2012 Procurement Training

for State and County Purchasing Personnel

PROCUREMENT OF PROFESSIONAL SERVICES

HAR, Chapter 3-122, Subchapter 7

HRS, Section 103D-304, Professional Services

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Registration for SPO Workshops

- Registration for SPO workshops is now a 1 step process.
- On the Training Schedule and Registration page, select the date of the workshop and follow instructions for registering.
- For webinars you will register on the webinar site. You will not have to wait for SPO to send you the webinar invitation. SPO will not send you an invitation.
- If attending a webinar as a group
  - All members of the group must register on the webinar site.

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About SPO Webinars

- Participation encouraged.
- If we cannot get to all your questions we will provide answers at a later date (FAQ, etc.)
- If there is more than one person participating at a single computer.
  - Everyone registers for this webinar on the SPO Training website.
  - Only the person logging in should register on the Webinar site.
  - All attendees in the group (including the person registered on the webinar site) complete the SPO Webinar Group Attendance form, scan it in and send it to: spo.training@hawaii.gov
  - **Send it in within 1 working day of the webinar**
  - The SPO Webinar Group Attendance form is on the SPO training schedule along with the handouts. http://hawaii.gov/spo click **Training for State and County Procurement Personnel**
  - **DO NOT send in the signed form prior to the workshop.**

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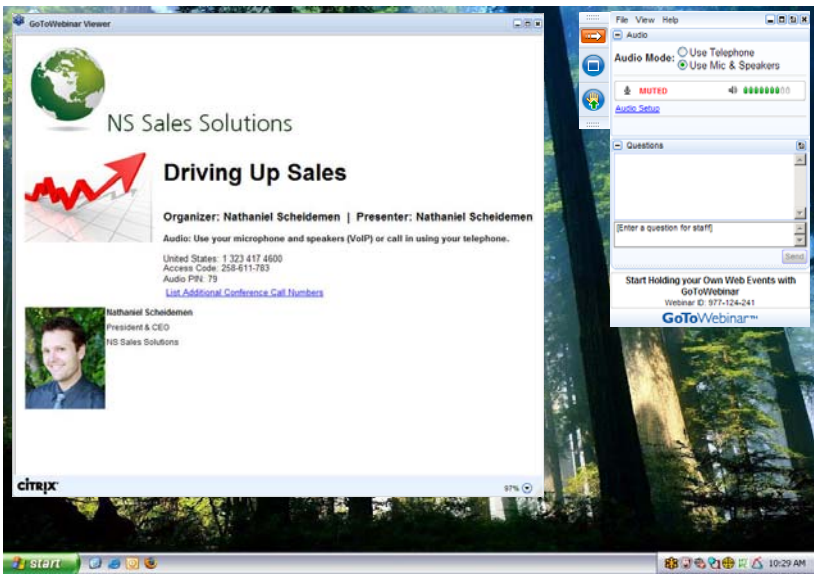
The GoToWebinar Attendee View



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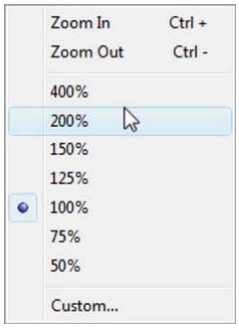
Webinar Viewer Window

- Having trouble seeing?
  - Maximize your viewer windo

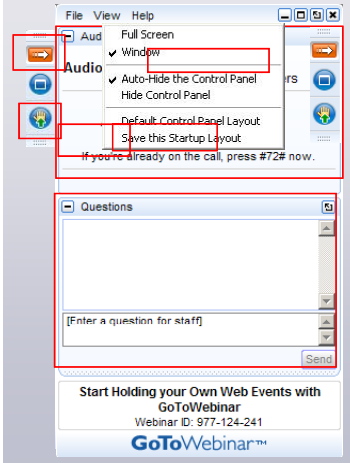
  and/or
  - Increase the magnification in your browser.



- To exit full screen mode- escape key (Esc).

5

How to Participate Today



- Open and close your Panel
- View, Select, and Test your audio
- Submit text questions
- Raise your hand
- Q&A addressed at the end of today's session

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Before You Procure/Administer Contract: Written Delegated Authority and Training

Before you develop/draft/participate in a solicitation, review, approve, conduct, manage, or administer a procurement/contract, you must:

- **Have written delegated authority per signed and submitted (to SPO) Form SPO-036**.
  Reference: Procurement Delegation Memorandum 2010-01.
  - See : http://hawaii.gov/spo
    > For State & County Personnel
    > Requirement of Procurement Delegation Authority
- **Have taken all required training**.
  Reference: Procurement Circular 2010-05
  Note: Check the website periodically.
  - See: http://hawaii.gov/spo
    >For State and County Personnel
    >Training and Informational Sessions

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About Public Sector Procurement
Why can't we 'Just Do it'

- We use taxpayer funds;
- Our "shareholders" are the taxpayers (everyone).
- Like the private sector, we want best value **AND** we have additional obligations:

1. We must be open/transparent.

- Everyone has a right to know and have easy access.

2. We must be fair to all qualified vendors.

- Everyone has the right to compete.

3. We ARE accountable.

- Keep an auditable trail. (document, document, document!)
- Follow standardized rules and procedures.
  (Statutes, Administrative Rules, Procurement Circulars, Internal Procedures)

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When We Procure

- We must procure in accordance with statutes and rules.
  - Hawaii Revised Statutes (HRS) Chapter 103D, The Hawaii Public Procurement Code
  - Hawaii Administrative Rules (HAR) Chapters 3-120 to 3-132
  - Procurement Circulars
- There are 6 methods of procurement (source selection). Each of the methods:
  - has specific procedures;
  - shall be used under certain conditions;
  - more than one method may be applicable;
- When more than one method is applicable, choose the most appropriate method (generally the most competitive).

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Methods of Procurement

Method	Bases for Use	Bases of Award
Competitive Sealed Bids	Always used unless it is not feasible or practicable.	Lowest responsive, responsible bid.
Small Purchases	Purchases of smaller quantities for goods and services of less than $100,000 and construction less than $250,000.	Lowest responsive, responsible quotation.
Competitive Sealed Proposals	Competitive sealed bidding is not practicable; price is not the most critical factor.	Based on RFP evaluation criteria.
Multi-step Bid	Used when pre-qualification of offerors necessary before considering price.	Lowest bidder of qualified offerors.
Sole Source	Only one source for the required good, service, or construction.	Approved single source at agreed prices.
Emergency	Used to respond the needs that are immediate and serious that are a threat to life, public health, welfare, or safety.	Lowest responsive and/or responsible offeror.
Professional Services	Professional services as defined in rules and statutes.	Qualified respondent that meets determined criteria; prices are agreed to.
Request for Interest (For Federal Grants)	Used prior to applying for the Federal grants where time is limited or economic situations require a "quick" selection process.	Criteria determined in RFI.

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Chief Procurement Officers (CPO)

- **Executive (5)**
  - Administrator of the State Procurement Office, *except for*:
    - Office of Hawaiian Affairs--Chairperson of the Board;
    - University of Hawaii--President of UH;
    - Department of Education, *excluding the Hawaii Public Library System*--Superintendent of Education;
    - Hawaii Health Systems Corporation--CEO, HHSC
- **Judiciary (1)--**Administrative Director of the Courts
- **Legislative (2)**
  - Senate -President
  - House of Representatives -Speaker

Counties: (13) -Executive Branch--Finance Directors, except for Boards of Water Supply, Legislative Branch--Chairpersons of the Councils, Boards/Departments of Water Supply--Managers and Chief Engineers as designated by county charter, semi-autonomous public transit agency--the director of the agency as designated by county charter.

(Ref: HRS 103D-203)

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Terms You Should Know

- **Head of Purchasing Agency** (**HOPA**)= Head of any governmental body which is authorized by this chapter or its implementing rules and procedures, or by way of delegation, to enter into contracts for the procurement of goods, services, or construction.
- **Procurement Officer** (**PO**)=any person authorized to enter into and administer contracts and make written determinations with respect thereto. The term also includes an authorized representative acting within the limits of authority. *(ref: HRS 103D-104)*

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What are Professional Services?

- As defined in HRS section 103D-104, as may be defined in other state statutes, and in the U.S. Office of Personnel Management's Qualifications Standards Handbook (see Procurement Circular No. 2009-06).
- HRS 103D-104: The practice of architecture, landscape architecture, professional engineering, land surveying, real property appraisal, law, medicine, accounting, dentistry, public finance bond underwriting, public finance bond investment banking, etc.

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HRS §415A.2 Professional Corporation Act - Definitions

442- Chiropractic
448–Dentistry
453-Medicine & Surgery
455-Naturopathy
457-Nurses
459-Optometry
461-Pharmacists & Pharmacy
463E-Podiatrists
465-Psychologist
466-Public Accountancy
471-Veterniary Medicine
605-Attorneys
554-2 – Nomination by beneficiaries; appointment of trustees (private trusts)

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U.S. OFFICE OF PERSONNEL MANAGEMENT (OPM)
PROFESSIONAL SERVICES POSITIONS
FOR
CHAPTER 103D, HAWAII REVISED STATUTES

REFERENCE: SECTION 103D-104, HRS, DEFINITION OF "PROFESSIONAL SERVICES"

GENERAL SCHEDULE SERIES AND POSITION TITLES:

Miscellaneous Occupations

GS-0020	Community Planning

Social Science, Psychology, and Welfare

GS-0101	Social Science
GS-0110	Economist
GS-0130	Foreign Affairs
GS-0131	International Relations
GS-0140	Manpower Research & Analysis
GS-0150	Geography
GS-0170	History
GS-0180	Psychology
GS-0184	Sociology

Biological Sciences (continued)

GS-0454	Range Conservation
GS-0457	Soil Conservation
GS-0460	Forestry
GS-0470	Soil Science
GS-0471	Agronomy
GS-0475	Agricultural Management
GS-0480	General Fish and Wildlife Administration
GS-0482	Fish Biology
GS-0485	Wildlife Refuge Management
GS-0486	Wildlife Biology
GS-0487	Animal Science

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GENERAL SCHEDULE SERIES AND POSITION TITLES:

GS-0185	Social Work
GS-0190	General Anthropology
GS-0193	Archaeology

Biological Sciences

GS-0401	General Biological Science
GS-0403	Microbiology
GS-0405	Pharmacology
GS-0406	Agricultural Extension
GS-0408	Ecology
GS-0410	Zoology
GS-0413	Physiology
GS-0414	Entomology
GS-0415	Toxicology
GS-0430	Botany
GS-0434	Plant Pathology
GS-0435	Plant Physiology
GS-0436	Plant Protection & Quarantine
GS-0437	Horticulture
GS-0440	Genetics
GS-0493	Home Economics

Accounting and Budget

GS-0510	Accounting
GS-0511	Auditing
GS-0512	Internal Revenue Agent

Medical, Hospital, Dental, and Public Health

GS-0601	General Health Science
GS-0630	Dietician & Nutritionist
GS-0631	Occupational Therapist
GS-0633	Physical Therapist
GS-0635	Corrective Therapist
GS-0637	Manual Arts Therapist
GS-0638	Recreational/Creative Arts Therapist
GS-0639	Educational Therapist
GS-0644	Medical Technologist
GS-0665	Speech Pathology & Audiology
GS-0690	Industrial Hygiene
GS-0696	Consumer Safety

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U.S. OFFICE OF PERSONNEL MANAGEMENT (OPM)
PROFESSIONAL SERVICES POSITIONS
FOR
CHAPTER 103D, HAWAII REVISED STATUTES

REFERENCE: SECTION 103D-104, HRS, DEFINITION OF "PROFESSIONAL SERVICES"

GENERAL SCHEDULE SERIES AND POSITION TITLES:

GS-0890	Agricultural Engineering
GS-0892	Ceramic Engineering
GS-0893	Chemical Engineering
GS-0894	Welding Engineering
GS-0896	Industrial Engineering
Information and Arts	
GS-1015	Museum Curator
Copyright, Patent, and Trade Mark	
GS-1221	Patent Advisor
GS-1223	Patent Classifying
GS-1224	Patent Examining
GS-1226	Design Patent Examining
Archives	
GS-1420	Archivist
Mathematics, Statistics, and Computer	
GS-1510	Actuary
GS-1515	Operations Research
GS-1520	Mathematics
GS-1529	Mathematical Statistician
GS-1530	Statistician
GS-1550	Computer Science
Education	
GS-1701	General Education & Training
GS-1710	Education & Vocational Training
GS-1720	Education Program
GS-1725	Public Health Educator
GS-1730	Education Research
GS-1740	Education Services
GS-1750	Instructional Systems

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U.S. Office of Personnel Management-Qualifications Standards Handbook for Professional and Scientific Positions

- http://www.opm.gov/qualifications/standards/group-stds/gs-prof.asp
- Provides a list of the occupational series covered by this qualification standard. All occupational series covered by this standard have individual occupational requirements.

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Source Selection Methods Available To Procure Professional Services (not Design Professionals)

- Competitive Sealed Bidding (CSB);
- Competitive Sealed Proposals (CSP);
- Sole Source Procurements;
- Small Purchases;
- Emergency Procurements.

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Who are Design Professionals and How Are They Procured?

- Defined in HRS Chapter 464, they are Professional Engineers, Surveyors, Architects, and Landscape Architects.
- They must be procured utilizing HRS section 103D-304, or HRS section 103D-307, Emergency Procurements (except for surveyors).
- Using other methods such as IFBs, RFPs, Small Purchases, (informal oral quotes, obtaining names from telephone books, referrals, agency lists, etc.), are not allowed (excludes procurement for design/build construction projects).

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Creating a pre-qualified list

- Post notice on the PNS (as needed or annually) inviting persons to submit Expressions of Interest (EOI) and Statements of Qualifications (SOQ) for the specified professional service(s).
- "Persons" means individuals, partnerships, corporations, associations, or public or private organizations or any character other than a governmental body-HAR section 3-120-2 Definitions.

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The notice should include:

- the specific professional service(s) that is being requested;
- term that the list will be used;
- when and where submittals are to be received;
- mandatory evaluation criteria; and

  any other important factors to be submitted to select a firm.

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Examples of additional important factors can include:

- Location and number of offices;
- Age of the firm, average number of employees;
- Education, training, and qualifications of key members of firm available for contracts;
- Names and phone numbers of up to five clients, including at least 2 for whom the service were rendered during the preceding year; and
- Any promotional or descriptive literature which firm may want to submit.

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May 1, 2007

NOTICE TO PROVIDERS OF PROFESSIONAL SERVICES

PS-07-03-FTZ

The Department of Business, Economic Development, and Tourism (DBEDT) may require the services of qualified Architects/Engineers to provide consultant services related to the assembly of a mobile loading dock system at the Foreign-Trade Zone (FTZ) No. 9.

The scope of work for this project will require the preparation of plans, design drawings, and project specifications for the assembly of a mobile loading dock system. Qualifications and Services needed include, but are not limited to, the following. The Consultant shall:

a. Prepare plans, design drawings, and bid specifications for the assembly of a mobile loading dock system. Such plans, design drawings and specifications shall include, but not be limited to, any modifications that need to be made to existing electrical and water systems.

b. Identify and secure any necessary permit requirements. Prepare any and all paperwork needed to obtain required permits for this project

c. Submit, as required, plans for review and approval by appropriate governmental agencies and public utility companies. Revise and resubmit plans in accordance with agency comments. Complete the final design and provide the FTZ with an autocad copy of said design. Submit, as required, the final design to appropriate governmental agencies and public utility companies for review, approval and signatures.

d. Attend pre-bid conference for the assembly of the mobile loading dock system and respond to clarification requests during the bidding process. Assist the FTZ with the preparation of addenda to the bid request, if necessary.

e. Clarify plans, specifications, contract documents and any related codes, as necessary, during the course of the project to include the assembly of the mobile loading dock system.

f. Transmit shop drawings and submittals to appropriate governmental agencies or public utility companies for review and approvals, as necessary.

Under the requirements of Section 103D-304, HRS, the Director of the Department of Business, Economic Development, and Tourism is authorized to invite interested individuals or firms engaged in providing professional services for inclusion on a list of qualified professionals. Individuals or firms interested in being considered for this project, and who have the necessary experience and qualifications, are invited to submit a letter of interest, three (3) copies of their DPW Form 120, and three (3) copies of their resume, by May 31, 2007 to:

Eileen Harada
For Theodore Liu, Director
DBEDT-Administrative Services Office/Contracts
250 S. Hotel Street, 504
Honolulu, Hawaii 96813

Only those prospective individuals or firms who submit the above required documents by the deadline will be considered.

DPW Form 120 may be downloaded from www.hawaii.gov/dbedt/info/bidfiles or www4.state.hi.us/bidapps. If there are any questions regarding the nature of the assignment, please call Larry Conley, Business Manager, FTZ, at 587-5374. For any procedural questions, please call Eileen Harada at (808) 586-9312.

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NOTICE TO PROSPECTIVE PROFESSIONAL CONSULTANTS

The State of Hawaii, Department of Defense, Engineering Office, is seeking qualified professional firms to provide professional services in the following areas of disciplines for Fiscal Year 2008 Capital Improvement Projects (CIP) and other projects. CIP projects are subject to legislative budget approval. Categories being sought are.

1. ARCHITECTURE – All disciplines.
2. ENGINEERING – All disciplines including civil, mechanical, electrical, geotechnical, structural (planning, design, development of construction documents, construction management, field investigations, and other related services).
3. ENVIRONMENTAL SERVICES– Historical, Archeological, Biological, Botanical, Hazardous Waste Removal and Remediation, Solid Waste, Air Quality, Pollution Prevention, Radon, and other related services.
4. EIS/EA PREPARATION – Environmental Impact Statement/Environmental Assessment.
5. LANDSCAPE ARCHITECTURE
6. SURVEYING
7. PLANNING
8. CONSTRUCTION MANAGEMENT

Consultants interested in providing professional services must submit the following items to the Contracting and Engineering Office, State of Hawaii, Department of Defense, 3949 Diamond Head Road, Building 306A, Room 228, Honolulu, Hawaii 96816-4495, no later than 4:00 p.m., May 25, 2007.

1. Letter of interest indicating the categories that the firm is interested and qualified to provide professional services. Firms shall indicate the category of service for which they want to be considered in their letter of interest. Firms that want to be considered for more than one category of service shall indicate all such categories in their letter of interest.
2. Interested individuals or firms should submit a completed Federal Standard Form (SF) 254, 255 or 330, or a DPW form 120.
3. Statement of Qualifications (SOQ) or executive summary for each project category requested highlighting the firm's qualifications, expertise and experience.
4. The names and phone numbers of up to five (5) clients who may be contacted including a minimum of two (2) for whom services were rendered during the preceding year.
5. Statement indicating any conflicts of interest in performing services for DAGS and/or the State of Hawaii. List membership on State boards, commissions, etc. For additional information, please refer to the State Ethics code, Chapter 84, Hawaii Revised Statutes, or go to the Hawaii State Ethics Commission Web site at http://hawaii.gov/ethics/.
6. Firms interested in construction management, must provide the name, experience and qualifications (training courses, certifications, etc.) of the proposed project/construction/program manager.
7. Any relevant information on the firm's 1) experience, 2) expertise, and 3) past performance including, but not limited to quality of work, cost control and ability to meet schedules may be submitted.

Incomplete Submittals: Submittals received by the due date, but with missing or deficient items will be considered "incomplete." Applicants will be notified of the deficiencies and will have five (5) working days from the notification date to submit all the required items or their submittal will be considered "late."

Late Submittals: Submittals received after the above due date will be considered "late." Qualified applicants may be considered for projects for the balance of the fiscal year after a qualification period of up to ninety (90) calendar days.

GENERAL INFORMATION

Selection of professionals will be made in accordance with Section 103D-304, Hawaii Revised Statutes and Section 3-122-Subchapter 7, Hawaii Administrative Rules, as amended. The selection criteria employed in descending order of importance shall be:

1. Experience and professional qualifications relevant to the project type. Note that qualifications may include accreditation, such as LEED, for applicable projects.
2. Past performance on projects or similar scope for public agencies or private industry.
3. Capacity to accomplish the work in the required time.
4. Any other criteria as determined by the selection committee to be relevant or necessary.

Copies of the Federal Standard Form (SF) 254, 255, 330 and DPW Form 120 are available at the following address:

Department of Defense, State of Hawaii
3949 Diamond Head Road
Bldg. 306-A, Room 228
Honolulu, HI 96816-4495
ATTN: Engineering Office
Telephone: (808) 733-4041

A Hawaii State license is required for architecture, engineering, landscape architecture and surveying. Planning firms must have the necessary education, training and experience. Project management, construction management, and program management firms must have a Hawaii licensed architect or engineer on staff. Federal EPA and State Department of Health accreditation and training are required for projects involving the removal of asbestos-containing materials (ACM), lead-containing paints (LCP), underground storage tanks (UST), and other hazardous materials.

All submittals shall be received no later than 4:00 P.M., May 25, 2007.

The form SF 254 can be electronically accessed on the State Procurement Office website at: http://www2.hawaii.gov/StateFormsFiles/gsa%5Fsf254%2Edoc .

Cathy Siu
Contracts Assistant I

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DEPARTMENT OF TRANSPORTATION
NOTICE TO PROVIDERS OF PROFESSIONAL SERVICES

In accordance with §103D-304, HRS, the State of Hawaii, Department of Transportation (HDOT), Highways Division (Highways) is seeking qualified consultants to provide transportation planning services for **the Statewide Pedestrian Master Plan.**

Additional project information for this RFP may be viewed by going to the State of Hawaii, State & County Procurement Notices website, http://www4.hawaii.gov/bidapps/ShowBids.cfm. Click on the "More Info" column for this project notice and then click on "View Specifications Document."

Individuals or firms **on** HDOT's qualified list are invited to submit a proposal for the subject project. Proposals should be clear, concise, and in accordance with the *Guidelines for Preparing Consultant Proposals for Highways Division Projects*, which can also be also viewed by clicking on "More Info" and then on "View Specifications Document." Only those prospective individuals or firms who submit their proposal by the deadline below will be considered.

One electronic copy of the proposal must be received in PDF format via email at Rachel.L.A.Roper@hawaii.gov, and five copies of the proposals must be received by **4:00 p.m., September 30, 2008** at the following address:

Department of Transportation, Highways Division
Planning Branch, Advance Planning Section
869 Punchbowl Street, Room 301
Honolulu, Hawaii 96813

Please send an email to Rachel.L.A.Roper@hawaii.gov confirming that your firm is interested in submitting a proposal. This email confirmation will only be used to contact interested firms in the event that changes are made and are not required or part of the evaluation process.

Individuals or firms who are **not on** HDOT's qualified list and wish to be considered in the selection for this project must submit five copies of the following along with the proposal by the deadline above:

1. Letter of interest (including an email address for notification of additional advertisements).
2. DPW Form 120 or the Standard Federal Form 330. The DPW Form 120 may be downloaded from http://www.hawaii.gov/dot, click on "Business Related Information," then on "Professional Services."
3. Any other related information.

The evaluation criteria used to evaluate firms whose proposals are received by the deadline above are included in the *Guidelines for Preparing Consultant Proposals for Highways Division Projects.*

The HDOT, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252) and the Regulations of the U.S. Department of Transportation [Title 49, Code of Federal Regulations (CFR) Part 21] issued pursuant to such Act, hereby notifies all proposers that it will affirmatively ensure that the contract entered into pursuant to this advertisement will be awarded without discrimination on the grounds of race, color, religion, sex, national origin, age, or disability.

The U.S. Department of Transportation Regulations entitled "Participation by Disadvantaged Business enterprises in Department of Transportation Programs," Part 26, Title 49, CFR is applicable to this project.

Campaign contributions by State and County Contractors. Contractors are hereby notified of the applicability of Section 11-205.5, HRS, which states that campaign contributions are prohibited from specified State or county government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body. For more information, contact the Campaign Spending Commission at (808) 586-0285.

The Director of Transportation reserves the right to cancel this request for proposals, to reject any or all proposals in whole or part, and to waive any defects in said proposal in the best interest of the State.

If you have any questions, please contact Rachel L. A. Roper, Highways Division, Planning Branch at (808) 587-1983 or email Rachel.L.A.Roper@hawaii.gov.

What professional service is being requested as "qualified consultants to provide transportation planning services?"

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NOTICE TO PROVIDERS OF PROFESSIONAL SERVICES

In accordance with Section 103D-304, HRS, the Department of Transportation (DOT), Airports Division seeks the services of qualified construction management firms to provide construction management services for ITO Parking Lot Expansion, Hilo International Airport, Hilo, Hawaii, State Project No. AH1041-26. The scope of work for this project includes construction management services including construction administration and inspection for the improvements and expansion of the parking lot. Items included in this project are miscellaneous grading and asphalt paving, drywells, new ticket booths, electrical work, and landscaping. These services are anticipated to be immediately required, and will have a contract completion time of approximately one hundred eighty (180) calendar days from the notice to proceed. The estimated construction cost is $2,300,000.

Individuals or firms on the DOT's qualified list shall submit a response to the attached written questionnaire which can be viewed by clicking on "More Info" and then on "View Specifications Document." The response to the questionnaire will be evaluated by the following criteria:

1. Experience and professional qualifications relevant to the project - 35%
2. Past performance on projects of similar scope for public agencies or private industry, including corrective actions and other responses to notices of deficiencies - 33%
3. Capacity to accomplish the work in the required time - 32%

Individuals or firms who are not on the DOT's qualified list, and wish to be considered in the selection for this project must submit four copies of the following along in addition to the above:

1. Letter of interest/request to be added to the qualified list (including an email address for notification of additional advertisements.)
2. DPW Form 120 or the Standard Federal Form 330. The DPW Form 120 may be downloaded from http://www.hawaii.gov/dot by navigating to "Doing Business>Contracts>Professional Services."
3. Any other related information.

Submittals must be received by 4:30 p.m., on September 2, 2008, at the following address:

What professional service is being requested as "construction management services, including construction administration and inspection for the improvement and expansion of the parking lot?"

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Review Committee

- HOPA to ensure impartiality and independence of members;
- Non-government employees can serve but shall have sufficient knowledge, not be compensated (unless HOPA approves), and shall sign an SPO Form 24 or similar affidavit;
- Committee shall review and evaluate all submissions to prepare a list of qualified persons for each professional service listed.

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Form SPO-024

- Shall attest to having no personal, business, or any other relationship that will influence their decision in the review process;
- Agree not to disclose any information on the review process;
- Agree that their names will become public information upon award of the contract.

Review Committee

- Designated HOPA and names of members to be placed in the contract file;
- Comprised of a minimum of 3 persons, with sufficient education, training, and credentials for each type of professional services. No Deputy or equivalent appointed positions may serve as a member.

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Selection Committee

- Appointed by HOPA when a particular professional service is needed, to evaluate the qualified list created by an annual or specific procurement notice;
- Comprised of a minimum of 3 persons, with sufficient education, training, and credentials in the area of the services required. No Deputy or equivalent appointed positions may serve as a member;

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Selection Committee

- Non-government employees can serve but shall have sufficient knowledge, not be compensated (unless HOPA approves), and shall sign an SPO Form 24 or similar affidavit;

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Selection Committee

- Selection Committee shall prepare criteria to evaluate the submissions. The criteria to evaluate and select the persons in descending order of importance are:

  - Experience and professional qualifications relevant to the project type;

  - Past performance on projects of similar scope for public agencies or private industry, including corrective actions and other responses to notices of deficiencies;

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Selection Committee

- Capacity to accomplish the work in the required time; and
- Any additional criteria(s) determined by the selection committee to be relevant to the purchasing agency's needs or necessary and appropriate to ensure full, open, and fair competition for professional services contracts.

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Selection Committee

- The committee may conduct confidential discussions with any person on the qualified list regarding the services which are required and the service they are qualified to provide;
- The committee shall rank a minimum of 3, and submit the ranking to the HOPA with summary of their qualifications;
- The recommendations of the committee (ranking) shall not be overturned without due cause.

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Contractor Selection

- The HOPA shall negotiate a contract with the 1st ranked person, including a rate of compensation that is fair and reasonable, and based on written terms of estimated value, scope, and complexity;
- If a satisfactory contract cannot be negotiated with the 1st ranked person, the HOPA shall terminate negotiations and begin negotiations with the 2nd ranked person on the list. If contract negotiations fail, then proceed to negotiate with the 3rd ranked person;

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Contractor Selection

- If the HOPA is unable to negotiate a contract with the top 3 ranked persons, the committee may be requested to submit a minimum of 3 additional names based on the same criteria;
- The notice of award shall be posted on the SPO website within 7 calendar days of the award. The date of the posting of the notice of award starts the clock for requests for debriefing and/or filing of protests.

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What to do if….

- There are less than three qualified names submitted or
- There are no names submitted.

➢ Put out another notice
➢ Consider another method of procurement (except for design services)
➢ Submit form SPO-007 *Notice and Request for Exemption From Chapter 103D*

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Small Purchases (of professional services)
(HAR 3-122-67)

Except for small purchases of design professional services, procurement may be conducted as follows:

- May negotiate with any two persons on the list of qualified persons established.
- Use small purchases procedures pursuant to Subchapter 8.

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Posting Requirements

- Awards for $5,000 or more utilizing a qualified list for a Professional Services shall be posted on the Professional Services Award website within **7 days** of the notice of award letter, not contract execution date.
- The website address is: http://hawaii.gov/spo/psa

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Debriefing Process

- Non-selected persons may submit a written request for a debriefing to the CPO or designee within **3 working days** after the posting of the notice of award by the agency.
- The HOPA should attempt to provide the debriefing within **7 working days** of the written request. Debriefing can be held separately or combined with others.
- Any protest by a requestor after a debriefing shall be filed in writing to the CPO or designee within **5 working days** after the date of the debriefing.

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Debriefing Process

- May be done orally or in writing and may include:
  - Evaluation of significant weaknesses or deficiencies in the proposal;
  - Explanation of overall evaluated cost or price (including unit prices) and technical rating of the successful offeror and the debriefed offeror;
  - The overall ranking of all proposals, when such ranking was developed during the source selection;

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Debriefing Process

- A summary of the rationale for award.
- Debriefings should not:
  - Include point-by-point comparisons of the debriefed proposal with those of other offerors; and

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Debriefing Process

- Shall not reveal any information prohibited from disclosure by Law (chapter 92F, HRS), including trade secrets, or privileged or confidential commercial or manufacturing information; and
- A summary of the debriefing should be in the file.

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Public Inspection

After contract is awarded, the following shall be open to public inspection:

- List of qualified person's.
- Screening committee's criteria for selection.
- Statements of qualifications and related information.

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Contract Amendments

- Amendment to a professional services contract shall require prior approval of the HOPA when the increase is at least $25,000 and ten percent or more of the initial contract price.

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State Procurement Office

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