicant has a contract for a consultant design, engineering, and construction, that consultant should procure and perform contract administration for the construction of the project. This process would have to be included in the procurement for a third party.

DBELO

The DBE manager is responsible for the communication of eligible work tasks to qualified and certified DBE firms, and that these firms have a maximum opportunity to participate in project activities. Maximum opportunity is achieved when the DBE manager works in close collaboration with the procurement manager to identify potential DBE project opportunities. The DBE manager is also responsible for communicating these opportunities to certified DBE firms. Additionally, the DBE manager should ensure that appropriate DBE requirements are

being met during project implementation and that the required documentation is kept regarding any advertised DBE participation. The DBE manager reports directly to the agency CEO. Subrecipient and/or consultant must contact the SDDOT Transit staff for guidance on DBE participation and reporting on a project.

Architect/Engineer

A&E services are usually provided by a professional firm that is awarded a contract through the procurement process. The A&E firm is responsible for the design and engineering of the project in accordance with applicable laws, codes, and other requirements. The firm should also be responsible for preparing pre-bid construction cost estimates, periodic oversight of the construction process, approving construction contractor payment applications, reviewing, and making recommendations in connection with change order requests and ensuring proper project close out. The A&E firm should report to the project manager. SDDOT recommends hiring an outside consultant to perform A&E services. An A&E consultant can be procured by issuing an RFP in accordance with the Brooks Act or using a consultant from the SDDOT retainer list.

Construction Contractor

The construction contractor is awarded a contract through the procurement process. The construction contractor is responsible for completing the project in accordance with the work schedule and specifications and drawings prepared by the A&E firm.

OTHER POTENTIAL TEAM MEMBERS

Based on the particular project, other team members may include construction manager, property acquisition specialists and environmental specialists.

Construction Manager

If the transit construction project is anticipated to be complex, or if multiple prime contractors will be used, it is usually advisable to retain the services of an outside (third party) construction manager. The construction manager is responsible for being the agency's full time representative throughout the design and construction process. The construction manager will prepare constructability assessments and value engineering prior to the bidding phase. The construction manager reports directly to the project manager. The A&E consultant should assume this role in South Dakota.

Property Acquisition Specialists

If the project requires the acquisition of real estate or if an appraisal is needed, a property acquisition specialist should be retained. The property acquisition specialist should be familiar with applicable federal and State real estate acquisition requirements and any grant funding requirements if grant funding is to be used. Federal requirements are identified in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, in addition to basic real estate acquisition practices. The property acquisition specialist is responsible for obtaining property title searches, ensuring that property appraisals are

conducted and serving as the lead property acquisition negotiator. The property acquisition specialist should report to the project manager.

Environmental Specialists

Most proposed construction projects will need to have some level of environmental analysis conducted. Environmental analysis usually follows either the National Environmental Policy Act (NEPA) requirements, Title VI equity analysis (completed when proposed project is located in an area containing minority or low-income residents), or similar requirements based on State Laws. The environmental specialist is responsible for seeing that all environmental requirements are addressed. Some of these requirements may include:

- Phase I and Phase II environmental site assessments (prior to property acquisition)
- Storm water runoff requirements
- Traffic impacts and access issues (during and after construction)
- Noise impacts (during and after construction)
- Environmental justice requirements
- Zoning and compatibility with surrounding land uses
- Availability of utilities
- A review of any environmental concerns that could constrain or preclude the use of the site.

COMMUNICATION AMONG ALL TEAM MEMBERS

Maintaining clear and consistent communications among all team members is critical to the success of a project. A mutual understanding among all team members must be reached by which they understand that they are dependent upon each other for the overall success of the project.

In order to maintain effective communications, progress meetings among all project participants should be held on a regular basis. The project manager is responsible for the progress meetings and should act as chairperson. Key agenda topics of the meetings should include the status of the schedule and budget, and updates of needed resources in order to carry out the project tasks.

Key project reporting processes must be developed and implemented. It is recommended that reports be generated at least monthly. Suggested reports and reporting responsibility include:

- Grant status – grants manager
- Environmental review status – environmental specialist
- Professional services acquisitions – procurement manager
- Construction services acquisitions – procurement manager
- Budget status – financial manager
- Change orders – project manager
- DBE utilization status – DBELO
- Quality Assurance – project manager

These status reports should be reviewed at each progress meeting.

LAND ACQUISITION

BASIC REQUIREMENT

Land acquisition activities must be undertaken in accordance with the requirements contained in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. This law, often referred to as the “Uniform Act,” identifies procedures for establishing fair market value of real property and sets forth procedural requirements for residential and business relocation, if required.

If federal funds are used in any phase of the program or project, the rules of the Uniform Act apply, even when the land acquisition itself is not federally funded. The rules encourage acquiring agencies to negotiate with property owners in a prompt and amicable manner so that litigation can be avoided. Property should be acquired based on fair market value. If property is to be acquired in an amount greater than fair market value, prior approval with funding agencies should be obtained through a process described as an administrative settlement.

It is recommended that a property acquisition specialist with expertise in property acquisition under the Uniform Act be directly involved with managing the land acquisition phase of the project. Persons with this expertise are frequently found within State departments of transportation (DOTs) or local municipal agencies where projects have been undertaken involving land acquisition.

It is strongly recommended that the agency work closely with SDDOT and the FTA regional office program manager during this phase of the project.

Some of the key requirements of land acquisition include: a site selection process, determination of useable space, physical and geographic advantages/disadvantages for the site, ease of land acquisition and site cost. As noted, the process must be conducted using fair market values and be documented accordingly in the project folder.

FTA must review and concur in appraisals and review appraisals for acquisitions over \$500,000 or in-kind contributions of any value before Federal funds are expended, or the value is used as local match. Appraisals and Review Appraisals must be less than six months old. All appraisals for acquisition of real property are to be reviewed in accordance with the Uniform Act and 49 CFR 24.104. The review appraisal should determine the soundness of the report’s value estimate.

ENVIRONMENTAL SITE ASSESSMENT

Performing an environmental site assessment is a critical function that should be performed as early as possible after the selection of a preferred site location for a new facility. The

environmental site assessment will determine if there are any existing environmental impacts that could affect the intended use of the property and expose any environmental liability in connection with property ownership.

Most environmental laws place responsibility for environmental liabilities on the owner of the property. Purchasing property with environmental issues can impact project development costs as well as exposing the owner of the property to future environmental liabilities.

An environmental site assessment is normally performed in two phases. It is recommended that the assessment be performed by a firm (A&E firm can subcontract the environmental analysis) that has qualified staff to perform these assessments. Qualified staff that would perform these functions is normally part of a separate environmental assessment team. Please take note that the Brooks Act process should be used when procuring these services.

Phase I Assessment

The Phase I environmental site assessment is a study that looks at the history of the property. This study will include historic use of the site as well as any past environmental findings recorded in federal or state records. In addition, the Phase I Assessment should include a physical inspection of the site for any signs of pollution, such as soil contamination from fuel spills. As a result of the information collected, a recommendation will be made whether it would be necessary to perform a Phase II assessment. The FTA must review the environmental assessment and approve prior to any construction activity.

Phase II Assessment

A Phase II environmental site assessment would be performed if information discovered during the Phase I assessment indicates the potential presence of environmental issues that may require cleanups or other mitigating actions.

Performance of a Phase II assessment requires soil testing, ground water tests, or other activities to determine the presence and severity of environmental impacts. This activity would require permission from the existing property owner to enter the site to perform these tests. Permission is usually granted through a temporary easement or some other agreement for entry.

Results of the Phase II assessment are used to determine if the property is eligible for selection for the facility and if mitigation actions will be needed in connection with the use of the property. This information should contribute to the establishment of the fair market value and updating the project budget. The FTA must review the environmental assessment and approve prior to any construction activity.

ESTABLISHING FAIR MARKET VALUE

The Uniform Act requires that real property be acquired based on fair market value. Establishing fair market value should be based on appraisal reports completed by licensed appraisal firms.

The FTA requires an appraisal as well as a review appraisal report that is prepared by a second firm. The review appraisal analyzes the individual appraisal report and provides an opinion of the fair market value.

It is normally an accepted practice to use appraisal firms that have been placed on approved lists of the State DOT. In any event, it is prudent to obtain the approval of funding agencies for appraisal firms to be used prior to the undertaking of any appraisals.

ACQUIRING THE PROPERTY

Acquiring real property is a process that should be performed by an experienced specialist in consultation with legal counsel.

There are several basic steps in connection with this process. These would include:

Title Search

A title search must be completed. The title search should review past property owners as far back as possible to determine if there are any open warrants or liens on the property. Any warrants or liens should be cleared by the existing property owner before property acquisition.

Offer to Purchase

An offer to purchase must be in writing and presented to the property owner. The offer must be based on the fair market value established during the appraisal process.

It is recommended that the legal counsel be retained to prepare the offer to purchase.

All negotiations should be documented. Obtain prior approval from funding agencies if it is determined that a value greater than fair market value should be paid.

ACQUIRING A&E SERVICES

BASIC REQUIREMENT

The A&E firm is a critical member of the project team. Procuring A&E services requires a specialized process. This includes a competitive process of evaluating the qualifications of potentially several firms. Great care should be taken to ensure that the A&E scope of work includes all the services required at each phase of the project. In many cases the services required will include services related to contractor award and the construction phases.

While the reputation and experience of the A&E firm is important, it is more important to evaluate the experience of the individuals to be assigned to the project. It is the agency's responsibility to ensure that in addition to the firm as a whole, qualified personnel with the

necessary and appropriate expertise are also being acquired to provide these services. This can be evaluated during the procurement process by scoring the experience and other qualifications of project personnel who would work on the project.

PROCUREMENT PROCESS

Refer to the SDDOT procurement fact sheet and the agency's approved procurement policies developed using SDDOT's template.

Acquiring A&E and A&E related services using FTA funds requires the use of a qualification-based procurement process as described in federal statutory legislation referred to as the "Brooks Act". The Brooks Act requires an open and competitive process that evaluates firms solely on qualifications without using cost or price information. Firms submitting qualifications packages are evaluated by a predetermined selection committee. The firms are ranked based on evaluation criteria provided in the request for qualifications.

PREPARATION OF THE SCOPE OF WORK AND THE DESIGN SCHEDULE

The scope of work is a detailed description of the tasks to be performed by the A&E firm. This document is the heart of the Request For Proposal (RFP) package and will be incorporated into the final A&E contract agreement. Preparation of the scope of work should be done by both the project manager and the construction manager. The scope of work should not contain any unnecessary requirements that would restrict competition.

The scope of work should include the following basic sections:

Preliminary Design Phase

The preliminary design phase documents the basic facility requirements as well as establishing general specifications in connection with construction materials and equipment. This phase should also include a requirement to prepare a 30% facility design as well as an initial facility cost estimate and construction schedule. NEPA requirements are completed at this phase along with the grant application and approval. The preliminary design is typically completed during project planning with the assistance of a planning grant.

Design Development Phase

Once the preliminary design phase is approved, the prospective consultant should be directed to enter into the design development phase. During this phase, the facility design should become more detailed. Final determinations are made regarding construction materials and equipment specifications. More detailed drawings are produced that include elevations, utility layouts, and site work. This phase will include an updated construction cost estimate and any necessary refinement to the project schedule.

Construction Document Phase

After approval of the design development phase, the A&E firm will be authorized to begin the construction document phase. This phase will result in construction quality drawings as well as detailed specifications. Construction documents should also include requirements for

contractor safety plans, and the provision of staff training and facility maintenance documentation from the prospective contractor.

Construction Award Services

The A&E firm will be responsible for construction administration. They will evaluate contractor bids and make a recommendation for award of construction contracts. These services normally include a determination of bidder responsiveness.

Construction Phase Services

The following tasks are often requested of the A&E firm during construction:

- Periodic site inspections
- Processing and approval of contractor payment applications
- Administering change orders
- Development and processing of punch lists
- Preparation of substantial and final completion certifications and permits

PREPARATION OF AN ICE

To enable a confident decision on the bids and to establish a credible review record, an ICE should be prepared based on the tasks requested in the scope of work. The estimate should be in writing, be dated, and contain a description of the basis of how the estimated cost was determined. A standard guideline for the value of A&E services is six to 10 percent of the estimated construction budget in the grant application. The estimate should be prepared prior to receiving a price quotation from the highest ranked firm. This document should be retained in the procurement file. An example ICE can be found in Exhibit A.

DBE PARTICIPATION

The SDDOT Transit Office is aspiring DBE participation through only Race Neutral measures on all construction projects.

Only the portion of the contract performed by the DBE's own forces will count towards DBE participation. Included is the cost of supplies and materials obtained by the DBE for the contract, including supplies purchased or equipment leased by the DBE. Supplies and equipment the DBE subcontractor purchased or leased from the Contractor or its affiliate is not allowed to be included.

When a DBE performs as a participant in an approved joint venture, only the portion of the total dollar value of the contract equal to the distinct, clearly defined portion of the work of the contract that the DBE performs with its own forces will count toward DBE participation.

A bidder may count toward its DBE participation only that percentage of expenditures to DBEs that perform a commercially useful function (CUF) in the performance of a contract. A DBE performs a CUF when the DBE is responsible for execution of the work of a contract and is carrying out the DBE's responsibilities by actually performing managing and supervising the work involved. To perform a CUF, the DBE must also be responsible, with respect to materials

and supplies used on the contract, for negotiating prices, determining quality and quantity, ordering and installing (where applicable) the materials, and paying for the material itself. To determine whether a DBE is performing a CUF, the Department will evaluate the amount of work subcontracted, the industry practice, and whether the amount the DBE is to be paid is commensurate with the work it is actually performing, DBE credit claimed for performance of the work, and other relevant factors.

A DBE is not performing a CUF if the DBE performs less than 30% of the total cost of its contract with its own work force, or if its role is limited to that of an extra participant in a transaction, project, or contract through which funds are passed in order to obtain the appearance of DBE participation. In determining whether a DBE is simply an extra participant, the Department will examine similar transactions, particularly those in which DBEs do not participate.

The bidder may count toward DBE participation expenditures to DBE firms for materials, supplies, or services as follows:

If the materials or supplies are obtained from a DBE manufacturer, count 100% of the cost of the materials or supplies toward DBE participation. A manufacturer is a firm that operates or maintains a factory or establishment that produces, on the premises, the materials, supplies, articles, or equipment required under the contract and of general character described by the specifications.

If the materials or supplies are purchased from a DBE regular dealer, count 60% of the cost of the materials or supplies toward DBE participation. A regular dealer is a firm that owns, operates, or maintains a store, warehouse or other establishment in which the materials, supplies, articles, or equipment are bought, kept in stock, and regularly sold or leased to the public in the usual course of business.

DEVELOP THE Request for Proposal PACKAGE

The RFP package is the document that is received by A&E firms interested in providing services. An example RFP package can be found in Appendix I in the OVERSIGHT OF FACILITY PROJECTS GUIDEBOOK National Cooperative Highway Research Program Project 20-65 Task 63 [http://onlinepubs.trb.org/onlinepubs/nchrp/docs/NCHRP20-65\(63\)_Guidebook.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/docs/NCHRP20-65(63)_Guidebook.pdf) The RFP package should contain the following sections: For procurement process details refer to the procurement policy template.

RFP Notice

This is a short notice that informs firms that the agency is requesting qualifications packages. The notice includes a brief description of the project, the date and time of a pre-proposal meeting, the date, time, and location for submission of qualifications packages and the name, address, and phone number of the RFP contact person.

Instructions for Proposers

This section provides information on the selection process, the evaluation criteria to be used to rank firms, protest procedures, required contents for proposals submitted, and the number of copies of proposals required. Evaluation criteria should include items such as direct qualifications experience (for similar projects), experience of project staff to be assigned, project understanding, project approach, and adherence to any of the project requirements.

Scope of Work

This section contains the scope of work discussed earlier.

Required Documents

This section contains any documents and certifications required to be submitted with the proposal.

Proposed Contract

This section contains the proposed contract document containing required terms and conditions to be executed by the successful proposer.

Once the package is complete it is recommended that it undergo a quality assurance/quality control check to ensure it contains all required FTA clauses and applicable state and local certifications. This is usually conducted by the procurement manager in conjunction with any personnel responsible for quality.

FORMATION OF A SELECTION COMMITTEE

The initial step in the procurement process is to form a selection committee. The role of the selection committee is to review and evaluate the qualification packages that are submitted by consultants responding to the RFP.

The committee should be comprised of staff members having an interest in the project and who possess a general knowledge of the project vision. Members normally include an operations manager, maintenance manager, general manager and other stakeholders that can add value to the selection process. Committee members should agree to execute a conflict of interest statement and nondisclosure agreement that would preclude any bias in the selection process. The process should include an independent review, prior to the meeting to discuss their evaluative scoring. The procurement manager should be responsible for managing the committee to ensure the review and evaluation process is conducted in accordance with the agency's procurement guidelines and procedures and meet the necessary proposal requirements.

SOLICITATION FOR RFP RESPONSES

Soliciting proposals from qualified A&E firms is accomplished in two ways, which can be conducted concurrently. The first way is:

Direct Solicitation

The RFP package should be sent directly to firms thought to be qualified to perform the work. Direct solicitation should be made to multiple firms to encourage full and open competition.

The second way to solicit proposal responses is:

Public Advertisement

The RFP notice should be placed in publications of general circulation. The RFP package will be sent to firms responding to the advertisement. The RFP notice should also be placed on the agency's website, in trade journals and markets that have the skill and expertise to conduct the work. Public notices should be undertaken to achieve maximum competition.

A listing of all firms who were solicited and were provided RFP packages should be maintained in the procurement file and placed in the project folder.

PRE-PROPOSAL CONFERENCE

A pre-proposal conference provides a valuable opportunity for interested firms to obtain clarifications or ask questions prior to submitting a qualifications package. Holding a pre-proposal conference is not required, but it can prove useful to both parties. If a conference is held, an attendance list and minutes should be prepared and maintained in the procurement file. Any new information for competing firms from the pre-proposal meeting should result in a formal addendum to be sent out to the potential competitors.

RFP ADDENDUM

If there is a need to amend or modify the RFP package once it has been made public, the change or modification must be done through a formal addendum. The addendum needs to describe the change or modifications and must be provided to all known firms that received the initial RFP package.

Any change to the proposal submittal due date should be done by formal addendum.

RECEIPT AND RANKING OF PROPOSALS

A formal record must be kept of all firms that submit a proposal in accordance with the required due date. Proposals received after the required due date should not be opened and should be returned to the respective sending agency.

A copy of each proposal should be provided to each member of the review committee along with proposal ranking forms. The proposal ranking forms will use the same evaluation criteria that were included in the RFP solicitation document.

Each member of the review committee will rank each proposal independently. The sum of points for the completed evaluations will be totaled to provide a qualification ranking for each firm. The evaluation forms should also include information from each member of the evaluation team describing the rationale for their scoring. It is important to have a narrative component to the scoring, so the scoring committee member can clarify their interpretation of

how they arrived at a determined score. An example RFP evaluation form can be found in Exhibit B.

NEGOTIATION OF PRICE

As required by the Brooks Act, price negotiations are commenced only with the highest ranked qualified firm. As a best practice, the highest ranked firm is contacted in writing and requested to provide a cost proposal. Obtaining cost proposals in separately sealed envelopes from each proposer, while not forbidden by the Brooks Act, has the potential to lead to inadvertent release of costs and can negate the entire selection process. The cost proposal must detail the cost elements such as:

- The timeline for the budgeted tasks
- Titles of the individuals to be assigned to the project
- The estimated hours for each individual
- The unburdened hourly rates for each individual
- The firm's overhead rate
- Any anticipated indirect costs associated with the project
- A listing and costs of any subconsultants to be used
- The total fixed fee

The cost proposal will serve as a negotiating baseline. When a final price is agreed upon, a cost analysis will be prepared, and a determination made as to the reasonableness of the price. If it is determined that a reasonable price cannot be agreed upon, a formal written determination will be provided to the most qualified firm that negotiations will cease. At this point, the price negotiation process will commence with the next most qualified firm.

RECOMMENDATION AND AWARD

At the conclusion of successful price negotiations, a formal recommendation for award will be provided to the agency personnel with contract award authority. Award authority is normally with the CEO or the agency's governing body.

After approval to award is provided, a notice of award is provided to the firm along with a contract document for execution. This notice should also require submission of any insurance certifications or other required documents.

Upon receipt of an executed contract and all required documents, the contract is executed by the agency and a formal notice to proceed is issued to the firm.

INDEPENDENT CONSTRUCTION COST ESTIMATE

BASIC REQUIREMENT

When preparing an ICE for the construction of the project:

- The ICE must be prepared prior to solicitation of bids
- The ICE shall include the basis for how the estimate was determined

- The ICE cannot be prepared by a potential vendor or contractor

CONSTRUCTION COST ESTIMATES

The scope of work for the design and engineering contract should include a requirement to provide construction cost estimates during various phases of the project design. The next sections provide descriptions of recommended cost estimating techniques.

25 Percent Design

A cost estimate should be provided to the agency at the completion of 25 percent design. This is a very early estimate and usually considers the general type of construction, total square footage, and general equipment required. The primary value of this estimate is to provide the agency with an early reality check of expected costs against the project budget.

Issues arising at this stage of design need to be addressed prior to moving ahead with more detailed design phases. This is a time when the design firm, the construction manager, and the agency work as a team and carry out a very rudimentary level of value engineering to bring the 25 percent design estimate in line with the project budget. At this stage, the estimate may carry a contingency line item that might have a 20 percent of construction cost.

50 Percent Design

At this stage of the design, more detailed levels of materials and equipment have been defined. The same process is followed as described with the 25 percent estimate. Again, this estimate is providing a design versus budget check and may require a more detailed level of value engineering before proceeding with final design. At this stage, the budget may contain an estimated 15 percent contingency.

100 Percent Design

At this stage, the design of the project is complete. Specifications have been written for all construction materials and equipment. Drawings have been completed. The construction contingency should be no more than 10 percent. A construction contingency is an amount within the budget that is reserved for change orders. This document will serve as the final and official independent cost estimate. The document should be detailed and include unit pricing and quantities.

THE CONSTRUCTION PHASE SOLICITATION & AWARD PROCESS

BASIC REQUIREMENT

FTA requires that construction solicitation be undertaken using a process that will encourage full and open competition, including a requirement for public advertising of the requests for bids or proposals. FTA allows the use of either the Invitation for Bid (IFB) or the Request for Proposals (RFP) methods of procurement for construction. Since the IFB method of solicitation is the most common method, it will be described in more detail in this section. An example IFB

is shown in Appendix J in the OVERSIGHT OF FACILITY PROJECTS GUIDEBOOK National Cooperative Highway Research Program Project 20-65 Task 63

[http://onlinepubs.trb.org/onlinepubs/nchrp/docs/NCHRP20-65\(63\)_Guidebook.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/docs/NCHRP20-65(63)_Guidebook.pdf)

The resulting construction contract must include all applicable FTA-required contract clauses and certifications. The resulting construction contract must also comply with US Department of Transportation (USDOT) requirements set forth for the utilization of DBEs. Awards of contracts should be made to a responsible firm providing the lowest responsive bid.

DBE

SDDOT aspires construction projects to have DBE participation. For the DBE contracted work to be counted towards the transit overall DBE goal the entity must be a SDDOT certified DBE.

For sample DBE forms refer to SDDOT website link: https://dot.sd.gov/doing-business/contractors/dbe#listItemLink_1550

- Form DOT-289R/N and that is used by the Prime when they utilize DBEs and this is at bid letting time. This form will determine at the time of the letting the overall DBE participation. **This form is required to be submitted to SDDOT Transit staff in the procurement packet review prior to award.**
- Form DOT-289B – this is used after the project has been let and it goes into detail on what bid items the DBE is working on and they DBE and Prime both sign. **This form is required to be submitted to SDDOT Transit staff in the procurement packet review prior to award.**
- Form DOT-289 Certification of DBE Payments – and this is used by the Prime to verify what the Prime actually paid the DBE during the project. **This form is required to be submitted to SDDOT Transit staff throughout the project. This information will be used in documenting DBE activity in the semiannual DBE report.**

It is important to note that DBEs are certified with SDDOT to perform certain types of work. To receive credit for DBE participation, named DBEs must be certified to do the scopes of work that they are contracted to perform.

DEVELOPMENT OF THE BID DOCUMENTS

The official bid documents contain several sections. It should never be assumed by the agency that either the A&E firm or the construction manager are aware of FTA requirements in connection with the documents. It is normally the responsibility of the procurement manager to ensure required FTA clauses and certifications are contained in the bid documents. Refer to SDDOT procurement policy template.

Refer to the SDDOT Procurement template for guidance for this step in the process.

ADVERTISEMENT OF THE BID

FTA requires agencies to ensure full and open competition is achieved when obtaining bids. The primary requirement is to publish an IFB. Refer to the SDDOT Procurement Template for further guidance.

PREPARATION AND ISSUANCE OF BID ADDENDUM

After completion of the bid advertisement, it may be determined that questions or clarifications may need to be included in a formal bid addendum. Any clarifications or changes to the specifications or drawings that may materially change the project need to be documented in a formal bid addendum. The bid addendum should be serially numbered and prepared by the A&E firm. The project manager and the construction manager should review the addendum document and provide their approval. Once approved, the addendum must be sent to any bidder of record.

BID OPENING

The opening of bids is held at the time and location specified in the bid documents. Bid opening is a function that is open to the public. This means that the agency must allow anyone to attend and witness the opening of bids. Submitted bids should be marked with a date stamp to signify the time/date of the accepted delivery.

After conclusion of bid opening it should be announced that bids will be evaluated to determine the low responsive and responsible bidder. If any individual requests to view a bid or bids, it is a local determination to allow such a viewing. If viewing of the bids is allowed, care should be taken to closely observe this function to preserve the actual documents received.

EVALUATION OF BIDS

After the bids opening has concluded, bids should be reviewed to determine if they are responsive and the bidders have provided the necessary information.

DETERMINING PRICE REASONABLENESS

FTA and SDDOT requires agencies to decide if the contract price is reasonable before awarding the contract.

NOTICE OF INTENT TO AWARD

A written letter of intent to award a contract should be sent to the low responsive and responsible bidder.

NOTICE OF AWARD

Upon receipt and approval of insurance certificates and bonds, a recommendation of award should be made to the agency's governing body. Once approval to award is obtained, the agency and contractor should execute the contract documents and the agency should issue a formal letter of award and a notice to proceed.

CONSTRUCTION ADMINISTRATION

BASIC REQUIREMENT

Construction administration activities begin upon issuance of the notice of contract award and a notice to proceed to the construction contractor. Elements of a good construction administration system include the following elements:

- The pre-construction meeting
- Lines of communication
- Reporting and monitoring requirements
- DBE reporting and monitoring
- Davis-Bacon monitoring
- Construction inspection
- Project scheduling
- Progress payment requirements
- Controlling project configuration and changes
- Change orders
- Construction progress meetings
- Procurement and contracts
- Dispute resolution
- Maintenance plans
- Contract close-out

The Pre-Construction Meeting

A pre-construction meeting should be held shortly after the contractor is issued a notice to proceed. An example pre-construction meeting agenda is included in Exhibit C. Meeting attendance should be mandatory for the entire project team. The following elements should be included in the pre-construction meeting:

Lines of Communication

The primary purpose of the pre-construction meeting is to establish lines of communication between the contractor and the agency. There should be a single point of contact for the contractor. If a construction manager is being used, they should be the agency's point of contact. If there is no construction manager, the agency's project manager should serve as the point of contact with the construction contractor. All members of the project team should agree to the individuals who are established as the points of contact.

Reporting and Monitoring Requirements

The types and frequency of project reports should be discussed with the construction contractor. If possible, standard reporting forms should be provided to ensure consistency of reporting throughout the life of the project. At a minimum, reports should include information on project progress against the project schedule, project costs compared to the project budget, and change order reports. It is a best practice to require that reports be provided on a monthly

basis. Roles and responsibilities of the people preparing and receiving these reports should be established at this meeting.

DBE Reporting and Monitoring

The USDOT requires ongoing monitoring of DBE activities. Obtaining a monthly report from the contractor regarding the utilization of DBE is one tool to ensure that the DBE subcontractors committed to by the construction contractor are, in fact, utilized during the construction process. It is strongly recommended that the construction contractor attach a DBE utilization report to the monthly payment application. The content of this report should be reviewed by the project manager and the DBELO. An example monthly DBE status report is contained in Exhibit D.

On-site inspections should also be performed to verify actual construction activities being performed by DBE firms. The on-site inspections must be formal and certified by the individual that undertakes them.

Davis-Bacon Monitoring

The Davis-Bacon Act requires that wages paid to workers on publicly funded construction projects must comply with prevailing rates for the locality of the project. In most cases, prevailing rates reflect hourly wages and benefits as negotiated by local trade unions. The prevailing rates are normally maintained by State labor departments. Copies of the rates must be included in the construction solicitation document.

During construction, the contractor should be required to provide copies of certified payroll information. This information should be compared to the prevailing rates to ensure workers are being paid the proper rates.

Construction Inspection

Inspections should be conducted at intervals recommended by the A&E consultant until the project is closed out. If a construction manager is employed, it should provide on-site inspections. If there is no separate construction manager, it is recommended that a staff member be tasked to perform this service. This staff member would provide full time on-site construction supervision and inspection. In either case, the construction manager or the assigned staff member would report directly to the project manager.

As part of the construction inspection, inspection reports should be prepared by the on-site inspector. The inspection report should contain information on the contractors and trades on site, the work being done, the numbers of workers on site, weather conditions, and any information that may be significant in determining a potential slip in the project completion schedule. Inspection reports should also include any information that may lead to future change orders. Copies of the inspection reports should be provided to the project manager and the A&E firm.

Progress Payment Requirements

Payments to contractors during a transit construction project commonly consist of a series of progress payments. Progress payments are normally issued on a monthly basis. The key element which establishes that progress payments will be made is a document referred to as a “schedule of values.” The schedule of values is a listing of construction activities which have a monetary value associated with them. The schedule of values is initially prepared by the contractor. This document is reviewed by the A&E firm and (if applicable) the construction manager. This review should ensure the monetary values associated with the various construction activities are properly established. Care should be taken to ensure the schedule of values is not front loaded; in other words, the true value of the activity should be reflected regardless of when the activity takes place during the performance of the contract. If the schedule of values is front loaded, the contractor will receive additional compensation that is not related to the actual value of work completed. Terms should be negotiated with the contractor until the schedule of values is balanced and represents fair compensation for work as it is completed.

The contractor is responsible for preparing a monthly payment application and delivering it to the designated representative of the agency. If a construction manager is being used, this should be the designated agency’s representative. If no construction manager is employed, the payment application should be delivered to the on-site inspector. The payment application should have the approved schedule of values attached with claims for work completed under each category of the schedule. This schedule is reviewed by the agency’s team. If there is disagreement over an invoiced activity, a review of the invoice should be undertaken with the contractor until agreement on the amounts is reached. At this point, the A&E firm will certify the payment application and submit it to the agency for approval and payment.

Change Orders

Change orders are a common occurrence during the construction process. It is very important to have a structured process for reviewing and approving any change orders.

Change orders can take several forms: no cost schedule changes, cost changes that do not impact the schedule, and changes that impact both the project schedule and costs.

Regardless of the nature of the change order, there is a common process that must be followed and documented when dealing with change orders. The FTA considers each change order to be a sole source or non-competitive procurement. As such, any additional work contained in a change order must be within the general scope of the primary construction contract. In addition, the cost of the change order must be analyzed and found to be fair and reasonable.

Upon receiving notification of a potential change order, the first order of business should be to make a determination if the nature of the change order is within the scope of the current project and that all work involved in the change order is not already covered by the scope of the contract. If the requested change is for an extension of time to complete the project, the initial determination should be based on whether any delays in the project were beyond the contractor’s control.

If a determination is made that the change order request is justified, the contractor should be asked to provide a proposal. The proposal should include all cost elements which make up the change order price and the time needed for implementation. These cost and time elements should include the worker classifications, labor hours, hourly rates, quantities and unit cost of materials, cost of fringe benefits, and any additional profit. An ICE should be prepared by the project team as well. It is customary that the A&E firm prepare the ICE. The ICE would be prepared using the same cost elements requested from the contractor.

Upon receipt of the cost proposal, the A&E firm, and the construction manager if used, should evaluate the proposal. If they determine the costs and resulting price are reasonable, a written determination is provided to the agency. If costs are not determined reasonable, negotiations should commence with the contractor in order to arrive at a reasonable price. A written record of negotiations should be kept by the A&E firm.

A final version of the change order should be prepared and executed by the contractor, the A&E firm and the owner. An example change order form is included in Exhibit E.

Construction Progress Meetings

Construction progress meetings are necessary to keep lines of communication open with the contractor. The key topics of these meetings are the project schedule, any potential or pending change order requests, and the status of the DBE program. Meetings should be scheduled no less frequently than every two weeks. The A&E firm's representative should prepare the agenda and keep written minutes of each meeting. The minutes should be transmitted to each member of the project team. Any corrections to the minutes should be addressed at the next project meeting.

Dispute Resolution

SDDOT requires that contracts for projects that exceed the state simplified acquisition threshold (over \$24,999) contain provisions describing dispute resolution procedures. During construction projects, it is not uncommon for disputes to arise between the agency and the contractor. Whenever possible, disputes should be resolved between the agency and contractor through discussions held amongst the parties. When this process fails, it may be necessary to use a formal legal process. This process should be described in the contract document. It is important that the contract terms direct the contractor to proceed with the work as disputes are being settled. It is also customary that the contract provisions require the use of a court with local jurisdiction for dispute resolution.

Maintenance Plans

Completed construction projects normally contain numerous equipment and systems that will require routine maintenance. SDDOT requires subrecipients to implement an asset maintenance plan using the SDDOT Asset Maintenance Plan template. The FTA requires the owner to prepare facility and equipment maintenance plans that will ensure the facility is properly maintained. The contract documents need to require the contractor to provide

maintenance and operations manuals for the facility's equipment and systems. These manuals will serve as the reference documents for the facility and equipment maintenance plan.

Contract Close Out

There are a number of formal actions that are required to successfully close out a transit construction contract. A good practice is to prepare a closeout checklist to ensure all activities are completed. The following items describe actions needed to perform a successful project closeout. These items should be included in the closeout checklist.

Substantial Completion – A notice of substantial completion is submitted to the A&E firm, or directly to the owner, from the contractor. This notice is a representation from the contractor that most if not all work required by the specifications has been completed. Upon receipt of this notice, the A&E firm, or the owner, will perform a walkthrough of the project with the contractor.

Certification of Substantial Completion – After the walkthrough inspection, the A&E firm will prepare and sign the certification of substantial completion. Any incomplete items will be listed in a document called the “punch list.” The punch list will be attached to the certificate of substantial completion. The contractor should be given a date to complete items contained in the punch list. The contractor will provide notification to the A&E firm, or directly to the owner, when all items on the punch list have been completed. When this notification is received, another walkthrough inspection will be performed to verify completion.

Certification of Final Completion – Once all items contained in the punch list have been completed, the A&E firm will provide a signed certification of final completion. Upon receipt of the certificate of final completion, final payment, less retainage, may be made to the contractor.

Release of Liens – The contractor will provide a release of liens for itself as well as all subcontractors and material suppliers. The release of liens represents that all payments due have been received and there will be no claims for unpaid balances.

Release of Retainage – Upon receipt of all lien releases, the contractor can submit a request for payment of retainage amounts.

EXHIBIT A - INDEPENDENT COST ESTIMATE FORM - Sample

INDEPENDENT COST ESTIMATE

FOR SMALL PURCHASES (EXCEEDING \$10,000) AND LARGE PURCHASES (EXCEEDING \$150,000)

Purchases exceeding \$10,000 must be advertised and procured through competitive bidding.

Purchases exceeding \$20,000 must be approved by the [AGENCY] Board.

Complete this form before requesting bids or proposals.

IFB OR RFP NUMBER: _____

AMOUNT OF INDEPENDENT ESTIMATE: \$ _____

GRANT NUMBER: _____

PROJECT TITLE: _____

A. Telephone Budget Estimate

(Name of Company & Estimate) \$ _____

(Name of Company & Estimate) \$ _____

(Name of Company & Estimate) \$ _____

____ B Competitor's Catalogs (Sears, Home Depot, Office Depot, etc. -- Compare catalogs for the **same time frame**. The following 4 criteria must be met. 1. Established Catalog prices exist. 2. The items are commercial in nature. 3. Items are sold in substantial quantities.

4. Items are sold to the general public.) (Attach copy of the catalogue pages to this form.)

____ C. Newspaper Advertisements (Current advertisement only -- attach copy of ad to this form.)

____ D. Industrial Catalogues (The National Mechanical Contractor Estimator (NMCE) is an excellent source for pricing mechanical items. Name: attach pages.)

____ E. Established Market Prices (The current price established in the usual or ordinary course of business between buyers and sellers free to bargain. These prices must be verified by buyers and sellers who are independent of the offeror. If you do not know the names of other commercial buyers and sellers, you may obtain this information from the offeror. Attach information.)

____ F. Comparison to Previous Recent Purchase (Changes in quantity, quality, delivery schedules, and the economy cause price variations. Make sure previous price was fair and reasonable based on physical review of documentation contained in previous files. Analyze each differing situation through trend analysis. Explain.)

____ G. Comparison to a Valid Independent Estimate (Attach estimator's methodology and data used in developing the estimate and verify the facts and assumptions.)

____ H. Value Analysis (Look at the item and the function it performs in order to determine its worth. The decision of price reasonableness remains with the contracting officer. Attach explanation.)

____ I. Government Catalogues (Federal Supply Schedules may be used for price comparison even though they may not be able to fulfill the requirement.) (Attach catalogue page.)

____ J. Government Price Index (Use to compare or analyze historical prices to predict current prices. Search [Http://stats.bls.gov](http://stats.bls.gov) under Data, Series Report. For code numbers for the Series Report, go to <ftp://ftp.bls.gov/pub/time.series/wp/wp.contacts> and call the contact listed. Attach analysis.)

____ K. Prices Established by Law or Regulation (Prices determined through a rate schedule and verified that the prices apply to the situation, e.g., utilities. Attach schedule.)

____ L. Personal knowledge of item procured. (Explain.)

____ M. Other (e.g., Sole Source): (Explain) _____

(Attach copies of catalogue pages, advertisements, purchase order, etc.)

Buyer's Signature _____ Date _____

EXHIBIT B - ARCHITECTURAL & ENGINEERING SERVICE RFP EVALUATION FORM - Sample

Contract No.:

Consultant:

| Criteria | (a) Weight | (b) Score (0-10) | (a)x (b) Weighted Score |
|--|------------|------------------|-------------------------------|
| <p>1. PROJECT TEAM</p> <ul style="list-style-type: none"> • Qualifications and relevant individual experience • Unique qualification of key personnel • Time commitment of key personnel • Organization Chart | 2.0 | | |
| <p>2. FIRM'S CAPABILITIES</p> <ul style="list-style-type: none"> • Demonstrated capability on similar or related projects • Management and scheduling abilities • Other ongoing projects and priorities • Quality and cost control • Staff availability | 2.0 | | |
| <p>3. PROJECT UNDERSTANDING AND APPROACH</p> <ul style="list-style-type: none"> • Demonstrated knowledge of the work required • Explanation of the project • Knowledge of general engineering processes • Innovative approaches and internal measures for timely completion of project | 3.0 | | |
| <p>4. FEASIBILITY OF OVERSIGHT</p> <ul style="list-style-type: none"> • Ability and willingness to respond to Department requirements • Accessibility to Department reviewers | 1.0 | | |
| <p>5. REFERENCES</p> | 1.0 | | |

| | | | |
|--|--------------|--|--|
| <ul style="list-style-type: none"> Record of producing a quality production similar projects on time and within budget | | | |
| <p>All panel members must enter a zero (0) for all interviewed Consultants if time did not allow for reference checks or if the reference checks were not completed on all of the Consultants.</p> | <p>Total</p> | | |

Comments:

I certify that I have performed an independent evaluation of the above-named consultant. I further certify that I have not engaged in discussions within the last year with the above-named consultant regarding my future employment with said consultant.

Signature of Evaluator _____ Date _____

Printed name of Evaluator _____

Checked By _____ Date _____

SUGGESTED SCORING SYSTEM

Fail (0 points)

Zero (0) points are given when the category being evaluated is nonresponsive.

Below Average (1 - 4 points)

One (1) to four (4) points are awarded to responses that are considered to be minimally acceptable.

Average (5 points)

Five (5) points are awarded if qualifications fully satisfy the requirement.

Above Average (6 - 9 points)

Six (6) points to nine (9) points are awarded if qualifications more than satisfy the requirement and experience specifically applies to the project under consideration.

Exceptional (10 points)

Ten (10) points are awarded if a firm's qualifications far exceed those required. Scores of ten (10) points generally are infrequent.

EXHIBIT C - PRE-CONSTRUCTION MEETING AGENDA

Sample

- I. Welcome and Introductions
- II. Primary Project Contacts
 - a. Owner Contact
 - b. Contractor Contact
- III. General Project Description
- IV. Project Schedule
- V. Liquidated Damages
- VI. Project Work Hours
- VII. Development of Schedule of Values
- VIII. Construction Progress Payments
 - a. Submission Date
 - b. Owner review and approval
 - c. Retainage requirements
 - d. Payment date
- IX. Submission of shop drawings and requests for information
- X. Disadvantaged Business Enterprise Program
- XI. Davis Bacon Monitoring
- XII. Progress Meetings
- XIII. Submission of Certified Payrolls
- XIV. Change Order Procedures
- XV. Safety program
- XVI. Environmental Requirements
- XVII. Site Offices
- XVIII. As-Built Drawings
- XIX. Maintenance Manuals
- XX. Project Closeout

EXHIBIT D - MONTHLY DBE STATUS REPORT Sample

MONTHLY DBE STATUS REPORT (To be submitted with monthly payment application)

CONTRACTOR _____ MONTH _____ Year _____
 SUBRECIPIENT _____ PROJECT NAME _____
 TOTAL CONTRACT AMOUNT _____

| DBE SUBCONTRACTOR | SCOPE OF WORK | TOTAL SUBCONTRACT AMOUNT | AMOUNT PAID THIS MONTH | AMOUNT PAID TO DATE | BALANCE TO COMPLETE |
|----------------------|---------------|--------------------------------|---------------------------|------------------------|------------------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

EXHIBIT E - CHANGE ORDER Sample

Date _____

Project Name _____

Owner _____

Contractor _____

Change order number: _____

Original contract date: _____

You are directed to make the following changes in this contract:

Original Contract Amount \$ _____

Amount of Previous Change Orders \$ _____

Amount of this Change Order \$ _____

New Contract Amount \$ _____

Contract Completion Schedule will be Changed by the following days _____

Engineer Recommendation

_____ Date _____

_____ Name Printed

_____ Position

Contractor Approval

_____ Date _____

_____ Name Printed

_____ Position

Owner Approval

_____ Date _____

_____ Name Printed

_____ Position