

# Understanding the Solicitation Process

## 2019 PEPS Conference

Martha Juch, P.E., CFM, D.WRE  
Mindy Sawyer, P.E.

November 20, 2019

### Presentation Topics

1	• Welcome to PEPS	7	• Program Requirements
2	• Overview of the PEPS Solicitation	8	• Short List Procedure
3	• The Advertisement	9	• HUB or DBE Goal
4	• Description of Services and Submittal Information	10	• Response Submittal & Package
5	• Conflicts, Preclusions, and Core Team Restrictions	11	• Communication during a Solicitation
6	• Work Categories	12	• Wrap-Up

2019 PEPS Conference

November 20, 2019 2

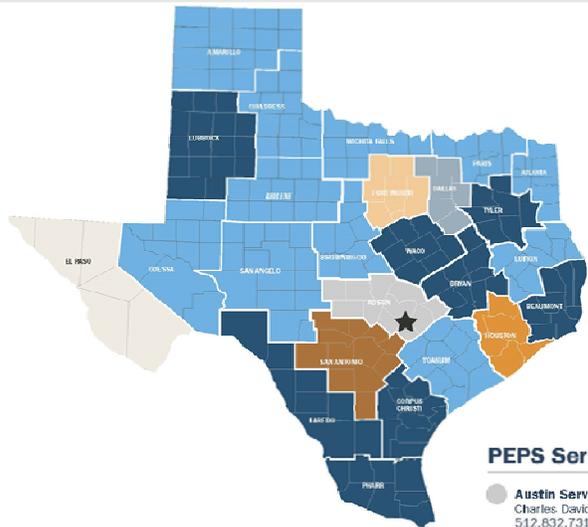
# Welcome to PEPS

Mindy Sawyer, P.E.

2019 PEPS Conference

November 20, 2019

3



## ★ PEPS Division Austin HQ

**PEPS Division Director**  
Martin L. Rodin, PE.  
512.416.2037  
Martin.Rodin@txdot.gov

**Deputy Division Director**  
Lucio Vasquez, PE.  
512.416.2039  
Lucio.Vasquez@txdot.gov

## PEPS Support Services

**Business Operations Center**  
Roy Gonzales  
512.416.2034  
Roy.Gonzales@txdot.gov

**Invoice Center**  
Tira Dobrozensky, CTM  
512.486.5227  
Tira.Dobrozensky@txdot.gov

**Center of Excellence**  
Dani Neal, PE.  
512.416.2667  
Dani.Neal@txdot.gov

**Negotiations Service Center**  
Normie Glasscock, PE.  
817.370.3675  
Normie.Glasscock@txdot.gov

**Controls Center**  
Dione Albert  
512.416.2003  
Dione.Albert@txdot.gov

**Support Services Center**  
Kathy De Luna, CTM, CTCD  
210.615.5601  
Kathy.DeLuna@txdot.gov

## PEPS Service Centers

● **Austin Service Center**  
Charles Davidson, PE., CTM  
512.832.7315  
Charles.Davidson@txdot.gov

● **Fort Worth Service Center**  
Jessica Andrews, PE.  
817.370.3668  
Jessica.Andrews@txdot.gov

● **Service Center for Divisions**  
Kori Rodriguez, PE.  
512.416.2268  
Kori.Rodriguez@txdot.gov

● **Dallas Service Center**  
Joseph Janouska, PE.  
214.320.6187  
Joseph.Janouska@txdot.gov

● **Houston Service Center**  
Gail Morea, PE.  
713.802.5795  
Gail.Morea@txdot.gov

● **Urban Districts Service Center**  
Jaime A. Vela, PE.  
512.416.2007 or 956.712.7730  
Jaime.A.Vela@txdot.gov

● **El Paso Service Center**  
Jaime Perales, PE., CFM  
915.790.4231  
Jaime.Perales@txdot.gov

● **San Antonio Service Center**  
Larry H. Wenger, PE.  
210.615.5971  
Larry.Wenger@txdot.gov

● **Rural Districts Service Center**  
Lynn Daniel, PE.  
940.937.7281  
Lynn.Daniel@txdot.gov



4



Welcome to PEPS

- Do you know all our acronyms?

COE PEPS

SOC RFP ST  
DBI RFP RFP NLC  
ID SIME HUB WVA SD

## Overview of the PEPS Solicitation

*Martha Juch, P.E., CFM*

## What are the PEPS Selection Processes?



### Routine Processes

Comprehensive  
Streamlined  
Accelerated

Federal

### Less Common Processes

Emergency

Urgent and  
Critical

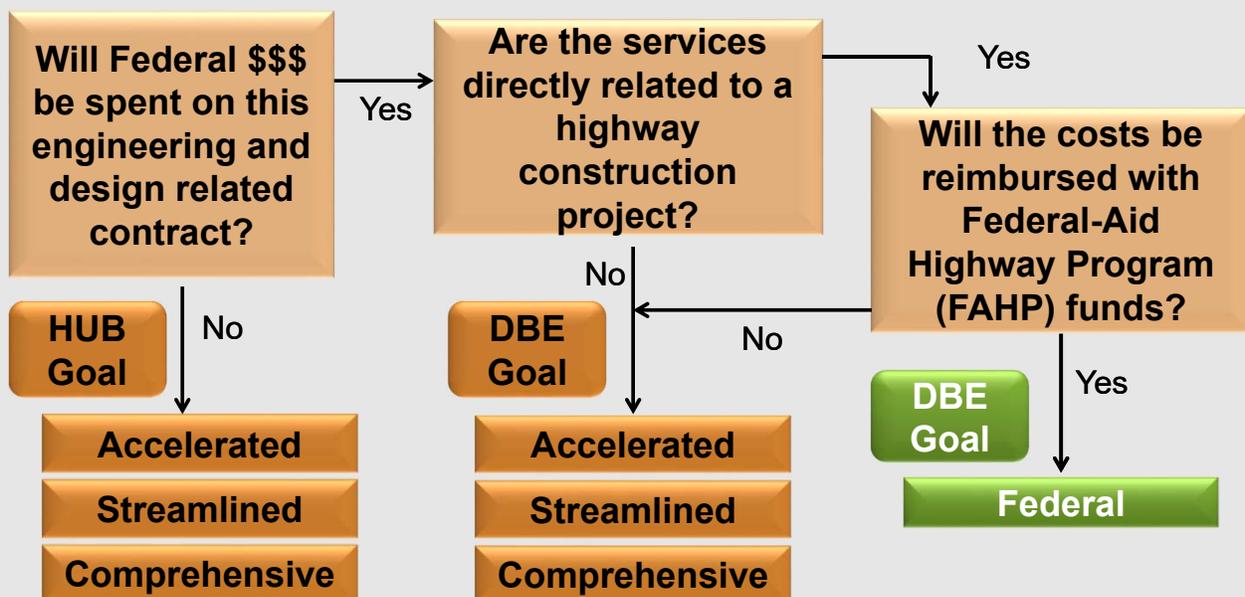


2019 PEPS Conference

November 20, 2019

7

## How do we decide to use a Non-Federal or a Federal Selection Process?



8

## What is the Solicitation?



Public Advertisement that gives providers all the details about the procurement



- **Request for Qualifications (RFQ):** Non-Federal Selection Processes
- **Request for Proposal (RFP):** Federal Selection Process

Accelerated & Streamlined without Interviews

RFQ

SOQ

Selection

Federal without Interviews

RFP

Proposal

Selection

Streamlined with Interviews & Comprehensive (Non-Federal)

RFQ

SOQ

Short List

Interview

Selection

Federal with Interviews and Federal Management

RFP

Proposal

Short List

Interview

Selection

## Comparison of Processes

# The Advertisement

Mindy Sawyer, P.E.

## Request for Qualifications (RFQ) and Request for Proposal (RFP)



Professional Engineering Procurement Services  
(PEPS) Division

Solicitation Number: 601CT0000007777

Original Posting Date: November 14, 2019  
Posting Period: 14 Days

REQUEST FOR QUALIFICATIONS (RFQ) TO CONTRACT  
FOR

INDEFINITE DELIVERABLE CONTRACT(S) [or]  
SPECIFIC DELIVERABLE CONTRACT(S)

COMPREHENSIVE PROCESS [or]  
STREAMLINED PROCESS

(WITH [or] WITHOUT INTERVIEW)

WITH DBE [or] HUB GOAL



Professional Engineering Procurement Services  
(PEPS) Division

Solicitation Number: 601CT0000007777

Original Posting Date: November 14, 2019  
Posting Period: 21 Days

REQUEST FOR PROPOSALS (RFP) TO CONTRACT  
FOR

INDEFINITE DELIVERABLE CONTRACTS(S) [or]  
SPECIFIC DELIVERABLE CONTRACT

FEDERAL PROCESS

WITH [or] WITHOUT INTERVIEW

- WITH DBE GOAL

## Contract Types



Professional Engineering Procurement Services  
(PEPS) Division  
Solicitation Number: 601CT0000007777

Original Posting Date: November 14, 2019  
Posting Period: 14 Days

REQUEST FOR QUALIFICATIONS (RFQ) TO CONTRACT  
FOR

INDEFINITE DELIVERABLE CONTRACT(S) [or]  
SPECIFIC DELIVERABLE CONTRACT(S)

COMPREHENSIVE PROCESS [or]  
STREAMLINED PROCESS

(WITH [or] WITHOUT INTERVIEW)

WITH DBE [or] HUB GOAL

## Selection Process



Professional Engineering Procurement Services  
(PEPS) Division  
Solicitation Number: 601CT0000007777

Original Posting Date: November 14, 2019  
Posting Period: 14 Days

REQUEST FOR QUALIFICATIONS (RFQ) TO CONTRACT  
FOR

INDEFINITE DELIVERABLE CONTRACT(S) [or]  
SPECIFIC DELIVERABLE CONTRACT(S)

COMPREHENSIVE PROCESS [or]  
STREAMLINED PROCESS

(WITH [or] WITHOUT INTERVIEW)

WITH DBE [or] HUB GOAL



Professional Engineering Procurement Services  
(PEPS) Division  
Solicitation Number: 601CT0000007777

Original Posting Date: November 14, 2019  
Posting Period: 21 Days

REQUEST FOR PROPOSALS (RFP) TO CONTRACT  
FOR

INDEFINITE DELIVERABLE CONTRACTS(S) [or]  
SPECIFIC DELIVERABLE CONTRACT

FEDERAL PROCESS

WITH [or] WITHOUT INTERVIEW

- WITH DBE GOAL

## HUB or DBE Requirement



### Professional Engineering Procurement Services (PEPS) Division

Solicitation Number: 601CT000007777

Original Posting Date: November 14, 2019

Posting Period: 14 Days

#### REQUEST FOR QUALIFICATIONS (RFQ) TO CONTRACT FOR

INDEFINITE DELIVERABLE CONTRACT(S) [or]  
SPECIFIC DELIVERABLE CONTRACT(S)

COMPREHENSIVE PROCESS [or]  
STREAMLINED PROCESS

(WITH [or] WITHOUT INTERVIEW)

WITH DBE [or] HUB GOAL



### Professional Engineering Procurement Services (PEPS) Division

Solicitation Number: 601CT000007777

Original Posting Date: November 14, 2019

Posting Period: 21 Days

#### REQUEST FOR PROPOSALS (RFP) TO CONTRACT FOR

INDEFINITE DELIVERABLE CONTRACTS(S) [or]  
SPECIFIC DELIVERABLE CONTRACT

FEDERAL PROCESS

WITH [or] WITHOUT INTERVIEW

- WITH DBE GOAL

## Description of Services and Submittal Information

*Mindy Sawyer, P.E.*

## Description of Services



The paragraph at the beginning of the RFQ or RFP defines the following:

- The type and number of contracts and the value of the contracts (ID)
- Discipline of work
  - General discipline for ID contracts
  - Specific work elements for SD contract
- Project limits for SD contracts
- Project location (TxDOT District and County, if applicable)

Detailed information on the description of services can be found in the draft Scope of Services attached to the Solicitation.

## Solicitation Package

# RFQ or RFP

## Other Attachments:

SOQ or Proposal Cover Page Template	Questions & Responses (Q&R) Template	PTC Form	NLC Template	Subprovider Information Form	Draft of Contract and Scope of Services (Attach B and C)
-------------------------------------	--------------------------------------	----------	--------------	------------------------------	--

## Submittal Information



### When?

- Deadline for submittal of response:
  - Time
  - Date



### Where?



- Where to deliver or mail
- Who will receive delivery/mail

### What?

- Complex projects may have a pre-solicitation meeting
- Additional information may be provided at the meeting



## Conflicts, Preclusions, and Core Team Restrictions

*Martha Juch, P.E., CFM, D.WRE*

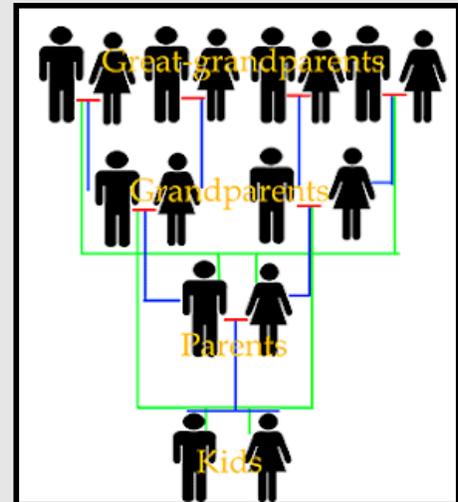
## Employee Conflicts of Interest

Employees may have conflicts involving:

- a family member working for a potential respondent, or
- a financial interest in a potential respondent

Employees involved in a procurement must identify potential conflicts early in the selection process

Employees must sign a nepotism form once a provider is selected



## Provider Conflicts of Interest

Providers must disclose conflicts in Form 1295

Providers must adhere to the State's Revolving Door Law for former TxDOT employees:

- Former employees whose last salary was at or above the minimum of salary group A17 may not perform work for a provider on any matter that the employee worked on at TxDOT.
- Former employees who participated (after Sep 1, 2015) in a procurement or contract negotiation involving a provider may not work for that provider for two years after contract execution.

## Preclusion



Defines firms that are not eligible to compete on the solicitation based on current or previous design work

Includes prime provider and subproviders identified in the Preclusion Document

All preclusions are approved in advance by the PEPS DD

If possible, firms are notified in advance of preclusions

## Core Team Restriction

May be used for multiple SD PS&E or CEI contracts in the same Wave

Restricts key personnel from competing on multiple solicitations

Rarely used - must be approved by PEPS DD

# Work Categories

*Martha Juch, P.E., CFM, D.WRE*

## Types of Work Categories



Standard Work Categories



Non-Listed Work Categories





### Defined by rule in 43 TAC §9.33

- Certifies an individual has minimum required experience to be qualified to perform professional services
- Required for all standard work categories
- A firm is precertified based on the experience of its employees and must renew each year to be “active”.

### Solicitation requires:

- Task Leader is precertified by response due date
- Firm providing task leader has active status

## Program Requirements

*Martha Juch, P.E., CFM, D.WRE*

## Administrative Qualification – Federal Process



Firms providing engineering and design related services must be AQ to compete for the contract

The AQ process verifies that the provider has a Federal Acquisition cost rate that meets TxDOT standards or is eligible for the Safe Harbor rate

TxDOT publishes an external list

Prime Provider firm is responsible for verifying AQ status of each firm on the team

## Administrative Qualification Guidance in RFP



Firms must be Administratively Qualified by Proposal Due Date

TAC rules allow TxDOT to take up to 60 days to process AQ submittal

## Administrative Qualification – Non-Federal Process

Non-exempt firms must be either AQ by selection notification or accept a State developed overhead rate

Exempt firms are not required to have an overhead rate for negotiations

Exempt services include: surveying and mapping, bridge inspection, materials inspection and testing, geotechnical, architecture, subsurface utility engineering, non-engineering firms providing non-engineering services

31

## Requirements for the Prime Provider and Project Manager

Prime  
Provider  
Certification  
Statements

Project  
Manager  
Requirement  
and Optional  
Deputy  
Project  
Manager

Project  
Manager  
Commitment

Project  
Manager or  
Task Leader  
Replacement  
during  
Selection

32

# Short List Procedure

*Mindy Sawyer, P.E.*

## Selection Procedure – To Short List or Not to Short List



Federal (ID)  
Streamlined (ID)

- An interview may or may not be required based on contract risk and CST preference
- If no interview is required, selection is based on ranking of SOQ or Proposal

Federal (SD)  
Federal Management  
Comprehensive (SD)

- An interview is required

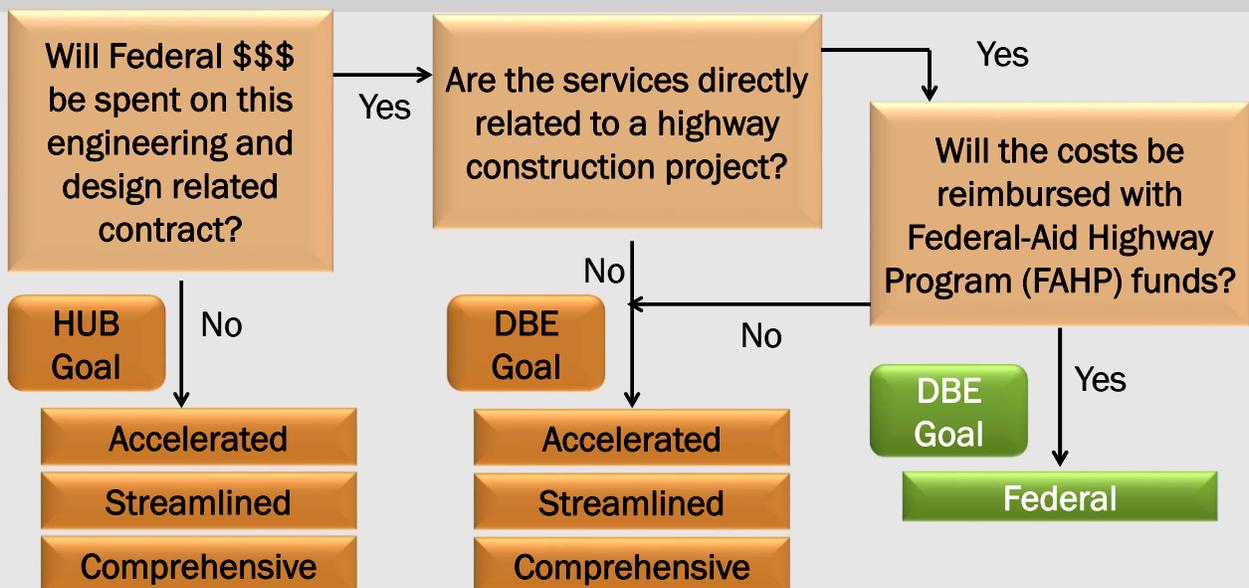
Accelerated

- No interviews
- Selection is based on the ranking of the SOQ or Proposal

# HUB or DBE Goal

Mindy Sawyer, P.E.

## Which Contracts Require the Federal Selection Process?





### Historically Underutilized Business (HUB) Participation

- State program
- An aspirational HUB utilization goal is set in the RFQ, and the contract commitment is set by the HUB Subcontracting Plan (HSP) submitted with the SOQ

### Disadvantaged Business Enterprise (DBE) Goal

- Federal program
- A DBE goal for the contract is assigned in the solicitation



### RFQ - HUB

- Only the work of the HUB-certified subproviders may be counted toward the HUB Goal
- HUB Participation
  - Method 1 – All subproviders are HUB
  - Method 2 – Subproviders are both HUB and non-HUB (meets or exceeds goal)
  - Method 3 – Subproviders are both HUB and non-HUB (does not meet or exceed goal)
  - Method 4 – Prime will not subcontract (self performs all work)

### RFQ or RFP - DBE

- The work of either a DBE-certified prime provider or DBE-certified subproviders, or both, may be counted toward the DBE goal

# Response Submittal & Package

*Mindy Sawyer, P.E.*

## The Difference Between RFQ & RFP - Scoring



RFQ/SOQ	RFP/Proposal
Questions - presented in the RFQ	Proposal Content Paragraph - presented in the RFP
Responses - provided in the Statement of Qualifications (SOQ)	Proposal - submitted as response
Scoring - criteria is determined by the CST (scoring grid)	Scoring - standardized criteria are used
Past Performance Evaluations - included in the scoring for both	

## Guidance in the Solicitation



Both

- **SOQ or Proposal Package Submittal**
- Defines how to submit the package (hard copy and pdf)

Both

- **SOQ or Proposal Package Contents**
- Defines the attachments to be submitted as the response

Both

- **Evaluation Process**
- Defines how the Past Performance Score is applied

RFQ

- **Questions**
- Developed by the CST for the solicitation

## Response Requirements in the Solicitation



RFP

- **Proposal Evaluation Criteria**
- Provides the standard criteria used to evaluate the Proposal

RFP

- **Proposal Content**
- Specifies the information to be addressed in the Proposal

RFP

- **Proposal Format**
- Provides guidance for the formatting of the Proposal

RFQ

- **Historically Underutilized Business Participation**
- Describes program and requirements for HSP

Both

- **Contract Information**
- Anticipated execution date, duration, and payment types

## Request for Qualifications (RFQ)



### Questions and Responses (Q&R):

Firms must respond to the questions stated in the *Q&R Template*. Responses must be submitted on the *Q&R Template*. No other format will be accepted.

The project manager identified in the Questions & Response Template must match the project manager listed on the PTC form or the SOQ will be considered non-responsive. A Work Category task leader identified in the Questions & Response Template must match the task leader listed on the PTC form for the same Work Category or the SOQ will be considered non-responsive.

Responses are limited to space allotted in the *Q&R Template*. Content outside the space allotted in the *Q&R Template* will not be evaluated. Additional pages will not be accepted, except for the attachments listed under the section **SOQ Submittal Format**.

Any false statement provided by a firm may void the submitted response. TxDOT may take any additional action provided by law regarding false statements submitted as part of the solicitation.

## Request for Proposals (RFP)



### Proposal Evaluation Criteria

The CST members will independently score Proposals based on the evaluation criteria and relative importance factors (weightings) provided below.

Evaluation Criteria	Proposal should include:	Weighting for Evaluation of Proposal
1 Technical Approach	Project understanding, innovative concepts or alternatives, quality control procedures, staffing	XX%
2 Project manager's relevant experience	Similar or related projects, project management	XX%
3 Key staff's relevant experience	Similar projects	XX%
Past Performance Score		5 to 10%
Total		100%

The sum of the three criteria and Past Performance Score weightings used for the evaluation of the Proposal must equal 100%. The Proposal scores will be used to determine the short list (see **Selection Procedure** section in this RFP).

### Proposal Content

The prime provider firm must use the information in the following paragraph to produce a written narrative (Proposal). The project manager identified in the Proposal must match the project manager listed on the PTC form or the Proposal will be considered non-responsive. A Work Category task leader identified in the Proposal must match the task leader listed on the PTC form for the same Work Category or the Proposal will be considered non-responsive. In developing the narrative, the prime provider firm should focus on the technical approach, the experience of the prime provider project manager, and the key staff's relevant experience (prime provider or subprovider) as they relate to the information in the following paragraph.

# Communication during a Solicitation

*Martha Juch, P.E., CFM, D.WRE*

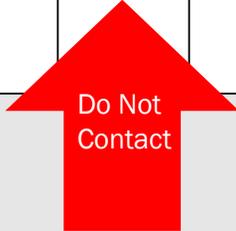
## Limits on Consultant Meetings



To provide a fair & equitable process for all providers competing on solicitations:

- CST members and other TxDOT personnel cannot discuss upcoming contracts with individual consultants during procurement process
- Questions are referred to the PEPS Service Center Manager
- A pre-RFQ meeting will be offered to all consultants for unique ID contracts and SD contracts



Projected Contracts List										
										
Oct 2019 Wave 1	PS&E	Dallas District	<a href="#">Joe Jancuska</a>	Mindy Sawyer	Fed with Interview	PS&E services for...	SD	TBD	<a href="#">TxDOT Dallas District HQ Friday, Oct 18 3:00 - 5:00 p.m.</a>	
										

47

### Solicitation (RFQ and RFP)



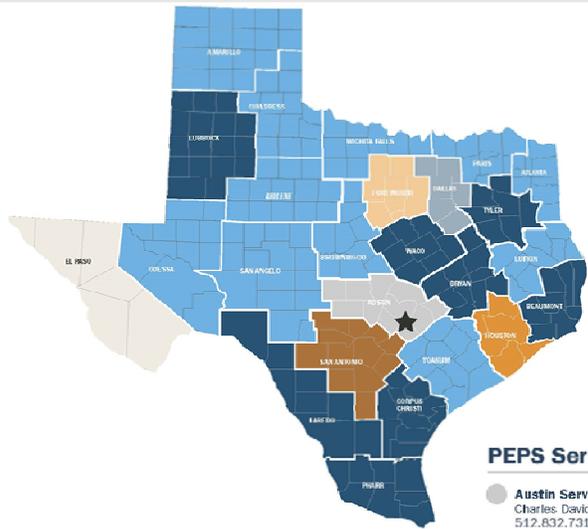
Selection Team

Procurement Engineer

Questions about the Solicitation

# Wrap-Up

Martha Juch, P.E., CFM, D.WRE



## ★ PEPS Division Austin HQ

**PEPS Division Director**  
Martin L. Rodin, PE.  
512.416.2037  
Martin.Rodin@txdot.gov

**Deputy Division Director**  
Lucio Vasquez, PE.  
512.416.2039  
Lucio.Vasquez@txdot.gov

## PEPS Support Services

**Business Operations Center**  
Roy Gonzales  
512.416.2034  
Roy.Gonzales@txdot.gov

**Invoice Center**  
Tira Dobrozensky, CTO  
512.486.5227  
Tira.Dobrozensky@txdot.gov

**Center of Excellence**  
Dani Neal, PE.  
512.416.2667  
Dani.Neal@txdot.gov

**Negotiations Service Center**  
Normie Glasscock, PE.  
817.370.3675  
Normie.Glasscock@txdot.gov

**Controls Center**  
Dione Albert  
512.416.2003  
Dione.Albert@txdot.gov

**Support Services Center**  
Kathy De Luna, CTO, CTC  
210.615.5601  
Kathy.DeLuna@txdot.gov

## PEPS Service Centers

● **Austin Service Center**  
Charles Davidson, PE., CTO  
512.832.7315  
Charles.Davidson@txdot.gov

● **Fort Worth Service Center**  
Jessica Andrews, PE.  
817.370.3668  
Jessica.Andrews@txdot.gov

● **Service Center for Divisions**  
Kori Rodriguez, PE.  
512.416.2268  
Kori.Rodriguez@txdot.gov

● **Dallas Service Center**  
Joseph Janouska, PE.  
214.320.6187  
Joseph.Janouska@txdot.gov

● **Houston Service Center**  
Gail Morea, PE.  
713.802.5795  
Gail.Morea@txdot.gov

● **Urban Districts Service Center**  
Jaime A. Vela, PE.  
512.416.2007 or 956.712.7730  
Jaime.A.Vela@txdot.gov

● **El Paso Service Center**  
Jaime Perales, PE., CFM  
915.790.4231  
Jaime.Perales@txdot.gov

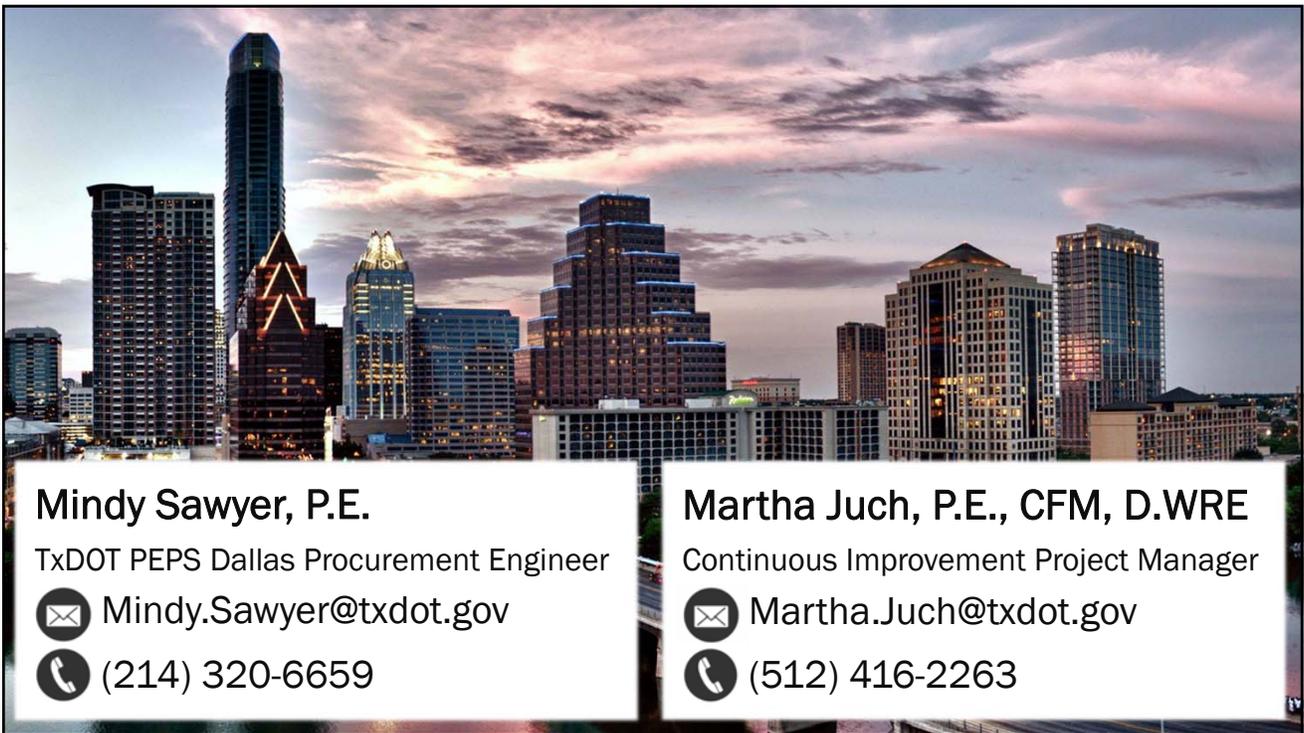
● **San Antonio Service Center**  
Larry H. Wenger, PE.  
210.615.5971  
Larry.Wenger@txdot.gov

● **Rural Districts Service Center**  
Lynn Daniel, PE.  
940.937.7281  
Lynn.Daniel@txdot.gov





# Questions and Discussion



**Mindy Sawyer, P.E.**  
TxDOT PEPS Dallas Procurement Engineer  
✉ Mindy.Sawyer@txdot.gov  
☎ (214) 320-6659

**Martha Juch, P.E., CFM, D.WRE**  
Continuous Improvement Project Manager  
✉ Martha.Juch@txdot.gov  
☎ (512) 416-2263