



**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES**

**PUBLIC WORKS PROFESSIONAL
SELECTIONS PROCESS**

GUIDELINES

2020 Edition

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1. INTRODUCTION

The purpose of this Professional Selections Guidelines (Guidelines) is to describe the normal process and steps that will be undertaken by the Department of General Services Public Works personnel (DGS) when procuring a design professional(s) for a capital project.

2. SELECTION SCORING MATRIX WEIGHTING, POST SHORT-LIST REQUIREMENTS, AND GOAL SETTING

Prior to the Notice of Meeting of the Selections Committee for Professional Selections for capital project(s), an inter-agency “Ad-Hoc Committee” may be formed. The Ad-Hoc Committee, if formed, shall be specific to a particular project and be comprised of at least one, but not more than two representatives from DGS and at least two, but not more than three representatives from the agency for which the project is to be designed and constructed. The Ad-Hoc Committee shall meet to review the project program and weight the criteria on the Selection Scoring Matrix for which professions will be evaluated, **Exhibit A**. The Ad-Hoc Committee will also determine what, if any, additional information will be requested from the firms short-listed by the Selection Committee. This information may include, but is not limited to, detailed work plans, interviews, non-binding fee proposals, etc. The request for additional information that will be required from the short-listed firms will be published in the project advertisement.

Also prior to the Notice of Public Meeting, Public Works will provide the Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO) the project program and information on the scope of the project. BDISBO, in collaboration with Public Works, will establish minimal SDB and VBE participation goals for the project based on the project program information and the location of the project. These goals will be published in the project advertisement and included in the Solicitation Documents folder.

3. SELECTION SCORING MATRIX

The selection scoring matrix has five sections that correspond to the factors established in the Commonwealth Procurement Code.

The factors outlined in the Procurement Code consist of:

- 905(e)(2)(i) Equitable distribution of contracts to design professionals.
- 905(e)(2)(ii) Particular capability to perform the design services for the contract being considered.
- 905(e)(2)(iii) Geographic proximity of the design professional to the proposed facility.
- 905(e)(2)(iv) Necessary available personnel to perform the services required by the project.
- 905(e)(2)(v) Other relevant circumstances peculiar to the proposed contract.

Factor 5 of the scoring matrix, “Other relevant circumstances”, will be utilized to evaluate the applicant’s past performance with Public Works. Additional items for consideration have also been described under the five factors. The Ad-hoc Committee assigns maximum point values to each factor or sub-factor. The distribution of points will vary per project. Factor 5, Professional Evaluation, will always receive a minimum of 200 of the points.

4. PUBLIC NOTICE

The Notice of Public Meeting of the Selections Committee for Professional Selections for capital projects will be posted on DGS' website approximately sixty (60) days prior to the meeting date. Public notice of the project will be given in the same manner as a public notice is given for the competitive sealed bidding process. Applicants will be given a reasonable time, approximately four weeks between the Notice of the Meeting and the Application Submission Deadline, to prepare and submit an application.

5. DESIGN PROFESSIONAL SELECTION APPLICATION FOR SPECIFIC PROJECT & SMALL DIVERSE BUSINESS (SDB) AND VETERAN BUSINESS ENTERPRISE (VBE) PARTICIPATION FORMS

The Application (**Exhibit B**), SDB Participation forms (**Exhibit C**), and VBE Participation forms (**Exhibit D**), will be available to download through e-Builder, a web-based construction management system. Firms interested in applying will be required to register with e-Builder. A link in the eMarketplace advertisement will direct firms to the e-Builder registration site. A new application and SDB and VBE Participation forms must be completed and uploaded electronically, by the application deadline, through an e-Builder bid portal for each project for which the professional is interested in being considered.

To be considered by DGS, the Application shall be responsive and responsible. Failure to include the SDB and VBE Participation forms will result in rejection of the Application as non-responsive. The SDB and VBE Participation forms will be reviewed by BDISBO and Public Works immediately following the application deadline for compliance. Applications with non-compliant SDB or VBE Participation forms will be disqualified. Compliant applications will be reviewed by Public Works and the Selections Committee to evaluate how firms meet the criteria in the Scoring Matrix.

The application form may not be altered. Additional attachments to the Application are not permitted. Public Works will score the Distribution of Work, Geographic Location, and Professional Evaluation categories. The Selection Committee will evaluate the Capacity of the applicants to Perform Design Services and the Ability to provide Necessary Personnel.

6. SELECTION COMMITTEE

The Selections Committee for Professional Selections is appointed by the Governor in accordance with the Procurement Code. It is comprised of five members, none of whom may be employees of the Commonwealth or hold any elective office or office in any political party. The members shall be architects, engineers or other persons knowledgeable in construction. Public Works will give public notice of their meeting at which they will recommend a short-list of qualified design firms for consideration on each project.

At the advertised meeting, the following sequence of events will occur for each project:

- 1) Each Committee member submits their scoring matrices.
- 2) Public Works reads the scores for Sections A, C, and E.
- 3) The Committee members read publicly the scores that they submitted for Section B and D.
- 4) The scores are tallied and totaled for each section.

5) The points for each of the five sections are totaled and the firms with the highest total scores shall be the short-listed firms. The number of short-list firms will typically be three, unless there is a tie. If more than one firm ties for the most points, all firms with the same score shall be included until the total exceeds three. For example: if 4 firms score 800, and the next highest score is 750, the short-list would be the 4 firms that scored 800, and the firm that scored 750 would not be included. If two firms scored 800 and there were 3 firms that score 750 as the next highest total, then both the two firms with 800 and the 3 firms with 750 would make the short-list. If the total number of firms short-listed exceeds 5, DGS reserves the right to ask the Selection Committee to rescore the top firms.

7. AD-HOC COMMITTEE REVIEW OF SHORT-LISTED FIRMS

If additional information is required of the short-listed firms, they will be notified and given approximately four weeks to assemble and submit the additional information. The Ad-Hoc Committee will review the additional information and forward a recommendation to the Secretary of the Department of General Services. If no additional information is required, the Ad-Hoc Committee will review the short-listed firms' applications and forward a recommendation to the Secretary of the Department of General Services. If acceptable, the Secretary will issue a letter to the successful firm notifying them that they will be contacted to commence negotiation on certain aspects of the professional agreement. The unsuccessful firms will also be notified.

8. COMMITTEE STATEMENTS OF CONFIDENTIALITY AND NO CONFLICT OF INTEREST

All Committee members are required to sign a Statement of Confidentiality (**Exhibit E**) and a Statement of No Conflict of Interest (**Exhibit F**). Committee members will sign the Statement of Confidentiality when they are appointed or invited to serve on the Committee. The Statement of Confidentiality ensures that non-public information remains confidential and outside parties do not have access to Committee information and cannot influence the outcome. Any Committee member who violates the terms of these statements is subject to termination.

All others requiring non-public information regarding the selection process shall sign a Statement of Confidentiality (Exhibit E).

Committee members will sign the Statement of No Conflict of Interest when the applications are received and they reviewed the identities of Applicants and consultants for conflicts. Any Committee member that violates the terms of these statements is subject to termination.

9. COMMITTEE AUDITS

The Committee will be subject to random audits by Commonwealth personnel. The audits may include the review of Committee procedures, documents, and decision-making processes.

10. RECEIPT OF APPLICATIONS

All applications must be signed and uploaded electronically through an e-Builder bidder portal by the date and time established in the Notice of Public Meeting. Applications will not be accepted through

any other method of delivery. Any proposal received after the Application Submission Deadline will be rejected.

The e-Builder “bidder portal” permits project specific documents to be reviewed and downloaded, and completed “Design Professional Selection Applications” to be upload (submitted) by design professionals interested in selection for a specific project.

REGISTRATION REQUIREMENTS:

- All Professionals must have a Current, Active Vendor Number to register <https://pasupplierportal.state.pa.us>
- All Professionals must be registered with e-Builder to view/download project documents. Professionals can register with e-Builder through a link in the project specific professional selections advertisement on eMarketplace. <http://www.emarketplace.state.pa.us>

Once registered with e-Builder the professional creates a Username and Password. Upon logging in, the Professional will be required to verify their Company and Contact Information and click on the “Save” button to proceed to the e-Builder “Project Bidding Details” page. This page provides general information and has 3 tabs that allows the professional to review and download documents (Package Invitation tab), submit a completed application and SDB and VBE response packets (Response Form tab) and submit questions (Q&A Board tab).

To review/download project documents, the professional selects the Package Invitation tab, then selects the Invitation Documents sub-tab and then opens the Solicitation Documents folder. Within the folder is the Project Program, the Project Scoring Matrix, the “Design Professional Selection Application for a Specific Project,” SDB and VBE form packets, and other informational documents regarding the selection process. If a professional wishes to submit a “Design Professional Selection Application” for a project, the application and the SDB and VBE Participation forms must be downloaded, completed, uploaded and submitted through this e-Builder bidding portal.

BID PORTAL NOTES:

- Applicants will have up until the close of the bidding period (Application deadline) to remove and resubmit the required application and SDB/VBE forms within the e-Builder bidding module.
- If multiple applications and/or SDB/VBE packets are received from a firm, only the latest version will be accepted as submitted.
- Three separate files need to be uploaded in the Additional Required Info tab of the bidding module prior to the advertised deadline: The Application, the SDB Participation forms, and the VBE Participation forms.

To submit a completed Design Professional Selection Application and the required SDB and VBE participation packets, the professional should return to the e-Builder bidding portal and select the Response Form tab.

- In Step 1: Bid Form: the applicant MUST enter zero (0) as the total cost. Cost is not a consideration for selection, but the module requires an entry, so applicants must enter zero. You

will not be able to submit the application if zero is not entered in Step 1.

- The applicant is to by-pass Step 2: Response Documents and proceed to Step 3. Nothing should be uploaded in Step 2. If additional information is added in Step 2, it will not be considered.
- In Step 3: Additional Required Info: the applicant should leave the Qualifications box empty and upload completed documents for the required “Design Professional Application” field, the “SDB Participation Submittal” field, and the “VBE Participation Submittal” field. If information is added in the Qualification text box, it will not be considered.

After all required documents have been uploaded, the applicant is to select the “Submitted” button on the upper left side of the page to submit the documents. An e-mail confirmation will be issued with a log-in, should the applicant wish to change the submission prior to the deadline.

11. EQUITABLE DISTRIBUTION OF CONTRACTS

DGS Public Works will review the firm’s project application and an existing data base of selections for the past five years. Based on this information, DGS Public Works will assign a percentage of points in this category to the Applicant for the number of contracts awarded and dollar value of the awarded contracts. Applicants with a higher number of past and present projects and/or higher contract values, will receive less points.

12. PARTICULAR CAPABILITY

Each Selection Committee member will independently review and evaluate the firm’s application for the project and based on that information assign a percentage of points to each sub-factor related to capability. To determine the appropriate score to be assigned to each evaluation factor, the Committee members will use their professional expertise and business judgment. Firms and consulting firms demonstrating firm and key personnel’s experience with similar type projects can receive a higher percentage of points. Firms that are experienced with multi-prime contracts, have worked together in the past, and have proposed comprehensive teams, may also receive higher percentages of points for these factors.

13. GEOGRAPHIC PROXIMITY

DGS Public Works will review the firm’s project application and with the assistance of an on-line mapping service, calculate the shortest distance from the project site to the firm’s project office. Based on this information DGS Public Works will assign a percentage of points in this category to the firm based on proximity. Firms in close proximity will receive a higher percentage of points than those farther away.

14. NECESSARY PERSONNEL

Each Selection Committee member will independently review and evaluate the firm’s application for the project and based on the information provided assign a percentage of points to each sub-factor related to personnel. To determine the appropriate score to be assigned to each evaluation factor, the Committee members will use their professional expertise and business judgment. Firms demonstrating firm and consulting firm’s ability to provide sufficient and experienced personnel will receive a higher percentage of points.

15. PROFESSIONAL EVALUATION

DGS Public Works will periodically evaluate its design professionals throughout the course of a capital project and create a database of professional performance scores. The scores of firms that work on multiple DGS projects will be averaged together over a three-year period prior to the application due date. 200 points shall be assigned to this category. An applicant that has not worked for DGS or has no score in the database will receive 100 points. Applicants with better performance will receive a higher amount of points; applicants with poorer performance will receive less points. DGS Public Works will not retroactively score a professional prior to the establishment of the database.

16. NOTICE OF SELECTION

Upon receiving the Secretary's confirmation of the recommended applicant, the DGS Design Project Manager (DPM) will forward the Secretary's appointment letter via e-mail to the applicant. The DPM will then initiate negotiations for certain aspects of the Professional Agreement. DGS Public Works shall post the successful firm's name on DGS' website.

17. NOTIFICATION TO UNSUCCESSFUL PROPOSERS

DGS Public Works will notify the unsuccessful Applicant(s) in writing promptly after their applications are eliminated from consideration.

18. DGS RIGHTS RESERVED

DGS Public Works reserves the right to change these Guidelines. The amended Guidelines will be posted on the DGS website with the changes highlighted for easy comparison to the prior version of the Guideline Edition. If changes are made to the Guidelines, the new guidelines will apply only to selections Notice of Public Meetings issued after the date the changes are posted on the website. In addition, DGS Public Works reserves the right to change the Application for Professional Selections and Scoring Matrix documents. The amended Application for Professional Selections and Scoring Matrix documents will be posted on the DGS website.

END OF TEXT

EXHIBIT A - SELECTION SCORING MATRIX

| PROJECT NO: | PROJECT TITLE: COUNTY: | DATE: | | |
|--|--|-----------------|-----------------|----------------|
| FIRM NAME: | | SAP NO: | | |
| Procurement Code Section | Selection Criteria Description | Points Possible | Percent Awarded | Points Awarded |
| SCORING SUMMARY - 1000 Point Total | | | 0% | 0 |
| A. 905e(2)(i) | Equitable Distribution of Contracts | 0 | 0% | 0 |
| | 1 Firms' number of DGS/Commonwealth contracts within the last five years: | | | 0 |
| | 2 Firm's total fee award for DGS/Commonwealth projects within the last five years: | | | 0 |
| B. 905e(2)(ii) | Particular Capability | 0 | 0% | 0 |
| | 1 Firm's experience with projects of similar size, scope, and complexity including among other factors, public bidding: | | | 0 |
| | 2 Consultant team's experience with projects of similar size, scope, and complexity including among other factors, public bidding: | | | 0 |
| | 3 Firm's past experience working with the proposed consultant team: | | | 0 |
| | | | | 0 |
| | | | | 0 |
| | | | | 0 |
| | | | | 0 |
| | | | | 0 |
| C. 905e(2)(iii) | Geographic Proximity | 0 | 0% | 0 |
| | 1 Distance from firm's project office to project site: | | | 0 |
| | | | | 0 |
| D. 905e(2)(iv) | Necessary Available Personnel | 0 | 0% | 0 |
| | 1 Adequacy of the proposed project team including among other factors, sufficient number of staff for both the prime professional and key consultants: | | | 0 |
| | 2 Proposed project team leadership's experience managing projects of similar size, scope, and complexity: | | | 0 |
| | | | | 0 |
| E. 905e(2)(v) | Other Relevant Circumstances (20% minimum) | 200 | 0% | 0 |
| | 1 Professional Evaluation - Three year average of DGS Public Work's evaluation of the firms performance on DGS capital projects: | 200 | | 0 |
| The final scores for each section will be determined by giving the maximum number of points available per section to the applicant with the highest raw score. All other applicant scores will be pro-rated. | | | | |

EXHIBIT C

Small Diverse Business (SDB)

Participation Cover Sheet

Solicitation/Project #: _____

Issuing Agency: _____

Name of Procurement/Project: _____

SDB Participation Goal (for MBE, WBE, LGBTBE, DOBE, and SDVBE): _____%

Attachments:

- SDB-1 Instructions for Completing SDB Participation Submittal
- SDB-2 SDB Participation Submittal
- SDB-3 SDB Utilization Schedule
- SDB-4 Guidance for Documenting Good Faith Efforts to meet the SDB Participation goal
- SDB-5 Good Faith Efforts Documentation to Support Waiver Request of SDB Participation Goal

EXHIBIT D

Veteran Business Enterprise (VBE)

Participation Cover Sheet

Solicitation/Project #: _____

Issuing Agency: _____

Name of Procurement/Project: _____

VBE Participation Goal (for VBE and SDVBE): _____%

Attachments:

- VBE-1 Instructions for Completing VBE Participation Submittal
- VBE-2 VBE Participation Submittal
- VBE-3 VBE Utilization Schedule
- VBE-4 Guidance for Documenting Good Faith Efforts to meet the VBE participation goal
- VBE-5 Good Faith Efforts Documentation to Support Waiver Request of VBE Participation Goal

EXHIBIT E

STATEMENT OF CONFIDENTIALITY

This statement must be signed by all that require non-public information regarding this Selection Process.

To protect the integrity of the public procurement process and in order to ensure fairness in the evaluation of applications submitted in response to a Notice of Public Meeting, it is very important that non-public information and the contents of applications remain confidential throughout the evaluation process.

I certify that:

1. I will not divulge nor make known, in any manner whatsoever, to any person, other than a member of the Committee or other individual who has signed a confidentiality statement for the same Project, or to an investigatory or law enforcement authority, after consultation with the individual's Office of Chief Counsel, any information (which has not already been made available to the public or all interested Applicants) pertaining to any and all aspects of the Selection including but not limited to the Members of the Committee, discussions during the initial project review meeting, the contents of firms applications, the scoring method, points allotted, evaluator scores, costs, or any other non-public/confidential information regarding the Selection process.
2. I understand that unauthorized sharing of information may give a Applicant an unfair advantage over another Applicant and thereby render the process invalid.
3. I understand that if I divulge such information, I may be subject to disciplinary action, including termination of my employment with the Commonwealth.

By signing below, I acknowledge that I have read and understand the certifications set forth above in this Statement of Confidentiality.

Signature

Date

Name

Project Number

Employing Agency

EXHIBIT F

STATEMENT OF NO CONFLICT OF INTEREST

To protect the integrity of the public procurement process, it is essential that applications be evaluated in an unbiased manner and without conflict of interest. You have been selected to participate as a member of the Selection Committee or Ad-Hoc Committee for the referenced project not only because of your technical expertise, but also because the Deputy Secretary and your supervisor are not aware of any bias, business or family relationships, or any other conflicts that could affect, or which could be perceived to affect, your fair, honest and impartial participation in the evaluation of proposals. As an evaluator you are expected to: 1) discharge your duties impartially so as to assure fair, competitive access to Commonwealth procurement by responsible contractors, and 2) conduct yourself in a manner which fosters public confidence in the integrity of the Commonwealth procurement process.

No Foreseeable Conflict of Interest or Bias

I certify that I, and to the best of my knowledge, my spouse, parent, child, brother or sister (“immediate family”), as defined in the *Public Official and Employee Ethics Act*, 65 Pa. C. S.A. §1102:

1. Are not current employees of any of the Applicants.
2. Are not directors, officers, owners, partners, agents, or representatives of any of the Applicants.
3. Do not hold any stock or any financial interest in any of the Applicants.

I certify that I will NOT, during the Selection process:

1. Solicit or accept, directly or indirectly, any promise of future employment or business opportunity from, or engage, directly or indirectly, in any discussion of future employment or business opportunity with, any director, officer, owner, partner, employee, representative, agent or consultant of an Applicant or their proposed subcontractors.
2. Ask for, demand, exact, solicit, seek, accept, receive, or agree to receive, directly or indirectly, any money, gratuity, or other thing of value from any director, officer, owner, partner, employee, representative, agent, or consultant of an Applicant or their proposed subcontractors for this project. I will advise my immediate family that the acceptance of any such gratuity may be imputed to me as a violation and must therefore be avoided by them.

I understand that my obligations under this certification are of a continuing nature. I will immediately seek the advice of the Department of General Services' Office of Chief Counsel and report the circumstances to my supervisor and to the Deputy Secretary of Public Works if at any time during the Selection process:

1. I receive a contact from an Applicant that submitted a application, or their proposed subcontractors, concerning employment or other business opportunity.
2. I receive an offer of a gift from an Applicant that submitted a proposal, or their proposed subcontractors.
3. I encounter circumstances where my participation might result in a real, apparent, or potential conflict.

Exceptions

Exceptions to the certifications that I have made in completing this certification are listed below. *If additional space is needed, attach additional pages and initial each page of the addition.*

Check here if there are no exceptions to the certifications.

Signature and Certification

I have read and understand the certifications and understanding set out in this document. I further understand that by signing this document, I make the certifications and confirm the understandings herein subject to the provisions and penalties of *18 Pa. C.S. Section 4904 (unsworn falsification to authorities)*.

Signature

Date

Name (print)

Project Number

Employing Agency