

CONSULTANT/VENDOR SELECTION GUIDELINES

**FOR
SERVICE CONTRACTS**

MIDLAND COUNTY ROAD COMMISSION

PART I – GENERAL INFORMATION

This document covers the procedures for consultant/vendors to follow for each selection process MCRC uses.

1. BACKGROUND

The Midland County Road Commission uses a best value process for procuring services. Requests for Proposal (RFPs) for all services greater than \$25,000 will be posted on MCRC's web site.

This guideline defines the type of RFP based on the estimated cost of the service. The type of contract or authorization does not affect the selection process.

MCRC will seek to contract with the consultant/vendor who is selected. This contract may be an authorization under an Indefinite Delivery of Services (IDS) contract or a regular contract. If any problems occur during the contracting process that do not allow MCRC to contract with the selected consultant/vendor, the next highest qualified consultant/vendor based on best value will be considered for selection.

All results will be placed on the web site.

2. DEBRIEFING

No formal feedback will be provided. The selected firm will be announced and the information will be posted on the website. Informal feedback may be provided via phone or email.

3. CLASSIFICATION AND EVALUATION OF PROPOSALS

- 3.1 Initial Classification of Proposals as Responsive or Nonresponsive.** All proposals will initially be classified as either "responsive" or "nonresponsive." Proposals may be found nonresponsive any time during the evaluation process or contract negotiation if any of the required information is not provided; the submitted price is found to be excessive or inadequate as measured by criteria stated in the RFP; or the proposal is not within the plans and specifications described and required in the RFP. If a proposal is found to be nonresponsive, it will not be considered further.
- 3.2 Evaluation of Proposals.** The evaluation committee will evaluate the remaining proposals and recommend whether to award the contract to the highest scoring proposer or, if necessary, to seek discussion/negotiation or a best and final offer in order to determine the highest scoring proposer. All responsive proposals will be evaluated based on stated evaluation criteria. In scoring against stated criteria, MCRC may consider such factors as accepted industry standards. These scores will be used to determine the most advantageous offering to the county.
- 3.3 Completeness of Proposals.** Scoring will be based on the proposer's proposal and other items outlined in this RFP. Submitted responses may not include references to information located elsewhere, such as Internet web sites or libraries, unless specifically requested. Information or materials presented by proposers outside the formal response or subsequent discussion/negotiation or "best and final offer," if requested, will not be considered, will have no bearing on any award, and may result in the proposer being disqualified from further consideration.

- 3.4 Evaluation Committee Recommendation for Contract Award.** The evaluation committee will provide a written recommendation for contract award to the CSRT that contains the scores, justification, and rationale for its decision. The CSRT will review the recommendation to ensure its compliance with the RFP process and criteria before concurring in the evaluation committee's recommendation.

4. MCRC's RIGHTS RESERVED

While MCRC has every intention to award a contract as a result of this RFP, issuance of the RFP in no way constitutes a commitment by the county of Midland to award and execute a contract. Upon a determination such actions would be in its best interest, MCRC, in its sole discretion, reserves the right to:

- cancel or terminate this RFP
- reject any or all proposals received in response to this RFP
- not award if it is in MCRC's best interest not to proceed with contract execution or
- if awarded, terminate any contract if MCRC determines adequate funds are not available

PART II – PROCESS STEPS

1. ALL SERVICES

- 1.1** A MCRC Selection Team will be assembled for each service.
- 1.2** MCRC will post an RFP with a scope of work for each service on the web site. The RFP will identify the items that will be scored for selection, the prequalification classifications required. If this is a service that does not require prequalification, an additional advertisement may be made in newspapers, periodicals, or additional web sites.
- 1.3** Interested consultant/vendors shall submit a proposal in accordance with the guidance provided in this document by the deadline date and time indicated. The consultant/vendors should not incur significant costs developing information for this submittal. Scoring and selection will not be based on the appearance of the submitted package, but on an evaluation of the consultant/vendor's knowledge and experience in the specialty area(s).
- 1.4** MCRC will seek to contract with the selected consultant/vendor.
- 1.5** Results of selection approvals will be posted on the MCRC web site.

PART III – INSTRUCTIONS FOR SUBMITTING PROPOSALS

1. INSTRUCTIONS FOR SENDING IN PROPOSALS

- 1.1** MCRC requires all proposals to be submitted electronically for all projects posted on MCRC's website. Printed versions are also desired for any proposals exceeding 20 pages. The Proposer's will receive an e-mail reply/notification from MCRC when the proposal is received. Please retain a copy of this e-mail as proof that the proposal was received on time.
- 1.2** All questions regarding the scope of work in the RFP must be submitted by e-mail as directed in the RFP. Questions shall be received a minimum of four (4) business days prior to the date and time that the proposal is due unless otherwise stated in the RFP. MCRC reserves the right to reject any and all proposals, technical proposals and /or bids received as a result of any RFP. MCRC will not pay for the information solicited or obtained as a result of a consultant/vendor's response to any RFP.

PART IV – PROPOSAL INFORMATION AND SCORING

Formal proposals are required and shall include the information as outlined in these Guidelines. This section is the information required in the proposal that will be used to score the qualifications of each consultant/vendor's proposal. The section numbering correlates to the score sheet. Therefore, the consultant/vendors should format their proposals consistent with the outline provided.

1. UNDERSTANDING OF SERVICE

Describe understanding of the service intended to be proposed. This information is to be based on the scope of services.

2. QUALIFICATIONS OF TEAM

Describe the structure of the project team including the roles of all key personnel and subcontractors. For each subcontractor describe role in service and include what percent of the task that the subcontractor is expected to provide. Provide résumés for each of the key staff of the prime and subcontractor.

3. PAST PERFORMANCE

The project manager will contact references and review relevant performance evaluations from the past 5 years.

Record of past accomplishment- proposer satisfactorily completed past projects, was cooperative and flexible, and ended past projects according to the original budget and time schedule.

4. INNOVATION

The innovations proposed are to be supplied by the vendor. They could include one or more of the following: new technologies, new materials, time saving measures, or cost saving measures. Methods of improvement or alternative strategies.

5. LOCATION

The location of work team in relation to Midland County.

6. COST EXAMPLES

Cost score is based on the past service examples vs. cost and/or cost of proposed services and/or staff.

PART V – EVALUATION CRITERIA

The evaluation committee will review and evaluate the proposals according to the following criteria. The Understanding of Service, Qualification of Team, Past Performance, Innovation, Location AND Cost examples portions of the proposal will be evaluated based on the following Scoring Guide.

1. Scoring Guide

A maximum total number of points available are set out in the RFP's evaluation criteria section. Each category of evaluation criteria will be broken down further with points assigned to each. In awarding these points, please consider the following guidelines:

1.1. Superior Response: 5

A superior response will be a highly comprehensive, excellent reply that meets all of the requirements of the areas within that category. In addition, the response covers areas not originally addressed within the RFP category and includes additional information and recommendations that would prove both valuable and beneficial to the agency. This response is considered to be an excellent standard, demonstrating the proposer's authoritative knowledge and understanding of the project.

1.2 Very Good Response: 4

A very good response will provide useful information, while showing experience and knowledge within the category. The proposal is well thought out and addresses all requirements set forth in the RFP. The proposer provides insight into their expertise, knowledge and understanding of the subject matter.

1.3 Good Response: 3

A good response meets all the requirements and has demonstrated in a clear and concise manner a thorough knowledge and understanding of the subject matter. This response demonstrates an above average performance with no apparent deficiencies noted.

1.4 Fair Response: 2

A fair response meets the requirements in an adequate manner. This response demonstrates an ability to comply with guidelines, parameters, and requirements with no additional information put forth by the proposer.

1.5 Poor Response: 1

A poor response minimally meets most requirements set forth in the RFP. The proposer has demonstrated knowledge of the subject matter only.

All service proposals are considered the property of the submitter and do not become public property unless selected. Names of firms and scores shall be posted and firms that are not selected will have their information removed from Midland County Road Commission files.

SERVICE VENDOR PERFORMANCE EVALUATION PROCESS

The Midland County Road Commission (MCRC) will complete a performance evaluation for all types of services contracted through the Road Commission, for both prime vendors and subvendors, in order to: provide documented feedback of performance; promote project management/vendor communication; identify and document areas of potential improvements; and improve the overall quality of MCRC projects. The vendor and subvendor(s) will be rated on the following twelve factors on a scale from 1 to 10, if they are applicable to the project:

1. Was the vendor in control of the services provided to MCRC?
2. Did the vendor communicate adequately with the Road Commission staff?
3. Was the vendor responsive to requests from the Road Commission, including requests for information and requests to make changes in the work?
4. Did the vendor follow good safety practices?
5. Did the vendor meet deliverable date requirements?
6. Did the vendor coordinate work with subvendor's work, exercise authority over subvendors, provide notice of subvendor work schedule, and ensure that subvendors were in compliance with contract requirements?
7. Did the vendor have competent and sufficient personnel with the technical expertise needed to successfully complete the project?
8. Did the vendor have adequate and sufficient resources other than personnel (equipment, manuals, etc.) to fulfill the requirements of the scope of services?
9. Did the vendor provide a quality work product?
10. Did the vendor properly notify and coordinate work with other affected parties such as utility companies, property owners, local units of government, and other MCRC areas?
11. Did the vendor meet the applicable environmental requirements, such as documentation, enforcement, obtaining permits, studies, etc.?
12. Did the vendor comply with applicable federal, state and local laws and regulations and/or MCRC guidelines and procedures? This includes, but is not limited to, compliance with prompt payment to subvendors, submitting accurate and timely invoices, responding to contractual issues, and adhering to Disadvantaged Business Enterprise (DBE) participation guidelines.

PERFORMANCE EVALUATION APPEAL PROCESS

MCRC has a service vendor performance evaluation appeal process to provide service vendors an opportunity to contest performance evaluation scores of 7 or less. Note that any evaluation factor score of 7 or less may result in actions taken against a service vendor's prequalification status up to and including loss of prequalification. The appeal process is documented below:

Informal Review Procedures

1. Within 21 calendar days from the date a service vendor receives a performance evaluation (excluding interim evaluations), the service vendor submits a written request to the MCRC Project Manager to meet with the Project Manager and the Project Manager's Supervisor, to review an evaluation of any rating of 7 or below. If the written request is not received within the 21 calendar day period, the original evaluation becomes final and binding, and will not be subject to further contest or appeal.
2. Within 10 days of receipt of service vendor request, the MCRC Project Manager schedules the Informal Review meeting and notifies the service vendor of meeting date and location. The MCRC Project Manager and Project Manager's Supervisor may have other Road Commission employees or representatives attend and participate in the meeting, as determined appropriate.

The service vendor shall not submit any additional information to MCRC prior to the Informal Review meeting. However, on a case-by-case basis, it may be determined during the Informal Review by the Project Manager and Project Manager's Supervisor that the service vendor should provide additional information, if the information will support the service vendor.

If it is determined at the Informal Review meeting that the service vendor may submit additional information, the information must be received by the Project Manager within 14 calendar days of the date of the Informal Review meeting.

3. The MCRC Project Manager notifies the service vendor, in writing, of a decision within 30 calendar days of the informal review meeting or within 30 calendar days of the receipt of any additional information provided, whichever is later. The performance evaluation is modified as applicable.

If the consultant does not agree with Informal Review Decision, the Formal Appeal process is as follows:

Formal Appeal Procedures

1. Within 14 calendar days from the date a service vendor receives the Informal Review decision, or from the date the service vendor receives a revised evaluation, the service vendor submits a written request to the MCRC Project Manager to appeal any rating of 7 or below. If the written request for appeal is not received within the 14 calendar day period, the Informal Review decision becomes final and binding, and will not be subject to further contest or appeal.

2. The Project Manager shall contact the Administrator of MCRC's Contract Services Division (CSD) to schedule an appeal meeting. A formal appeal filed by a vendor will be considered by a Performance Evaluation Appeal Panel (Appeal Panel). The Panel shall be comprised of three Management level individuals from MCRC that were not directly involved in the management of the project.

Within 10 days of receipt of the request, CSD schedules the Formal Appeal meeting and notifies the services vendor of the meeting date and location. MCRC may have other Road Commission employees or representatives attend and participate in the meeting, as determined appropriate.

3. The Appeal Panel meets with the service vendor and MCRC Project Manager, and reviews all relevant information provided by the service vendor and Project Manager.

The service vendor shall not submit any additional information to MCRC prior to the Formal Appeal. However, on a case-by-case basis, it may be determined, by the Appeal Panel, during the Formal Appeal, that the service vendor should provide additional information, if the information will support the service vendor.

If it is determined by the Appeal Panel at the Formal Appeal meeting that the service vendor may submit additional information, the information must be received by the MCRC Project Manager within 14 calendar days of the date of the Formal Appeal meeting.

The Appeal Panel may overturn, modify, or confirm the Informal Review decision. If any further review and consultation with Road Commission employees and representatives is necessary, the Appeal Panel shall make its decision after the necessary meetings or discussions have occurred.

4. The Performance Evaluation Appeal Panel notifies the service vendor in writing of a decision within 30 calendar days of the meeting or within 30 calendar days of the receipt of any additional information provided, whichever is later. The performance evaluation is modified as applicable.

The decision of the panel constitutes the final Road Commission decision and will not be subject to further contest or appeal.