



Tips and Tools for Inclusive Contracting

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On-call rosters of prequalified firms Good news for A&E consultants looking to work with WSDOT



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Small and minority-owned firms have a better shot at winning architectural and engineering contracts with the Washington State Department of Transportation thanks to a new WSDOT process for employing consultants. For certain WSDOT projects with an estimated cost under \$2 million, the standard competitive process is replaced by an abbreviated and streamlined process for prequalified firms.

Traditionally, WSDOT posted an advertisement for a needed architectural and engineering (A&E) service, and firms would respond to it. Based on the response and WSDOT's review, the department put qualifying firms on an "on-call" list for a fixed period of time.

During that time, those listed companies were the only ones allowed to work on a project in that particular discipline. The process made it difficult for small firms owned by minorities or women to win a WSDOT contract due to the rigid structure and timing of the program.

Now, WSDOT maintains a list of prequalified companies, with no limit to the number of firms ready and able to work with the department, and no cutoff time to submit qualifications. "The time was right for this change because there's a stronger climate of inclusion across WSDOT," said Ahmer Nizam, technical services and business manager in WSDOT's Development Division. "And that gave us the push needed to shift to the prequalification process."

Here's how the new process works:

- WSDOT solicits interest from consultants who want to be prequalified to provide professional services.
- The Consultant Services Office (CSO) website posts advertised documents for prequalification, including the categories of services sought.
- The consultant completes the "WSDOT Consultant

Prequalification" form and submits it to the CSO.

- The consultant firm is added to the prequalification category roster(s) once all the documentation is submitted and approved. Each category of work has a unique roster.
- As consultant services are needed, WSDOT solicits consultants from that roster's prequalified list. WSDOT then evaluates and scores the responses, and makes a selection.

The new program streamlines the process, meets the needs of project managers, and gives all firms – including underutilized disadvantaged business enterprises, small business enterprises, and small firms owned by minorities, veterans and women –

Rosters, continued on page 2

Tips and Tools

The Washington State Department of Transportation periodically publishes Tips and Tools to provide small businesses owned by minorities, women or veterans with useful information on potential contract opportunities with WSDOT and other government agencies.

Rosters, continued from page 1

an equal chance to compete for work.

"Another reason we moved to this system," Nizam said, "is that both in the standard way of contracting and in the old on-call process, we tended to get mired down in the financial aspects of negotiations very late in the procurement process.

"Too often, we were at risk of delaying work because we weren't seeing eye to eye on payment provisions. For the prequalified roster, all that happens up front.

"The negotiations themselves aren't always easier, but the advantage is that the hard part is out of the way when the actual task order for work is being negotiated."

- Email questions to the Consultant Services Office at: cosubmittals@wsdot.wa.gov
- View CSO open advertisements

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The WSDOT Megaprograms are:

- SR 520 Bridge Replacement and HOV Program
- SR 99-Alaskan Way Viaduct Replacement Program
- I-405/SR 167 Corridor Program
- Puget Sound Gateway Program

WSDOT's prequalification roster: Questions and answers

Q: *Why did the state go to a prequalification system as opposed to sticking with the on-call process?*

A: To better suit the needs of WSDOT project managers and promote inclusion.

- Prequalification provides advantages over on-call agreements, including more opportunities for fair/open competition, and inclusion.
- Prequalification provides more flexibility for agreement types, budgets, and schedules (removes the constraints of the on-call master agreements).
- Prequalification provides advantages over the current open competitive process, including streamlining the process for advertisement, selection, and agreement negotiation. Indirect cost and direct labor rates are established up front upon initial prequalification.

Q: *The qualification standards seem extremely low (more like a self-certification). Do you feel that this process is compiling the most qualified consultants for the state?*

A: The intent of the prequalification system is to give all firms, including UDBE, SBE, and MSVWBE firms, an equal chance to compete for work. The most qualified firm to perform work on a project will be determined through the project scoring criteria of the second tier process. We believe the two tier process is effective in selecting the most qualified consultants.

Q: *What was the legal basis for WSDOT making this change in practice?*

A: Although there is no legal basis required to make a change in practice, we have counseled with our assistant attorney general regarding legal parameters. This was a business decision to implement a new practice to better meet the needs of WSDOT project managers and promote inclusion.

Q: *How is a firm/team determined to be prequalified (other than just checking a box on their form)?*

A: The initial prequalification application is self-certification. This is followed by a separate administrative financial review process resulting in a Master Pricing Agreement. Upon completion of the above steps, and as consultant services are required, project specific qualifications are requested and evaluated through the RFAI (request for additional information) process.

Read more questions and answers here.

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