
CONSTRUCTION & PROFESSIONAL SERVICES MANUAL – 2004

CHAPTER 4: PROCUREMENT PROCEDURES FOR PROFESSIONAL SERVICES

though a proposer may qualify and be interviewed for a contract in more than one discipline or category, **the A/E can be awarded only one term A/E Contract with the Agency for that period.**

SECTION 409.0 PROCEDURES FOR CATEGORY A (§ 2.2-4303.F. - Emergency Procurement)

In the event of a bona fide emergency, the selection may be made without regard to use of the usual Professional Services Procurement procedures:

409.1 A written determination shall be signed by the Agency head documenting the nature and basis of the emergency and authorizing procurement of A/E services (and related corrective work, if applicable) on an emergency basis.

409.2 , The Agency should telephonically contact one or more A/E firms who have demonstrated a capability to do the necessary work in a timely manner (either through previous contracts or on their Forms AE-1 through AE-6). The Agency should describe to the A/E the nature of the work and the necessary time frame for accomplishing the work. A commitment should be requested from the firm(s) that if it is selected for the work, it will provide the services within the required time frame.

409.3 The Agency shall negotiate with the selected firm to establish a fee for the work on a LUMP SUM basis or on a UNIT COST (hourly rate) basis with a NOT TO EXCEED AMOUNT.

409.4 The Agency shall award a contract using Form CO-3 or CO-3.2 for the work and shall issue and post a written notice stating that the contract is being awarded on an emergency basis, identify the work being procured, identify the firm selected and the date of award of the contract. Post / publish the notice on the On-Line Bids page of eVA, Virginia's central electronic procurement website. The URL is <http://vbo.dgs.state.va.us>.

409.5 The Agency VCCO shall forward a copy of the signed Form CO-3 or CO-3.2, a copy of the Emergency declaration, and an explanation of the circumstances to DEB.

409.6 Issue a Purchase Order in eVA referencing to the Contract CO-3 or CO-3.2

SECTION 410.0 PROCEDURES FOR CATEGORY B (Code of Virginia, §2.2-4303.H, Small Purchase Professional Service Procurements with Total Fee Less Than \$30,000)

If the total fee including reimbursable expenses will be less than \$30,000, the Agency may use the following “Small Purchase Professional Service Procurement Procedures”.

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(Note: Agencies are encouraged to utilize the services of qualified Virginia based small businesses and businesses owned by women or minorities for Category B procurements.)

410.1 *If the total fee including reimbursable expenses will be less than \$30,000, the following procedure may be used to procure the A/E services:*

- (1) Advertise/post notice at least once a year requesting qualifications from A/E's interested in providing services to the agency on small projects where the fee will be less than \$30,000.*
- (2) The Request For Qualifications (RFQ) should be similar to an RFP which lists information desired, the general types of work to be procured using these procedures, etc*
- (3) Require A/E response to RFQ to include Forms AE-1 through AE-6 emphasizing their qualifications for the type of small projects they seek to be considered for.*
- (4) Statements of qualifications (Forms AE-1 through AE-6) and RFQ responses shall be accepted at anytime to allow new firms to be considered for work and to allow A/E's to update their qualification forms to show current information.*
- (5) Agencies using this Category B procedure shall sort RFQ responses/interest packages, establish a listing of responding A/E's by qualification or discipline/capability, and file RFQ responses by category for use in selecting A/E's for interview.*
- (6) When the Agency desires to select an A/E by Category B procedures, the Agency shall:*
 - (a) Identify, from a list of firms that have expressed an interest in doing work for the Agency and which have Form AE-1 through AE-6 on file with the Agency and which appear to be qualified and suitable to render the required services, not less than three A/Es for interviews.*
 - (b) Conduct telephone or personal interviews with representatives of the three A/E's to determine current personnel qualifications, location relative to the work, expertise, workload, capability to meet the proposed schedule, past performance on similar projects and ability to provide the service within budgeted costs.*
 - (c) Consideration should be given to number and value of previous agency and state contracts awarded to each firm. (One method would be to assess negative points for each previous Category B contract awarded to the A/E during the last 12 months.) Agencies shall consider the opportunity to maximize the participation of qualified Virginia firms interested in doing such work for the Commonwealth and to avoid favoritism or the appearance of favoritism.*
 - (d) Rank order A/Es and negotiate fee for service using competitive negotiation procedures. Repeated selection of the same A/E firm for these 'small purchases' violates the intent of these procedures.*

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- (e) *Award a contract and post notice of same. Post / publish the notice on the On-Line Bids page of eVA, Virginia's central electronic procurement website. The URL is <http://vbo.dgs.state.va.us>.*
- (f) *Use Contract Form CO-3.2, and forward a copy of the signed contract to DEB.*
- (g) *Issue a Purchase Order in eVA referencing to the Contract CO-3.2*

410.2 *If the total fee including reimbursable expenses will be less than \$5,000.00, this 'small purchase' process will allow the VCCO to select and call only one qualified A/E from the list of firms that have expressed interest. Repeated selection of the same A/E firm for these 'small purchases' violates the intent of these procedures.*

- (a) *Consideration should be given to number and value of previous agency and state contracts awarded to each firm. Agencies should consider the opportunity to maximize the participation of qualified Virginia firms interested in doing such work for the Commonwealth including Small Businesses, Minority Owned Businesses, and Women Owned Businesses. Agencies should avoid favoritism or the appearance of favoritism.*
- (b) *Rank order A/Es and negotiate fee for service using competitive negotiation procedures.*
- (c) *Award a contract and post notice of same. Post / publish the notice on the On-Line Bids page of eVA, Virginia's central electronic procurement website. The URL is <http://vbo.dgs.state.va.us>.*
- (d) *Use Contract Form CO-3.2, and forward a copy of the signed contract to DEB.*
- (e) *Issue a Purchase Order in eVA referencing to the Contract CO-3.2*

SECTION 411.0 PROCEDURES FOR CATEGORY C (Code of Virginia, § 2.2-4301, "Competitive Negotiation, 3.a and 4303.B.) Standard Professional Services Procurement Procedures

For a project with a fee amount which is expected to be greater than \$30,000, and for smaller fees if desired, the Committee shall use a qualifications, suitability, and capability based selection process followed by competitive fee versus scope of work negotiations with the selected offeror.

411.1 Draft a Request For Proposal (RFP).

411.2 Advertise: *Post a notice on the On-Line Bids page of eVA, Virginia's central electronic procurement website. The URL is <http://vbo.dgs.state.va.us>. Post the advertisement in a public area normally used for posting public notices. Post / publish the Notice in a newspaper of general circulation statewide and/or in the general area of the project.*