



QUALIFICATION-BASED SELECTION FOR  
ARCHITECTURAL, ENGINEERING,  
SURVEYING & CONSTRUCTION  
MANAGER-AT-RISK SERVICES

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N.C.G.S. § 143-64.31



# The Law

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- Selection Criteria
- Written exemption of particular contracts

# SELECTION CRITERIA

It is “public policy to:

- “Announce” all requirements for architectural, engineering, surveying and construction management at risk services;
- Select firms to provide such services “on the basis of demonstrated competence and qualification without regard to fee other than unit price information”.



# OTHER SELECTION CONSIDERATIONS

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- Good faith efforts by the public entity to notify minority firms
- Preference to resident firms
- Negotiation of a “fair and reasonable fee”

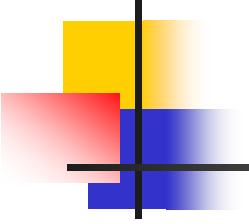


# Exempting Projects

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- Units of local government may in writing exempt particular projects in the case of:
  - Projects where the estimated fee is less than thirty thousand dollars
  - Other projects exempted in the sole discretion of the unit of local government, stating the reasons therefor and the circumstances attendant thereto.

# SOME REASONS TO EXEMPT PROJECTS



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- Emergency or critical schedule
- A firm's previous experience with the project
- To allow bidding of services



# Bidding Projects

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- Will require a clear scope of services with significant front end work.
- Recommend having a pre-proposal conference to clarify unknowns where possible.
- Allow adequate time to prepare bids.
- Use allowances for identified unknowns.
- Consider using a two-envelope process.



# Qualification-based Selection

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- RFQ Development
- Schedule
- Pre-Submittal Conference
- Shortlisting
- Interviews
- Notifications



# RFQ Development

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- Not a specification.
- Should include desired scope of project as you know it – identify critical areas or “hot buttons”.
- State schedule for interviews if they will be held.
- Identify one contact point for questions.
- If a scorecard will be used as part of the selection process, identify criteria and value.



# Schedule

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- Allow as much time as possible for responses
  - three weeks minimum recommended.
- Set time bracket in advance for interviews.
- Sufficient time for scope clarifications & negotiations.
- Include schedule expectations or requirements in the RFQ.



# Pre-Submittal Conference

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- Should you have one?
- What will be gained from the conference?
- Remember – this is not a bid situation, encourage open conversation.



# The Selection Committee

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- Appointing Members
- Training Members
- Protecting Members' time
- Confidentiality
- Consensus



# Shortlisting

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- Recommend 3 – 5 firm short list for interviews.
- Shortlist on the basis of the responses – then check references of the shortlisted group.
- Notify all firms of the shortlist immediately.
- A quick way to shortlist.



# Interviews

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- Should you have them?
- Recommend conducting in one day
- Make a decision at the end of the day if at all possible.
- Facilitating the interviews.
  - Allow one hour per interview
    - 10 minute setup
    - 20 minute presentation
    - 20 minute question/answer
    - 10 minute takedown



# Final Selection

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- Scorecards
- Notification
- Debriefing Unsuccessful Firms



# Scorecards

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- Recommended Formats
- Become public record
- Fitting a subjective decision into an objective process



# Notification

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- Should be done immediately after a decision is made.
- All firms should be notified by phone.
- Do not attempt to justify selection, just make the notification.
- Offer a debriefing session to unsuccessful firms.



# Debriefing Unsuccessful Firms

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- Make it a positive meeting
- Focus on why the successful firm was selected.
- Make all responses available for review by the firm.



# CONTRACT NEGOTIATIONS

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- Once a firm is selected, negotiations are entered to arrive at a “fair and reasonable fee”.
- If a contract cannot be negotiated, then move to the next best qualified firm.



# JUSTIFYING THE FEE

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- Firm should be able to provide information on fees from similar projects.
- Obtain information from other agencies on similar projects
- The fee must be matched against the particular needs of your project.
- There are no “standard % fees”.