

2014 Procurement Training

for State and County Purchasing Personnel

## **PROCUREMENT OF PROFESSIONAL SERVICES**

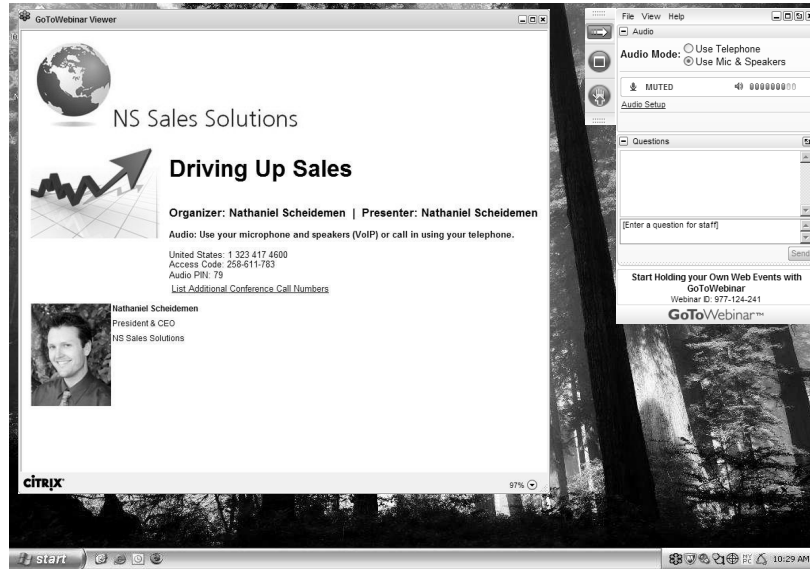
HAR, Chapter 3-122, Subchapter 7

HRS, Section 103D-304, Professional Services

### **About SPO Webinars**

- Participation encouraged.
- If we cannot get to all your questions we will provide answers at a later date (FAQ, etc.)
- If there is more than one person participating at a single computer.
  - Everyone registers for this webinar on the SPO Training website.
  - Only the person logging in should register on the Webinar site.
  - All attendees in the group (including the person registered on the webinar site) complete the SPO Webinar Group Attendance form, scan it in and send it to: [spo.training@hawaii.gov](mailto:spo.training@hawaii.gov)
  - **Send it in within 1 working day of the webinar**
- The SPO Webinar Group Attendance form is on the SPO training schedule along with the handouts.  
<http://hawaii.gov/spo> click **Training and Informational Sessions; click Training/Informational Sessions for State and County Personnel**
- **DO NOT send in the signed form prior to the workshop.**

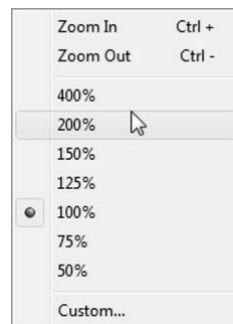
## The GoToWebinar Attendee View



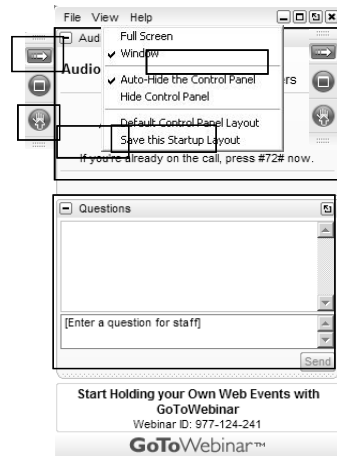
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## Webinar Viewer Window

- Having trouble seeing?
    - Maximize your viewer window
  - and/or
  - Increase the magnification in your browser.
- To exit full screen mode-escape key (Esc).



## How to Participate Today



- Open and close your Panel
- View, Select, and Test your audio
- Submit text questions
- Raise your hand
- Q&A addressed at the end of today's session

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## Before You Procure/Administer Contract: Written Delegated Authority and Training

Before you develop/draft/participate in a solicitation, review, approve, conduct, manage, or administer a procurement/contract, you must:

- **Have written delegated authority per individual signed and submitted (to SPO) Form SPO-036.**  
**Note:** Procurement Delegation Memorandum 2010-01, amendment 1 - reminder that personnel participating/conducting procurement are required to have written procurement delegation.
  - See: <http://hawaii.gov/spo>
    - > [For State & County Procurement Personnel](#)
    - > [Required Procurement Delegation Authority](#)
- **Have taken all required training.**  
*Reference: Procurement Circular 2010-05*  
**Note:** Some requirements have changed. Check the website periodically.
  - See: <http://hawaii.gov/spo>
    - > [For State & County Procurement Personnel](#)
    - > [Training Information](#)
    - > [Training Requirements: Which Workshops Do I need to Take?](#)

## About Public Sector Procurement Why can't we 'Just Do it'

- We use taxpayer funds;
  - Our "shareholders" are the taxpayers (everyone).
  - Like the private sector, we want best value **AND** we have additional obligations:
- 1. We must be open/transparent.**
    - Everyone has a right to know and have easy access.
  - 2. We must be fair to all qualified vendors.**
    - Everyone has the right to compete.
  - 3. We ARE accountable.**
    - Keep an auditable trail. (document, document, document!)
    - Follow standardized rules and procedures. (Statutes, Administrative Rules, Procurement Circulars, Internal Procedures)

## When We Procure

- We must procure in accordance with statutes and rules.
  - Hawaii Revised Statutes (HRS) Chapter 103D, The Hawaii Public Procurement Code
  - Hawaii Administrative Rules (HAR) Chapters 3-120 to 3-132
  - Procurement Circulars
- There are 6 methods of procurement (source selection HAR 3-122-16). Each of the methods:
  - has specific procedures;
  - shall be used under certain conditions;
  - more than one method may be applicable;
- Professional Services is one of those methods.
- When more than one method is applicable, choose the most appropriate method (generally the most competitive).

Methods of Procurement		
Method	Bases for Use	Bases of Award
Competitive Sealed Bids	Always used unless it is not feasible or practicable.	Lowest responsive, responsible bid.
Small Purchases	Purchases of smaller quantities for goods and services of less than \$100,000 and construction less than \$250,000.	Lowest responsive, responsible quotation.
Competitive Sealed Proposals	Competitive sealed bidding is not practicable; price is not the most critical factor.	Based on RFP evaluation criteria.
Multi-step Bid	Used when pre-qualification of offerors necessary before considering price.	Lowest bidder of qualified offerors.
Sole Source	Only one source for the required good, service, or construction.	Approved single source at agreed prices.
Emergency	Used to respond the needs that are immediate and serious that are a threat to life, public health, welfare, or safety.	Lowest responsive and/or responsible offeror.
Professional Services	Professional services as defined in rules and statutes.	Qualified respondent that meets determined criteria; prices are agreed to.
Request for Interest (For Federal Grants)	Used prior to applying for the Federal grants where time is limited or economic situations require a "quick" selection process.	Criteria determined in RFI.

## Chief Procurement Officers (CPO)

- **Executive (5)**
    - Administrator of the State Procurement Office, *except for*:
      - Office of Hawaiian Affairs--Chairperson of the Board;
      - University of Hawaii--President of UH;
      - Department of Education, *excluding the Hawaii Public Library System*--Superintendent of Education;
      - Hawaii Health Systems Corporation--CEO, HHSC
  - **Judiciary (1)**--Administrative Director of the Courts
  - **Legislative (2)**
    - Senate -President
    - House of Representatives -Speaker
  - Counties: (13)** -Executive Branch--Finance Directors, *except for* Boards of Water Supply, Legislative Branch--Chairpersons of the Councils, Boards/Departments of Water Supply--Managers and Chief Engineers as designated by county charter  
Honolulu Authority for Rapid Transportation—Executive Director.
- (Ref: HRS 103D-203)

## Terms You Should Know

- **Head of Purchasing Agency (HOPA)**= Head of any governmental body which is authorized by this chapter or its implementing rules and procedures, or by way of delegation, to enter into contracts for the procurement of goods, services, or construction.
- **Procurement Officer (PO)**=any person authorized to enter into and administer contracts and make written determinations with respect thereto. The term also includes an authorized representative acting within the limits of authority. (*ref: HRS 103D-104*)

## Professional Services

- As defined in HRS section 103D-104;
- As may be defined in other state statutes;
- or as contained in the United States Office of Personnel Management's Qualifications Standards Handbook

(Reference Procurement Circular No. 2009-06 for Professional Services List)

## HRS 103D-104

Services within the scope of the practice of architecture, landscape architecture, professional engineering, land surveying, real property appraisal, law, medicine, accounting, dentistry, public finance bond underwriting, public finance bond investment banking or any other practice defined.

**§464-1 Definitions.** As used in this chapter:

"Architect" means a person who holds oneself out as able to perform, or who does perform, any professional service such as consultation, investigation, evaluation, planning, design, including aesthetic and structural design, or observation of construction, in connection with any private or public buildings, structures, or projects or the equipment or utilities thereof, or the accessories thereto, wherein the safeguarding of life, health, or property is concerned or involved, when the professional service requires the application of the art and science of construction based upon the principles of mathematics, aesthetics, and the physical sciences.

"Landscape architect" means a person who holds oneself out as able to perform, or who does perform, any professional services such as consultation, investigation, reconnaissance, research, design, preparation of drawings and specifications, and observation of construction where the dominant purpose of the services is:

- (1) The preservation and enhancement of land uses and natural land features;
- (2) The location and construction of aesthetically pleasing and functional approaches for structures, roadways, and walkways; and
- (3) The design for equestrian trails, plantings, landscape irrigation, landscape lighting, and landscape grading.

"Professional engineer" means a person who holds oneself out as able to perform, or who does perform, any professional service such as consultation, investigation, evaluation, planning, design, or observation of construction or operation, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works, or projects, wherein the safeguarding of life, health, or property is concerned or involved, when such professional service requires the application of engineering principles and data.

"Professional surveyor", "professional land surveyor", or "land surveyor" means a person who holds oneself out as able to practice, or who does practice, land surveying in this State."

"Surveyor" or "land surveyor".

## **HRS §415A.2 Professional Corporation Act - Definitions**

442- Chiropractic	461-Pharmacists & Pharmacy
448-Dentistry	463E-Podiatrists
453-Medicine & Surgery	465-Psychologist
455-Naturopathy	466-Public Accountancy
457-Nurses	471-Veterinary Medicine
459-Optometry	605-Attorneys
460-Osteopathy	
554-2 - Nomination by beneficiaries; appointment of trustees (private trusts)	



U.S. OFFICE OF PERSONNEL MANAGEMENT (OPM)  
PROFESSIONAL SERVICES POSITIONS  
FOR  
CHAPTER 103D, HAWAII REVISED STATUTES

REFERENCE: SECTION 103D-104, HRS, DEFINITION OF "PROFESSIONAL SERVICES"

**GENERAL SCHEDULE SERIES AND POSITION TITLES:**

<b><u>Miscellaneous Occupations</u></b>		<b><u>Biological Sciences (continued)</u></b>	
GS-0020	Community Planning	GS-0454	Range Conservation
		GS-0457	Soil Conservation
<b><u>Social Science, Psychology, and Welfare</u></b>		GS-0460	Forestry
GS-0101	Social Science	GS-0470	Soil Science
GS-0110	Economist	GS-0471	Agronomy
GS-0130	Foreign Affairs	GS-0475	Agricultural Management
GS-0131	International Relations	GS-0480	General Fish and Wildlife Administration
GS-0140	Manpower Research & Analysis		
GS-0150	Geography	GS-0482	Fish Biology
GS-0170	History	GS-0485	Wildlife Refuge Management
GS-0180	Psychology	GS-0486	Wildlife Biology
GS-0184	Sociology	GS-0487	Animal Science

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**GENERAL SCHEDULE SERIES AND POSITION TITLES:**

GS-0185	Social Work	GS-0493	Home Economics
GS-0190	General Anthropology		
GS-0193	Archaeology		
<b><u>Biological Sciences</u></b>		<b><u>Accounting and Budget</u></b>	
GS-0401	General Biological Science	GS-0510	Accounting
GS-0403	Microbiology	GS-0511	Auditing
GS-0405	Pharmacology	GS-0512	Internal Revenue Agent
GS-0406	Agricultural Extension		
GS-0408	Ecology	<b><u>Medical, Hospital, Dental, and Public Health</u></b>	
GS-0410	Zoology	GS-0601	General Health Science
GS-0413	Physiology	GS-0630	Dietician & Nutritionist
GS-0414	Entomology	GS-0631	Occupational Therapist
GS-0415	Toxicology	GS-0633	Physical Therapist
GS-0430	Botany	GS-0635	Corrective Therapist
GS-0434	Plant Pathology	GS-0637	Manual Arts Therapist
GS-0435	Plant Physiology	GS-0638	Recreational/Creative Arts Therapist
GS-0436	Plant Protection & Quarantine	GS-0639	Educational Therapist
GS-0437	Horticulture	GS-0644	Medical Technologist
GS-0440	Genetics	GS-0665	Speech Pathology & Audiology
		GS-0690	Industrial Hygiene
		GS-0696	Consumer Safety

U.S. OFFICE OF PERSONNEL MANAGEMENT (OPM)  
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REFERENCE: SECTION 103D-104, HRS, DEFINITION OF "PROFESSIONAL SERVICES"

**GENERAL SCHEDULE SERIES AND POSITION TITLES:**

GS-0890	Agricultural Engineering		
GS-0892	Ceramic Engineering		
GS-0893	Chemical Engineering		
GS-0894	Welding Engineering		
GS-0896	Industrial Engineering		
		<b><u>Archives</u></b>	
		GS-1420	Archivist
		<b><u>Mathematics, Statistics, and Computer</u></b>	
		GS-1510	Actuary
		GS-1515	Operations Research
		GS-1520	Mathematics
		GS-1529	Mathematical Statistician
		GS-1530	Statistician
		GS-1550	Computer Science
		<b><u>Information and Arts</u></b>	
GS-1015	Museum Curator		
		<b><u>Copyright, Patent, and Trade Mark</u></b>	
GS-1221	Patent Advisor		
GS-1223	Patent Classifying		
GS-1224	Patent Examining		
GS-1226	Design Patent Examining		
		<b><u>Education</u></b>	
		GS-1701	General Education & Training
		GS-1710	Education & Vocational Training
		GS-1720	Education Program
		GS-1725	Public Health Educator
		GS-1730	Education Research
		GS-1740	Education Services
		GS-1750	Instructional Systems

U.S. Office of Personnel Management-  
Qualifications Standards Handbook  
for Professional and Scientific  
Positions

- <http://www.opm.gov/qualifications/standards/group-stds/gs-prof.asp>
- Provides a list of the occupational series covered by this qualification standard. All occupational series covered by this standard have individual occupational requirements.

**Source Selection Methods Available To Procure  
Professional Services  
(not Design Professionals)**

- Competitive Sealed Bidding (CSB);
- Competitive Sealed Proposals (CSP);
- Sole Source Procurement;
- Small Purchases;
- Emergency Procurement.

**Procurement of Design Professionals**

- Defined in HRS Chapter 464, they are Professional Engineers, Architects, Landscape Architects, and Surveyors.
- They must be procured utilizing HRS section 103D-304, or HRS section 103D-307, Emergency Procurements.
- Using other methods such as IFBs, RFPs, Small Purchases, (informal oral quotes, obtaining names from telephone books, referrals, agency lists, etc.), are not allowed (excludes procurement for design/build construction projects).

### **Creating a pre-qualified list**

- Post notice on the PNS (as needed or annually) inviting persons to submit Expressions of Interest (EOI) and Statements of Qualifications (SOQ) for the specified professional service(s).
- “Persons” means individuals, partnerships, corporations, associations, or public or private organizations or any character other than a governmental body-HAR section 3-120-2 Definitions.

### **The notice should include:**

- ⇒ the specific professional service(s) that is being requested;
- ⇒ term that the list will be used;
- ⇒ when and where submittals are to be received;
- ⇒ mandatory evaluation criteria; and any other important factors to be submitted to select a firm.

Examples of additional important factors can include:

- Location and number of offices;
- Age of the firm, average number of employees;
- Education, training, and qualifications of key members of firm available for contracts;
- Names and phone numbers of up to five clients, including at least 2 for whom the service were rendered during the preceding year; and
- Any promotional or descriptive literature which firm may want to submit.

May 1, 2007

NOTICE TO PROVIDERS OF PROFESSIONAL SERVICES

PS-07-03-FTZ

The Department of Business, Economic Development, and Tourism (DBEDT) may require the services of qualified Architects/Engineers to provide consultant services related to the assembly of a mobile loading dock system at the Foreign-Trade Zone (FTZ) No. 9.

The scope of work for this project will require the preparation of plans, design drawings, and project specifications for the assembly of a mobile loading dock system. Qualifications and Services needed include, but are not limited to, the following. The Consultant shall:

- a. Prepare plans, design drawings, and bid specifications for the assembly of a mobile loading dock system. Such plans, design drawings and specifications shall include, but not be limited to, any modifications that need to be made to existing electrical and water systems.
- b. Identify and secure any necessary permit requirements. Prepare any and all paperwork needed to obtain required permits for this project
- c. Submit, as required, plans for review and approval by appropriate governmental agencies and public utility companies. Revise and resubmit plans in accordance with agency comments. Complete the final design and provide the FTZ with an autocad copy of said design. Submit, as required, the final design to appropriate governmental agencies and public utility companies for review, approval and signatures.
- d. Attend pre-bid conference for the assembly of the mobile loading dock system and respond to clarification requests during the bidding process. Assist the FTZ with the preparation of addenda to the bid request, if necessary.
- e. Clarify plans, specifications, contract documents and any related codes, as necessary, during the course of the project to include the assembly of the mobile loading dock system.
- f. Transmit shop drawings and submittals to appropriate governmental agencies or public utility companies for review and approvals, as necessary.

Under the requirements of Section 103D-304, HRS, the Director of the Department of Business, Economic Development, and Tourism is authorized to invite interested individuals or firms engaged in providing professional services for inclusion on a list of qualified professionals. Individuals or firms interested in being considered for this project, and who have the necessary experience and qualifications, are invited to submit a letter of interest, three (3) copies of their DPW Form 120, and three (3) copies of their resume, by May 31, 2007 to:

Eileen Harada  
For Theodore Lin, Director  
DBEDT-Administrative Services Office/Contracts  
250 S. Hotel Street, 504  
Honolulu, Hawaii 96813

Only those prospective individuals or firms who submit the above required documents by the deadline will be considered.

DPW Form 120 may be downloaded from [www.hawaii.gov/dbedt/info/bidfiles](http://www.hawaii.gov/dbedt/info/bidfiles) or [www4.state.hi.us/bidapps](http://www4.state.hi.us/bidapps). If there are any questions regarding the nature of the assignment, please call Larry Conley, Business Manager, FTZ, at 587-5374. For any procedural questions, please call Eileen Harada at (808) 586-9312.

**NOTICE TO PROSPECTIVE PROFESSIONAL CONSULTANTS**

The State of Hawaii, Department of Defense, Engineering Office, is seeking qualified professional firms to provide professional services in the following areas of disciplines for Fiscal Year 2008 Capital Improvement Projects (CIP) and other projects. CIP projects are subject to legislative budget approval. Categories being sought are:

1. ARCHITECTURE – All disciplines.
2. ENGINEERING – All disciplines including civil, mechanical, electrical, geotechnical, structural (planning, design, development of construction documents, construction management, field investigations, and other related services)
3. ENVIRONMENTAL SERVICES– Historical, Archeological, Biological, Botanical, Hazardous Waste Removal and Remediation, Solid Waste, Air Quality, Pollution Prevention, Radon, and other related services
4. EIS/EA PREPARATION – Environmental Impact Statement/Environmental Assessment.
5. LANDSCAPE ARCHITECTURE
6. SURVEYING
7. PLANNING
8. CONSTRUCTION MANAGEMENT

Consultants interested in providing professional services must submit the following items to the Contracting and Engineering Office, State of Hawaii, Department of Defense, 3949 Diamond Head Road, Building 305A, Room 228, Honolulu, Hawaii 96816-4495, no later than 4:00 p.m., May 25, 2007.

1. Letter of interest indicating the categories that the firm is interested and qualified to provide professional services. Firms shall indicate the category of service for which they want to be considered in their letter of interest. Firms that want to be considered for more than one category of service shall indicate all such categories in their letter of interest.
2. Interested individuals or firms should submit a completed Federal Standard Form (SF) 254, 255, or 330, or a DPW form 120.
3. Statement of Qualifications (SOQ) or executive summary for each project category requested highlighting the firm's qualifications, expertise and experience.
4. The names and phone numbers of up to five (5) clients who may be contacted including a minimum of two (2) for whom services were rendered during the preceding year.
5. Statement indicating any conflicts of interest in performing services for DAGS and/or the State of Hawaii. List membership on State boards, commissions, etc. For additional information, please refer to the State Ethics code, Chapter 84, Hawaii Revised Statutes, or go to the Hawaii State Ethics Commission Web site at <http://hawaii.gov/ethics/>.
6. Firms interested in construction management, must provide the name, experience and qualifications (training courses, certifications, etc.) of the proposed project/construction/program manager.
7. Any relevant information on the firm's 1) experience, 2) expertise, and 3) past performance including, but not limited to quality of work, cost control and ability to meet schedules may be submitted.

**Incomplete Submittals:** Submittals received by the due date, but with missing or deficient items will be considered "incomplete." Applicants will be notified of the deficiencies and will have five (5) working days from the notification date to submit all the required items or their submittal will be considered "late."

**Late Submittals:** Submittals received after the above due date will be considered "late." Qualified applicants may be considered for projects for the balance of the fiscal year after a qualification period of up to ninety (90) calendar days.

**GENERAL INFORMATION**

Selection of professionals will be made in accordance with Section 103D-304, Hawaii Revised Statutes and Section 3-122-Subchapter 7, Hawaii Administrative Rules, as amended. The selection criteria employed in descending order of importance shall be:

1. Experience and professional qualifications relevant to the project type. Note that qualifications may include accreditation, such as LEED, for applicable projects.
2. Past performance on projects or similar scope for public agencies or private industry.
3. Capacity to accomplish the work in the required time.
4. Any other criteria as determined by the selection committee to be relevant or necessary.

Copies of the Federal Standard Form (SF) 254, 255, 330 and DPW Form 120 are available at the following address:

Department of Defense, State of Hawaii  
3949 Diamond Head Road  
Bldg. 306-A, Room 228  
Honolulu, HI 96816-4495  
ATTN: Engineering Office  
Telephone: (808) 733-4041

A Hawaii State license is required for architecture, engineering, landscape architecture and surveying. Planning firms must have the necessary education, training and experience. Project management, construction management, and program management firms must have a Hawaii licensed architect or engineer on staff. Federal EPA and State Department of Health accreditation and training are required for projects involving the removal of asbestos-containing materials (ACM), lead-containing paints (LCP), underground storage tanks (UST), and other hazardous materials.

All submittals shall be received no later than 4:00 P.M., May 25, 2007.

The form SF 254 can be electronically accessed on the State Procurement Office website at <http://www2.hawaii.gov/StateFormsFiles/gsa%2FSF254%2Fdoc>.

Cathy Siu  
Contracts Assistant I

**DEPARTMENT OF TRANSPORTATION  
NOTICE TO PROVIDERS OF PROFESSIONAL SERVICES**

In accordance with §103D-304, HRS, the State of Hawaii, Department of Transportation (HDOT), Highways Division (Highways) is seeking qualified consultants to provide transportation planning services for the Statewide Pedestrian Master Plan.

Additional project information for this RFP may be viewed by going to the State of Hawaii, State & County Procurement Notices website, <http://www4.hawaii.gov/hidapps/ShowBids.cfm>. Click on the "More Info" column for this project notice and then click on "View Specifications Document."

Individuals or firms on HDOT's qualified list are invited to submit a proposal for the subject project. Proposals should be clear, concise, and in accordance with the *Guidelines for Preparing Consultant Proposals for Highways Division Projects*, which can also be also viewed by clicking on "More Info" and then on "View Specifications Document." Only those prospective individuals or firms who submit their proposal by the deadline below will be considered.

One electronic copy of the proposal must be received in PDF format via email at [Rachel.L.A.Roper@hawaii.gov](mailto:Rachel.L.A.Roper@hawaii.gov), and five copies of the proposals must be received by 4:00 p.m., September 30, 2008 at the following address:

Department of Transportation, Highways Division  
Planning Branch, Advance Planning Section  
869 Punchbowl Street, Room 301  
Honolulu, Hawaii 96813

Please send an email to [Rachel.L.A.Roper@hawaii.gov](mailto:Rachel.L.A.Roper@hawaii.gov) confirming that your firm is interested in submitting a proposal. This email confirmation will only be used to contact interested firms in the event that changes are made and are not required or part of the evaluation process.

Individuals or firms who are **not** on HDOT's qualified list and wish to be considered in the selection for this project must submit five copies of the following along with the proposal by the deadline above:

1. Letter of interest (including an email address for notification of additional advertisements)
2. DPW Form 120 or the Standard Federal Form 330. The DPW Form 120 may be downloaded from <http://www.hawaii.gov/dot>, click on "Business Related Information," then on "Professional Services."
3. Any other related information.

The evaluation criteria used to evaluate firms whose proposals are received by the deadline above are included in the *Guidelines for Preparing Consultant Proposals for Highways Division Projects*.

The HDOT, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252) and the Regulations of the U.S. Department of Transportation [Title 49, Code of Federal Regulations (CFR) Part 21] issued pursuant to such Act, hereby notifies all proposers that it will affirmatively ensure that the contract entered into pursuant to this advertisement will be awarded without discrimination on the grounds of race, color, religion, sex, national origin, age, or disability.

The U.S. Department of Transportation Regulations entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Programs," Part 26, Title 49, CFR is applicable to this project.

**Campaign contributions by State and County Contractors.** Contractors are hereby notified of the applicability of Section 11-205.5, HRS, which states that campaign contributions are prohibited from specified State or county government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body. For more information, contact the Campaign Spending Commission at (808) 586-0285.

The Director of Transportation reserves the right to cancel this request for proposals, to reject any or all proposals in whole or part, and to waive any defects in said proposal in the best interest of the State.

If you have any questions, please contact Rachel L.A. Roper, Highways Division, Planning Branch at (808) 587-1983 or email [Rachel.L.A.Roper@hawaii.gov](mailto:Rachel.L.A.Roper@hawaii.gov).

**What professional service is being requested as "qualified consultants to provide transportation planning services?"**

**NOTICE TO PROVIDERS OF PROFESSIONAL SERVICES**

In accordance with Section 103D-304, HRS, the Department of Transportation (DOT), Airports Division seeks the services of qualified construction management firms to provide construction management services for ITO Parking Lot Expansion, Hilo International Airport, Hilo, Hawaii, State Project No. AH1041-28. The scope of work for this project includes construction management services including construction administration and inspection for the improvements and expansion of the parking lot. Items included in this project are miscellaneous grading and asphalt paving, drywells, new toilet booths, electrical work, and landscaping. These services are anticipated to be immediately required, and will have a contract completion time of approximately one hundred eighty (180) calendar days from the notice to proceed. The estimated construction cost is \$2,300,000.

Individuals or firms on the DOT's qualified list shall submit a response to the attached written questionnaire which can be viewed by clicking on "More Info" and then on "View Specifications Document." The response to the questionnaire will be evaluated by the following criteria:

1. Experience and professional qualifications relevant to the project - 35%
2. Past performance on projects of similar scope for public agencies or private industry, including corrective actions and other responses to notices of deficiencies - 33%
3. Capacity to accomplish the work in the required time - 32%

Individuals or firms who are not on the DOT's qualified list, and wish to be considered in the selection for this project must submit four copies of the following along in addition to the above:

1. Letter of interest/request to be added to the qualified list (including an email address for notification of additional advertisements)
2. DPW Form 120 or the Standard Federal Form 330. The DPW Form 120 may be downloaded from <http://www.hawaii.gov/dot> by navigating to "Doing Business->Contracts->Professional Services."
3. Any other related information.

Submittals must be received by 4:30 p.m., on September 2, 2008, at the following address:

**What professional service is being requested as "construction management services, including construction administration and inspection for the improvement and expansion of the parking lot?"**

### Review Committee

- HOPA to ensure impartiality and independence of members;
- Non-government employees can serve but shall have sufficient knowledge, not be compensated (unless HOPA approves), and shall sign a form SPO-024 or similar attestation;
- Committee shall review and evaluate all submissions to prepare a list of qualified persons for each professional service listed.

The form is titled "STATE OF HAWAII ATTESTATION SERVING ON AN EVALUATION, REVIEW, OR SELECTION COMMITTEE". It contains the following sections:

- Committee member is a:**  Governmental Employee,  Non-Governmental Employee
- Purpose of committee:**  Request for Proposals - Evaluation committee to evaluate Request for Proposals No. [ ] (Reference HAR § 3-122-46.01);  Professional Services - Review committee to review statements of qualifications and expression of interest from professional services providers to establish a list of qualified persons. (Reference HAR § 3-122-46);  Professional Services - Selection committee to evaluate the submissions of the persons on the list of qualified persons against the selection criteria. (Reference HAR § 3-122-46)
- Declaration:** I, [ ], attest to the following:
  - I have no personal, business, or any other relationship that will influence my decision in the applicable evaluation, review, or selection process.
  - I agree not to disclose any information on the applicable evaluation, review, or selection process; and
  - I agree that my name will become public information upon award of the contract.



### **Review Committee**

- Designated HOPA and names placed in the contract file;
- Comprised of a minimum of 3 persons, with sufficient education, training, and credentials for each type of professional services. No Deputy or equivalent appointed positions may serve as a member.

### **Selection Committee**

- Appointed by HOPA when a particular professional service is needed, to evaluate the qualified list created by an annual or specific procurement notice;
- Comprised of a minimum of 3 persons, with sufficient education, training, and credentials in the area of the services required. No Deputy or equivalent appointed positions may serve as a member;

### **Selection Committee**

- Non-government employees can serve but shall have sufficient knowledge, not be compensated (unless HOPA approves), and shall sign a form SPO-024 or similar attestation;

### **Selection Committee**

- Selection Committee shall prepare criteria to evaluate the submissions. The criteria to evaluate and select the persons in descending order of importance are:
  - Experience and professional qualifications relevant to the project type;
  - Past performance on projects of similar scope for public agencies or private industry, including corrective actions and other responses to notices of deficiencies;

### **Selection Committee**

- Capacity to accomplish the work in the required time; and
- Any additional criteria(s) determined by the selection committee to be relevant to the purchasing agency's needs or necessary and appropriate to ensure full, open, and fair competition for professional services contracts.

### **Selection Committee**

- The committee may conduct confidential discussions with any person on the qualified list regarding the services which are required and the service they are qualified to provide;
- The committee shall rank a minimum of 3, and submit the ranking to the HOPA with summary of their qualifications;
- The recommendations of the committee (ranking) shall not be overturned without due cause.

### **Contractor Selection**

- The HOPA shall negotiate a contract with the 1<sup>st</sup> ranked person, including a rate of compensation that is fair and reasonable, and based on written terms of estimated value, scope, and complexity;
- If a satisfactory contract cannot be negotiated with the 1<sup>st</sup> ranked person, the HOPA shall terminate negotiations and begin negotiations with the 2<sup>nd</sup> ranked person on the list. If contract negotiations fail, then proceed to negotiate with the 3<sup>rd</sup> ranked person;

### **Contractor Selection**

- If the HOPA is unable to negotiate a contract with the top 3 ranked persons, the committee may be requested to submit a minimum of 3 additional names based on the same criteria;
- The notice of award shall be posted on the SPO website within 7 calendar days of the award. The date of the posting of the notice of award starts the clock for requests for debriefing and/or filing of protests.

**Less than 3 names or No Names for Submittal to HOPA**

- Put out another notice
- Consider another method of procurement (except for design services)
- Request for Exemption from HRS Chapter 103D; submit form SPO-007 *Notice and Request for Exemption from Chapter 103D*
- Cancel procurement

**Small Purchases (of professional services)  
(HAR 3-122-67)**

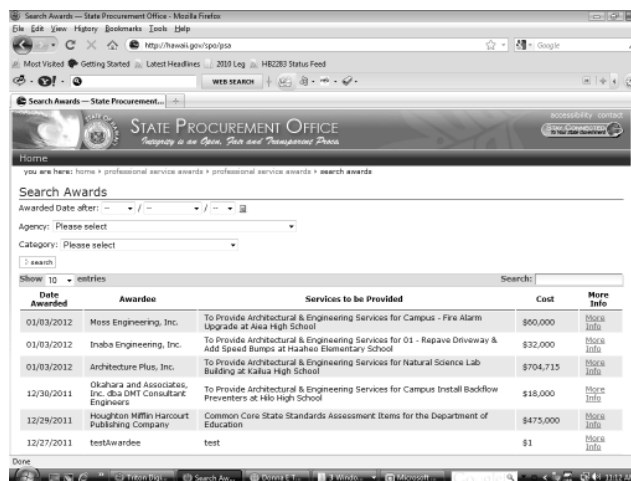
Except for small purchases of design professional services, procurement may be conducted as follows:

- May negotiate with any two persons on the list of qualified persons established.
- Use small purchases procedures pursuant to Subchapter 8.

## Posting Requirements

- Awards for \$5,000 or more utilizing a qualified list for a Professional Services shall be posted on the Professional Services Award website within **7 days** of the notice of award letter, not contract execution date.
- The website address is:  
<http://hawaii.gov/spo/psa>

<http://hawaii.gov/spo/psa>



The screenshot shows the State Procurement Office website with a search results table. The table lists awarded contracts with columns for Date Awarded, Awardee, Services to be Provided, Cost, and More Info.

Date Awarded	Awardee	Services to be Provided	Cost	More Info
01/03/2012	Moss Engineering, Inc.	To Provide Architectural & Engineering Services for Campus - Fire Alarm Upgrade at Aiea High School	\$60,000	<a href="#">More Info</a>
01/03/2012	Inaba Engineering, Inc.	To Provide Architectural & Engineering Services for 01 - Repair Driveway & Add Speed Bumps at Hahaione Elementary School	\$32,000	<a href="#">More Info</a>
01/03/2012	Architecture Plus, Inc.	To Provide Architectural & Engineering Services for Natural Science Lab Building at Kailua High School	\$704,715	<a href="#">More Info</a>
12/30/2011	Okahara and Associates, Inc. dba OMT Consultant Engineers	To Provide Architectural & Engineering Services for Campus Install Backflow Preventers at Hilo High School	\$18,000	<a href="#">More Info</a>
12/29/2011	Houghton Mifflin Harcourt Publishing Company	Common Core State Standards Assessment Items for the Department of Education	\$475,000	<a href="#">More Info</a>
12/27/2011	testAwardee	test	\$1	<a href="#">More Info</a>

# Professional Services Handout

Date Awarded	Awardee	Services to be Provided	Cost	More Info
01/03/2012	Moss Engineering, Inc.	To Provide Architectural & Engineering Services for Campus - Fire Alarm Upgrade at Aiea High School	\$60,000	<a href="#">More Info</a>
01/03/2012	Inaba Engineering, Inc.	To Provide Architectural & Engineering Services for 01 - Repave Driveway & Add Speed Bumps at Heaheua Elementary School	\$32,000	<a href="#">More Info</a>
01/03/2012	Architecture Plus, Inc.	To Provide Architectural & Engineering Services for Natural Science Lab Building at Kailua High School	\$704,715	<a href="#">More Info</a>
12/30/2011	Okahara and Associates, Inc. dba OMT Consultant Engineers	To Provide Architectural & Engineering Services for Campus Install Backflow Preventers at Iliou High School	\$18,000	<a href="#">More Info</a>
12/29/2011	Houghton Mifflin Harcourt Publishing Company	Common Core State Standards Assessment Items for the Department of Education	\$475,000	<a href="#">More Info</a>
12/27/2011	testAwardee	test	\$1	<a href="#">More Info</a>
12/27/2011	Imata & Associates, Inc.	To Provide Architectural & Engineering Services for Building C Walkway / Drainage Improvements at Honaunau Elementary School	\$49,900	<a href="#">More Info</a>
12/23/2011	KDA ARCHITECTS, LLC	DAGS SOB RD. 01-10-0908 KOWALE STATE OFFICE BUILDING & COURTHOUSE - REPAIR SOB ROOF & REPL COURT ROOF	\$13,880	<a href="#">More Info</a>
12/22/2011	AECOM Technical Services, Inc.	Architectural and engineering services necessary for the design and preparation of final construction plans, detailed specifications and other contract documents for the Airport Segment, Gateway, and Utilities Contract for the Honolulu IRII Transit Project.	\$38,840,960	<a href="#">More Info</a>
12/21/2011	GVA Architects, Inc.	Design for the Physical Improvements to Makani Kai Hale I and II at Waikuku, Maui, Hawaii, HP44 Job No. 07-063-192-S, Contract No. 08-27.	\$156,987	<a href="#">More Info</a>

Showing 1 to 10 of 2,035 entries

State Procurement Office - Mozilla Firefox

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http://hawaii.gov/spo2011/spo/login\_form

State Procurement Office

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### Debriefing Process

- Non-selected persons may submit a written request for a debriefing to the CPO or designee within **3 working days** after the posting of the notice of award by the agency.
- The HOPA should attempt to provide the debriefing within **7 working days** of the written request. Debriefing can be held separately or combined with others.
- Any protest by a requestor after a debriefing shall be filed in writing to the CPO or designee within **5 working days** after the date of the debriefing.

### Debriefing Process

- May be done orally or in writing and may include:
  - Evaluation of significant weaknesses or deficiencies in the proposal;
  - Explanation of overall evaluated cost or price (including unit prices) and technical rating of the successful offeror and the debriefed offeror;
  - The overall ranking of all proposals, when such ranking was developed during the source selection;



### **Debriefing Process**

- A summary of the rationale for award.
- Debriefings should not:
  - Include point-by-point comparisons of the debriefed proposal with those of other offerors; and

### **Debriefing Process**

- Shall not reveal any information prohibited from disclosure by Law (chapter 92F, HRS), including trade secrets, or privileged or confidential commercial or manufacturing information; and
- A summary of the debriefing should be in the file.

## Public Inspection

After contract is awarded, the following shall be open to public inspection:

- List of qualified person's.
- Screening committee's criteria for selection.
- Statements of qualifications and related information.

## Contract Amendments

- Amendment to a professional services contract shall require prior approval of the HOPA when the increase is at least \$25,000 and ten percent or more of the initial contract price.

## References

**Accessible from SPO website <http://hawaii.gov/spo>**

- Small Purchases
  - click **Procurement of Goods, Services and Construction and Procurement Manual** and then **Small Purchases**
- Procurement Statutes and Rules –
  - HRS, Ch. 103D
  - HAR, Ch. 3-122, Subch. 8 (Small Purchases); HAR, Ch. 3-126, (Protests), HAR, Ch. 3-131 (Compliance)
  - Act 175, SLH 2009
  - Click **Statutes and Rules**
- Procurement Circulars
  - 2005-04, Amend. 3, Hawaii Compliance Express; 2006-01, Amend. 1-3, Procurement Reporting System (PRS); 2009-14 and 2009-15 Act 175, SLH 2009: Part I, Section 2 Small Purchases Procurements and Performance Bonds for Construction; Procurement Circular 2010 Posting Procurement Awards, Notices and Solicitation (PANS)
  - Click **Procurement Circulars**
- HePS Buyer FAQ
  - Click **Hawaii eProcurement System and For Government Purchasing Agencies** then **Buyer FAQ**

### **Other Useful Info on the SPO Website**

**<http://hawaii.gov/spo>**

- [For State and County Procurement Personnel](#) (*bookmark this site*)
  - Posting Procurement Awards, Notices and Solicitations
- Forms
- Information on Methods of Procurement and Online Procurement Manuals
- [Awards Public Site](#)
- Price and Vendor Lists
- Travel Services
- Inventory Management and Excess Property
- pCard Information
- Training for State and County Procurement Personnel
- Procurement References
  - [Hawaii Revised Statutes & Hawaii Administrative Rules](#)
  - Procurement Circulars

## State Procurement Office

Contact	Phone	E-mail
Donn Tsuruda-Kashiwabara	586-0565	<a href="mailto:donna.tsuruda-kashiwabara@hawaii.gov">donna.tsuruda-kashiwabara@hawaii.gov</a>
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