

Attachment 3.

A/E SELECTION PROCEDURE

I. SCOPE

- A. The policies and procedures set forth herein shall be followed in the evaluation and selection of firms to provide architect-engineer (A-E) services under subcontract to Fermilab. These policies and procedures may be used in selecting a firm to provide A/E services necessary for a specified project or activity, or in selecting one or more firms for the award of a subcontract in the nature of a master subcontract arrangement with subsequent Task Order releases for the provision of A/E services to Fermilab as needs for them arise over the term of the subcontract.
- B. "Architect-Engineer Services" are defined as professional services associated with the design or construction of real property that, to ensure the quality or reliability of the services, require performance by registered architects or engineers or their employees. Services may also include studies, design reviews, surveying, soils engineering, cost estimating, scheduling, inspection of construction, and construction management.
- C. Procurement by Fermilab of A/E services is not subject to the requirements of FAR Part 36 or Department of Energy Acquisition Regulation (DEAR) Part 936. The policies and procedures set forth herein are intended to:
1. Assure the selection of the most qualified firm(s) to provide the needed A/E services in an efficient and cost-effective manner;
 2. Establish fair and uniform guidelines and procedures for the A/E selection process; and
 3. Promote competition in the selection process to the greatest extent practicable.

II. A/E PROCUREMENTS ESTIMATED NOT TO EXCEED \$100,000

For procurement of A/E services estimated not to exceed \$100,000 in value, the following procedures will be followed:

- A. If appropriate master subcontracts for A/E services of the nature required are in effect. The Procurement Administrator (PA) shall (a) ascertain whether A/E firms already under a master subcontract is qualified and otherwise

- suitable to perform the required work and, if so, (b) select the appropriate firm already under subcontract with which to place the order for A/E services. The Procurement Administrator shall consult with the requisitioner and an appropriate representative of the Facilities Engineering Services Section (FESS) before making the determinations in (a) and (b).
- B. If no appropriate master subcontract for A/E services of the nature required is in effect. The Procurement Administrator shall hold discussions with at least two or more firms determined to be highly qualified for the required work. Firms to be considered shall be chosen from those which have previously submitted an SF-254 or a letter expressing interest in doing work of the nature required as well as those firms which have performed satisfactorily on previous Fermilab subcontracts for A/E services of a similar type. The Procurement Administrator may also consider firms whose listings in telephone directories, advertisements, or professional periodicals indicate that they are highly qualified to perform the work in question. The Procurement Administrator shall consult with the requisitioner and an appropriate representative of FESS before making the final selection of the firm to be awarded a master subcontract for the required work. While all discussions with firms under consideration shall be conducted only by the Procurement Administrator, the requisitioner and the FESS representative may participate in them at the discretion of the Procurement Administrator.
- C. Each selection under A. and B. shall be supported by documentation preferably prepared by FESS which describes the nature of A/E services required, the estimated cost, and the schedule for performance of the work. For each selection under B. above, the documentation shall also include the critical selection criteria utilized, an explanation why no existing blanket order subcontract could be used, and the Procurement Administrator's summary of the procedures followed in the selection process including the findings and rationale leading to the final selection.

III. A/E PROCUREMENTS ESTIMATED TO BE BETWEEN \$100,000 AND \$500,000

For A/E services procurements estimated not to exceed \$500,000 in value. The Head of the Business Services Section (BSS) shall direct the Procurement Administrator to proceed with a streamlined selection process. The Procurement Administrator shall, coordinating as necessary with the requisitioning office: 1) develop a scope of work for the procurement; 2) establish appropriate evaluation criteria and then relative weights (Section V.A.3. may be used as a guide); and 3) review available sources of information on the qualifications and capabilities of potential offerors and identify a sufficient number of firms (preferably no less than three) to ensure adequate competition. Those firms are

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then contacted and invited to provide further information as to their qualifications and proposed manner to perform the particular work involved. The additional information may be in the form of a brief narrative geared to that work. The Procurement Administrator, preferably with the assistance of Fermilab staff with A/E experience, shall evaluate all pertinent information, and using the evaluation criteria established for the procurement, select the most qualified of the responding firms for negotiation and award of a master subcontract. In order to avoid situations which might give rise to conflicts of interest, the Procurement Administrator should apprise any others who would participate in the evaluation process of the policies set forth in the *Fermilab Procurement Policy and Procedures Manual* which pertain to personal relationships with firms under consideration that might adversely affect the ability to perform an impartial and objective evaluation. The Procurement Administrator shall document all steps of the selection process, particularly the results of evaluations of all responding firms and the reasons why the selectee was the most qualified.

IV. **A/E PROCUREMENT ESTIMATE TO EXCEED \$500,000**

- A. For A/E services procurements estimated to exceed \$500,000 in value, the Head of the Business Services Section shall appoint and A/E Evaluation Board (or Board) to evaluate the qualifications of A/E firms for selection for award, and shall serve as the Source Selection Official (SSO) who provides instructions and guidance to the Board, reviews the Board's findings and recommendations, and makes the final selection of the firm or firms with whom negotiations of a subcontract are to proceed. The Head of the Business Services Section may, on a case-by-case basis, delegate the authority to appoint a Board and to serve as the SSO to a Deputy or Assistant Head of the Business Services Section or the Head of the Fermilab Procurement Department or, after coordination with the Fermilab Directorate, to another Fermilab official or employee having appropriate experience or qualifications in A/E, project, or source selection matters.
- B. A Board collectively should have experience in the A/E disciplines needed for the project or in the type of construction involved, and in Fermilab procurement policies and procedures. A Board shall be comprised of at least three (3) and normally not more than seven (7) voting members. All voting members must be full-time Fermilab employees. The SSO will designate one of the voting members as the Chairperson. Among the voting members of a Board, one member must be from the Fermilab Procurement Department and one member from the cognizant program organization. Additional technical, legal, and other advisors may also be appointed to the Board as non-voting members. These advisors need not be Fermilab employees.

C. As early as practicable, and preferably prior to formally appointing individuals to the Board, the SSO shall ascertain whether the service of any prospective Board member (both voting and non-voting) would give rise to a conflict of interest that warrants disqualification of that individual from membership on that Board. The SSO shall ensure that each Board member duly executes a Confidentiality Certificate (Exhibit I) and a Conflict of Interest Certificate (Exhibit II). The originals of all Certificates shall be retained as part of the official Board file.

V. **A/E BOARD RESPONSIBILITIES AND PROCEDURES**

A. Preparation of Letters of Interest

1. The Board shall review specifications and/or statement of work prepared by the requisitioner, and ensure that they are adequate and not unduly restrictive of competition before they are incorporated into a solicitation.
2. The Board shall review the project requirements including:
 - Type of project and statement of work
 - Type of subcontract proposed
 - Estimated cost of services and cost of construction
 - Schedule objectives
 - Specific evaluation criteria
3. Evaluation Criteria are mandatory and must be incorporated into every source selection. The criteria shall include the general qualifications of the firm, the personnel and organization, and any specialized criteria developed for the specific project. Evaluation criteria are used to determine the offeror's understanding of the requirements, potential for successfully accomplishing the work, and comparative competitive status. The evaluation of A/E firm's responses to the RFP and the relative importance, or weight, assigned to each category becomes the basis the selection of the successful offeror. The Board shall develop a plan for scoring and ranking the A/E firms in a fair, impartial, and consistent manner. The criteria used shall be set forth in the invitation documents and should include the following except as otherwise determined by the Board and approved by the Head of the Business Services Section.

(a) General Qualifications:

- 1) Reputation and standing of the firm and its principal members;
- 2) Experience and technical competence of the firm in comparable work;
- 3) Past record in performing work for DOE, other government agencies, and in private industry including projects or contracts implemented with no overruns; performance from the standpoint of cost including cost overruns (last five years); the nature, extent, and effectiveness of contractor's cost reduction program; quality of work; and ability to meet schedules including schedule overruns (last five years), where applicable;
- 4) The volume of past and present workloads;
- 5) Interest of company management in the project and expected participation and contribution of top officials;
- 6) Adequacy of central or branch office facilities for the proposed work including facilities for any special services that may be required;
- 7) Geographic location of the home office and familiarity with the locality in which the project is located.

(b) Personnel and Organization

- 1) Specific experience and qualifications of personnel proposed for assignment to the project including, as required, for various phases of the work:
 - i. technical skills and abilities in planning, organizing, executing, and controlling;
 - ii. abilities in overall project coordination and management; and
 - iii. experience in working together as a team.
- 2) Proposed project organization, delegations of responsibility, and assignments of authority;
- 3) Availability of additional competent, regular employees for support of the project and the depth and size of the organization so

that any necessary expansion or acceleration could be handled adequately;

- 4) Experience and qualifications of proposed consultants and subcontractors; and
- 5) Ability to assign adequate personnel from the proposed organization (firm's own organization, joint-venture organizations, consulting firms, etc.) including key personnel and a competent supervising representative.

(c) Additional (or special) criteria developed for the specific project shall be considered and evaluated as may be appropriate.

4. Cost or Price Considerations

Unless instructed otherwise by the SSO, cost or price considerations are not used as evaluation criteria by the Board, and cost proposals are not requested as part of the Board evaluation process.

B. Approval of Board Actions by SSO

The Board shall develop and submit to the SSO, for approval prior to issuance or public advertisement, the proposal letter of invitation and/or advertisement which will be sent to prospective A/E's. The invitation should incorporate the following: Statement of work, type of subcontract, appropriate value of engineering and construction phases, schedule for services, and evaluation criteria.

C. Collection of Data on Architect-Engineer Firms

1. In order to obtain adequate and effective competition in the acquisition of A/E services, the Board shall endeavor to solicit interest through means such as:
 - (a) Advertisement in the Commerce Business Daily.
 - (b) Advertisement in appropriate professional journals or periodicals.
 - (c) Mailing notices of intention to subcontract for A/E services to firms likely to have the expertise and facilities to rank well against the evaluation criteria.
2. After the notices of intention to subcontract for A/E services have been advertised and/or issued and the date for submission of responses has

lapsed, the Board shall review and evaluate all responses. The Board will examine each firm's response and evaluate it against the established evaluation criteria. The voting members will then rank the firms against the weighted evaluation criteria. The total score for each firm shall determine its ranking (highest to the lowest). Based on this evaluation, no less than three firms should be selected for "Discussions". These firms can be identified by reviewing previously submitted SF-254's and other expressions of interest. Every opportunity shall be given to Small Business and economically disadvantaged firms.

D. Approval of Selected Firms for Discussions

After three or more firms have been selected in accordance with the above procedures, approval shall be obtained from the SSO to enter into "Discussions" with those firms for further and in-depth evaluation and also for approval to delete the balance of the firms no longer considered competitive. The report submitted for SSO approval shall include the consensus of Board evaluation findings for all firms that responded to the invitation.

E. Discussion Phase

1. After the firms have been selected in accordance with the above, discussions shall be held with those firms. These discussions may be used to obtain additional qualifications performance and management data, and other information needed to properly apply the evaluation criteria and evaluate the firms under consideration. Discussions may include telephone conversations, exchange of correspondence, or interviews.
2. Supplemental information may be required prior to and as a prelude to the discussion phase of the A/E Selection Process. Such is appropriate for the larger or more complex projects where information beyond that already furnished is needed to apply the evaluation criteria and evaluate and rank the firms.
3. Requests for supplemental information will be limited to information that will enable selection of the best-qualified contractor.
4. Requests for supplemental information should state the purpose for such information similar to the following: "As a result of our initial evaluation of material on file with this office and the SF-254's and/or SF-255 submitted in response to our invitation, we have selected your firm for further consideration for selection to perform the architect-engineer

services. The principal purposes of this request is to obtain additional specific qualification and performance data concerning your firm.”

F. Selection of Firm or Firms for Negotiation

1. After discussions and further evaluation of the firms, the Board shall recommend to the SSO—in order of preference—no less than three firms deemed to be the most highly qualified to provide the A/E services. The SSO shall select the firm determined to be most highly qualified for subcontract negotiations. Should the SSO select a firm other than that ranked most favorable by the Board, the SSO shall provide complete documentation justifying his selection.
2. To assist the SSO in his determination and selection, the Board shall submit a written report of its actions, findings, and evaluations of the most highly qualified firms. The report shall present the consensus of the relative strengths and weaknesses of the finalists and why they ranked as they did. Cost considerations may be addressed at this time by the Board but not as an evaluation criteria in ranking.
3. Upon acceptance of the Board recommendations by the SSO, the Board Chairperson shall:
 - (a) Advise the selected firm of its status in writing.
 - (b) Advise the unsuccessful offerors of the selection in writing.
 - (c) Prepare a Final Report for the SSO of all the Board’s actions and determinations from establishment to acceptance of its recommendations. The report will thus contain the accumulated papers and backup material developed by the Board. This report will become part of the procurement file and will remain confidential.
4. The preparation and transmittal of sample subcontracts for solicitation of price proposals will be by the Procurement Administrator after the Board’s work is approved by the SSO. Any subcontract negotiations will be by the Procurement Administrator.

G. Debriefing of Unsuccessful Offerors

After the selection is announced, unsuccessful offerors may submit written requests for debriefings. Such requests should be received within two weeks after the selection announcement. Debriefings shall not be conducted without the participation of the Board Chairperson and the Procurement

Department member of the Board. The rules for all debriefings are described below:

1. Debriefings shall be confined to discussions of how the unsuccessful offeror could have improved its proposal. The specifics of the scoring will not be discussed.
2. The Board's selection scores will be discussed in general, but no discussion will be allowed of the other proposals.
3. No selection documents will be released.
4. The Board Chairperson shall develop an official record of the debriefing.

VI. SOLE SOURCE A/E PROCUREMENT AND OTHER CONSIDERATIONS

- A. While it is the policy of Fermilab to acquire A/E services by means of competition utilizing the procedures set forth above, nothing herein shall preclude the acquisition of A/E services on a sole source basis where the exigencies of a particular procurement so dictate. In such cases, the sole source procurement procedures set forth in the *Fermilab Procurement Policy and Procedures Manual* shall be followed to the greatest extent practicable, and a Justification for Noncompetitive Procurement, as described in the Manual, shall be prepared.
1. For A/E services procurements estimated not to exceed \$50,000 in value, the Justification must be reviewed and approved by the Procurement Manager.
 2. For A/E services procurements estimated to exceed \$50,000 in value, the Justification must be reviewed and approved by the Head of the Business Services Section.
- B. Nothing herein shall preclude any limitation being placed on the size or types of firms which may be eligible for award in any given procurement in furtherance of Fermilab subcontracting policies and plans that have been established pursuant to the Prime Contract with DOE.

EXHIBITS:

- Exhibit I - Confidentiality Certificate
- Exhibit II - Conflicts of Interest Certificate