



**Town of Gordonsville, Virginia  
Agenda Item Summary  
June 22, 2020**

<p><b><u>AGENDA ITEM 4d</u></b> Unfinished Business</p> <p><b><u>AGENDA TITLE:</u></b> Consideration of Authorization to Release Request for Proposals for Engineering and Design Services for Town Hall Parking Lot Redevelopment.</p> <p><b><u>PRESENTER:</u></b> Mayor Robert Coiner</p>	<p><b><u>DISPOSITION:</u></b>  <input checked="" type="checkbox"/> Action Required    <input type="checkbox"/> For Discussion  <input type="checkbox"/> Consent Agenda    <input type="checkbox"/> Closed Session  <input type="checkbox"/> Informational</p> <p><b><u>ATTACHMENTS:</u></b>  <input checked="" type="checkbox"/> yes                                    <input type="checkbox"/> no</p>
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**BACKGROUND:**

At Council’s June 15<sup>th</sup> meeting, staff presented a draft request for proposals for the selection of a firm for engineering and design services for the redevelopment of the parking lot around Town Hall.

After discussion, Council suggested the project might be better served by the use of the design-build procurement process and asked staff to contact other localities to gauge their success with the process.

Staff is obtaining information from projects in Boones Mill and Amherst that were both design-build. The managers for these localities both indicated the design-build process resulted in saved time and money for each respective project.

In the spring of 2018, Council considered an amendment to the Town’s Financial Policies to permit the design-build process as a means for procuring engineering and construction services. Attached for Council’s information is the draft amendment to the Financial Policies previously considered. Should Council desire to use the design-build process for projects within the town, the Financial Policies should be amended to include these provisions.

Additionally, an architect/engineering firm will need to be hired to assist the Town with navigating the process and ensuring compliance with provisions of Virginia Code [Section 2.2-4382](#) should Council wish to utilize the design-build process.

How does Council wish to proceed?

## TOWN OF GORDONSVILLE DESIGN-BUILD PROCEDURES

The following procedures will govern the selection, evaluation and award of all design-build contracts, and, if approved by Council, will become Provision D of Section IV. *Purchase Procedures* in the Purchasing Policy section of the Town's Financial Policies.

### BACKGROUND

Pursuant to the Code of Virginia § 2.2-4382, the Town of Gordonsville may contract to secure Design-Build (D/B) services on a fixed price or not-to-exceed price basis.

### PROCEDURES FOR UTILIZING DESIGN-BUILD CONTRACTING

The following procedures shall be used for the procurement of Design-Build (D/B) contracts:

1. **LICENSED ARCHITECT OR ENGINEER:** Prior to making a determination regarding the use of D/B, the Town shall employ or contract with a licensed architect or engineer as provided by Virginia Code § 2.2-4382 (B).
2. **DETERMINATION REGARDING USE OF D/B:** The Town Manager must determine in writing that for a specific project a design-build contract is more advantageous than a separate design contract and a competitive sealed bidding construction contract (design-bid-build), that there is benefit to the Town in using a design-build contract, and that competitive sealed bidding is not practical or fiscally advantageous.
3. **D/B SELECTION:** On projects approved for D/B, procurement of the contract shall be a two-step competitive negotiation process. The following procedures shall be used in selecting a design-builder, negotiating and awarding the contract:

- a. **Selection Advisory Committee**

The Town Manager shall appoint a Selection Advisory Committee (Committee) of not less than three (3) members, one of whom shall be the architect or professional engineer employed by or under contract with the Town.

- b. **Selection of Qualified Offerors (STEP I)**

- i. The Town Manager shall issue a written Request for Qualifications (RFQ) by advertising in a newspaper of general circulation in the Town, and posting on the Town's website and eVA (the Virginia Department of General Services central electronic procurement website) at least thirty (30) days preceding the date set for the receipt of qualifications. In addition, qualifications may be solicited directly from potential offerors.
- ii. The RFQ shall indicate in general terms that which is sought to be procured, specifying the factors which will be used in evaluating the potential offeror's qualifications, and containing or incorporating by

reference the other applicable contractual terms and conditions, including any unique capabilities or qualifications that will be required of the offeror. The RFQ shall request of potential offerors only such information as is appropriate for an objective evaluation of all potential offerors.

- iii. The RFQ shall contain procedures for comments concerning specifications or other provisions of the RFQ to be received and considered prior to the time set for receipt of qualifications.
  - iv. The Committee shall evaluate each responding firm's submittals and any other relevant information. It shall then determine which firms are qualified on the basis of the selection criteria set forth in the RFQ. An offeror may be denied prequalification only upon the grounds specified in Virginia Code § 2.2-4317. The Committee shall determine a minimum of two (2) firms that are qualified; however, if only one (1) firm responds, the Committee may evaluate that submittal.
  - v. At least 30 days prior to the date established for the submission of proposals, the Town Manager shall advise in writing each offeror that sought prequalification whether that offeror has been prequalified. In the event that an offeror is denied prequalification, the written notification to such offeror shall state the reasons for such denial of prequalification and the factual basis for the denial.
- c. Selection of D/B Contractor (STEP II)
- i. The Town Manager or designee shall prepare a Request for Proposals (RFP) that shall:
    - a. define the pre-design, design phase, bid phase and/or construction phase services to be performed by the design-builder;
    - b. include and define the requirements of the specific construction project in areas such as site plans, floor plans, exterior elevations, basic building envelope materials, fire protection information plans, structural, mechanical (HVAC) and electrical systems, special information technology, and audio, visual or telecommunication equipment;
    - c. specify the criteria that will be used in evaluating the proposals;
    - d. contain or incorporate by reference the applicable contractual terms and conditions, including any unique capabilities or qualifications that will be required of offerors;

- e. contain procedures for comments concerning specifications or other provisions of the RFP to be received and considered prior to the time set receipt of proposals; and
  - f. include such other requirements as the Town Manager deems appropriate for the construction project.
- ii. At least ten (10) days prior to the date set for receipt of proposals, the Town Manager shall invite those potential offerors determined to be qualified under Step 1 to submit sealed technical and cost proposals. An offeror's cost proposal shall be sealed and kept separately by the Town Manager from its technical proposal. Cost proposals will be secured and kept sealed until evaluation of all technical proposals is completed.
  - iii. The Committee shall evaluate such technical proposals based on the criteria set forth in the RFP and select two or more offerors deemed to be fully qualified and best suited among those submitting proposals based on the criteria set forth in the RFP. (However, if only one proposal is submitted, the Committee may proceed to discuss and evaluate that proposal.) The Committee shall hold discussions with each of the selected offerors, exercising care to discuss the same owner information with each offeror. In addition, the Committee shall not disclose any trade secret or proprietary information for which the offeror has invoked protection pursuant to Virginia Code § 2.2-4342 (F).
  - iv. Upon completion of the discussions, the Committee shall determine whether any changes to the proposals should be requested to correct errors or omissions, to clarify ambiguities, or to incorporate project improvements or additional details identified by the Committee during its review. In response to the requested changes, offerors may submit revised technical proposals, as well as sealed modifications to their cost proposals. The Committee will complete its evaluations of the revised technical proposals, then the Town Manager shall publicly open and tabulate the cost proposals, including any modifications.
  - v. The Committee shall rank the proposals and make its recommendation, based upon its evaluation of the technical and cost proposals (and any amendments) according to the criteria included in the RFP, on the selection of a Design-Builder to the Town Manager. The contract shall be awarded to the offeror who is fully qualified and who has been determined to have provided the best value in response to the RFP.
  - vi. The Town Manager shall place the item on the Town Council agenda to request approval of the proposed contract.

- vii. The Town Manager shall inform all offerors as to which offeror was selected.
4. **ADDITIONAL PROCEDURES:** The Town Manager may promulgate such additional procedures, not inconsistent with these provisions or state law, and consistent with the procedures for the procurement of nonprofessional services through competitive negotiation, as deemed necessary and appropriate to effect the selection and evaluation of offerors and the award of D/B contracts.

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