

**LEE COUNTY
HIGHWAY DEPARTMENT**

**Qualification Based Selection Process for Procurement of
Professional Services**

Adopted January 20, 2022

Introduction and Purpose

The principle objective of Qualification Based Selection (QBS) procedures is to allow the Lee County Highway Department to locate a qualified consultant to undertake the project; then, through negotiations, engage the consultant to provide the creative and technical work required at a fair and reasonable cost. The funding source, area, and magnitude of responsibility in the process can vary widely according to project type.

In addition to Local, State, Motor Fuel Tax (MFT), Township Bridge Program (TBP) funds, Lee County receives federal funds, which may be used to fund the engineering and design related consultant services for Lee County transportation projects. The written policies and procedures as described herein for Qualification Based Selection (QBS) will meet the requirements of the Brooks Act (40 U.S.C. 1101 – 1104), the Illinois Local Government Professional Services Selection Act (50 ILCS 510), and 23 Code of Federal Regulations Part 172 entitled “Procurement, Management, and Administration of Engineering and Design Related Services.”

Prequalification

The Illinois Department of Transportation (IDOT) maintains a List of Prequalified Private Consulting Firms (The Directory of Firms) that have been approved to perform professional or specialized services. Firms must be prequalified to perform the specific discipline of work or service it will be performing on a project for Lee County. Prequalification by IDOT does not relieve the firm of responsibility for determining if sub-consultants they may select are, in fact, qualified to perform the work for which it is engaged. A firm is required to be prequalified prior to submitting its Letter of Interest for any advertised project.

Applicability

Local, State, MFT, or TBP Funded Engineering and Professional Services:

QBS procedures for public notice, evaluation, selection, and contract negotiations shall be used whenever a project requiring architectural, engineering, or land surveying services is proposed for Lee County, unless Lee County has a satisfactory relationship for services with one or more firms (50 ILCS 510). If Lee County has a satisfactory relationship with one or more firms, Lee County will define the project and enter into contract negotiations with a firm, unless it is determined by the County Engineer to undergo a full QBS procedure for consultant selection.

Lee County may also waive the requirements of public notice, evaluation, and selection if Lee County determines, by resolution, that an emergency situation exists and a consultant must be selected in an emergency manner, or if the total cost of services from a consultant is estimated to be less than \$40,000 (50 ILCS 510/8). If Lee County estimates the total cost of services within the contract will be less than \$40,000, IDOT will not approve any agreement or supplemental agreement that exceeds the \$40,000 threshold unless Lee County followed state statutes.

Federally Funded Engineering Services:

Lee County shall use QBS procedures in accordance with The Brooks Act, (40 USC 11) and the FHWA’s requirements for Procurement, Management, and Administration of Engineering and Design Related Services (23 CFR 172) to promote open competition by advertising, ranking,

selecting, and negotiating contracts based on demonstrated competence and qualifications for the type of engineering and design related services being procured, and at a fair and reasonable price.

If a consultant is selected to work on multiple phases of a project, the dollar limits apply to the total combined cost of all included phases. If Lee County included an option to perform one or more phases as part of the original solicitation, Lee County is then not required to conduct another QBS, unless Lee County elects to select a different consultant for subsequent phases.

Small Purchases for Federally Funded Engineering Services:

If the cost of any individual contract for engineering services will be less than \$40,000, then the small purchase procurement method may be used (23 CFR 172.7(a)). The following additional requirements shall apply to the small purchase procurement method:

- The scope of work, within one project phase shall not be broken down into smaller components merely to permit the use of small purchase procedures.
- A minimum of three consultants are required to satisfy the adequate number of qualified sources reviewed. In instances where less than three qualified consultants respond to the solicitation, Lee County shall contact IDOT District 2 Local Roads and Streets Bureau office for verification of the Lee County's solicitation to determine the solicitation did not contain conditions or requirements which arbitrarily limited competition.
- Contract costs may be negotiated in accordance with State small purchase procedures; however, the determination if the costs will be allowed shall be determined in accordance with the federal cost principals.
- If the cost of any supplemental changes to the contract for the engineering services exceeds \$40,000 and federal QBS procedures were not followed, federal funds become ineligible above the \$40,000 on engineering services.

Lee County QBS Procedures

1. Initial Administration: Lee County's QBS policy and procedures for transportation related items assigns responsibility for the procurement, management, and administration for consultant services to the County Engineer at the Lee County Highway Department. The County Engineer may delegate all or part of the selection process to the Assistant County Engineer.
2. Written Policies and Procedures: Lee County believes the QBS written policies and procedures adopted by Lee County substantially follows Section 5-5 of the IDOT BLRS Manual and specifically Section 5-5.06(e). Therefore, approval from IDOT is not required.
3. Project Description: Lee County will use the following five items when developing the project description and may include additional items when unique circumstances exist.
 - Describe in general terms the need, purpose, and objective of the project.
 - Identify the various project components.
 - Establish the desired timetable for the effort.
 - Identify any existing or projected problems.
 - Determine the total project budget.
4. Public Notice: Lee County will post an announcement on the Lee County Highway

Department's website: [Lee County, IL | Official Website \(leecountyil.com\)](http://leecountyil.com) and/or publish an ad in a newspaper with appropriate circulation. The item will be advertised for at least 14 days prior to acceptance of proposals, and at least twice in the newspaper and/or on continuous display on our website. The public notice will state if interviews of firms will be required during the evaluation process.

5. **Conflict of Interest:** Lee County requires consultants to submit a disclosure statement with their procedures. Lee County requires the use of the IDOT BDE DISC 2 Template Modified for Lee County as the conflict of interest form.
6. **Suspension and Debarment:** Lee County will make use of SAM Exclusions, IDOT's CPO's website and the three other state CPO's websites to verify suspensions and debarments actions to ensure the eligibility of firms short listed and selected for projects.
7. **Evaluation Factors:** Lee County allows the County Engineer to set the evaluation factors for each project, but must include a minimum of five criterion and stay within the established weighting range. The maximum of DBE and local presence combined will not be more than 10% on projects where federal funds are used. Project specific evaluation factors will be included at a minimum in the Request for Proposals. The total of all weights combined must equal 100%. Project specific evaluation factors will be included at a minimum in the Request for Proposals.

A minimum of five criterion will be chosen from the following list of evaluation factors:

- Technical Approach (10-30%)
- Firm Experience (10-30%)
- Specialized Expertise (10-30%)
- Staff Capabilities (Prime/Sub) (10-30%)
- Work Load Capacity (10-30%)
- Past Performance (10-30%)
- Approach to planning, organizing, and management (10-30%)
- Local Presence (up to 10%)

8. **Selection:** Lee County requires a minimum of a two-person selection committee, but more people can be added to the selection committee at the discretion of the County Engineer. Typically, the selection committee members include the County Engineer and Assistant County Engineer. The selection committee members must certify they do not have a conflict of interest. Selection committee members are selected by the County Engineer for each project. Lee County requires each member of the selection committee to provide an independent score for each proposal using the form below prior to the selection committee meeting.

Criteria	Weighting	Points	Firm 1	Firm 2	Firm X
Criterion 1					
Criterion 2					
Criterion x					
Total	100%	100			

9. **Independent Estimate:** Lee County will prepare an independent in-house estimate for the project prior to contract negotiation. The estimate is used in the negotiation.

10. Contract Negotiation: Lee County requires a two-person team to negotiate with the firms. The team consists of the County Engineer and Assistant County Engineer. Members of the negotiation team may delegate this responsibility to staff members.
11. Contract Approval: Once a firm has been selected, the Lee County Highway Department will submit the contract to the Lee County Transportation and Solid Waste Committee for approval. Upon contract approval by the Transportation and Solid Waste Committee, the contract will be executed by all parties, and sent to IDOT for final approval (if required by funding type).
12. Invoice Processing: Lee County requires the County Engineer or Assistant County Engineer to review and approve all invoices prior to payment and submission to IDOT for reimbursement (if required by funding type).
13. Project Administration: Lee County requires the County Engineer or Assistant County Engineer to monitor work on the project in accordance with the contract. Lee County's procedures require an evaluation of the consultant's work at the end of each project. These reports are maintained in Lee County Highway Department files. Lee County follows IDOT's requirements and the required submission of BLRS Form 05613 to the IDOT district at contract close-out along with the final invoice.