GEORGIA DEPARTMENT of COMMUNITY AFFAIRS

Procurement for Engineering and/or Architectural Grant Services

CDBG payments for Engineering and/or Architectural Grant services are subject to the "competitive negotiation" requirements of 24 CFR 570.489(g). These provisions apply whether these services are paid for with CDBG funds or local funds.

To comply, the applicant government or contracted firm (not the individual or firm proposing to provide services) must:

Step 1. Establish or appoint a local Selection Review Committee
The city or county must establish a Selection Review Committee to determine the evaluation criteria and to rate proposals for services. This committee may consist of the entire local governing body (council/board of commissioners), a subset of this council/board, as appointed by the Mayor/Chairman, or a combination of elected officials and city/county staff. Cities/counties should have a minimum of three members on the committee.

Committee members may not have any potential conflicts of interest with any of the individuals, firms, or agencies under review (e.g., family relationships, close friendships, business dealings) and no person who might potentially receive benefits from CDBG-assisted activities may participate in the selection, award, or administration of a contract supported by CDBG funding if he or she has a real or apparent conflict of interest. For further guidance regarding potential conflicts of interest, please see the most recent version of the CDBG Recipients' Manual at the following web page: https://dca.georgia.gov/financing-tools/infrastructure/community-development-block-grants-cdbg/annual-cdbg-competition/cdbg.

Step 2. Determine the Selection Criteria to Evaluate Respondents
Determine what evaluation criteria will be used to rate the proposals submitted to the city/county. Prepare a Ratings Criterion Score Sheet to evaluate and score each proposal received. See sample in Appendix D.

Step 3. Develop the Request for Proposals (RFP) Package
Develop a Request for Proposal (RFP) package that includes "evaluation factors" selected by the Review Committee and their level of importance. The RFP package should include the submission deadline and instructions for submission, a local point of contact for any questions regarding the RFP, and a format for a Statement of Qualifications. See sample in Appendix C.

It is important to ensure that firms interested in submitting a proposal are aware that the project may be subject to the Build America, Buy America Act (BABA), enacted as part of the Infrastructure Investment and Jobs Act. BABA requires products purchased in connection with infrastructure projects funded by Federal financial assistance programs to be produced in the United States, known as the "Buy America Preference (BAP)". Specifically, this is a statutory requirement that Federal funding for infrastructure projects use "covered materials" that are "American-made." The BAP applies to the following products: Iron and steel; Manufactured products; Construction materials; and Manufactured products.

Step 4. Advertise the RFP

Proposals must be solicited from an adequate number of qualified sources to permit reasonable competition consistent with the nature and requirements of the procurement. The Request for Proposals must be publicized and reasonable requests by other sources to compete must be honored to the maximum extent practicable. "Solicitation" requests by the Recipient/ Applicant must be specifically addressed to a list of more than one potential proposer identified by the City/County.

To "publicize" the RFP, the applicant must also offer the RFP through publication in a newspaper with adequate circulation or publication by other means such that reasonable exposure to potential proposers can be expected. Potential locations include the local government web site and/or the applicant's "legal organ". Allow 30 days for responses. See the sample in Appendix A.

If the contract will be for more than $100,000 it must be advertised on the Georgia Procurement Registry (https://ssl.doas.state.ga.us/PRSapp/PR_login.jsp).

Send an email or letter with a copy of the RFP, a Statement of Qualifications, to a minimum of 10 "known providers". If sending letters by mail, DCA requires that letters be sent certified return receipt to provide the required documentation. Sole source approval is required from DCA when only one response is received. Emails must be sent with a Request Delivery Receipt and Request Read Receipt to provide equivalent documentation when using this method. See the sample in Appendix B.

When soliciting firms to provide engineering or architectural services, RFP's should be sent to at least 10 "known providers." As a service to applicants, recipients and others, DCA maintains a list of consultants who have expressed an interest in making proposals on CDBG projects. This is not an "approved" list. DCA does not approve or disapprove consultants. This is the applicant's or recipient's responsibility. The list can be found on the DCA web site.

Step 5. Review and rate proposals

After the submittal deadline, the committee should review and rate each of the proposals received. Committee members should use the evaluation criteria established in step 2 above. Each committee member should score the proposals; all scores can then be averaged to determine the highest scoring proposal. The firm with the highest average points should be selected. See the sample in Appendix D.

Step 6. Approve the selected firm and award

The City Council/Board of Commissioners has final authority to award the contract to the selected firm. The review committee should present a recommendation to the city/county attorney and to the governing board for final approval. A contract for services should be prepared between the city/county and the selected consultant.

Letter(s) or emails thanking unsuccessful respondents for making a proposal should then be sent. Based on evaluation criteria contained in the RFP, this letter should briefly state the reasons why the respondent was not hired.

Step 7: Record keeping
The city/county must maintain and make available all documentation utilized during the RFP process, including but not limited to:

- Copy of the full RFP
- Proof of publication of the RFP (by full tear sheet from newspaper or screen shot of web site; photo of posting on bulletin board)
- List of firms/individuals that were sent RFPs along with proof of delivery
- Copies of proposals received
- Scoring sheet that shows the rankings for each of the submitted proposals
- Meeting minutes indicating the council/board approved the selection of the selected firm for service
- Executed contract for services with applicable federal language

Because CDBG funds cannot be used to pay for any application development costs, applicants are cautioned only to obligate CDBG funds for engineering or architectural services and not for preliminary reports (PER/PAR). Contracts should initially only obligate the applicant to pay for costs of application development using local or other non-CDBG sources. Communities are encouraged to include a contingent contract for engineering or architectural services that will become effective if the CDBG application is funded. ***Note: Even if local sources of funds are planned for engineering or architectural services and no CDBG funds are budgeted for this activity, this procurement process described herein and in the most recent version of the CDBG Recipients' Manual must be followed for procurement of these services based on the requirements of federal regulations.***

If an acceptable procurement process was followed for an application that is being resubmitted because it was denied in the previous program year, it is not necessary for the local government to re-advertise for professional services if they choose to retain the same firm for the same application. Any older procurements will not be valid, and a new advertisement and solicitation of RFP's is required.

For procurement processes that result in requests for sole source approval from DCA, the procurement process must be fully documented to DCA's satisfaction before DCA will grant approval, including but not limited to the following: 1) a description of the procurement process; 2) documentation of advertisement of the Request for Proposals; 3) a list of the active, qualified consultants or engineers/architects that were emailed/mailed the Request for Proposals; and 4) certified return receipt documentation that the Request for Proposals was mailed to the required number of active, qualified consultants or engineers/architects, or adequate email documentation that the Request for Proposals was delivered as required. For further guidance regarding procurement for professional services, please see the most recent version of the CDBG Recipients' Manual at the following web page: https://dca.georgia.gov/financing-tools/infrastructure/community-development-block-grants-cdbg/annual-cdbg-competition/cdbg.

Appendix A:
Sample Notice for RFP

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Date: **DATE**

CITY/COUNTY
REQUEST FOR PROPOSALS
ENGINEERING AND/OR ARCHITECTURAL GRANT SERVICES

Statements of qualifications and proposals are being requested from engineering/architectural firms with a strong record in successfully assisting local governments with the implementation of Community Development Block Grant (CDBG) programs. Responding firms should be technically qualified and licensed in the State of Georgia to provide these services.

Plans are to contract for engineering/architectural preliminary design services required for a potential FY20__ CDBG project and, if funded, for engineering/architectural services for the implementation of the project. The purpose of the project is to provide TYPE OF IMPROVEMENTS.

Information which should be submitted for our evaluation is as follows:

1) **History of firm and resources**
2) **CDBG/EIP/RDF experience, including other DCA grant programs**
3) **Key personnel/qualifications**
4) **Current workload**
5) **Scope and level of service proposed**
6) **Experience with similar projects and list of references**
7) **Fees and/or Percentages (if any) associated with the Preliminary Engineering Report (PER) for the application, and Design and Construction Management Services, if the project is funded. The draft PER would be needed no later than _____).**
8) **Errors and Omissions Insurance**
9) **Statement of Qualifications Form**

CITY/COUNTY *also abides by the following laws as they pertain to HUD Assisted Projects: Title VI of the Civil Rights Act of 1964; Section 109 of the Housing and Community Development Act of 1974, Title 1; Title VII of the Civil Rights Act of 1968 (Fair Housing Act); Section 104(b)(2) of the Housing and Community Development Act of 1974; Section 504 of the Rehabilitation Act of 1973 as amended; Title II of the Americans with Disabilities Act of 1990 (ADA); the Architectural Barriers Act of 1968; and the Build America, Buy America Act (BABA).*

Interested parties should request copies of the Statement of Qualifications Form prior to preparing and submitting their proposal. Proposals should be received no later than **5:00 PM** on **[30 DAYS AFTER PUBLICATION]**. Proposals received after the above date and time may not be considered. We reserve the right to accept or reject any and all proposals and to waive informalities in the proposal process. Questions, Statement of Qualifications, and proposal packages should be submitted to the name and address listed below:

CLIENT CONTACT
CLIENT ADDRESS
Phone/ Email:

****

Appendix B:
Sample Email Request for Proposals

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Copy and paste the "email" below, including the Fair Housing and ADA logos, to send to your selected Engineering/Architectural firms and remember to select the Request for Delivery Receipt and Request a Read Receipt.

***Subject: PLEASE RESPOND: CITY/COUNTY RFP ENGINEERING AND/OR ARCHITECTURAL GRANT SERVICES – FY20___CDBG/EIP/RDF

FROM: CITY/COUNTY, Georgia

RE: CITY/COUNTY Solicitation Package for Engineering and/or Architectural Grant Services – FY20___CDBG/EIP/RDF

PLEASE REPLY TO THIS EMAIL to let us know if you received this request and/or if you will be submitting a proposal.

Thank you,

CITY/COUNTY CONTACT
CITY/COUNTY NAME

CITY/COUNTY
REQUEST FOR PROPOSALS
ENGINEERING AND/OR ARCHITECTURAL GRANT SERVICES

Date: **DATE**

Statements of qualifications and proposals are being requested from engineering/architectural firms with a strong record in successfully assisting local governments with the implementation of Community Development Block Grant (CDBG) programs. Responding firms should be technically qualified and licensed in the State of Georgia to provide these services.

Plans are to contract for engineering/architectural services required for a FY20__CDBG/EIP/RDF project, if funded. The purpose of the project is to provide TYPE OF IMPROVEMENTS.

Information which should be submitted for our evaluation is as follows:

1) **History of firm and resources**
2) **CDBG/EIP/RDF experience, including other DCA grant programs**
3) **Key personnel/qualifications**
4) **Current workload**
5) **Scope and level of service proposed**

6) **Experience with similar projects and list of references**
7) **Fees and/or Percentages (if any) associated with the Preliminary Engineering Report (PER) for the application, and Design and Construction Management Services, if the project is funded. The draft PER would be needed no later than _____).**
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CITY/COUNTY CONTACT
CITY/COUNTY
ADDRESS
Phone: / Email:

Appendix C:
Engineering/Architectural
Sample Statement of Qualifications

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NAME OF FIRM: _____

ADDRESS: _____

_____

1. Years in Business in Present Form: _____

2. Firms History and Resource Capability to Perform Required Services:

_____

_____

3. Titles, Names, and Addresses of all Officers:

_____

_____

_____

4. List categories in which firm is legally qualified to do business. Include Licenses and Registrations where applicable.

_____

_____

5. Does your firm carry Errors and Omissions Insurance?_____

6. If you were awarded the design, bid phase, and inspection for this project, what would your fee be?

_____

7. Does your firm charge for the preliminary engineering report (PER)?

If yes, what would the charge be? $_____

Can your firm meet the draft PER deadline? YES_____ NO_____

8. List up to five (5) projects which demonstrate skills to be used on CDBG projects. Note project name, location, owner, year, contract amount, and nature of firm's responsibility.

1. _____

2. _____

3. _____

4. _____

5. _____

9. List key personnel (with qualifications) likely to be involved on these projects and explain their specific role in CDBG work.

_____

_____

_____

10. List three (3) references for the Firm.

1. _____

2. _____

3. _____

11. Certifying that:

Mr./Mrs./Ms. _____ (signature) being duly sworn deposes and states that he/she is the _____ (title) of _____ (name of firm) and that answers to the foregoing questions and all statements herein contained are true and correct.

Appendix D.
ENGINEERING/ARCHITECTURAL SAMPLE RATINGS CRITERION

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CONTACT: _____

NAME OF FIRM: _____

FIRM ADDRESS: _____

Evaluate the Architectural and/or Engineering Firm based on the points assigned to each of the following selection criterion

		CIRCLE POINTS			
	CRITERION	**POOR**	**GOOD**	**EXCELLENT**	**POINTS ASSIGNED**
1.	Ability to provide the disciplines necessary for this project.	0	1	2	_____
2.	Firm's experience with this type of construction.	0	1	2	_____
3.	Key personnel experience with this type of construction	0	1	2	_____
4.	Quality of reference information.	0	1	2	_____
5.	Has Firm had experience with Community Development Block Grant (CDBG) projects?	0	1	2	_____
6.	Is price competitive?	0	1	2	_____
				TOTAL POINTS	_____

Firm can meet PER/PAR deadline? ____ Yes ____ No

Firm carries Errors and Omissions insurance? ____ Yes ____ No

COMMENTS ON WHY FIRM SHOULD BE SELECTED: _____

_____

_____

_____

NAME: _____

DATE OF REVIEW: _____