Connecticut
Department of Administrative Services

Capital Projects
Selection Procedures &
Project Delivery Methods Guidelines

Prepared for Capital Projects with Oversight By:
CT Department of Administrative Services (DAS)
Division of Construction Services (DCS)
Office of Design & Construction
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For Updates and Referenced Documents Visit the CT DAS/DCS Website: www.ct.gov/dcs

0310 - Selection Procedures & Project Delivery Methods Guidelines

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1.0 Overview

The State of Connecticut Department of Administrative Services (DAS), Division of Construction Services (DCS) has developed the selection and bidding procedures in this Manual to aid DCS and the public in understanding how contracts are awarded on an impartial, equitable, and rational basis. The procedures are intended to insure the integrity of all selection and bidding procedures and to define the duties and responsibilities of the various participants. In some instances, the procedures may be stricter than the legislation requires. Deliberate manipulation of contracts to avoid compliance or deviation from these procedures is not allowed.

2.0 Selection, Proposal, and Bidding Procedures

Within the various project delivery methods are several different types of Selection, Proposal, and Bidding Procedures that can be utilized for soliciting and evaluating Consultant Qualifications, Proposals, and Bids for procurement of services and construction of the projects.

The following are the Selection, Proposal, and Bidding Procedures available for use for the award of all DCS Consultant Service Contracts, Design-Build (D-B) Contracts, Construction Manager at-Risk (CMR), and Construction Contracts:

2.1 Architectural and Engineering Consultant Services Selection- CGS §4b-55 through 4b-61:

Architectural and Engineering (A&E) Consultant Services Selection:

- This Selection procedure is a two (2) step Qualifications Based Selection. Step 1 is to Shortlist qualified A&E Consultants. Step 2 is the Selection of the A&E Consultant with the highest qualifications for the Project.
- This Selection procedure **must** be utilized to select and contract for A&E Consultant Services for projects for any state program requiring consultant services if the cost of such services is estimated to **exceed** a fee of Three Hundred Thousand dollars ($300,000) per Task Assignment.
- This Selection procedure **may** be utilized to select and contract for A&E Consultant Services for projects for any state program requiring consultant services if the cost of such services is estimated to **not to exceed** a fee of Three Hundred Thousand dollars ($300,000) per Task Assignment.

2.2 On-Call Consultant Services Selection and On-Call Contract Task Assignments - CGS § 4b-51, 4b-56, and 4b-57:

On-Call (OC) Consultant Services Contract Selection:

- This Selection procedure is a two (2) step Qualifications Based Selection. Step 1 is to Shortlist qualified OC Consultants. Step 2 is the Selection of OC Consultants with the highest qualifications for the OC Consultant Services Contract.
- This Selection procedure is used to select and contract with Consultants to be placed on the DCS OC Consultant Services Contract List.

On-Call Contract Task Assignments:

- OC Contract Task Assignments are sequentially assigned from the DCS OC Consultant Services Contract List.
- According the CGS 4b-55, a project means any state program requiring consultant services if the cost of such services is estimated **to exceed** Three Hundred Thousand dollars ($300,000). Therefore, any individual OC Task Assignment for a Consultant Services Contract shall **not exceed** a Three Hundred Thousand dollar ($300,000) fee per Task Assignment.

2.3 Competitive Sealed Proposal for Design-Build (D-B) - CGS § 4b-24(4):

For Competitive Sealed Proposal for D-B Projects:

- Competitive Sealed Proposal for D-B Projects is a two (2) step Selection Procedure: Step 1 is comprised of a Qualifications-Based D-B Shortlist Screening Procedure, and Step 2 is a Competitive Sealed Proposal Procedure where a Design-Builder with the "Best Value" Proposal is selected to design and build the Facility.
- The D-B Project Delivery Method is utilized for projects that are designated by the Department of Administrative Services (DAS) Commissioner to be accomplished on a "Total Cost Basis" with a single contract with a Design-Builder which may include such project elements as site acquisition, architectural design, and construction.

2.4 Competitive Sealed Proposal for Construction Management-At-Risk (CMR) - Guaranteed Maximum Price (GMP) - CGS § 4b-103:

For Competitive Sealed Proposal For CMR - GMP Projects:

- Competitive Sealed Proposal for CMR-GMP Projects is a two (2) step Selection Procedure: Step 1 is comprised of a Qualifications-Based CMR Shortlist Screening Procedure, and Step 2 is a Competitive Sealed Proposal Procedure where a CMR with the "Best Value" Proposal is selected for preconstruction and/or construction phases of a construction, renovation, or alteration project.

CMR - GMP Projects:

- Utilized for projects where the DAS Commissioner enters into a CMR project delivery contract for a maximum guaranteed price for the cost of construction.
- Each CMR shall invite bids and give notice of opportunities to bid on project elements, by advertising, at least once, in one or more newspapers having general circulation in the state.
- Each bid shall be kept sealed until opened publicly at the time and place as set forth in the notice soliciting such bid.
- The CMR shall, after consultation with and approval by the DAS Commissioner, award any related contracts for project elements to the responsible qualified contractor submitting the lowest bid in compliance with the bid requirements.

2.5 Competitive Sealed Bid For Large Projects (AKA Formal Bid) - CGS §4b-91 Through 4b-95:

For Lowest Responsible And Qualified Bidder Determination:

- Anticipated construction is estimated to cost more than $500,000.

2.6 Competitive Sealed Bid for Small Projects (AKA Informal Bid) - CGS §4b-91 through 4b-95:

For Lowest Responsible And Qualified Bidder Determination:

- Anticipated construction is estimated to cost $500,000 or less.

2.7 Emergency Procurement - CGS §4b-52(c):

For Emergency Projects:

If the DAS Commissioner declares that an emergency condition exists at a state facility under the supervision and control of DAS, the normal bidding and procurement procedures may be overridden. The Commissioner's declaration shall be based upon the following conditions:

- If anticipated Project Costs exceed $500,000, then the Governor's written consent is required.
- If anticipated Project Costs are less than $500,000, then a written consent from the DAS Commissioner is required.

3.0 Project Delivery Methods

The choice of the appropriate "Project Delivery Method" for a Project is of prime importance because it enables DCS to achieve project goals such as innovation, quality, schedule, performance, cost conformance, and sustainability.

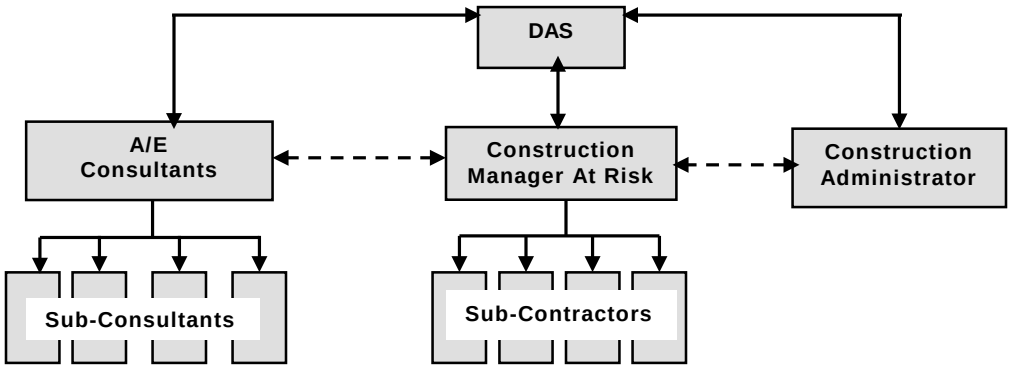
The following is a summary of all of the "Project Delivery Methods" available to DCS for the construction of all infrastructure projects.

3.1 CMR Project Delivery Method:

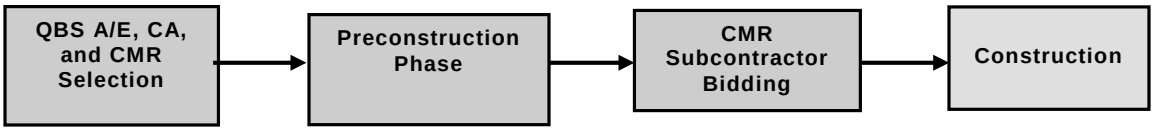
This is the traditional Project Delivery Method that is utilized to deliver Large Major Capital Projects.

CMR Project Delivery Method
• Architects & Engineers (A&E) and professional consultants are selected through the applicable **A&E Consultant Services Selection** (AKA Formal Consultant Selection), or an **On-Call (OC) Contract Task Assignment.** A Contract or Task Assignment is awarded to develop design and construction documents that meet the goals, scope, and budget of the CMR Project. A Construction Administrator can be selected through the same procedures to represent the DCS during Construction. • A CMR is selected through the **CMR Guaranteed Maximum Price (GMP) Best Value Selection Procedure** where the CMR with the **Best Value Proposal** is awarded the CMR Pre-Construction Agreement.

CMR Project Organization:



CMR Project Delivery Method Sequence:



3.2 Design-Build (D-B) Project Delivery Method:

This Project Delivery Method is used to deliver less than approximately 5% of DCS projects. It can only be utilized when it meets the following feasibility criteria and the CT DAS Commissioner designates it a **Total Cost Basis D-B Project.**

3.2.1 D-B Project Delivery Method Feasibility Criteria:

The following are the five (5) types of feasibility criteria for a D-B Project:

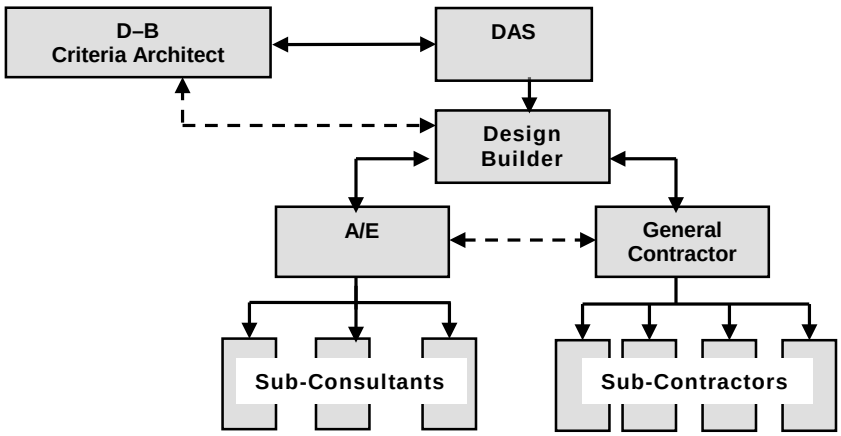
D-B Project Delivery Method Feasibility Criteria	
1.0	The project has a clearly defined scope, design basis, and performance requirements;
2.0	The project is free from complicated issues such as utility conflicts, right-of-way acquisition, hazardous materials, wetland and environmental concerns, or other such issues;
3.0	The project has room for innovation in the design and construction;
4.0	The project is not an emergency project or a project that has overly tight time constraints;
5.0	The project involves a significant design effort and the potential to save cost and time in the design.

3.2.2 D-B Project Delivery Method Screening and Selection Procedures:

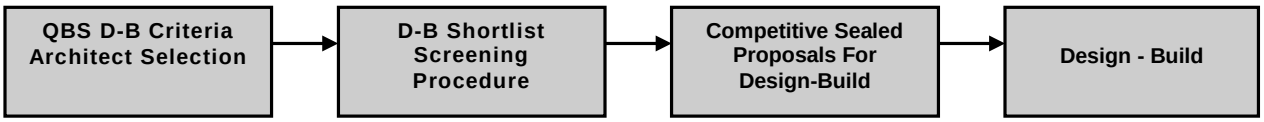
When the CT DAS Commissioner designates a project as a **Total Cost Basis D-B Project** then the D-B Project Delivery Method utilizes the following Screening and Selection Procedures.

D-B Project Delivery Method:	
The D-B Project Delivery Method is a Two Stage Procedure:	
Stage 1:	**Preparation of the request For Proposal:** A Design-Build Criteria Architect (DBCA) consultant is selected through the applicable **DBCA Consultant Services Selection** (AKA Formal Consultant Selection), or an **OC Contract Task Assignment.** A Contract or Task Assignment is awarded to develop a D-B Request for Proposal that meet the goals, scope, and budget of the Project and to represent DCS during Construction.
Stage 2:	**Competitive Sealed Proposal D-B Selection Procedure** D-B Teams (comprised of a General Contractor and Architect/Engineer Consultants) compete in a Two (2) Step Selection Procedure as follows: **Step 1: Qualifications Based D-B Shortlist Screening Procedure:** A Qualifications Based Shortlist Screening Procedure is utilized to shortlist prospective Design-Build Teams to be invited to respond to a D-B Request for Proposals. **Step 2: Competitive Sealed Proposal D-B Selection Procedure:** A Competitive Sealed Proposal D-B Selection Procedure is utilized to select the Design-Builder with the **"Best Value"** Proposal to design and build the Facility.

Design-Build Project Organization:



D-B Project Delivery Method Sequence:



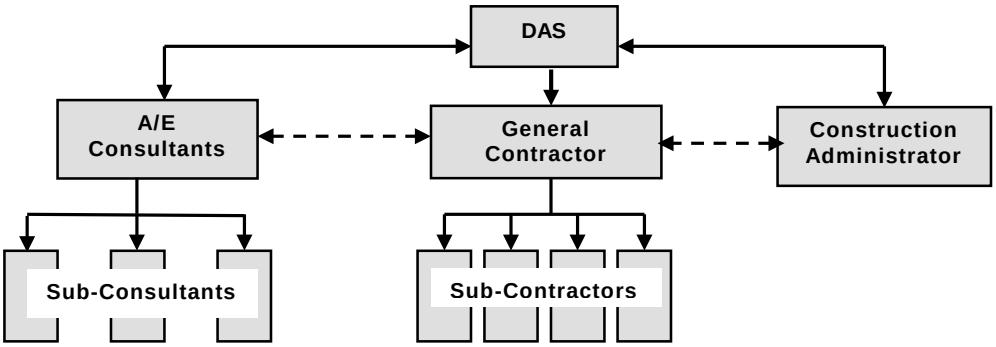
3.3 Design-Bid-Build Project Delivery Method:

This is the traditional Project Delivery Method that is utilized to deliver approximately 90% of all DCS projects.

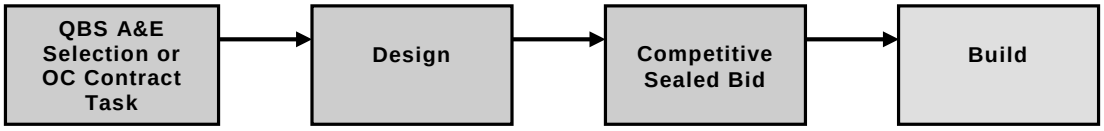
Design-Bid-Build (D-B-B) Project Delivery Method:

- Architects & Engineers (A&E) and professional consultants are selected through the applicable **A&E Consultant Services Selection** (AKA Formal Consultant Selection), or an **OC Contract Task Assignment.** A Contract or Task Assignment is awarded to develop design and construction documents that meet the goals, scope, and budget of the Design-Bid-Build Project. A Construction Administrator (CA) can be selected through the same procedures to represent DCS during Construction.
- Based on the completed construction documents, a general contractor is selected through the applicable **Competitive Sealed Bid For Large Projects** (AKA Formal Bid) or **Competitive Sealed Bid For Small Projects** (AKA Informal Bid) where the responsible general contractor with the lowest qualified bid (cost) is awarded the contract to build the project.

Design-Bid-Build Project Organization:



D-B-B Project Delivery Method Sequence:



4.0 Certifications And Affidavits For Consultants, General Contractors, Design-Builders, and Construction Managers

Various types of certifications and affidavits are required to be submitted by consultants, general contractors, design-builders, and construction managers by DCS policy, CT Statutes, and Executive Orders issued by Governor Rell. These affidavits and certifications address ethics and integrity in the contracting process.

Instructions for "Official" Affidavit and Certification forms and instructions can be accessed from the DCS Website as required for Consultant Services Selections, Competitive Sealed Proposals, and Competitive Sealed Bids.

4.1 Notification of Compliance Requirements for Affidavits and Certifications:

The ***Request for Qualifications (RFQ) Legal Notice*** and ***RFQ Web Advertisement*** shall alert all potential consultants, design-builders, and construction managers to the submittal requirements for Affidavits and Certifications.

All advertisements will include the following language:

NOTE:
Failure to submit properly formatted Quality Based Selections (QBS) Submittal Booklets with all of the required contents by the designated deadline and location may result in the Firm's submittal being deemed deficient for consideration for this Contract

4.2 Questions Concerning Affidavits:

Questions concerning the certifications, affidavits, and other supplemental legal document requirements can be directed to the DCS Legal Services Unit at 860-713-5680.

5.0 State Agency Official or Employee Certification

The State statutes require that a DCS ***Certification by Agency Official or Employee Authorized to Execute Contracts*** must be signed by the state agency official or employee who is authorized to execute the Contract if the specific contract exceeds $50,000. The State Agency Official or Employee Certification states:

"I hereby certify that the selection of the person, Consultant or corporation for [this contract] was not the result of any of the following:"
Collusion;
Giving of a gift or the promise of a gift;
Compensation;
Fraud;
Inappropriate influence from any person.

5.1 Selection Panel Members And Agency Observer Certification Language:

All Selection Panel members and all Agency Observers shall complete and sign a ***Selection Panelist Rating Sheet*** and/or ***Selection Observer Certification*** as applicable.

The ***Selection Panelist Rating Sheet*** and ***Selection Observer Certification*** include the language below, to be followed by the signature of the Panel member or Agency Representative Observer(s).

Selection Panel Member: I certify that I have not communicated information with any Firm prior to the advertisement of the above mentioned Department of Administrative Services, Division of Construction Services contract and will not communicate information through notification of the final selection that is not available to other Firms. I further certify that my rating of the above mentioned persons, firms, or corporations was not the result of collusion, the giving of a gift, fraud or inappropriate influence from any person.

Agency Observer: I certify that I have not communicated information with any Firm prior to the advertisement of the above stated DCS contract and Project number and will not communicate information until notification of the final selection that is not available to the general public and which would result in a Firm receiving information that is not available to other Firms. I further certify that I have not attempted to influence the selection of a particular Firm.

6.0 Communications and Code of Conduct

6.1 No Conflicts of Interest:

All individuals selected to serve on a selection panel or review bids shall evaluate their relationship with the Firm and ensure that they have no potential conflict of interests.

Conflicts Of Interest Include:	
1.0	a financial interest in a company that will be submitting a proposal or is being selected or is bidding for a contract;
2.0	a financial interest in a company that is part of a team submitting a proposal or a company that is a sub consultant or subcontractor for the project;
3.0	a close family member or fiancé or fiancée who has a financial interest in a company that is submitting a proposal or bid,
	or
4.0	having a financial interest in a company that is part of a team that is trying to obtain a contract, or is a subcontractor or sub consultant for a contract that is being sought.

See Section 6.7 for the procedure should an individual believe that there is or could be a conflict of interest.

6.2 No Gifts:

Individuals who participated directly, extensively and substantially in a selection or bid process shall not accept any gift, including, but not limited to, favors and services from a person or Consultant seeking to do business with DCS.

6.3 No Influence:

There shall be no actions taken by any officials or individuals, either within or outside DCS, to attempt to influence the impartial and independent actions of a Selection Panel. If this does occur or a DCS employee learns of such an impropriety, the employee is directed to contact DCS's Integrity Officer.

6.4 **Fair Talk** (AKA "No Talk"):

All participants in any selection or bidding process, including user agency representative(s), shall not communicate with any potential Firm prior to, during, or upon conclusion of the entire Selection or Bidding procedure, with the exception of information necessary to complete the administrative steps of the selection process.

During the submittal period and throughout the entire selection or bidding process, all inquiries on a particular project or contract bidding and selection procedure should be referred to the DCS Process Management/QBS Unit, Room 478, 165 Capitol Avenue, 165 Capitol Avenue, Hartford, CT 06106 or, for questions concerning competitive sealed bidding, to the CT DAS Procurement Services Unit, 5th Floor East, 165 Capitol Avenue, Hartford, CT 06106.

6.5 Questions and Answers or Addenda:

6.5.1 General Selection Procedure Questions:

Contact the DCS Process Management/QBS Unit person named in the ***RFQ Legal Notice*** and ***RFQ Web Advertisement*** in writing (email acceptable).

6.5.2 Specific Contract Questions:

Contact the DCS Process Management/QBS Unit person named in the ***RFQ Legal Notice*** and ***RFQ Web Advertisement*** in writing (email acceptable). All questions, answers, and/or addenda, as applicable, will be posted on the DCS website, faxed, and/or e-mailed to all Firms. Questions may be deferred to the pre-selection site tour meeting, if applicable to the selection of the Contract.

Note:
DCS responses to requests for more specific contract information than is contained in the ***RFQ Legal Notice*** and ***RFQ Web Advertisement*** shall be limited to information that is available to all Firms and that is necessary to complete the Selection process. The request must be received at least five (5) business days prior to the advertised response deadline.

6.6 Notification and Debriefing with unsuccessful Firms:

Consultants inquiring as to their status will be directed to wait for formal notification via letter from DCS. This notification will identify who to contact for follow-up. Designated DCS managers or an authorized designee are exclusively responsible for discussing any aspect of a Selection or Bidding process with an interested Firms after a Selection or Bidding process is concluded, including conducting a debriefing with Firms who were not successful.

6.7 Recusal Option:

If a conflict of interest could arise by a state official's or employee's participation on a Selection panel or in the bidding process, such official, and employee shall recuse him or herself from the panel. Conflicts of interests include, but are not limited to, those conflicts identified in 6.1 "Conflicts of Interests" including the receipt of a promise of gifts, favors, services, or anything of monetary value from such company or person acting on behalf of such company.

A state official or employee who believes a conflict of interest may exist should immediately consult with DCS's Integrity Officer. To avoid tainting the selection process, the state official or employee shall not tell any others about the possible conflict of interest unless directed to do so by the DCS Integrity Officer.

END

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