

SELECTION  
GUIDELINES  
  
FOR  
  
SERVICE CONTRACTS

Michigan Department of Transportation

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## 1. PART I - GENERAL INFORMATION

### 1.1 Request for Proposal (RFP)

The MDOT Project Manager and/or Contract Services Division (CSD) are responsible for determining which prequalification classifications, if any, are required for the service. The MDOT Project Manager develops the Request for Proposal (RFP) which is a combination of the scope of work and completed [Form 5100B](#) that gives the consultant/vendors information on the selection.

The Project Manager, with assistance from Contract Services Division and in accordance with these Guidelines, will determine the type of selection needed. In accordance with the Federal Highway Administration (FHWA), Federal Aviation Administration (FAA) regulations, Federal Railroad Administration (FRA) and Federal Transit Administration (FTA), professional services (as defined by the Brooks Act below) must be selected using Qualifications-Based Selection (QBS).

Only selections for services utilizing any Federal funding that deviate from these Guidelines will require concurrence from the appropriate Federal entity (FHWA, FAA, FRA, or FTA).

Requests for Proposal (RFPs) for all services greater than \$250,000 will be posted on MDOT's website.

#### 1.1.1 Brooks Act

Brooks Act services for projects valued at \$250,000 or more, are defined as “professional services of an architectural or engineering nature, as defined by State law, if applicable, which are required to be performed or approved by a person licensed, registered, or certified to provide such services as described in this paragraph; professional services of an architectural or engineering nature performed by contract that are associated with research, planning, development, design, construction, alteration, or repair of real property; and such other professional services of an architectural or engineering nature, or incidental services, which members of the architectural and engineering professions (and individuals in their employ) may logically or justifiably perform, including studies, investigations, surveying and mapping, tests, evaluations, consultations, comprehensive planning, program management, conceptual designs, plans and specifications, value engineering, construction phase services, soils engineering, drawing reviews, preparation of operating and maintenance manuals, and other related services.”

### **1.1.2 Qualifications-Based Selection (QBS)**

The Michigan Department of Transportation (MDOT) uses a QBS process, low bid process, best value process, or a QBS/low bid process for procuring services. QBS is a procurement process for the competitive selection of services under which the most competent consultant/vendor is selected based on qualifications such as knowledge, skill, experience, and other project-specific factors, rather than cost. Cost cannot be considered when selecting a consultant/vendor utilizing the QBS process. Fair and reasonable cost is negotiated with the selected consultant/vendor for the agreed-upon scope of services.

**NOTE: All selections of services defined in the Brooks Act, for any estimated dollar value, will be completed using QBS criteria. Qualifications/Low Bid, Low Bid, or Best Value selections are not permitted.** All selections other than those defined in the Brooks Act must include price of service as a consideration. Qualifications/low bid, low bid, or best value (the bid amount is a component of the total proposal score, but not the determining factor of the selection) selections processes must be used.

### **1.1.3 Request for Proposal Advertisement Period**

On a quarterly basis, MDOT will post on the website a list of potential service opportunities that are anticipated to be advertised during that quarter. These are services that will exceed \$250,000. This list is for informational purposes only and does not guarantee that all services listed will be advertised. If the advertised service was not on a prior quarterly anticipated listing, additional advertisement time may be required.

Federal funding and whether engineering services are required for the project will also affect the amount of time a project is advertised. Projects without Federal funding (100% State funded) in the project phase being advertised (i.e. PE, PE-S, CON, etc.) AND with engineering, architecture, or surveying services required, may be advertised for one (1) week or two (2) weeks depending upon the complexity of the proposal deliverables. For 100% State funded projects with engineering, architecture, or surveying services required, scopes requiring the submittal of an Understanding of Service section (see Section 3.2.1 Understanding of Service and Innovations (If Applicable)) must be advertised for 2 weeks. For 100% state funded projects with engineering, architecture, or surveying services required, that do not require the submittal of an Understanding of Service, the projects may be advertised for either one (1) or two (2) weeks depending upon the complexity of the project and will be at the MDOT Project Manager's discretion. For projects with any Federal funding in the project phase, see the typical advertisement period table below.

Following are typical advertisement periods:

**Federally Funded Phases**

Anticipated Service Value	Engineering and/or Architecture, and/or Surveying Services Required for Project	Posted on Quarterly Anticipated Listing	Typical Advertisement Period
\$250,000 - \$500,000	Yes or No	No	21 Calendar Days
	Yes or No	Yes	14 Calendar Days
Over \$500,000	Yes or No	Yes or No	28 Calendar Days

**State Funded Phases (100% State Funding)**

Anticipated Service Value	Engineering and/or Architecture, and/or Surveying Services Required for Project	Posted on Quarterly Anticipated Listing	Typical Advertisement Period
\$250,000 - \$500,000	No	No	21 Calendar Days
	No	Yes	14 Calendar Days
	Yes	Yes or No	7 to 14 Calendar Days
Over \$500,000	No	Yes or No	28 Calendar Days
	Yes	Yes or No	7 to 14 Calendar Days

If MDOT determines that an advertisement period shorter than listed in the above table is warranted due to the nature of the work or timeline, Region Engineer/Division Administrator approval will be obtained, and MDOT will indicate on our advertisement page the “Shortened Advertisement Period”. MDOT will also put a note in either the paper file or an electronic file detailing the justification for the shortened advertisement period. **Advertisements with Federal funding in the project phase shall not be less than 14 days.** Only in very unusual circumstance and with the approval of FHWA, can the minimum 14-day advertisement period be reduced on projects with Federal funding in the project phase.

**1.2 Tiers**

This Guideline defines the type of RFP based on the estimated cost of the service. Projects are categorized based on estimated service fees in the following manner:

RFP Type	Anticipated Service Cost
Tier I	\$0 - \$250,000
Tier II	\$250,000 - \$1,500,000
Tier III	\$1,500,000 and Over

Consultants/vendors selected using the QBS process will be requested to submit a priced proposal after selection (not with their response to the RFP). If any problems occur during the

contracting process that do not allow MDOT to contract with the selected consultant/vendor, the next qualified consultant/vendor based on QBS, QBS/low bid, best value, or low bid will be considered for the contract.

All approved selections will be placed on the MDOT website.

### **1.3 Independent Cost Estimates**

MDOT Project Managers are responsible for providing independent cost estimates as related to the selection to determine the appropriate RFP Tier. These cost estimates must be completed prior to advertisement.

### **1.4 Selection Team**

Selection Team Members shall consist of at least three persons which will include at least one member from a different reporting relationship and a member from specialty areas as needed, such as, but not limited to ITS, geotechnical engineering services, etc. In addition, 25% of Tier II selections will be randomly selected and an additional MDOT employee will be included in the Selection Team, acting as a Central Selections Review Team (CSRT) delegate. The CSRT delegates will be alternately selected from a pool of MDOT staff trained in this capacity. For QBS Tier III selections, the Selection Team will consist of two members of the CSRT, the MDOT Project Manager, and two additional members, of which one must have a different reporting relationship from the MDOT Project Manager. For Best Value, Qualifications/Low Bid and Low Bid Tier III selection the Selection Team will be comprised of at least four people, including a CSRT member, and at least one of the remaining three members of the Selection Team should be from a different reporting relationship.

Unless another individual is appointed by the Division Administrator, Bureau Director, Office Director/Administrator, or Region Engineer in writing to perform all the duties of a Project Manager through selection, the Project Manager will be part of the Selection Team. Any deviation from the Selection Team make up will require Region Engineer/Division Administrator approval. Specific selection team requirements are identified under each selection type further in this document.

#### **1.4.1 Selection Team Member's Conflict of Interest**

The Project Manager, or otherwise appointed individual to perform the duties of the Project Manager through selection, must assure that no member(s) on the team has any appearance of a conflict of interest. Any member that has a conflict of interest shall be removed from the Selection Team. If there is participation on the Selection Team from non-MDOT employees, they must complete [Form 5100F](#).

### **1.5 Conflict of Interest**

The consultant/vendor must certify that there is no conflict of interest with the subject project. If there is a conflict with the subject project, then the consultant/vendor must describe the conflict on [Form 5100D](#). **MDOT considers it a conflict of interest for a consultant/vendor to**



**represent more than one party in relation to any given project regardless of which phases of the service are involved. Conflict of interest includes a proposal for a consultant/vendor to perform services for MDOT and the construction contractor on the same construction project.**

Consultants can find [Conflict of Interest Guidance for Project Managers and Consulting Firms](#) on MDOT's website.

### ***1.6 Inquiries***

All questions regarding the scope of work in the RFP must be submitted by e-mail to the MDOT Project Manager or as directed in the RFP. Questions shall be received a minimum of three (3) business days prior to the date and time that the proposal is due unless otherwise stated in RFP. The MDOT Project Manager will strive to send the questions with the appropriate responses to MDOT-CSD-Selections@michigan.gov with sufficient time to post these Questions/Answers on the MDOT website within 48 hours of receipt of the questions. The names of the consultant/vendors submitting questions will not be disclosed.

Responses to questions posted on MDOT's website officially act as a modification/amendment to the RFP. It is the responsibility of the Consultant to monitor the website, and implement any changes into their responses, as applicable.

**The employees of the proposing consultant/vendors may not contact any MDOT staff, including members of the Selection Team, other than the MDOT Project Manager, or their designee, to obtain information regarding the RFP. Such contact may result in disqualification.**

### ***1.7 Addenda to RFP***

If it becomes necessary to revise any part of the RFP, addenda will be posted on the MDOT website. It is the responsibility of the Consultant to monitor the website, and implement any changes into their responses, as applicable.

### ***1.8 News Releases***

Any news release(s) pertaining to the RFP or the services, study, data, or project to which it relates will not be made without prior written MDOT approval, and then only in accordance with the explicit written instructions from MDOT.

### ***1.9 Disclosures***

The information provided in the consultant/vendor's proposal will be kept confidential by MDOT. However, all information in a consultant/vendor's proposal and any contract resulting from the RFP are subject to disclosure under the provisions of the "Freedom of Information Act," 1976 Public Act No. 442, as amended, MCL 15.231, et seq.

The consultant/vendor may contact MDOT Contract Administration staff at any time with general questions concerning the selection and/or contracting process.

## **1.10 Business Requirements for MDOT Projects**

Several business requirements must be met by MDOT vendors prior to contract award. These requirements include: registration with the Michigan Department of Licensing and Regulatory Affairs (LARA) to perform business within the state of Michigan and satisfaction of the Michigan “2/3rds Principal” rule as detailed in the following sections.

### **1.10.1 Non-Prequalified Services**

If prequalification is not identified in the RPF, all vendors who feel they are qualified to perform the service may submit a proposal. If selected, the vendor will need to provide proof of company registration with the State of Michigan and may need to demonstrate compliance with the Michigan “2/3rds Principal” rule (see Section 1.10.1.2 Michigan “2/3rds Principal” Rule for additional information) if providing professional services. Eligibility requirements must be met before contract award.

#### **1.10.1.1 Michigan Business Registration**

In accordance with the [Michigan Business Corporation Act](#) and the [Michigan Nonprofit Corporations Act](#), all foreign and domestic vendors seeking to provide non-prequalified services to the department must be able to supply proof of registration with LARA.

Questions regarding the Michigan Business Corporation Act or the Michigan Nonprofit Corporations Act may be directed to LARA’s Corporations Division office at (517) 241-6470 or [LARA’s Corporations Division website](#).

To gain approval from LARA, please follow the link below that appropriately identifies your entity’s structure:

- [Business Filing Information](#)

#### **1.10.1.2 Michigan “2/3rds Principal” Rule**

If your firm is contracting to provide professional services in architecture, professional engineering or professional surveying, Article 20 of the Michigan Occupational Code, P.A. 299 of 1980, as Amended, requires that at least 2/3 of the principals of the firm be licensed in Michigan in one or more of the professions.

Questions regarding this policy or the Michigan Occupational Code may be directed to the LARA Design Boards office at (517) 241-9253 or LARA’s Website, [Department of Licensing and Regulatory Affairs](#).

To gain approval from the Michigan Department of Labor and Regulatory Affairs, under MCL 339.2010(2), please send an email to [bcslic@michigan.gov](mailto:bcslic@michigan.gov) containing the following information:

- Name of the firm seeking approval
- Address of the firm
- Name of the person submitting the request
- A certification stating the following statement:

"2/3 of the principals of <<YOUR FIRM NAME>> are licensed under Article 20 of the Occupational Code and the conduct of the firm and its principals complies with the law and rules promulgated by the Department."

### **1.10.2 Prequalification**

Some services will require a consultant/vendor to be prequalified to be eligible to participate in the selection. For these services, the RFP will clearly state what prequalification classification(s) is required. Interested submitters must be approved in the applicable prequalification classifications listed in the RFP at the time the proposals are due. To become prequalified, a consultant/vendor must submit an application to MDOT's Contract Services Division (CSD). To acquire information on what services MDOT prequalifies for and how to become prequalified, view the [prequalification application](#).

#### **1.10.2.1 Primary Prequalification Classification**

MDOT's Request for Proposals (RFP's) will identify both primary and secondary prequalification classification requirements, as determined for each project. To be eligible to submit a proposal on a project, a company must have obtained an approved prequalification status in the applicable prequalification classification(s) listed in the RFP on, or prior to, the proposal due date. The requirements to perform the specific work classifications are as follows:

The prime consultant/vendor must be prequalified in all primary prequalification classifications identified on the RFP. They may, however, subcontract out work identified under the primary prequalification classification(s) to another prequalified consultant/vendor.

#### **1.10.2.2 Secondary Prequalification Classification**

The prime consultant is not required to be prequalified in the secondary prequalification classification(s) identified on the RFP. The work, however, must be performed by a prequalified consultant/vendor, which may be either the prime consultant/vendor or a subconsultant/vendor.

In all cases, the prime consultant must perform at least 40% of the services, by dollar value, unless otherwise specified in the RFP.

In all cases, tier one subconsultant(s) must perform at least 50% of the services, by dollar value of their subcontract, unless otherwise specified in the RFP.

Consultants are not permitted to Joint Venture for the purpose of prequalification or for the purpose of submitting project proposals. As stated above, subconsulting is permitted as long as the subconsultant is prequalified to perform the intended services and the subconsultant work does not exceed the previously specified percentage of the total dollar amount of the contract.

If the consultant/vendor team does not meet these prequalification requirements, the proposal will be rejected. The prequalification requirements for a service should remain unchanged throughout the selection process. In the event that the requirements do change during the posting period, the information will be provided to the consultant/vendors on the website.

To ensure a complete consultant/vendor pool, MDOT may advertise such services in newspapers, periodicals or determine other methods in addition to placing information on the MDOT website.

### ***1.11 Disadvantaged Business Enterprise (DBE)***

The DBE participation contract goal is specified in the RFP. DBE participation [Form 0182](#) must be submitted to the individual specified in the RFP with the priced proposal, or during contract negotiations. The prime consultant/vendor shall select DBEs to perform, at minimum, work which corresponds in dollar value to the DBE participation goal. DBEs must perform a commercially useful function as required by 49 CFR §26.55 of the Federal Register and by contractual requirements.

If the consultant is unable to achieve DBE participation totaling, at minimum, the amount required by the contract, the consultant must state their intent to apply for a Good Faith Effort (GFE) modification or waiver of the DBE participation goal using [Form 0182](#). If neither the form nor the statement is provided, the proposal will be considered non-responsive and not eligible for contract award. [Form 0182](#) may also be required to be submitted if a contract amendment or authorization revision results in the DBE requirement not being achieved.

DBEs may provide prequalified or non-prequalified services. If prequalification is required, credit may be given only for firms who are both prequalified and DBE-certified in the applicable prequalification classification. Only DBEs who are currently certified and listed on the web-based Michigan Uniform Certification Program (MUCP) database are eligible for DBE participation credit: A MUCP is linked directly to the MDOT Web site at [MDOT - Disadvantaged Business Enterprise](#). Under "Directories," select the "Search MUCP DBE Directory for all certified DBEs in Michigan" link.

### **1.12 Title VI Notice to the Public**

It is the Michigan Department of Transportation's (MDOT) policy to ensure no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, whether those programs and activities are federally funded or not, as provided by Title VI of the Civil Rights Act of 1964 and Civil Rights Restoration Act of 1987. Any person who believes his/her Title VI protection has been violated may file a complaint with MDOT's Title VI Coordinator. Title VI complaint forms and/or advice may be acquired by calling (517) 241-7462 or by visiting the Department's [Title VI website](#).

### **1.13 Rejection of Submittals**

MDOT reserves the right to reject any and all proposals, technical proposals and/or bids received as a result of any RFP. MDOT will not pay for the information solicited or obtained as a result of a consultant/vendor's response to any RFP. MDOT may, at its discretion, cancel the selection after approval, prior to contract award for any project.

### **1.14 Acceptance of Proposal Content**

The content of a proposal, technical proposal, and bid will become contractual obligations. Failure of the successful proposer to accept these obligations may result in termination of the contract.

### **1.15 Notice of Selection**

The Selected consultants will be posted to MDOT's website after applicable approvals have been received. Both total scores and individual category scores will be provided for all proposals scored on selections made in Tiers II and III. Only the selected Consultants name will be provided; however, each consultant will receive their individual score sheet from MDOT via e-mail. This will enable each proposing consultant to compare their scores with the other proposers.

### **1.16 Debriefing**

Feedback may be provided by Project Managers for all Tier II and Tier III selections at the request of the consultant. Feedback will be provided via phone, e-mail, or in person, as determined by the MDOT Project Manager.

### **1.17 MDOT Digital Signatures**

MDOT uses the DocuSign digital signatures for our document signing processes. DocuSign eliminates the need for slow and expensive paper-based signing processes while creating legally enforceable signatures that provide the integrity and trust required for audits, compliance with industry regulations, and good business practices. To apply for a digital signature user account, please submit a completed [MDOT Digital Signature Certificate Request Form](#) to MDOT-eSign@Michigan.gov.

## 2. PART II - PROCESS STEPS

### 2.1 Selection - Tier I - Services Estimated at Less than \$250,000

The Tier I process is separated into two (2) separate processes:

- QBS selections process
  - o This process must be utilized **only for projects with engineering, architectural, or surveying services**
- Non-QBS selections process
  - o This process must be utilized **only for projects without engineering, architectural, or surveying services**

These two processes are described in detail below.

#### 2.1.1 (QBS) Selection - Tier I - Services Estimated at Less than \$250,000

**Services selected by this process must include either engineering, architectural, or surveying services and cannot be amended to exceed \$250,000. Services that exceed \$250,000 cannot be broken down into smaller components merely to permit the use of this selection process. If it is anticipated that the cost of the service could eventually exceed \$250,000, the Tier II or Tier III process must be followed.**

1. The MDOT Project Manager will assemble a scope of work which includes details of the services needed, required proposal deliverables, and an anticipated schedule. It also indicates what prequalification classifications, both primary and secondary, are required.
2. The Region Systems Manager (Associate Region Engineer of Development) or designee must review the scope, electronically sign the final scope, and document the review of the scope then return the final scope to the Project Manager prior to the Project Manager contacting the consultants/vendors.
3. The MDOT Project Manager will review the prequalification list and send the scope to a minimum of three consultant/vendors by e-mail for their availability to perform the service. A qualifications-based selection, as described in Section 1.1.2 Qualifications-Based Selection (QBS) will be performed to select the preferred vendor. **Vendors cannot provide any cost information at this time.**
4. The Project Manager will send the selection information to MDOT-CSD-Selections@michigan.gov by completing [Form 5100E](#), providing supporting comments about each of the consultant/vendors that submitted, and attaching the System Manager (or designee) approved scope of services and MDOT Project Manager signed/dated engineer's estimate.
5. Review of all recommended selections will be completed by the Chair of the Central Selections Review Team. If the selection has been properly conducted, with adequate supporting

documentation, the Chair may approve the selection. If there are any questions about the selection, the Chair may contact the Selection Analyst for assistance.

6. Once the selection is approved, MDOT will seek to contract with the selected consultant/vendor.
7. Negotiations will proceed with the selected consultant/vendor following the instructions provided within the Priced Proposal Template available on MDOT's website. Once negotiations have been initiated with the selected consultant/vendor, they will continue until successful completion, unless authorization to break off negotiations has been received from the Region Engineer/Division Administrator. If for any reason negotiations are unsuccessful, the Project Manager may proceed to the next most qualified and approved vendor from the original selection.

### **2.1.2 (non-QBS) Selection - Tier I - Services Estimated at Less than \$250,000**

**Services selected by this process cannot include engineering, architectural, or surveying services in which price must be a factor in selection and cannot be amended to exceed \$250,000. Services that exceed \$250,000 cannot be broken down into smaller components merely to permit the use of this selection process. If it is anticipated that the cost of the service could eventually exceed \$250,000, the Tier II or Tier III process must be followed.**

1. The MDOT Project Manager will assemble a scope of work which includes details of the services needed, an anticipated schedule, and any project-specific experience/equipment requirements for the successful proposer. The MDOT Project Manager will also assemble a bid sheet for the required services.
2. The CSD Scope Engineer must review the scope/bid sheet and contact the Project Manager prior to the Project Manager contacting the consultants/vendors.
3. The Project Manager will send the scope to at least three consultant/vendors that can provide the service via e-mail and will determine the most qualified consultant/vendor using evaluation criteria appropriate for the service. The selection of these services must utilize either a Low Bid or Best Value Selection. See Sections 2.5 Low Bid Selections and 2.6 Best Value Selections for additional information regarding these selection types.
4. The Project Manager will send the selection information to MDOT-CSD-Selections@michigan.gov by completing [Form 5100E](#), completed and signed individual form 5100C BV scoresheets for each consultant, and attaching the CSD Scope Engineer approved scope of services.
5. Review of all recommended selections will be completed by the Chair of the Central Selections Review Team. If the selection has been properly conducted, with adequate supporting documentation, the Chair may approve the selection. If there are any questions about the selection, the Chair may contact the Selection Analyst for assistance.



6. Once the selection is approved, MDOT will seek to contract with the selected consultant/vendor.
7. Negotiations will proceed with the selected consultant/vendor following the instructions provided within the Priced Proposal Template available on MDOT's website. Once negotiations have been initiated with the selected consultant/vendor, they will continue until successful completion, unless authorization to break off negotiations has been received from the Region Engineer/Division Administrator. If for any reason negotiations are unsuccessful, the Project Manager may proceed to the next most qualified and approved vendor from the original selection.

## **2.2 QBS Selection – Tiers II (\$250,000 - \$1,500,000) and III (Over \$1,500,000)**

Services selected by this process may include Federal funding.

1. The MDOT Project Manager will assemble a scope of work which includes details of the services needed, an anticipated schedule, and what prequalification classifications, both primary and secondary, are required.

The Following documentation will be submitted to the CSD Scope engineer for review:

- a. The completed Checklist to Designate Areas of Evaluation for RFP (5100B), which shows what elements the consultant/vendor is required to submit in the proposal.
  - b. Completed, signed and dated Cost Estimate Worksheet, indicating estimated hours and dollar amounts for project.
  - c. Scope of Services
2. After review and any modifications of the RFP by the CSD Scope Engineer, the Selection Analyst will post the RFP on the website.
  3. The Selection Team should establish the consensus meeting date at this time.
  4. If the service does not require prequalification, the Selection Team should assure that eligible consultant/vendors are aware of the solicitation. This may mean that additional advertisements are placed in newspapers, periodicals, additional websites, and/or an email notification is sent to consultant/vendors.
  5. Interested consultant/vendors shall submit an electronic proposal in accordance with the guidance provided in this document, which must be received by the deadline date and time indicated. The proposal may not be more than seven pages in length for Tier II selections, and not more than 14 pages in length for Tier III selections, not including key personnel resumes, which are limited to two (2) pages. [Form 5100D](#) and [5100J](#) (if applicable) must be submitted with all proposals and must be signed by a consultant/vendor representative with contracting authority. These forms will not be included in the page limitations.



6. If applicable, the Project Manager will check the prequalification status of the prime and subconsultant/vendors to ensure compliance as stated in these guidelines.
7. The Selection Team will review all proposals submitted by the consultant/vendors for compliance as listed in these guidelines and the RFP. Any proposal received after the due date/time or not prepared in accordance with the Consultant/Vendor Selection Guidelines must be rejected.
8. An MDOT Selection Team will be assembled for each service. The Selection Team must be comprised of at least three people, and at least one member of the Selection Team should be from a different reporting relationship.
9. QBS Tier II Selections
  - a. 25% of Tier II selections will be randomly selected and an additional MDOT employee will be included in the Selection Team, acting as a CSRT delegate. The CSRT delegates will be alternately selected from a pool of MDOT staff trained in this capacity.
  - b. Final approval of all Tier II selections will be performed by the Region Engineer/Division Administrator or the Bureau Director
  - c. CSRT will not approve Tier II Selections. The selections will be presented to CSRT for information only.
10. QBS Tier III Selections
  - a. The Selection Team will consist of:
    - i. Two members of the CSRT,
    - ii. The MDOT Project Manager
    - iii. Two additional members, of which one must have a different reporting relationship from the MDOT Project Manager.

The Selection Analyst will notify the two assigned CSRT members at the time of posting of the RFP and the Project Manager will contact the assigned CSRT members to coordinate the proposal evaluation meeting. The Project Manager will be required to designate and notify the remaining team members.

11. The Selection Team will evaluate each consultant/vendor's proposal by completing [Form 5100C](#) individually. After each submitting consultant/vendor is scored individually by everyone on the Selection Team, the Selection Team should hold a consensus meeting where [Form 5100C](#) should be filled out for each submitting consultant/vendor with consensus comments and scores. Please note that comments are required for each scoring criteria being evaluated.
12. Where presentations are required (Tier III only), the CSRT Action Sheet will indicate which consultant/vendors (generally at least three of the highest scoring) will be short-listed to give a presentation. In addition, a technical proposal may be required. If a technical proposal is required, the RFP will specifically define its requirements. The Selection Team will score the presentation and technical proposal (if required). This score will be added to the original

score from the short- listing to determine the most qualified consultant/vendor. The short- listing and the final selection will be sent to the Selection Analyst for review. At the Project Manager's discretion, it may be determined that a presentation and/or technical proposal is not necessary after a complete review of the proposals submitted.

13. Where presentations are not required, the Selection Team will recommend the most qualified consultant/vendor from the information in the proposals.
14. The Selection Team will complete the CSRT Action Sheet ([Form 5100E](#)) and forward it to the Selection Analyst. When presentations are not required, the CSRT Action Sheet will indicate which consultant/vendor's proposal had the highest score.
15. The Selection Analyst will review the information and take appropriate action to work with the Selection Team until all selection material is acceptable.
16. If MDOT only receives one response to an RFP or the desired service is available through only one source and the project is funded with FHWA funds, then FHWA approval is required. The Selection Team will determine if the selection is acceptable prior to seeking FHWA approval. If the selection is approved by the MDOT Selection Team, the following process will be followed to attain FHWA review and approval:
  - a. MDOT Project Manager emails a write up consisting of the vendor's name, the description of work, the amount of time the RFP was advertised for, the estimated cost of service and the vendor's past performance on similar tasks to the Selection Analyst.
  - b. Selection Analyst reviews the information provided by the MDOT PM and forwards the information to FHWA via email for review and approval.
  - c. FHWA approval of the selection will be retained in the project file within Contract Services.
17. Results of selection approvals will be posted on the MDOT website and the MDOT Project Manager will be notified of those results prior to posting.
18. Negotiations will proceed with the selected consultant/vendor following the instructions provided within the Priced Proposal Template available on MDOT's website. Once negotiations have been initiated with the selected consultant/vendor, they will continue until successful completion, unless authorization to break off negotiations has been received from the Region Engineer/Division Administrator. If for any reason negotiations are unsuccessful, the Project Manager may proceed to the next most qualified and approved vendor from the original selection.

### **2.3 (QBS) Selection – 100% State Funded Only - Services Estimated Greater than \$250,000**

**Services selected by this process must include either engineering, architectural, or surveying services and cannot include any Federal funding in the project phase (i.e. PE, PE-S, CON, etc.).**

1. The MDOT Project Manager will assemble a scope of work which includes details of the services needed, required proposal deliverables, advertisement period for the scope, and an anticipated schedule. It also indicates what prequalification classifications, both primary and secondary, are required.
  - a. If an Understanding of Service is required in the vendor response, the advertisement period must be 2 weeks
  - b. If an Understanding of Service is not required in the vendor response, the advertisement period may be either 1 week or 2 weeks.
    - i. The Project Manager may specify a specific Key Issue directly related to the project for the vendor responses to address without requiring an Understanding of Service
2. The Region Systems Manager (Associate Region Engineer of Development) or designee must review the scope, electronically sign the final scope, and document the review of the scope then return the final scope to the Project Manager.
3. The Project Manager will submit the following information to MDOT-CSD-Selections mailbox@michigan.gov:
  - a. Final scope with System Manager (or designee) electronic signature
  - b. Signed and dated Engineer's estimate for the requested services
  - c. Scope review checklist signed by the System Manager (or designee)
4. The Selection Analyst will post the scope on the website.
5. The MDOT Project Manager will perform a qualifications-based selection, as described in Section 1.1.2 Qualifications-Based Selection (QBS) to select the preferred vendor.
6. The Project Manager will send the selection information to MDOT-CSD-Selections@michigan.gov by completing [Form 5100E](#), providing supporting comments (no numerical scores) about each of the consultant/vendors that submitted, the System Manager (or designee) approved scope of services and attaching all proposals received from the consultants/vendors.
7. Review of all recommended selections will be completed by the Chair of the Central Selections Review Team. If the selection has been properly conducted, with adequate supporting documentation, the Chair may approve the selection. If there are any questions about the selection, the Chair may contact the Selection Analyst for assistance.

8. Once the selection is approved, MDOT will seek to contract with the selected consultant/vendor.
9. Negotiations will proceed with the selected consultant/vendor following the instructions provided within the Priced Proposal Template available on MDOT's website. Once negotiations have been initiated with the selected consultant/vendor, they will continue until successful completion, unless authorization to break off negotiations has been received from the Region Engineer/Division Administrator. If for any reason negotiations are unsuccessful, the Project Manager may proceed to the next most qualified and approved vendor from the original selection.

#### **2.4 Qualifications Based (QBS)/Low Bid Selections (Two-Tier Process)**

**All selections other than those defined in the Brooks Act must include price of service as a consideration. Qualifications/Low Bid, Low Bid, or Best Value (the bid amount is a component of the total proposal score, but not the determining factor of the selection) selections processes must be used.**

1. The MDOT Project Manager will assemble a scope of work which includes details of the services needed, an anticipated schedule, and what prequalification classifications, both primary and secondary, are required.

The following documentation will be submitted to the CSD Scope Engineer for review:

- a. The completed Checklist to Designate Areas of Evaluation for RFP (5100B), which shows what elements the consultant/vendor is required to submit in the proposal
  - b. Completed Cost Estimate Worksheet, indicating estimated hours and dollar amounts for the project.
  - c. Scope of Services which includes a minimum acceptable scoring threshold that the proposals must meet for their bids to be opened.
  - d. A bid sheet identifying the bid items, consultant/vendor signature block, total bid price, and a cost derivation sheet (if applicable).
  - e. The scoring criteria and point values that will be used for the Qualifications scoring threshold for Qualifications/low bid selections. The following five scoring criteria are required; however, the points possible per scoring criteria may vary. (1) Understanding of Service (2) Qualifications of Team; (3) Past Performance; (4) Location; (5) Price. Any other scoring criteria may be added. Note: Qualifications/Low Bid scoring criteria/cut off will be approved by CSRT prior to RFP being posted.
2. After review and any modifications of the RFP by the CSD Scope Engineer, the Selection Analyst will post the RFP on the website.

3. If the service does not require prequalification, the Selection Team should assure that eligible consultant/vendors are aware of the solicitation. This may mean that additional advertisements are placed in newspapers, periodicals, additional websites, and/or an email notification is sent to consultant/vendors.
4. Interested consultant/vendors shall submit an electronic proposal in accordance with the guidance provided in this document, which must be received by the deadline date and time indicated. The proposal may not be more than 7 pages in length for Tier II selections, and not more than 14 pages in length for Tier III selections, not including key personnel resumes, which are limited to two (2) pages per person. [Form 5100D](#) and [5100J](#) (if applicable) must be submitted with all proposals and must be signed by a consultant/vendor representative with contracting authority. These forms will not be included in the page limitations.
5. If applicable, the Project Manager will check the prequalification status of the prime and subconsultant/vendors to ensure compliance as stated in these guidelines.
6. An MDOT Selection Team will be assembled for each service. The Selection Team must be comprised of at least three people, and at least one member of the Selection Team should be from a different reporting relationship.
7. QBS /Low Bid Tier II Selections
  - a. 25% of Tier II selections will be randomly selected and an additional MDOT employee will be included in the Selection Team, acting as a CSRT delegate. The CSRT delegates will be alternately selected from a pool of MDOT staff trained in this capacity.
  - b. Final approval of all Tier II selections will be done by the Region Engineer/Division Administrator for approval or the Bureau Director
  - c. CSRT will not approve Tier II Selections. The selections will be presented to CSRT for information only.
8. QBS/Low Bid Tier III Selections
  - a. A member of the CSRT will serve on the Selection Team. The Selection Analyst will notify the CSRT member at the time of posting of the RFP and the Project Manager will contact the CSRT Member to coordinate proposal evaluation meetings.
  - b. The Selection Team will complete the CSRT Action Sheet ([Form 5100E](#)) and forward it to the Selection Analyst.
  - c. Score Sheets will be submitted to CSRT for final approval.
9. The Selection Team will review all proposals submitted by the consultant/vendors for compliance as listed in these guidelines and the RFP. Any proposal received after the due date/time or not in accordance with the Consultant/Vendor Selection Guidelines must be rejected. The Selection Team will evaluate each consultant/vendor's proposal by completing [Form 5100C](#) individually. After each submitting consultant/vendor is scored individually by everyone on the Selection Team, the Selection Team should hold a consensus meeting where

[Form 5100C](#) should be filled out for each submitting consultant/vendor with consensus comments and scores. Please note that comments are required for each scoring criteria being evaluated.

10. The Selection Team will complete the CSRT Action Sheet 5100E, which will indicate which consultant(s)/vendor(s) will have their bids reviewed, and forward it to the Selection Analyst.
11. Once CSRT approval is given, The Selection Team will review the bids of those qualified bidders meeting the established Qualifications scoring threshold. MDOT will seek to contract with the bidder with the lowest acceptable bid. MDOT will post the bid amounts on the website.
12. If MDOT only receives one response to a RFP and the project is funded by FHWA funds, then FHWA approval is required. The Selection Team will determine if the selection is acceptable prior to seeking FHWA approval. If the selection is approved by the MDOT Selection Team, the process defined in Section 2.8.1 Sole Source/Inadequate Competition Selections will be followed to attain FHWA review and approval.
13. Results of selection approvals will be posted on the MDOT website and the MDOT Project Manager will be notified of those results prior to posting.
14. Score sheets will be sent to the proposers once the final selection is approved.
15. If for any reason contracting is unsuccessful, the Project Manager may proceed to the next most qualified and approved vendor from the original selection.

## **2.5 Low Bid Selections**

**All selections other than those defined in the Brooks Act must include price of service as a consideration. Qualifications/Low Bid, Low Bid, or Best Value (the bid amount is a component of the total proposal score, but not the determining factor of the selection) selections processes must be used.**

1. The MDOT Project Manager will assemble a scope of work which includes details of the services needed, an anticipated schedule, and what prequalification classifications, both primary and secondary, are required.
2. The Following documentation will be submitted to the CSD Scope Engineer for review:
  - a. The completed Checklist to Designate Areas of Evaluation for RFP ([5100B](#)), which shows what elements the consultant/vendor is required to submit in the proposal
  - b. Completed Cost Estimate Worksheet, indicating estimated hours and dollar amounts for the project.
  - c. Scope of Services
  - d. A bid sheet identifying the bid items and place for consultant/vendor signature and total bid price and a cost derivation sheet (if applicable).
3. After review and any modifications of the RFP by the CSD Scope Engineer, the Selection Analyst will post the RFP on the website.

4. If the service does not require prequalification, the Selection Team should assure that eligible consultant/vendors are aware of the solicitation. This may mean that additional advertisements are placed in newspapers, periodicals, additional websites, and/or an email notification is sent to consultant/vendors.
5. Interested consultant/vendors shall submit an electronic proposal in accordance with the guidance provided in this document, which must be received by the deadline date and time indicated. The proposal may not be more than 7 pages in length for Tier II selections, and not more than 14 pages in length for Tier III selections, not including key personnel resumes, which are limited to two (2) pages per person. [Form 5100D](#) and [5100J](#) (if applicable) must be submitted with all proposals and must be signed by a consultant/vendor representative with contracting authority. These forms will not be included in the page limitations.
6. If applicable, the Project Manager will check the prequalification status of the prime and subconsultant/vendors to ensure compliance as stated in these guidelines.
7. The Selection Team will review all proposals submitted by the consultant/vendors for compliance as listed in these guidelines and the RFP. Any proposal received after the due date/time or not in accordance with the Consultant/Vendor Selection Guidelines must be rejected.
8. An MDOT Selection Team will be assembled for each service. The Selection Team must be comprised of at least three people, and at least one member of the Selection Team should be from a different reporting relationship.
9. Low Bid Tier II Selections
  - a. 25% of Tier II selections will be randomly selected and an additional MDOT employee will be included in the Selection Team, acting as a CSRT delegate. The CSRT delegates will be alternately selected from a pool of MDOT staff trained in this capacity.
  - b. Low Bid Tier II selections will be presented to the Region Engineer/Division Administrator or the Bureau Director for approval and CSRT for information only.
10. Low Bid Tier III Selections
  - a. A member of the CSRT will serve on the Selection Team. The Selection Analyst will notify the CSRT member at the time of posting of the RFP and the Project Manager will contact the CSRT Member to coordinate proposal evaluation meetings.
  - b. The Selection Team will complete the CSRT Action Sheet ([Form 5100E](#)) and forward it to the Selection Analyst.
  - c. Low bid Tier III Selections will be presented to CSRT for information only.
    - If MDOT only receives one response to a RFP and the project is funded by FHWA funds, then FHWA approval is required. The Selection Team will determine if the selection is acceptable prior to seeking FHWA approval. If the selection is approved by the MDOT Selection Team, the process defined in Section 2.8.1 Sole



Source/Inadequate Competition Selections will be followed to attain FHWA review and approval.

11. MDOT will seek to contract with the bidder with the lowest acceptable bid. MDOT will post the bid amounts on the MDOT website when the selection is approved.
12. If for any reason contracting is unsuccessful, the Project Manager may proceed to the next lowest bidder and approved vendor from the original selection.

## **2.6 Best Value Selections**

**All selections other than those defined in the Brooks Act must include price of service as a consideration. Qualifications/Low Bid, Low Bid, or Best Value (the bid amount is a component of the total proposal score, but not the determining factor of the selection) selections processes must be used.**

1. The MDOT Project Manager will assemble a scope of work which includes details of the services needed, an anticipated schedule, and what prequalification classifications, both primary and secondary, are required.
2. The Following documentation will be submitted to the CSD Scope engineer for review:
  - a. The completed Checklist to Designate Areas of Evaluation for RFP ([Form 5100B](#)), which shows what elements the consultant/vendor is required to submit in the proposal
  - b. Completed Cost Estimate Worksheet, indicating estimated hours and dollar amounts for the project.
  - c. Scope of Service.
  - d. A bid sheet identifying the bid items and place for consultant/vendor signature and total bid price and a cost derivation sheet (if applicable).
  - e. The scoring criteria and point values that will be used for the best value selection. The following five scoring criteria are required; however, the points possible per scoring criteria may vary. (1) Understanding of Service (2) Qualifications of Team; (3) Past Performance; (4) Location; (5) Price. Any other scoring criteria may be added. Note: Best Value scoring criteria will be approved by CSRT prior to the RFP being posted.



The following is an example of the Best value scoring criteria:

3. SCORING (130 Points)

Proposed Selection Criteria and Total Possible Points

**Understanding of Service – 30 Points**

Describe your understanding of the service to be provided.

**Qualifications of Team – 40 Points**

Describe your team, the roles of key personnel, and a project organizational chart.

Provide resumes for key personnel.

**Past Performance – 20 Points**

Provide references and examples of similar work performed.

**Price – 35 Points**

CSRT approved formula:  $\frac{\text{low bid}}{\text{bid}} * \text{points assigned}$

Completed bid sheet required.

**(Price must be at least 25% of overall points assigned)**

**Location – 5 Points**

Indicate the percentage of work that will be performed in Michigan.

4. The Selection Analyst will present proposed scoring criteria if it deviates from the scoring criteria identified above to CSRT for their approval prior to advertisement of the RFP.
5. After review and any modifications of the RFP by the CSD Scope Engineer, the Selection Analyst will post the RFP on the website.
6. The Selection Team should establish the consensus meeting date at this time. If the service does not require prequalification, the Selection Team should assure that eligible consultant/vendors are aware of the solicitation. This may mean that additional advertisements are placed in newspapers, periodicals, additional websites, and/or an email notification is sent to consultant/vendors.
7. Interested consultant/vendors shall submit an electronic proposal in accordance with the guidance provided in this document, which must be received by the deadline date and time indicated. The proposal may not be more than 7 pages in length for Tier II selections, and not more than 14 pages in length for Tier III selections, not including key personnel resumes, which are limited to two (2) pages per person. [Form 5100D](#) and [5100J](#) (if applicable) must be submitted with all proposals and must be signed by a consultant/vendor representative with contracting authority.
8. If applicable, the Project Manager will check the prequalification status of the prime and subconsultant/vendors to ensure compliance as stated in these guidelines.
9. The Selection Team will review all proposals submitted by the consultant/vendors for compliance with the Consultant/Vendor Selection Guidelines. Any proposal received after the due date/time or not in accordance with the Consultant/Vendor Selection Guidelines must be rejected.

10. An MDOT Selection Team will be assembled for each service. The Selection Team must be comprised of at least three people, and at least one member of the Selection Team should be from a different reporting relationship.
11. Best Value Tier II Selections
  - a. 25% of Tier II selections will be randomly selected and an additional MDOT employee will be included in the Selection Team, acting as a CSRT delegate. The CSRT delegates will be alternately selected from a pool of MDOT staff trained in this capacity.
  - b. Final approval of all Tier II selections will be done by the Region Engineer/Division Administrator or the Bureau Director.
  - c. CSRT will not approve Tier II Selections. The selections will be presented to CSRT for information only.
12. Best Value Tier III Selections
  - a. A member of the CSRT will serve on the Selection Team. The Selection Analyst will notify the CSRT member at the time of posting of the RFP and the Project Manager will contact the CSRT Member to coordinate proposal evaluation meetings.
  - b. The Selection Team will complete the CSRT Action Sheet ([Form 5100E](#)) and forward it to the Selection Analyst.
13. Score sheets will be submitted to CSRT for final approval. The Selection Team will evaluate each consultant/vendor's proposal by completing [Form 5100C-BV](#) individually. After each submitting consultant/vendor is scored individually by everyone on the Selection Team, the Selection Team should hold a consensus meeting where [Form 5100C-BV](#) should be filled out for each submitting consultant/vendor with consensus comments and scores. Please note that comments are required for each scoring criteria being evaluated.
14. The Selection Team will complete the CSRT Action Sheet ([Form 5100E](#)) and forward it to the Selection Analyst. When presentations are not required, the CSRT Action Sheet will indicate which consultant/vendor's proposal had the highest score.
15. When a presentation is required, the CSRT Action Sheet will indicate which consultant/vendors (generally at least three of the highest scoring) will be short-listed to give a presentation. If all submitting consultant/vendors will be granted a presentation, CSRT approval is only required after the presentations step has been completed. In addition, a technical proposal may be required. The Selection Team will score the presentation and technical proposal (if required). This score will be added to the original score from the short-listing to determine the selected consultant/vendor. The short-listing and the final selection will be sent to the Selection Analyst for review and CSRT for approval.
16. At the Project Manager's discretion, it may be determined that a presentation and/or technical proposal is not necessary after a complete review of the proposals submitted. Where presentations are not required, the Selection Team will determine the selected consultant/vendor from the information in the proposals.

The CSRT will review the information and approve or take appropriate action to work with the Selection Team and/or Selection Analyst until an approved selection is made.

17. If MDOT only receives one response to a RFP and the project is funded by FHWA funds, then FHWA approval is required. The Selection Team will determine if the selection is acceptable prior to seeking FHWA approval. If the selection is approved by the MDOT Selection Team, the process defined in Section 2.8.1 Sole Source/Inadequate Competition Selections will be followed to attain FHWA review and approval.
18. Results of approved selection will be posted on the MDOT website and the MDOT Project Manager will be notified of those results prior to posting.

### **2.7 Multi-Vendor As-Needed Selections (Two-Tier Process)**

In accordance with 23 CFR 172.9(a)(3)(iv)(B)(2), all selections for as needed services in which more than one vendor is selected to perform the as-needed service(s), an additional Qualifications-Based Selection procedure (second tier selection) must be performed to select the most qualified consultant for each specific task. The exceptions to this rule are:

1. When multiple vendors are selected to perform as-needed inspection, testing, as-needed CE, etc. on construction projects, and unique items of work or areas of work are assigned to each vendor, on the RFP that was advertised, a single-tier, QBS selection may be performed. The MDOT Project Manager would select the vendor assigned to the specific task, locations, etc. to perform the as-needed work, without any additional documentation.
2. When multiple vendors are selected to perform tasks uniquely assigned to each vendor on the same project (i.e. Vendor #1 is assigned Work Zone Maintenance of Traffic, Vendor #2 is assigned Roadway Design), the MDOT Project Manager would select the vendor assigned to the specific task to perform the as-needed work, without any additional documentation.
3. The total project value does not exceed \$250,000 and was advertised as a Tier I selection.

After completion of the first tier of the selection process, the Project Manager must complete a second, Qualifications-Based Selection which identifies the most qualified vendor for all specific task assignments. This second-tier Qualifications-Based Selection should consider the vendor qualifications, vendor availability, etc. The Project Manager may choose to solicit a short (1-page) Statement of Qualifications (SOQ) from each of the vendors within the pool of available vendors for each specific work task or, may choose to determine the most qualified vendor without a second SOQ submittal from the vendors. Regardless of the selected method of secondary qualifications review, the second-tier selection must be documented on the [5100K](#) form. For all second-tier selections, with the exception of construction phase services, a copy of this [5100K](#) form should be provided to the Contract Services Division with the Contract Request Form ([Form 5105](#)). For construction phase services, the signed and dated [5100K](#) form will be retained in the Project Manager's project file.

## **2.8 Non-Competitive Selection Types**

Noncompetitive Procurement (as specified in 23 CFR 172.7(a)(3)) involves the procurement of engineering and design-related services when it is not feasible to award the contract using competitive negotiation or small purchase procurement methods. This type of procurement may only be used under controlled circumstances and should be approved by FHWA. The following noncompetitive procurement selections will go through Contract Services Division prior to selection and award:

1. Sole Source- The service is only available from one source
2. Inadequate Competition- competition is determined inadequate
3. Emergency- time does not allow for competitive negotiations

Before any of these noncompetitive procurement selections are utilized for projects funded with FHWA funds, FHWA approval is required.

### **2.8.1 Sole Source/Inadequate Competition Selections**

As stated above, this selection process must be used when only one source is available to perform the requested service. The following procedure will be followed to attain FHWA review and approval of Sole Source procurement requests:

1. The MDOT Project Manager will provide a written justification via email for the use of the noncompetitive procurement selection to the Selection Analyst.
2. The Selection Analyst reviews the information provided by the MDOT PM and forwards the information to FHWA via email for review and approval.
3. FHWA will respond to the sole source request via email with approval/denial of the request.

FHWA approval/denial of the selection will be retained in the project file within Contract Services.

## **3. PART III – PROPOSAL REQUIREMENTS AND SCORING**

### **3.1 Proposal Forms**

#### **3.1.1 Form 5100D – Request for Proposal Cover Sheet**

The first page of the proposal must be [Form 5100D](#), Proposal Cover Sheet, which is to be completed by the Prime Consultant/Vendor. The cover page must be signed by a consultant/vendor representative with contracting authority. This cover page will **not** be included in the page limitations for any Tier and the information provided will not be a basis of scoring.

[Form 5100D](#) identifies the following Items:

1. Prime and subconsultant/vendor information, applicable Service Prequalification roles as listed in the RFP, and whether those prequalification roles are to be counted toward DBE goals.
2. Documentation that the consultant/vendor has read and understands MDOT's policy regarding conflicts of interest. Consultant/vendor must also certify that there is no conflict of interest with the subject project. If there is a conflict with the subject project, then the consultant/vendor needs to describe the conflict. **MDOT considers it a conflict of interest for a consultant/vendor to represent more than one party in relation to any given project regardless of which phases of the service are involved. Conflict of interest includes a proposal for a consultant/vendor to perform services for MDOT and the construction contractor on the same construction project.**
3. Consultants can find [Conflict of Interest Guidance for Project Managers and Consulting Firms](#) on MDOT's website.
4. Documentation of the key personnel and the average number of hours per week for the period of time they plan to work on the service for the duration of the task(s), as outlined in the RFP. Subconsultant/vendors should not submit [Form 5100D](#) individually.

The Selection Team must reject any proposal where the Department has determined a conflict of interest exists. The Project Manager should contact the consultant/vendor to assure the information concerning the conflict of interest is correct. The Project Manager will send out a rejection notice to the consultant with a copy to the Selection Analyst.

### **3.1.2 Form 5100G – Changes to Key Personnel**

[Loss of Key Staff Notification Process](#) can be located in the MDOT Forms Repository.

If during the selection process, the Project Manager is notified by the consultant/vendor ([Form 5100G](#)) that key personnel are not available, action must be taken as follows:

1. If notified before scoring is complete, but after deadline for submittal, the consultant/vendor can submit the resume of the person who would be replacing the key person. The Selection Team will score using the new key person. The Selection Team must inform the Selection Analyst of the change.
2. If notified after the scoring is complete, but prior to final approval, and the change involves the top scoring consultant/vendor, the consultant/vendor can submit the resume of the person who will replace the key person. The Selection Team must then determine if the new person would affect the selection results. If not, notify the Selection Analyst of the change and the justification for keeping the selection results. If it does, rescore the top consultant/vendor and change the selection.

3. If a consultant/vendor notifies the Project Manager of a key person change any time after the CSRT selection approval, the Project Manager must determine if the new key person is acceptable. If not, the contract/authorization will be terminated, and a new consultant/vendor selected.

Firms that are found to consistently propose personnel who are not available are subject to temporary or permanent loss of their prequalification in that category and may lose the right to submit proposals to MDOT. MDOT acknowledges that there are times where key personnel must be changed due to change in employment or unanticipated work load shifts or schedule changes. All changes in key personnel must be approved by MDOT in writing by completing [Form 5100G](#).

### **3.1.3 Form [5100J](#) – Consultant Data and Signature Sheet**

If prequalification is not required for requested services, the consultant/vendor performing these services must submit [Form 5100J](#).

## **3.2 Proposal Information and Scoring**

All text within the proposal shall be 12-point font size with the exception of resumes, forms, exhibits/graphics, and tables. Resumes, forms, exhibits/graphics, and tables may have smaller fonts. Proposals not adhering to this requirement may be considered non-responsive.

### **3.2.1 Understanding of Service and Innovations (If Applicable)**

**This section is optional for all Tiers.** The Project Manager may choose to require or not to require the Understanding of Service and Innovations requirements on any solicitation. This section should be required only under the following circumstances:

1. When the complexity of the service needs written verification by the consultant/vendors of their understanding.
2. When it is anticipated that the scores for the Qualifications of the Team section will not be sufficient to differentiate or determine the most qualified team.

This section must be required only when the project is part of the Mentor-Protégé program.

The information provided by the consultant/vendor should not be a repeat of the information in the scope. NOTE: Not requiring this section does not mean the consultant/vendor does not need to understand the service, just that a narrative is not required.

The consultant/vendor may include any work item that they believe should be added to the scope of services, or any work item that is in the current scope of services which they believe should be altered. They must describe the benefit to the service, the increase/decrease in resources and the increase/decrease to the cost of construction due to the revision to the work item, if applicable.

When scoring this section, the Selection Team should provide factual statements that support their score. This requires noting specific items from the proposal that were used in the review and final score. The highest scores should be given to proposals that exceeded the expectations of the Selection Team. The lowest scores should be given to proposals that showed a lack of understanding. If the RFP required this section and it was not included, the consultant/vendor will receive a “0” as a score for this item. If the RFP did not require this section and it was included, no additional points will be awarded.

### 3.2.2 Qualifications of the Team

**This Section is mandatory for all Proposals.** This section has been assigned the largest possible points for the selection. When scoring this section, the Selection Team should provide factual statements that support their score. This requires noting specific personnel, their experience and role in the service. Also, if applicable, include a discussion of the effectiveness of how the team is organized. The team should also note any other items from the proposal that were used in the review and final score. The highest scores should be given to staff, consultant/vendor, and sub-consultant/vendor experience on similar projects, and organization of personnel that exceeded the expectations of the Selection Team. The lowest scores should be given to proposals where there was inadequate experienced staff to support the service.

The scoring for Qualifications of Team will be based on the following information:

#### 1. Structure of the Project Team (Role of Firms and Key Personnel)

- a. The consultant/vendor will describe the structure of the project team including the roles of all key personnel and sub-consultant/vendors. The consultant/vendor will determine what personnel are considered “key”, unless it is specifically outlined in the RFP. For each sub-consultant/vendor, they will describe their role in the service and include what percent of the named role that the sub-consultant/vendor is expected to provide.

The consultant/vendor is contractually obligated to supply the key personnel proposed for this service. This includes maintaining them at the capacity level proposed. Any change in key personnel or their capacity level must have written approval of MDOT see [Form 5100G](#) see [Loss of Key Staff Notification Process](#).

#### 2. Organization Chart

Provide an organization chart of your service team including sub-consultant/vendor(s). This chart must include the names of the key personnel selected for this service, their roles on the service, the name of the consultant/vendor by which they are employed, and lines of communication. The RFP may include a list of required key personnel for this service. The organization chart should show the personnel who meet these requirements. Also, indicate the people who will be points of contact with the MDOT Project Manager.



**3. Disadvantaged Business Enterprise (DBE)**

If DBE participation is required, the consultant/vendor must provide a description of how the submittal meets the DBE participation level and the consultant/vendor’s commitment to maintain the percentage throughout the course of the contract including any future amendments. If the consultant is unable to achieve DBE participation totaling, at minimum, the amount required by the contract, the consultant must state their intent to apply for a Good Faith Effort (GFE) modification or waiver of the DBE participation goal with [Form 0182](#). If neither the form nor the statement is provided, the proposal will be considered non-responsive and not eligible for contract award. If the waiver is granted, the Project Manager will proceed to negotiate with the selected consultant/vendor. If not, and all appeals of the denial have been exhausted, the next highest scoring consultant/vendor will be selected.

[Form 0182](#) may also be required to be submitted if a contract amendment or authorization revision results in the DBE requirement not being achieved. The Project Manager will be contacted for information on the selection and position on the waiver.

**4. Location**

The consultant/vendor selection criteria may include a consideration of what percentage of the contracted work will be performed in Michigan. The Selection Team will score the percentage of work performed in Michigan on all selections unless the project is for field related projects, on-site inspection, or survey activities. If the project is for field related projects, on-site inspection, or survey activities, then the Selection Team will score the distance from the site to the location of the office(s) as listed in their proposal. The score given should relate to the mileage that may be charged to the service (the further the distance the lower the score). The combination of location and percentage of work performed in Michigan should not exceed five points.

As a guideline for scoring percentage of work performed in Michigan, please use the following:

<b><u>Percentage of Work To Be Done in Michigan</u></b>	<b><u>Score</u></b>
95% to 100%	5
80% to 94%	4
50% to 79%	3
25% to 49%	2
10% to 24%	1
Less than 10%	0



### 3.2.3 Quality Assurance / Quality Control (QA/QC) Plan

**This section is not required for Tier I or Tier II selections and is optional for Tier III selections.**

When scoring this section, the Selection Team will review the consultant/vendor's QA/QC plan for this service. It should include background information of the selected QA/QC manager for this service. The person performing the QA/QC review must have extensive experience with MDOT standards and practices.

When scoring this section, the Selection Team should provide factual statements that support their score. This requires noting specific personnel, their experience and QA/QC role in the service. Also, include a discussion of the effectiveness of the QA/QC plan. The highest scores should be given to QA/QC plans and managers that exceeded the expectations of the Selection Team. The lowest scores should be given to QA/QC plans that were inadequate and/or QA/QC managers without sufficient related experience.

If the RFP required this section and it was not included, a score of "0" will be given. If the RFP did not require this section and it was included, no additional points will be awarded.

### 3.2.4 Resumes of Key Staff

The consultant/vendor will provide resumes (limit 2 pages per person) for each of the key staff of the prime and sub-consultant/vendors. MDOT will not accept resumes for non-key or support staff. The recommended format shown in [Form 1242](#) may be used for reference. In addition to general resume information, the following information will be provided for service experience that is similar to the service being solicited. The scoring for qualifications of team scoring will be one score based on the following information. The consultant/vendor is contractually obligated to supply the key personnel proposed for this service.

- a. General description of the service.
- b. Role of person in the service.
- c. Service budget.
- d. Year service was completed.
- e. Name of client (agency or company).
- f. Role of consultant/vendors in the service. (It is not required that the submitting consultant/vendors have a role.)
- g. Reference: name and phone number of person to contact for client.
- h. Provide the route name, limits of construction, construction budget, and a general description of type of construction.

### 3.2.5 Past Performance

This section will be scored when applicable; however, consultants/vendors shall not provide a separate written section documenting their past performance or project summaries other than what is already included in the resumes for key staff. The Selection Team should use relevant performance evaluations from CTRAK for the past three years for the prime vendors that are being proposed. A past performance score will be given based on the information provided in CTRAK, will be derived by taking the prime consultant "Project Evaluation Average" score and doubling that number. If no Project Evaluation Average Scores are available in CTRAK, then a score for this section will be given based on references contacted obtained from information provided in the resumes of key staff, and/or previous experience with the Project Manager.

The highest scores should be given to performance evaluations or references when work was excellent or the highest performance score available was given. The lowest scores should be given to performance evaluations or references where work was poor.

### 3.2.6 Presentation

If a presentation is required, the Selection Team may also require a technical proposal. If required, the specific requirements will be indicated in the RFP. The technical proposal supplements the information already included and scored in the proposal. It must follow the format outlined below. There is no limit to the number of pages that can be provided. The technical proposal expands upon four areas of the proposal. At the MDOT Project Manager's discretion, it may be determined that a presentation and/or technical proposal is not necessary after a complete review of the initial proposal is submitted. The highest scores should be given to presentations and technical proposals that exceed expectation and support or enhance scoring from the original proposal. The lowest scores should be given to poor quality presentations and technical proposals and for information that shows the score from an original proposal.

The presentation score is added to the previous score from the proposal. The final selection will be determined by the consultant/vendor with the highest total score.

#### 1. General Information

Provide all changes from the information that was provided in the original proposal. The Selection Team must determine if the changes in the information are material enough to change the ranking of the consultant/vendor. This determination from the Selection Team will be required to be made any time a change occurs.

#### 2. Expanded Understanding of Services and Innovations

Provide an expanded work plan and any proposed innovations in implementing the service.

### **3. Efficiency/Effectiveness**

Provide how the consultant/vendor will effectively and efficiently use their staff to assure a quality product at a reasonable price. Provide a schedule showing how the consultant/vendor plans to complete the service on time. This can be described and shown graphically.

### **4. Quality Assurance/Quality Control Plan**

Provide an outline plan for this service including background information of selected manager for this service. Person performing the quality control review must have extensive experience with MDOT standards and practices.

### ***3.3 Completing the 5100C and 5100C-BV score sheet***

- Sentences shall be complete and should only refer to the project that was advertised in the RFP.
- Assumptions or comments shall not be made regarding current contracts but rather geared towards proposals that were presented.
- Only factual statements shall be listed as they pertain to what was submitted in the proposal.
- Scoring of the proposal shall focus on merits of the proposal, not the presentation of the proposal.
- Comments must be consistent with the scores.
- Statements can refer to positions but shall not include specific names.

## 4. PART IV – INSTRUCTION FOR SUBMITTING PROPOSALS

### 4.1 Instructions for Submitting Proposals Electronically

1. Consultants/vendors will prepare their proposals using the current proposal guidelines.
2. Assemble all proposal documentation into a single PDF file.
3. The PDF file shall be named using the following format: **Requisition#XXX\_Company Name.PDF** (Example: Requisition#123\_XYZ Company.PDF)
4. The PDF file shall be Bookmarked as follows:
  - I. Request for Proposal Cover Sheet, [Form 5100D](#) (*Required for all three tiers*)
    - A. Consultant Data and Signature Sheet, [Form 5100J](#) (*if applicable*)
  - II. Understanding of Service (*Optional for all three tiers*)
    - A. Innovations (*Optional for all three tiers*)
  - III. Qualifications of Team (*Required for all three tiers*)
    - A. Structure of Project Team
      1. Role of Firms
      2. Role of Key Personnel
    - B. Organizational Chart
    - C. Location
  - IV. Quality Assurance/Quality Control Plan (*Optional for Tier III only*)
  - V. Resumes of Key Staff (*2-page maximum per key staff member, Tier II and III only*)
  - VI. Pricing Documents/Bid Sheet (*to be used only for those projects requiring pricing information, i.e.; Low Bid, QBS/Low Bid, and Best Value*)

(Note: For any section that is not required per the RFP, edit the bookmark title to include “N/A” after the bookmark title that is not required (i.e. II. Understanding of Service – N/A)

5. Submit the complete bookmarked PDF file by e-mail to: [MDOT-RFP-Response@michigan.gov](mailto:MDOT-RFP-Response@michigan.gov) unless otherwise specified in the scope/RFP. There is no link from the MDOT website that will allow the RFP response to be sent.
6. The subject line of the e-mail shall include the requisition number (as identified on MDOT’s website or in the RFP) and the consultant/vendor’s name in the following format:

**Requisition#XXX\_Company Name**  
(Example: Requisition#123\_XYZ Company)
7. The electronic proposal must be e-mailed by the consultant/vendor and must be received by MDOT no later than the due date and time designated in the RFP.

8. Once submitted, consultants/vendors will receive an e-mail reply from MDOT indicating that the proposal was received. It is important that you retain a copy of this e-mail as proof that the proposal was submitted on time.
9. If the e-mail reply has not been received by the consultant/vendor, consider the proposal as unsent. In rare cases, it may be necessary to send the e-mail from a different e-mail address. Continue sending until the automatic reply from MDOT has been received.

Important Notes:

- All solicited consultant/vendors will be notified on the website if there is a change in the due date or time.
- MDOT reserves the right to reject any and all proposals, technical proposals and/or bids received as a result of any RFP.
- The PDF proposal files must not be any larger than five megabytes (5 MB). Any that are over five megabytes will be considered non-responsive and rejected.
- Proposals will not be accepted after the date and time deadline identified.
- MDOT will not accept multiple proposals. If more than one proposal is received, the first proposal received will be treated as the valid proposal. Consultants may not replace or alter a proposal once it has been submitted. A proposal submittal is defined as an email including an attached PDF file in accordance with these guidelines.
- Paper copies and other digital versions (CD, flash drive, etc.) of proposals will not be accepted.
- Proposals that fail to comply with these instructions could be considered non-responsive and rejected.

#### ***4.2 Instructions for Submitting Bids (Low Bid Selections)***

When needed, low bids will be submitted as part of the bookmarked pdf proposal file.

## 5. Definitions

**Best Value Selection-** Selection process that is not defined under the Brooks Act that enables the owner to obtain the services of a highly qualified professional vendor based on qualifications and price. Unlike the QBS/Low Bid process, Best Value uses the bid amount as a component of the total proposal score (at least 25%), but not the determining factor of the selection.

**Brooks Act** - The Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government.

**Contract Administrator (CA)** - An informal title given to the person responsible for contract operations within various portions of MDOT. The CA teams with the PM to manage a contract.

**Central Selection Review Team (CSRT)** – The team is comprised of members with positions ranging from Bureau Directors, Division Administrators, Equal Employment Opportunity Officer, Engineer of Construction Field Services, Region Engineer, TSC Manager and Departmental Manager.

**Disadvantaged Business Enterprise (DBE)** - Any person or firm that is certified as a DBE by the MDOT Office of Business Development.

**Low Bid Selection-** Selection process that is not defined under the Brooks Act that enables the owner to obtain the services of a highly qualified professional vendor based on the lowest bid obtained from items set forth in the Request for Proposal (RFP).

**Prequalification** - A MDOT process of qualifying firms by classification of work. Those firms selected as qualified are eligible to perform work for the Department and are placed on a working list for that purpose.

**Prequalification Classification** - A specific type of work that MDOT contracts for on a regular basis, in which vendors can request to become prequalified in.

**Prequalification Classification Specific Information** - The information required for submittal, detailing the vendor staff, vendor experience, and other criteria necessary for MDOT to evaluate the vendor's ability to become prequalified and perform work in a particular classification.

**Priced Proposal** – the Vendor's proposed cost for the service; updated [Priced Proposal Instructions](#) are available on the Contract Services Division website.

**Primary Prequalification** – To be eligible to submit a proposal on a project, a company must have obtained an approved prequalification status in the applicable prequalification classification(s) listed in the RFP on or prior to the proposal due date. The prime consultant/vendor must be prequalified in all primary prequalification classifications identified on the RFP. They may, however, subcontract out work identified under the primary prequalification classification(s) to another prequalified consultant/vendor.

**Prime Vendor** - The person or firm that has an awarded contract with MDOT.

**Project Manager (PM)** – the person responsible for leading a project from its inception to execution. This includes development and management of the project scope of work, overseeing the selection and contracting (as needed), developing and managing the project budget, providing oversight and direction for the execution of the project, managing the project schedule, reviewing and approving vendor invoices (as needed), management of consultant contracts (as needed), and managing and directing staff (including both internal and external) assigned to the completion of the project.

**Proposals** - The proposal is the vendor’s response to a Department request. See Request for Proposals below for further information on this subject

**Qualification Based Selection (QBS)** - An equitable selection process that enables the owner to obtain the services of a highly qualified professional vendor based on qualifications set forth in the RFP.

**Qualification Based/Low Bid Selection (QBS/Low Bid)**-Two step selection process that is not defined under the Brookes Act which enables the owner to obtain the services of a highly qualified professional vendor based on qualifications set forth in the RFP. The selected vendor is then chosen by the lowest bid obtained from items set forth in the RFP.

**Request for Proposals (RFP)** - The Request for Proposal is a document intended to solicit proposals for services. The most important part of an RFP is the Scope of Services. The scope informs the vendor what MDOT services are being solicited. The remainder of the RFP package covers instructions, information, and rules of the process.

**Scope of Services** - Detailed description of the location, work and deliverables required of the vendor.

**Secondary Pre-Qualification** - one or more pre-qualification classifications listed on the RFP that is required to complete the services, but is not the primary classification required to complete the services. The prime consultant is not required to be prequalified in the secondary prequalification classification(s) identified on the RFP. The work, however, must be performed by a prequalified consultant/vendor, which may be either the prime consultant/vendor or a subconsultant/vendor.

In all cases, the prime consultant must perform at least 40% of the overall services, by dollar value, unless otherwise specified in the RFP.

In all cases, tier one subconsultant(s) must perform at least 50% of the services, by dollar value of their subcontract, unless otherwise specified in the RFP.

**Selection Analyst** – Central office personnel responsible for providing assistance in selections and assuring statewide application of the selection process.

**Selection Team** – Team of individuals gathered to evaluate/score the proposals. The structure of a selection team is the responsibility of the Region Engineer/Division Administrator. The MDOT project manager is typically the leader of the selection team.

**Service Completion Date** – work completion date on an authorization as determined by the PM.

**Technical Proposal** – the document prepared and provided by the vendor for presentations.

**Tier I Selection** – the selection process for vendors/consultants for services estimated under \$250,000 in value.

**Tier II Selection** - the selection process for vendors/consultants for services estimated between \$250,000 and \$1,500,000 in value.

**Tier III Selection** - the selection process for vendors/consultants for services estimated at \$1,500,000 and greater in value.



## 6 Changes to Guidelines

### 6.1 Version 2 Changes (January 7, 2014)

Removed the following: *The Project Manager will check the monthly report entitled Vendors with \$50,000 Contract Amount Limit, which is sent out via listserv and is posted on the internal website. If the project is over \$50,000, and a consultant/vendor submits who is on the list, then their proposal will be rejected from consideration.*

### 6.2 Version 3 Changes (February 9, 2015)

#### Section 1.1. Request for Proposal (RFP)

Paragraph 2, Page 4. The ~~Selection Team~~ **Project Manager with assistance from Contract Services Division and**, in accordance with these Guidelines, will determine the type of selection needed.

#### Page 8. Rewrote **1.10.1. Primary Prequalification Classification**

MDOT's Request for Proposals (RFP's) will identify both primary and secondary prequalification classification requirements, as determined for each project. In order to be eligible to submit a proposal on a project, a company must have obtained an approved prequalification status in the applicable prequalification classification(s) listed in the RFP on or prior to the proposal due date. The requirements to perform the specific work classifications are as follows:

The prime consultant/vendor **must** be prequalified in all primary prequalification classifications identified on the RFP. They may, however, subcontract out work identified under the primary prequalification classification(s) to another prequalified consultant/vendor.

#### Section 1.10.2. Secondary Prequalification Classification

The prime consultant is not required to be prequalified in the secondary prequalification classification(s) identified on the RFP. The work, however, must be performed by a prequalified consultant/vendor, which may be either the prime consultant/vendor or a subconsultant/vendor.

In all cases, the prime consultant must perform at least 40% of the services, by dollar value, unless otherwise specified in the RFP.

In all cases, tier one subconsultant(s) must perform at least 50% of the services, by dollar value of their subcontract, unless otherwise specified in the RFP.

Consultants are not permitted to Joint Venture for the purpose of prequalification or for the purpose of submitting project proposals. As stated above, subconsulting is permitted as long as the subconsultant is prequalified to perform the intended services and the subconsultant work does not exceed the previously specified percentage of the total dollar amount of the contract.

If the consultant/vendors do not meet these prequalification requirements, the proposal will be rejected. The prequalification requirements for a service should remain unchanged throughout

the selection process. In the event that the requirements do change during the porting period, the information will be provided to the consultant/vendors on the website.

If prequalification is not required, all consultant/vendors who feel they are qualified to perform the service may submit a proposal. To ensure a complete consultant/vendor pool, MDOT may advertise such services in newspapers, periodicals or determine other methods in addition to placing information on the MDOT website.

**2.2.** (QBS) Selection - Tier I – Services Estimated Between \$50,000 and \$150,000

Page 12, number 2. Added d. **Completed Form 5100A**

**2.3** QBS Selection – Tiers II (\$150,000 - \$1,000,000) and III (Over \$1,000,000)

Page 14, number 1. Added d. **Completed Form 5100A**

**2.4.** QBS/Low Bid Selections (Two-Tier Process)

Page 17, Number 1. Added f. **Completed Form 5100A**

**2.5.** Low Bid Selections

Page 19, Number 1. Added e. **Completed Form 5100A**

**2.6.** Best Value Selections

Page 21, Number 2. Added f. **Completed Form 5100A**

1. Page 21, Number 5. Changed Selection Analyst will present proposed scoring criteria to CSRT **if it significantly deviates from the scoring criteria identified above** for their approval at the next scheduled CSRT meeting.

Removed all references to Provisional Ratings/Classifications.

**6.3 Version 4 Changes (March 3, 2016)**

**1.6. Inquiries**

Added: **Responses to questions posted on MDOT's website officially act as a modification/amendment to the RFP. It is the responsibility of the Consultant to monitor the website, and implement any changes into their responses, as applicable.**

## 6.4 Version 5 Changes (May 9, 2016)

### 1.12. Rejection of Submittals

Added: MDOT may, at its discretion, cancel the selection after approval, prior to contract award for any project.

## 6.5 Version 6 Changes (January 3, 2017)

### 2.2. (QBS) Selection - Tier I – Services Estimated Between \$50,000 and \$150,000

Page 11, number 11: Market entry – determine ~~if the work to be performed is a new prequalification category for the consultant/vendor being considered for possible selection, or~~ whether the considered consultant/vendor is new to MDOT, and has not previously performed work for the department.

### 3.2.5 Past Performance

This section must be scored for all solicitations, however, consultants/vendors shall not provide a separate written section documenting their past performance or project summaries other than what is already included in the resumes for key staff. ~~Instead, the Selection Team should use relevant performance evaluations from CTRAK for the past three years for the prime vendors that are being proposed. A past performance score will be given based on the information provided in CTRAK, scores and will be derived by taking the prime consultant “Project Evaluation Average” score and doubling that number. for the primary prequalification classification(s) and the total overall score for the prime consultant being proposed. If no scores in the primary classification and/or total overall average Project Evaluation Average Scores are available in CTRAK, then a score for this section will be given based on references contacted obtained from information provided in the resumes of key staff, and/or previous experience with the Project Manager.~~

## 6.6 Version 7 Changes (October 6, 2017)

Removed all references to completed Form 5100A.

Performed several grammatical/formatting changes that did not alter the intent/direction provided within these guidelines.

### Added 1.1.3. Request for Proposal Advertisement Period

### 1.4. Selection Team

Removed the requirement to designate the selection team members at the time of RFP advertisement.

### Added 1.10 Business Requirements for MDOT Projects

**Added 1.10.1 Non-Prequalified Services**

**Added 1.10.1.1 Michigan Business Registration**

**Added 1.10.1.2 Michigan “2/3rds Principal” Rule**

**Added 1.12 Title VI Notice to the Public**

**1.15. Notice of Selection**

Only the selected Consultants name will be provided; however, each consultant will receive their individual score sheet from MDOT via e-mail ~~within two working days of the scores and selection results being posted.~~

**Added 1.17 MDOT Digital Signatures**

**2.3 QBS Selection – Tiers II (\$150,000 - \$1,000,000) and III (Over \$1,000,000)**

Added:

**12. QBS Tier III Selections (3 or more Consultants selected)**

- a. A member of the CSRT will serve on the Selection Team. The Selection Analyst will notify CSRT at the time of posting of the RFP and the assigned CSRT member will contact the Project Manager to coordinate proposal evaluation meetings.
- b. The Selection Team will complete the CSRT Action Sheet ([Form 5100E](#)) and forward it to the Selection Analyst.

Added procedure for when MDOT only receives one response to a RFP and the project is funded by FHWA funds.

Added:

**2.7. Non-Competitive Selection Types**

**6.7 Version 8 Changes (January 29, 2018)**

**Added 2.7. Multi-Vendor As-Needed Selections (Two-Tier Process)**

**6.8 Version 9 Changes (May 7, 2018)**

**2.1. Services Estimated at Less than \$50,000**

- 3. The MDOT Project Manager will review the prequalification list and contact three consultant/vendors by phone or e-mail about their availability to perform the service. If the service does not require prequalification, the Project Manager will contact at least three consultant/vendors that can provide the service, and will determine the most qualified consultant/vendor using evaluation criteria appropriate for the service. **NOTE:—If the**

~~selection is for real estate services, then at least five consultant/vendors that can provide the service must be contacted.~~

## 2.6 Best Value Selections

15. Score sheets will be submitted to CSRT for final approval. The Selection Team will evaluate each consultant/vendor's proposal by completing ~~Form 5100C~~ [Form 5100C-BV](#) individually. After each submitting consultant/vendor is scored individually by everyone on the Selection Team, the Selection Team should hold a consensus meeting where ~~Form 5100C~~ [Form 5100C-BV](#) should be filled out for each submitting consultant/vendor with consensus comments and scores. Please note that comments are required for each scoring criteria being evaluated.

## 6.9 Version 10 Changes (October 1, 2018)

Performed several grammatical/formatting changes that did not alter the intent/direction provided within these guidelines.

### 1.4. Selection Team

Selection Team Members shall consist of at least three persons which will include at least one member from a different reporting relationship and a member from specialty areas as needed, such as, but not limited to ITS, geotechnical engineering services, etc. In addition, 25% of Tier II selections will be randomly selected and an additional MDOT employee will be included in the Selection Team, acting as a CSRT delegate. The CSRT delegates will be alternately selected from a pool of MDOT staff trained in this capacity. ~~For QBS Tier III selections, the Selection Team will consist of two members of the CSRT and three additional members, of which one must from outside the Project Manager's Region, Division, or office, depending upon their work location. For Best Value, Qualifications/Low Bid and Low Bid Tier III selection the Selection Team will be comprised of at least four people, including a CSRT member, and at least one of the remaining three members of the Selection Team should be from a different reporting relationship.~~

### 1.15 Notice of Selection

The Selected consultants for Tiers I, II, and III selections will be posted to MDOT's website after applicable approvals have been received. Both total scores and individual category scores will be provided ~~for all proposals scored~~ on selections made in Tiers II and III. Only the selected Consultants name will be provided; however, each consultant will receive their individual score sheet from MDOT via e-mail. This will enable each proposing consultant to compare their scores with the other proposers. ~~QBS Tier III scores, including scores for those consultants who are not included on the short list, will be posted for all submittals when the final selection is completed and approved.~~

### 1.16 Debriefing

Feedback ~~will~~ **may** be provided by Project Managers for all Tier I, Tier II and Tier selections **at the request of the consultant.** ~~Feedback will be provided for QBS Tier III selections as follows:~~

- ~~1. For those consultants seeking feedback that were included on the short list, a member of the CSRT team responsible for the final selection will provide feedback. The CSRT member may seek additional clarification from the Project Manager, if determined necessary.~~
- ~~1. For those consultants seeking feedback that were not included on the short list, the Project Manager will provide feedback.~~

Feedback will be provided via phone, e-mail, or in person, as determined by the MDOT Project Manager.

## **2.2. (QBS) Selection - Tier I – Services Estimated Between \$50,000 and \$150,000**

1. The MDOT Project Manager will assemble a scope of work which includes details of the services needed, an anticipated schedule, and what prequalification classifications, both primary and secondary, are required. ~~The Disadvantaged Business Enterprise (DBE) requirement is also identified within the scope of work.~~
- ~~2. The Project Manager Should assure that adequate funding is in place or will be when the contract/authorization is to be awarded prior to the award of the contract/authorization.~~

## **2.3 QBS Selection – Tiers II (\$150,000 - \$1,000,000) and III (Over \$1,000,000)**

1. The MDOT Project Manager will assemble a scope of work which includes details of the services needed, an anticipated schedule, and what prequalification classifications, both primary and secondary, are required. ~~The Disadvantaged Business Enterprise (DBE) requirement is also identified within the scope of work.~~
- ~~2. The Project Manager Should assure that adequate funding is in place or will be when the contract/authorization is to be awarded prior to the award of the contract/authorization.~~

### ~~10. QBS Tier III Selections (1 or 2 vendors selected)~~

- ~~a. Selection Teams will short list proposals to three to five vendors~~
- ~~b. Comments only from the original selection team will be submitted to a two member CSRT team to review proposals and comments. The numeric scores derived by the original selection team will not be provided to the two CSRT member team.~~
- ~~c. The two CSRT members will provide scores for the short listed consultants and determine the selection.~~
- ~~d. Score sheets will be submitted to CSRT for final approval. CSRT approval members will not be the same members as those who scored the selection.~~
- ~~e. Score sheets will be sent and all scores posted once the final selection is approved.~~

### 10. QBS Tier III Selections (3 or more vendors selected)

- a. The Selection Team will consist of:
  - i. Two members of the CSRT,
  - ii. Three additional members, of which one must be from outside the Project Manager's Region, Division, or office, depending upon their work location.

The Selection Analyst will notify CSRT at the time of posting of the RFP and the assigned CSRT members will contact the Project Manager to coordinate the proposal evaluation meeting. The Project Manager will be required to designate and notify the remaining team members.

#### **2.4. Qualifications Based (QBS)/Low Bid Selections (Two-Tier Process)**

1. The MDOT Project Manager will assemble a scope of work which includes details of the services needed, an anticipated schedule, and what prequalification classifications, both primary and secondary, are required. ~~The Disadvantaged Business Enterprise (DBE) requirement is also identified within the scope of work.~~
2. ~~The Project Manager Should assure that adequate funding is in place or will be when the contract/authorization is to be awarded prior to the award of the contract/authorization.~~

#### **2.5. Low Bid Selections**

1. The MDOT Project Manager will assemble a scope of work which includes details of the services needed, an anticipated schedule, and what prequalification classifications, both primary and secondary, are required. ~~The Disadvantaged Business Enterprise (DBE) requirement is also identified within the scope of work.~~
2. ~~The Project Manager Should assure that adequate funding is in place or will be when the contract/authorization is to be awarded prior to the award of the contract/authorization.~~

#### **2.6 Best Value Selections**

1. The MDOT Project Manager will assemble a scope of work which includes details of the services needed, an anticipated schedule, and what prequalification classifications, both primary and secondary, are required. ~~The Disadvantaged Business Enterprise (DBE) requirement is also identified within the scope of work.~~
2. ~~The Project Manager Should assure that adequate funding is in place or will be when the contract/authorization is to be awarded prior to the award of the contract/authorization.~~

### **6.10 Version 11 Changes (October 30, 2018)**

#### **1.7 Addenda to RFP Version 11**

If it becomes necessary to revise any part of the RFP, addenda will be posted on the MDOT website. ~~It is the responsibility of the Consultant to monitor the website, and implement any changes into their responses, as applicable.~~

## **6.11 Version 12 Changes (March 11, 2019)**

### **1.1. Request for Proposal (RFP)**

For each needed service over ~~\$50,000~~ **\$100,000**, a Michigan Department of Transportation (MDOT) Selection Team is chosen. The MDOT Project Manager and Contract Services Division (CSD) are responsible for determining which prequalification classifications, if any, are required for the service. The MDOT Project Manager develops the Request for Proposal (RFP) which is a combination of the scope of work and completed [Form 5100B](#) that gives the consultant/vendors information on the selection.

The Project Manager, with assistance from Contract Services Division and in accordance with these Guidelines, will determine the type of selection needed. In accordance with the Federal Highway Administration (FHWA), Federal Aviation Administration (FAA) regulations, Federal Railroad Administration (FRA) and Federal Transit Administration (FTA), professional services (as defined by the Brooks Act below) that are ~~\$150,000~~ **\$250,000** or greater must be selected using Qualifications-Based Selection (QBS).

Requests for Proposal (RFPs) for all services greater than ~~\$50,000~~ **\$100,000** will be posted on MDOT's website.

#### **1.1.1. Brooks Act**

Brooks Act services for projects valued at ~~\$150,000~~ **\$250,000** or more, are defined as "professional services of an architectural or engineering nature, as defined by State law, if applicable, which are required to be performed or approved by a person licensed, registered, or certified to provide such services as described in this paragraph; professional services of an architectural or engineering nature performed by contract that are associated with research, planning, development, design, construction, alteration, or repair of real property; and such other professional services of an architectural or engineering nature, or incidental services, which members of the architectural and engineering professions (and individuals in their employ) may logically or justifiably perform, including studies, investigations, surveying and mapping, tests, evaluations, consultations, comprehensive planning, program management, conceptual designs, plans and specifications, value engineering, construction phase services, soils engineering, drawing reviews, preparation of operating and maintenance manuals, and other related services."

#### **1.1.3. Request for Proposal Advertisement Period**

On a quarterly basis, MDOT will post on the website a list of potential service opportunities that are anticipated to be advertised during that quarter. These are services that will exceed ~~\$50,000~~ **\$100,000**. This list is for informational purposes only and does not guarantee that all services listed will be advertised. If the advertised service was not on a prior quarterly



anticipated listing, additional advertisement time may be required.

Following are typical advertisement periods:

Anticipated Service Value	Posted on Quarterly Anticipated Listing	Typical Advertisement Period
<del>\$50,000</del> - <del>\$100,000</del> - \$500,000	No	21 Calendar Days
	Yes	14 Calendar Days
Over \$500,000	No	28 Calendar Days
	Yes	28 Calendar Days

### 1.2. Tiers

This Guideline defines the type of RFP based on the estimated cost of the service. Projects are categorized based on estimated service fees in the following manner:

RFP Type	Anticipated Service Cost
No Tier	Under <del>\$50,000</del> <del>\$100,000</del>
Tier I	<del>\$50,000</del> <del>\$100,000</del> - <del>\$150,000</del> - <del>\$250,000</del>
Tier II	<del>\$150,000</del> <del>\$250,000</del> - <del>\$1,000,000</del> <del>\$1,500,000</del>
Tier III	<del>\$1,000,000</del> <del>\$1,500,000</del> and Over

### 1.9. Disclosures

The information provided in the consultant/vendor’s proposal will be kept confidential by MDOT.

Except for services under ~~\$50,000~~ ~~\$100,000~~ where phone solicitations are acceptable, MDOT personnel shall not discuss the selection, scope, or qualifications of consultant/vendors until the selection is approved.

### 2.1. Services Estimated at Less than ~~\$50,000~~ ~~\$100,000~~

Services selected by this process cannot be amended to exceed ~~\$50,000~~ ~~\$100,000~~. Services that exceed ~~\$50,000~~ ~~\$100,000~~ cannot be broken down into smaller components merely to permit the use of this selection process. If it is anticipated that the cost of the service could eventually exceed ~~\$50,000~~ ~~\$100,000~~, the Tier I, II, or III process must be followed.

**2.2 QBS) Selection - Tier I – Services Estimated Between ~~\$50,000~~**\$100,000** and ~~\$150,000~~**\$250,000****

All services selected by this process cannot be amended to exceed ~~\$150,000~~**\$250,000**. Services that exceed ~~\$150,000~~**\$250,000** cannot be broken down into smaller components merely to permit the use of the Tier I selection process. If it is anticipated that the cost of the service could eventually exceed ~~\$150,000~~**\$250,000**, the Tier II or Tier III process must be followed.

**2.3 QBS Selection – Tiers II ~~\$150,000~~**\$250,000**- ~~\$1,000,000~~**\$1,500,000**) and III (Over ~~\$1,000,000~~**\$1,500,000**)**

**2.7. Multi-Vendor As-Needed Selections (Two-Tier Process)**

In accordance with 23 CFR 172.9(a)(3)(iv)(B)(2), all selections for as needed services in which more than one vendor is selected to perform the as-needed service(s), an additional Qualifications-Based Selection procedure (second tier selection) must be performed to select the most qualified consultant for each specific task. The exceptions to this rule are:

1. When multiple vendors are selected to perform as-needed inspection, testing, as-needed CE, etc. on construction projects, and unique items of work or areas of work are assigned to each vendor, on the RFP that was advertised, a single-tier, QBS selection may be performed. The MDOT Project Manager would select the vendor assigned to the specific task, locations, etc. to perform the as-needed work, without any additional documentation.
2. When multiple vendors are selected to perform tasks uniquely assigned to each vendor on the same project (i.e. Vendor #1 is assigned Work Zone Maintenance of Traffic, Vendor #2 is assigned Roadway Design), the MDOT Project Manager would select the vendor assigned to the specific task to perform the as-needed work, without any additional documentation.
3. The total project value does not exceed ~~\$150,000~~**\$250,000** and was advertised as an under ~~\$50,000~~**\$100,000** selection or a Tier I selection.

**3.2.1 Understanding of Service and Innovations (If Applicable)**

**This section is optional for all Tiers.** The Project Manager may choose to require or not to require the Understanding of Service and Innovations requirements on any solicitation. This section should be required only under the following circumstances:

1. When the complexity of the service needs written verification by the consultant/vendors of their understanding.

2. When it is anticipated that the scores for the Qualifications of the Team section will not be sufficient to differentiate or determine the most qualified team.

This section must be required only when the project is part of the Mentor-Protégé program.

### 3.2.3 Quality Assurance / Quality Control (QA/QC) Plan

This section is not required for Under ~~\$50k~~**\$100,000** through Tier II selections and is optional for Tier III selections.

### 3.2.4 Resumes of Key Staff

Resumes are not required for **services** estimated ~~services~~ under ~~\$150,000~~ **\$250,000** (Tier I and smaller). Proposals will be considered non-responsive if resumes are included for QBS Tier I Selections.

**Tier I Selection** – the selection process for vendors/consultants for services estimated between ~~\$50,000~~**\$100,000** and ~~\$150,000~~ **\$250,000** in value.

**Tier II Selection** - the selection process for vendors/consultants for services estimated between ~~\$150,000~~ **\$250,000** and ~~\$1,000,000~~ **\$1,500,000** in value.

## 5. Definitions

**Tier I Selection** – the selection process for vendors/consultants for services estimated between ~~\$50,000~~**\$100,000** and ~~\$150,000~~ **\$250,000** in value.

**Tier II Selection** - the selection process for vendors/consultants for services estimated between ~~\$150,000~~ **\$250,000** and ~~\$1,000,000~~ **\$1,500,000** in value.

**Tier III Selection** - the selection process for vendors/consultants for services estimated at ~~\$1,000,000~~ **\$1,500,000** and greater in value.

### 6.12 Version 13 Changes (January 1, 2020)

Performed several grammatical/formatting changes that did not alter the intent/direction provided within these guidelines.

#### 1.1 Request for Proposal (RFP)

For each needed service over ~~\$100,000~~ **\$250,000**, a Michigan Department of Transportation (MDOT) Selection Team is chosen. The MDOT Project Manager and Contract Services Division (CSD) are responsible for determining which prequalification classifications, if any, are required for the service. The MDOT Project Manager develops the Request for Proposal (RFP) which is a combination of the scope of work and completed [Form 5100B](#) that gives the consultant/vendors

information on the selection.

The Project Manager, with assistance from Contract Services Division and in accordance with these Guidelines, will determine the type of selection needed. In accordance with the Federal Highway Administration (FHWA), Federal Aviation Administration (FAA) regulations, Federal Railroad Administration (FRA) and Federal Transit Administration (FTA), professional services (as defined by the Brooks Act below) that are \$250,000 or greater must be selected using Qualifications-Based Selection (QBS).

Only selections for services utilizing any Federal funding that deviate from these Guidelines will require concurrence from the appropriate Federal entity (FHWA, FAA, FRA, or FTA).

Requests for Proposal (RFPs) for all services greater than ~~\$100,000~~ \$250,000 will be posted on MDOT’s website.

**1.1.2 Qualifications-Based Selection (QBS)**

The Michigan Department of Transportation (MDOT) uses a QBS process, low bid process, best value process, or a QBS/low bid process for procuring services. QBS is a procurement process for the competitive selection of services under which the most competent consultant/vendor is selected based on qualifications such as knowledge, skill, experience, and other project-specific factors, rather than cost. Cost cannot be considered when selecting a consultant/vendor utilizing the QBS process. Fair and reasonable cost is negotiated with the selected consultant/vendor for the agreed-upon scope of services.

**1.1.3 Request for Proposal Advertisement Period**

On a quarterly basis, MDOT will post on the website a list of potential service opportunities that are anticipated to be advertised during that quarter. These are services that will exceed ~~\$100,000~~ \$250,000. This list is for informational purposes only and does not guarantee that all services listed will be advertised. If the advertised service was not on a prior quarterly anticipated listing, additional advertisement time may be required.

Following are typical advertisement periods:

Anticipated Service Value	Posted on Quarterly Anticipated Listing	Typical Advertisement Period
<del>\$100,000</del> \$250,000 - \$500,000	No	21 Calendar Days
	Yes	14 Calendar Days
Over \$500,000	No	28 Calendar Days
	Yes	28 Calendar Days

## 1.2 Tiers

This Guideline defines the type of RFP based on the estimated cost of the service. Projects are categorized based on estimated service fees in the following manner:

RFP Type	Anticipated Service Cost
No Tier	<del>\$0 - \$100,000</del>
Tier I	<del>\$100,000</del> \$0 - \$250,000
Tier II	\$250,000 - \$1,500,000
Tier III	\$1,500,000 and Over

## 1.4 Selection Team

Selection Team Members shall consist of at least three persons which will include at least one member from a different reporting relationship and a member from specialty areas as needed, such as, but not limited to ITS, geotechnical engineering services, etc. In addition, 25% of Tier II selections will be randomly selected and an additional MDOT employee will be included in the Selection Team, acting as a **Central Selections Review Team (CSRT)** delegate. The CSRT delegates will be alternately selected from a pool of MDOT staff trained in this capacity. For QBS Tier III selections, the Selection Team will consist of two members of the CSRT, **the MDOT Project Manager**, and ~~three~~ **two** additional members, of which one must ~~be from outside the Project Manager's Region, Division, or office, depending upon their work location.~~ **have a different reporting relationship from the MDOT Project Manager.** For Best Value, Qualifications/Low Bid and Low Bid Tier III selection the Selection Team will be comprised of at least four people, including a CSRT member, and at least one of the remaining three members of the Selection Team should be from a different reporting relationship.

Unless ~~otherwise approved~~ **another individual is appointed by the Division Administrator, Bureau Director, Office Director/Administrator, or Region Engineer in writing to perform all the duties of a Project Manager through selection,** the Project Manager will be part of the Selection Team. Any deviation from the Selection Team make up will require Region Engineer/Division Administrator approval. Specific selection team requirements are identified under each selection type further in this document.

### 1.4.1 Selection Team Member's Conflict of Interest

The Project Manager, **or otherwise appointed individual to perform the duties of the Project Manager through selection,** must assure that no member(s) on the team has any appearance of a conflict of interest. Any member that has a conflict of interest shall be removed from the Selection Team. If there is participation on the Selection Team from non-MDOT employees, they must complete [Form 5100F](#).

## 1.6 Inquiries

All questions regarding the scope of work in the RFP must be submitted by e-mail to the MDOT Project Manager or as directed in the RFP. Questions shall be received a minimum of five (5) business days prior to the date and time that the proposal is due unless otherwise stated in RFP. **The MDOT Project Manager will strive to place all questions and their answers send the questions with the appropriate responses to MDOT-CSD-Selections@michigan.gov with sufficient time to post these Questions/Answers on the MDOT website within 48 hours of receipt of the questions. The names of the consultant/vendors submitting questions will not be disclosed.**

## 1.9 Disclosures

The information provided in the consultant/vendor's proposal will be kept confidential by MDOT. **However, all information in a consultant/vendor's proposal and any contract resulting from the RFP are subject to disclosure under the provisions of the "Freedom of Information Act," 1976 Public Act No. 442, as amended, MCL 15.231, et seq.**

Except for services under ~~\$100,000~~ **\$250,000 (Tier I)** where phone solicitations are acceptable, MDOT personnel shall not discuss the selection, scope, or qualifications of consultant/vendors until the selection is approved.

~~All information in a consultant/vendor's proposal and any contract resulting from the RFP are subject to disclosure under the provisions of the "Freedom of Information Act," 1976 Public Act No. 442, as amended, MCL 15.231, et seq.~~

## 1.12 Title VI Notice to the Public

It is the Michigan Department of Transportation's (MDOT) policy to ensure no person shall, on the grounds of race, color, **or** national origin, ~~or sex, as provided by Title VI of the Civil Rights Act of 1964~~ be excluded from participation in, be denied the benefits of, or be otherwise **subjected to discrimination against under any programs and activities program or activity, whether those programs and activities are federally funded or not, as provided by Title VI of the Civil Rights Act of 1964 and Civil Rights Restoration Act of 1987.** Any person who believes his/her Title VI protection has been violated may file a complaint with MDOT's Title VI Coordinator. Title VI complaint forms and/or advice may be acquired by calling (517) ~~373-0980~~ **241-7462** or by visiting the Department's [Title VI website](#).

## 2.1 (QBS) Selection - Tier I - Services Estimated at Less than ~~\$100,000~~ **\$250,000**

Services selected by this process cannot be amended to exceed ~~\$100,000~~ **\$250,000**. Services that exceed ~~\$100,000~~ **\$250,000** cannot be broken down into smaller components merely to permit the use of this selection process. If it is anticipated that the cost of the service could eventually exceed ~~\$100,000~~ **\$250,000**, the Tier I, II or **Tier III** process must be followed.

- 8) Negotiations will proceed with the selected consultant/vendor following the ~~Priced Proposal Guidelines~~ instructions provided within the Priced Proposal Template available on MDOT's website. Once negotiations have been initiated with the selected consultant/vendor, they will continue until successful completion, unless authorization to break off negotiations has been received from the Region Engineer/Division Administrator. If for any reason negotiations are unsuccessful, the Project Manager may proceed to the next most qualified and approved vendor from the original selection.

### **Removed Section 2.2 (QBS) Selection - Tier I - Services Estimated Between \$100,000 and \$250,000**

### **2.2 QBS Selection – Tiers II (\$250,000 - \$1,500,000) and III (Over \$1,500,000)**

#### 10. QBS Tier III Selections

- a. The Selection Team will consist of:
  - i. Two members of the CSRT,
  - ii. The MDOT Project Manager
  - iii. ~~Three~~ Two additional members, of which one must be from outside the Project Manager's Region, Division, or office, depending upon their work location have a different reporting relationship from the MDOT Project Manager.

18. Negotiations will proceed with the selected consultant/vendor following the ~~Priced Proposal Guidelines~~ instructions provided within the Priced Proposal Template available on MDOT's website. Once negotiations have been initiated with the selected consultant/vendor, they will continue until successful completion, unless authorization to break off negotiations has been received from the Region Engineer/Division Administrator. If for any reason negotiations are unsuccessful, the Project Manager may proceed to the next most qualified and approved vendor from the original selection.

### **2.3 Qualifications Based (QBS)/Low Bid Selections (Two-Tier Process)**

2. If MDOT only receives one response to a RFP and the project is funded by FHWA funds, then FHWA approval is required. The Selection Team will determine if the selection is acceptable prior to seeking FHWA approval. If the selection is approved by the MDOT Selection Team, the process defined in Section 2.8.1 Sole Source/Inadequate Competition Selections will be followed to attain FHWA review and approval. ~~following process will be followed to attain FHWA review and approval:~~

- ~~• MDOT Project Manager emails a write up consisting of the vendor's name, the description of work, the amount of time the RFP was advertised for, the estimated cost of service and the vendor's past performance on similar tasks to the Selection Analyst.~~
- ~~• Selection Analyst reviews the information provided by the MDOT PM and forwards~~

~~the information to FHWA via email for review and approval.~~

- ~~• FHWA approval of the selection will be retained in the project file within Contract Services.~~

## 2.4 Low Bid Selections

### 10. Low Bid Tier III Selections

- c. Low bid Tier III Selections will be presented to CSRT for information only.
  - If MDOT only receives one response to a RFP and the project is funded by FHWA funds, then FHWA approval is required. The Selection Team will determine if the selection is acceptable prior to seeking FHWA approval. If the selection is approved by the MDOT Selection Team, **the process defined in Section 2.8.1 Sole Source/Inadequate Competition Selections will be followed to attain FHWA review and approval.** ~~following process will be followed to attain FHWA review and approval:~~
    - ~~○ MDOT Project Manager emails a write up consisting of the vendor's name, the description of work, the amount of time the RFP was advertised for, the estimated cost of service and the vendor's past performance on similar tasks to the Selection Analyst.~~
    - ~~○ Selection Analyst reviews the information provided by the MDOT PM and forwards the information to FHWA via email for review and approval.~~
    - ~~○ FHWA approval of the selection will be retained in the project file within Contract Services.~~

## 2.5 Best Value Selections

- 17. If MDOT only receives one response to a RFP and the project is funded by FHWA funds, then FHWA approval is required. The Selection Team will determine if the selection is acceptable prior to seeking FHWA approval. If the selection is approved by the MDOT Selection Team, **the following process will be followed defined in Section 2.8.1 Sole Source/Inadequate Competition Selections will be followed** to attain FHWA review and approval.
  - ~~i. MDOT Project Manager emails a write up consisting of the vendor's name, the description of work, the amount of time the RFP was advertised for, the estimated cost of service and the vendor's past performance on similar tasks to the Selection Analyst.~~
  - ~~ii. Selection Analyst reviews the information provided by the MDOT PM and forwards the information to FHWA via email for review and approval.~~
  - ~~iii. FHWA approval of the selection will be retained in the project file within~~



## ~~Contract Services.~~

### **Added 2.7.1 Sole Source/Inadequate Competition Selections**

### **3.2 Proposal Information and Scoring**

All text within the proposal shall be 12-point font size with the exception of resumes, forms, exhibits/graphics, and tables. Resumes, forms, exhibits/graphics, and tables may have smaller fonts. Proposals not adhering to this requirement may be considered non-responsive.

## **5. Definitions**

~~**Indefinite Delivery of Services (IDS) Contract** – These contracts are multi-year contracts that do not contain any work but establish funding maximums and overall contract timelines at the time of execution. The contract establishes a relationship with the vendor and provides a mechanism so that "authorizations" can be issued when work is ready to proceed. The work and dollars for specific work tasks are added at a later time via an authorization. The provisions of the contract apply during the activities initiated by the authorization.~~

**Project Manager (PM)** – the person responsible for ~~determining the need for services.~~ Oversees and evaluates the work. **leading a project from its inception to execution. This includes development and management of the project scope of work, overseeing the selection and contracting (as needed), developing and managing the project budget, providing oversight and direction for the execution of the project, managing the project schedule, reviewing and approving vendor invoices (as needed), management of consultant contracts (as needed), and managing and directing staff (including both internal and external) assigned to the completion of the project.**

### **6.13 Version 14 Changes (March 5, 2020)**

Performed several grammatical/formatting changes that did not alter the intent/direction provided within these guidelines.

#### **1.1 Request for Proposal (RFP)**

~~For each needed service over \$250,000, a Michigan Department of Transportation (MDOT) Selection Team is Chosen.~~ The MDOT Project Manager and/or Contract Services Division (CSD) are responsible for determining which prequalification classifications, if any, are required for the service. The MDOT Project Manager develops the Request for Proposal (RFP) which is a combination of the scope of work and completed [Form 5100B](#) that gives the consultant/vendors information on the selection.

#### **1.1.3 Request for Proposal Advertisement Period**

Federal funding and whether engineering services are required for the project will also affect the amount of time a project is advertised. Projects without Federal funding (100% State funded) in the project phase being advertised (i.e. PE, PE-S, CON, etc.) AND with engineering,

architecture, or surveying services required, may be advertised for one (1) week or two (2) weeks depending upon the complexity of the proposal deliverables. For 100% State funded projects with engineering, architecture, or surveying services required, scopes requiring the submittal of an Understanding of Service section (see Section 3.2.1 Understanding of Service and Innovations (If Applicable)) must be advertised for 2 weeks. For 100% state funded projects with engineering, architecture, or surveying services required, that do not require the submittal of an Understanding of Service, the projects may be advertised for either one (1) or two (2) weeks depending upon the complexity of the project and will be at the MDOT Project Manager’s discretion. For projects with any Federal funding in the project phase, see the typical advertisement period table below.

Following are typical advertisement periods:

**Federally Funded Phases**

Anticipated Service Value	Engineering and/or Architecture, and/or Surveying Services Required for Project	Posted on Quarterly Anticipated Listing	Typical Advertisement Period
\$250,000 - \$500,000	Yes or No	No	21 Calendar Days
	Yes or No	Yes	14 Calendar Days
Over \$500,000	Yes or No	Yes or No	28 Calendar Days

**State Funded Phases (100% State Funding)**

Anticipated Service Value	Engineering and/or Architecture, and/or Surveying Services Required for Project	Posted on Quarterly Anticipated Listing	Typical Advertisement Period
\$250,000 - \$500,000	No	No	21 Calendar Days
	No	Yes	14 Calendar Days
	Yes	Yes or No	7 to 14 Calendar Days
Over \$500,000	No	Yes or No	28 Calendar Days
	Yes	Yes or No	7 to 14 Calendar Days

If MDOT determines that an advertisement period shorter than listed in the above table is warranted due to the nature of the work or timeline, Region Engineer/Division Administrator approval will be obtained, and MDOT will indicate on our advertisement page the “Shortened Advertisement Period”. MDOT will also put a note in either the paper file or an electronic file detailing the justification for the shortened advertisement period. **Advertisements with Federal funding in the project phase shall not be less than 14 days.** Only in very unusual circumstance and with the approval of FHWA, can the minimum 14-day advertisement period be reduced **on projects with Federal funding in the project phase.**

## 1.6 Inquiries

All questions regarding the scope of work in the RFP must be submitted by e-mail to the MDOT Project Manager or as directed in the RFP. Questions shall be received a minimum of ~~five (5)~~ **three (3)** business days prior to the date and time that the proposal is due unless otherwise stated in RFP.

## 1.9 Disclosures

The information provided in the consultant/vendor's proposal will be kept confidential by MDOT. However, all information in a consultant/vendor's proposal and any contract resulting from the RFP are subject to disclosure under the provisions of the "Freedom of Information Act," 1976 Public Act No. 442, as amended, MCL 15.231, et seq.

~~Except for services under \$250,000 (Tier I) where phone solicitations are acceptable, MDOT personnel shall not discuss the selection, scope, or qualifications of consultant/vendors until the selection is approved.~~

The consultant/vendor may contact MDOT Contract Administration staff at any time with general questions concerning the selection and/or contracting process.

## 2.1 Selection - Tier I - Services Estimated at Less than \$250,000

~~Services selected by this process cannot be amended to exceed \$250,000. Services that exceed \$250,000 cannot be broken down into smaller components merely to permit the use of this selection process. If it is anticipated that the cost of the service could eventually exceed \$250,000, the Tier II or Tier III process must be followed.~~

The Tier I process is separated into two (2) separate processes:

- QBS selections process
  - o This process must be utilized **only for projects with engineering, architectural, or surveying services**
- Non-QBS selections process
  - o This process must be utilized **only for projects without engineering, architectural, or surveying services**

These two processes are described in detail below.

### **Added 2.1.1 (QBS) Selection - Tier I - Services Estimated at Less than \$250,000**

### **Added 2.1.2 (non-QBS) Selection - Tier I - Services Estimated at Less than \$250,000**

## **2.2 QBS Selection – Tiers II (\$250,000 - \$1,500,000) and III (Over \$1,500,000)**

Services selected by this process may include Federal funding.

## **Added 2.3 (QBS) Selection – 100% State Funded Only - Services Estimated Greater than \$250,000**

### **3.2.2 Qualifications of the Team**

#### **4. Location**

The consultant/vendor selection criteria ~~will~~ **may** include a consideration of what percentage of the contracted work will be performed in Michigan.

### **3.2.4 Resumes of Key Staff**

~~Resumes are not required for services estimated under \$250,000 (Tier I). Proposals will be considered non-responsive if resumes are included for QBS Tier I Selections.~~ The consultant/vendor will provide resumes (limit 2 pages per person) for each of the key staff of the prime and sub-consultant/vendors.

### **3.2.5 Past Performance**

This section ~~must~~ **will** be scored ~~for all solicitations~~ **when applicable**; however, consultants/vendors shall not provide a separate written section documenting their past performance or project summaries other than what is already included in the resumes for key staff.