

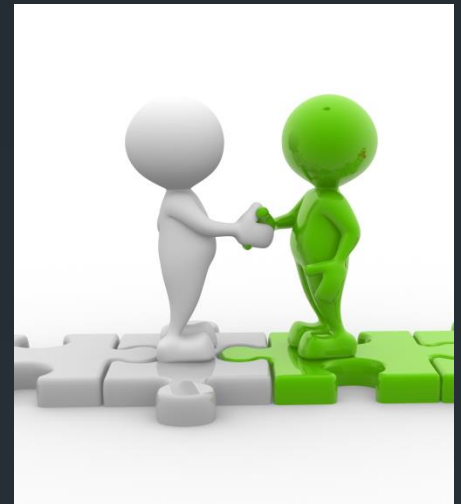
**South Dakota Department of  
Transportation  
Consultant Engineer Training  
October 12, 2017**

- Goal: build a stronger partnership

- Cell phones

- Bathrooms

- Comments and questions



# South Dakota Department of Transportation

## Consultant Engineer Training

### October 12, 2017

### Agenda



8-8:45a	<b>New Consultant Services Manual Procuring Consultant Services Policy</b>	Laurie Schultz PE & James Ainslie
8:45-9:45a	<b>Environmental Wetland Identification, Mitigation Plans, Stormwater Plans</b>	Tom Lehmkuhl, Joanne Hight, Claire Peschong, Bridget Carnahan
9:45-10a	<b>Break</b>	
10-10:45a	<b>Plans Quality, Format, Review &amp; Content Bridge &amp; Road Design</b>	Brian Raecke; Dave Madden
10:45-11:45a	<b>Payment Process</b>	Jana Uhrig
11:45a-1p	<b>Lunch</b>	
1-1:20p	<b>E- Construction</b>	Jason Humphrey
1:20-1:40p	<b>Federal &amp; State Ethics Conflict of Interest</b>	Karla Engle
1:40-2:30p	<b>Bridge Design Calculations &amp; Check Design Calculations Requirements Bridge Rating Requirements Hydraulics Issues Geotechnical Requirements for Bridges</b>	Dave Madden, PE; Kevin Marton PE; & John Weeldreyer
2:30-2:45p	<b>Break</b>	
2:45-3:30p	<b>Bridge Rehabilitation Techniques</b>	Todd Thompson; PE; & Elmer Alksnitis; PE
3:30-4p	<b>Wrap up and Discussion</b>	

# NEW CONSULTANT SERVICES MANUAL and PROCURING CONSULTANT SERVICES POLICY

Laurie Schultz, Administration Program Manager  
James Ainslie, Contract Administration Engineer



# CONSULTANT SERVICES MANUAL AND CONSULTANT PROCUREMENT POLICY

- WHY
- POLICY
- MANUAL
  - Retainer Contract
  - Interim year process
  - Tiers
  - Selection processes
  - Subcontracts
  - Conflict of Interest

# Why??

## Consultant Usage

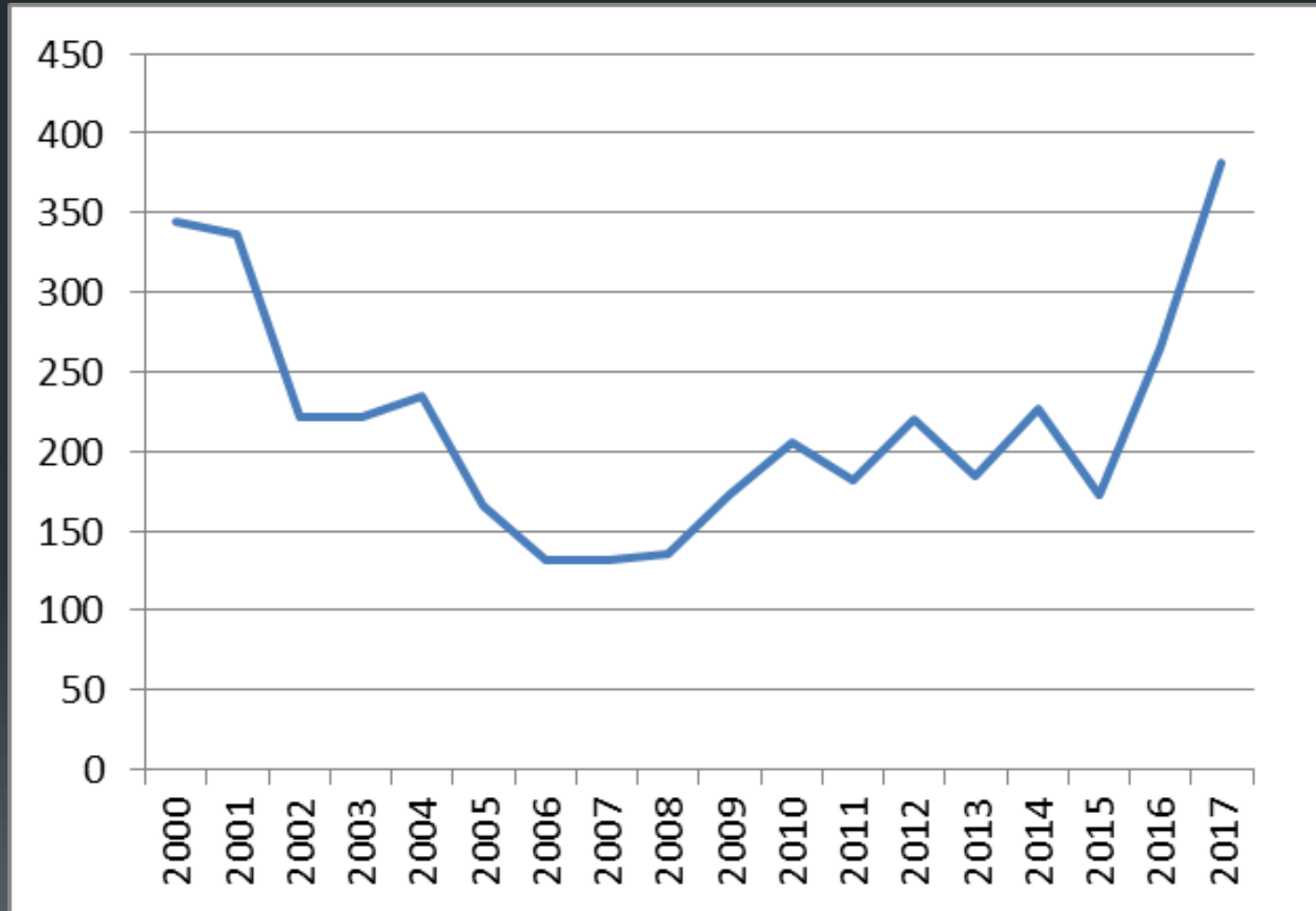


6

- Local Government Assistance 100%
- LGA – Bridge Inspection 100%
- Road Design Office 20-25%
- Environmental Office 20-25%
- Bridge Design Office 5-10%
- Planning Studies 60-75%
- Construction Management 10-15%

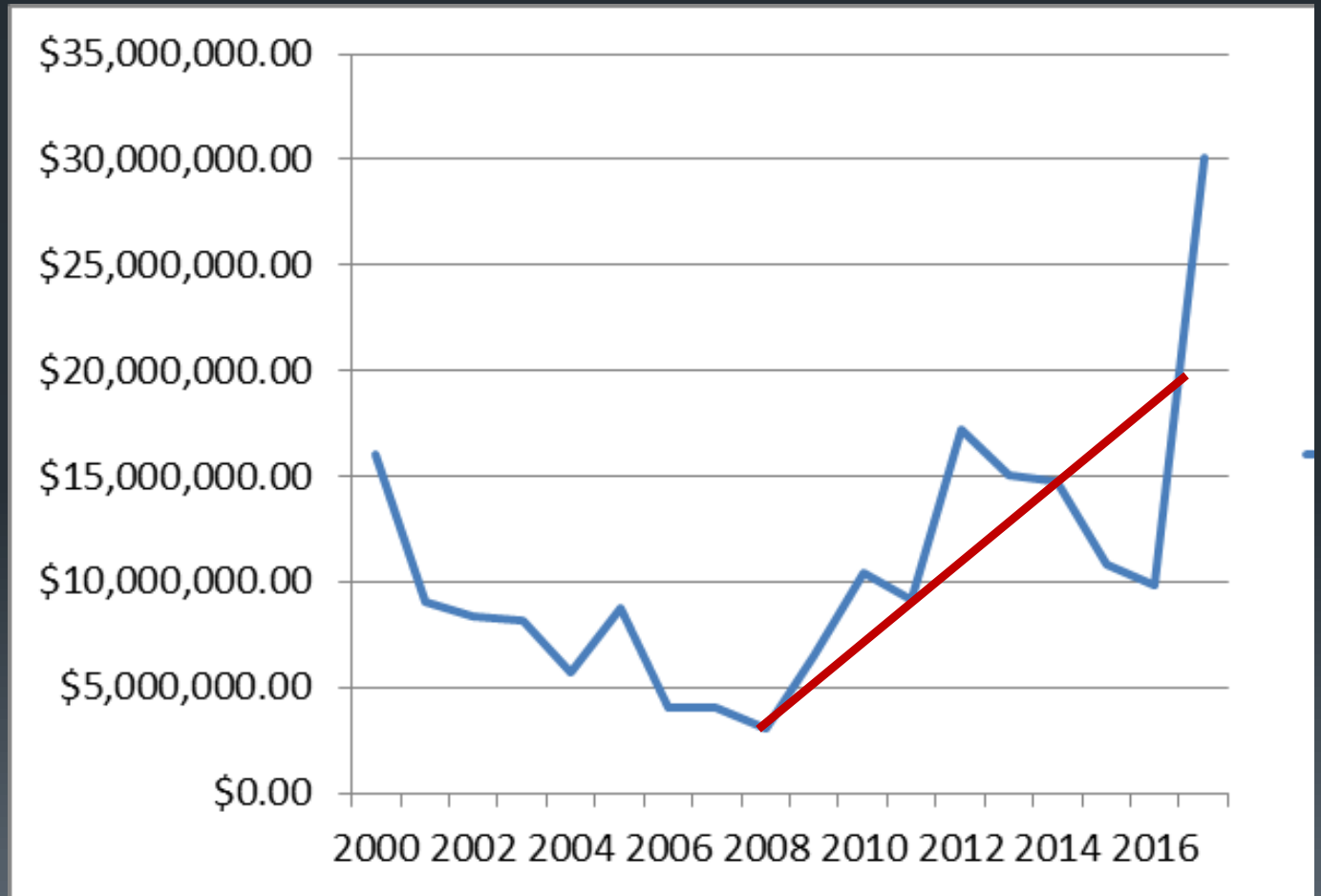
# Why?

Number of Work Orders per year



# Why?

Cost of Work  
Orders per year





**SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION STRATEGIC PLAN (Jul '17 to Jun '18) 7-31-17**

**MISSION... Why We Exist.**

*To efficiently provide a safe and effective public transportation system*

**VISION... What Success Looks Like.**

*Achieve excellence in providing transportation facilities that meet the needs of the public.*

**CORE VALUES... Principles and Expected Behaviors that Guide our Actions and Conduct.**

***“Better lives through better transportation”***

*All employees contribute to providing a high quality transportation system by continuously striving to improve the quality of services offered*

*A collaborative workplace where each employee models:*

1. **High Ethical Standards** - *Honesty, integrity, respect, and professionalism with our internal customers, partners, stakeholders, and the public*
2. **Stewardship** – *Innovative, efficient and accountable use of public resources*
3. **Public Service** - *Exemplary and transparent public service*
4. **Safety** - *Safety in all we do*

**STRATEGIC OBJECTIVES... Where We Must Focus Our Strengths and Resources to Overcome Our Challenges.**

*Improve Customer and Stakeholder Service*

*Sustain and Grow a High Quality Workforce*

*Improve the Efficiency, Quality, Timeliness of Department Services*

*Improve Public and Workforce Safety*

*Sustain and Manage the State Transportation System and Assets*

**OVERALL DEPARTMENT GOALS... The Future Condition or Performance Level We Intend to Attain.**

### Long Term Goals (2 – 5 Years)

1. Improve and sustain an external customer satisfaction level of 85%.
2. Achieve 95% of contractors rating overall performance of SDDOT as Good or Excellent on annual post construction survey.
3. Achieve 90% of contractors rating Agree or Strongly Agree that SDDOT provides a quality set of plans and bidding documents on annual post construction survey.

# Why??

23 Code of Federal Regulation PART 172:  
MAY 22, 2015

**PROCUREMENT, MANAGEMENT, AND  
ADMINISTRATION OF ENGINEERING  
AND DESIGN RELATED SERVICES**



# 23 CFR PART 172:

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## New Requirements:

- Secondary process for IDIQ (Retainer) contracts
- Max for the contract amount
- Advertise how many firms may be hired under each category
- Prepare an independent estimate
- Performance evaluation

# STATE LAW



**5-18D-17.** Professional services exceeding fifty thousand dollars. No agency of the state may award or renew a contract for professional services exceeding fifty thousand dollars without complying with the procedures set forth in this section to § 5-18D-22, inclusive. Any agency seeking such professional services shall issue a request for proposals. The agency shall publish any request for proposals issued pursuant to this section on the electronic procurement system maintained by the Bureau of Administration. The request for proposals shall include the procedures for the solicitation and award of the contract.

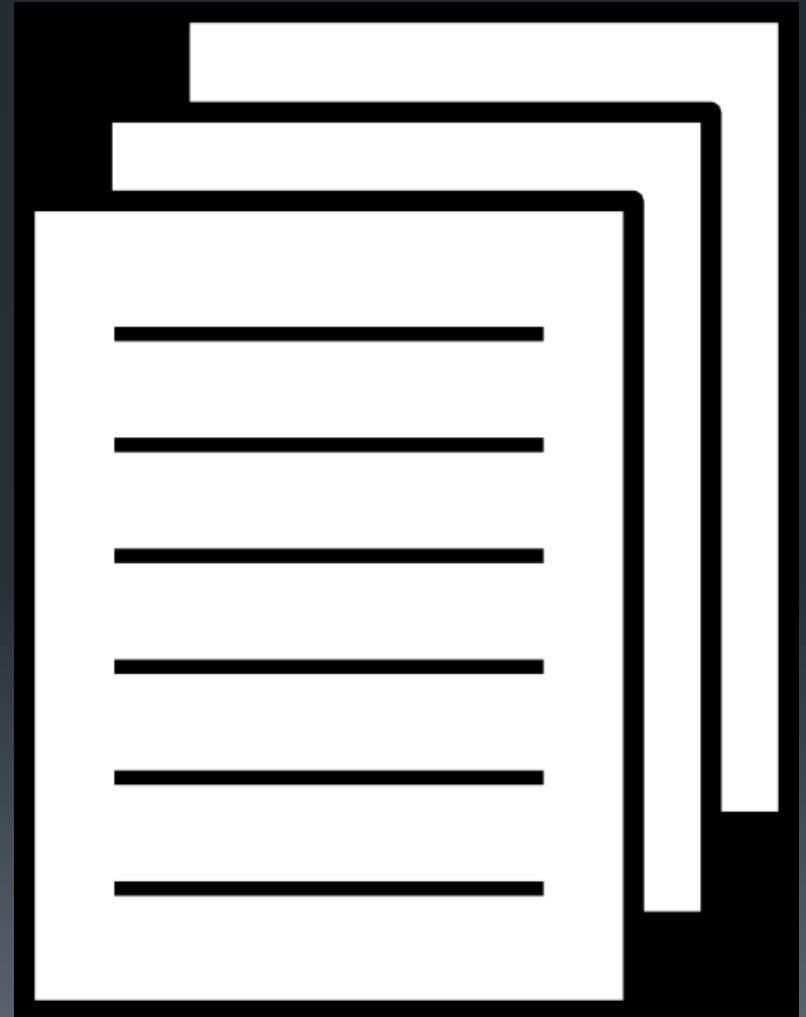
# PROCUREMENT, MANAGEMENT, AND ADMINISTRATION OF ENGINEERING AND DESIGN RELATED SERVICES

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1. POLICY

2. MANUAL

3. AGREEMENT



# POLICY

South Dakota Department of Transportation  
Policy  
Distribution: DOT

<b>Title</b>	<b>Procuring Consultant Services</b>
<b>Policy No.</b>	<b>DOT- P&amp;E-AD-1.1</b>
<b>Persons Affected</b>	All
<b>Policy Owner</b>	Administration Program
<b>Effective Date</b>	03/23/2017
<b>Supersedes</b>	DOT-P&E-AD-1.0
<b>New Review Date</b>	03/23/2018

# POLICY

- Definitions
- Retainer Contract renewed every 3 years
- Interim years for new/changed firms
- Tier system for consultant selection
- Work Types



## LOCAL GOVERNMENT-Work Types

- Airport planning and design
- Bridge design
- Bridge inspection
- Geotechnical services
- Roadway design
- Railroad plan, design and construction administration

# POLICY

## STATE-Work Types

- Airport planning and design
- Archaeology and paleontology
- Building architecture
- Bridge design
- Bridge hydraulics and hydrology
- Bridge Inspection
- Bridge protective coating
- Bridge evaluation and testing
- Construction administration, inspection and testing
- Environmental studies
- Hazardous waste and petroleum contamination
- testing
- Historic preservation
- Land surveying
- Landscape architecture
- Photogrammetry and LiDAR surveys
- Railroad plan, design and construction administration
- Real estate services
- Roadway design
- Subsurface utilities exploration
- Transportation planning
- Wetland delineation and mitigation

# POLICY

<b>Tier</b>	<b>Dollar Limit</b>	<b>Procedure</b>	<b>Selected By</b>
<b>A</b>	\$ 50,000	If Fed funds used, contact 3 firms; State funds-pick anyone	Project Manager
<b>B</b>	\$200,000	Select from Retainer Contract List	Project Manager
<b>C</b>	\$500,000	Send request for SOI to 3 firms on Retainer Contract for that work type	Committee
<b>D</b>	>\$500,000	Send request for SOI to all firms on Retainer Contract for that work type	Committee
<b>E</b>		Request for Proposal Process	Committee

# **SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION**

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## **CONSULTANT SERVICES MANUAL**



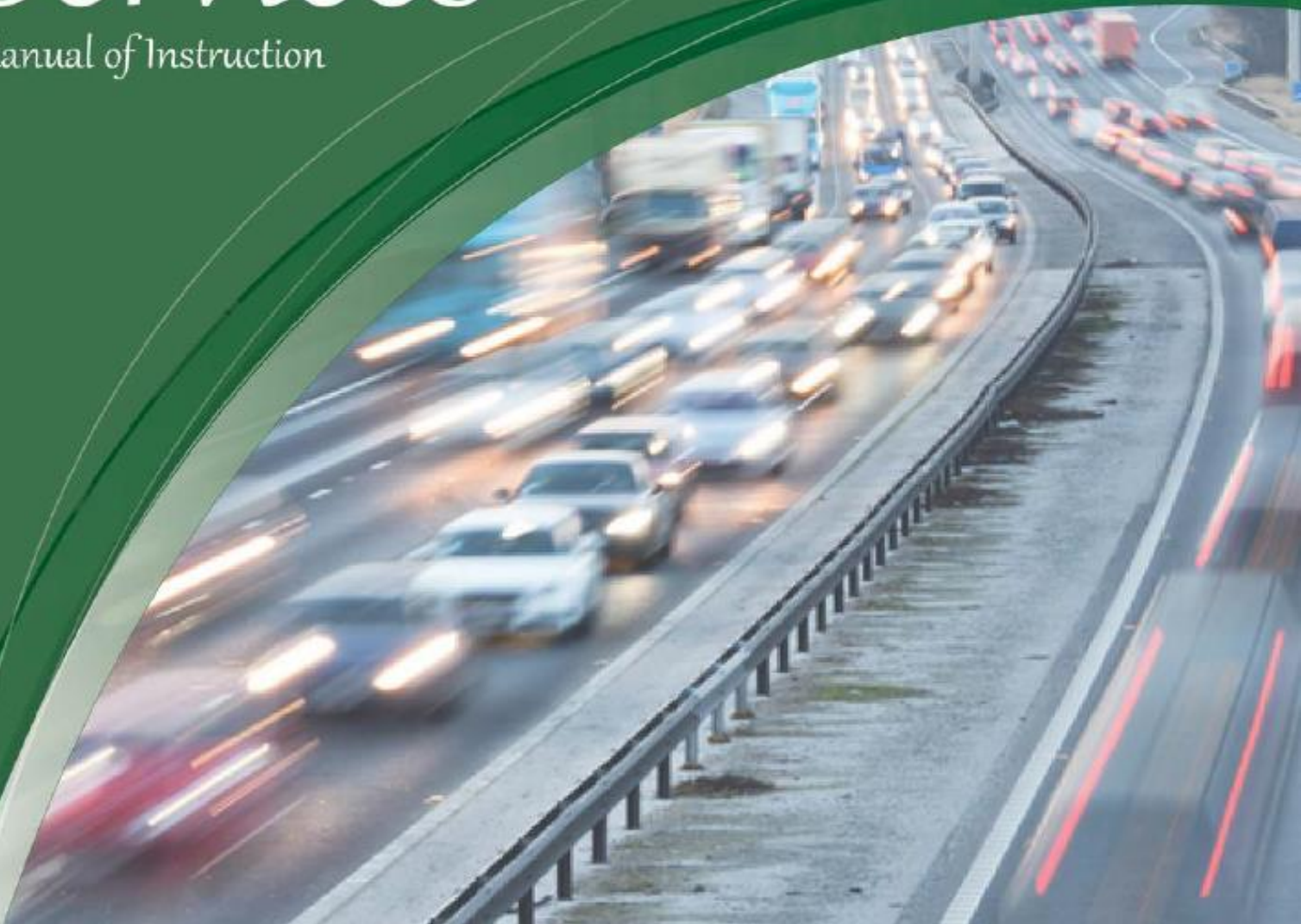
2017



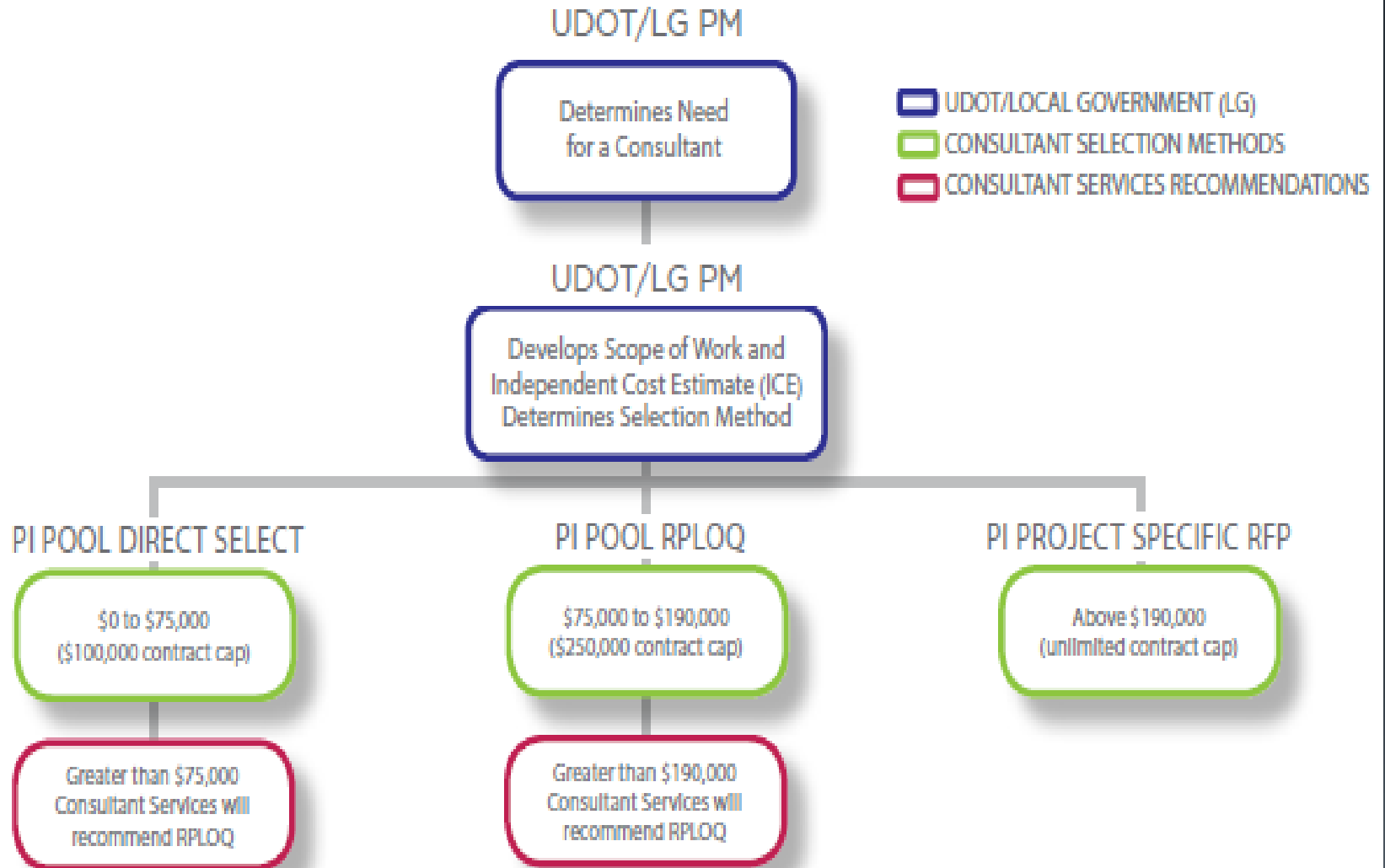
Approved by FHWA on March 1, 2017

# Consultant Services

Manual of Instruction



# PI SELECTION METHODS



# CONSULTANT SERVICES MANUAL

- Approved by FHWA
- Information for SDDOT, Consultants, Local Governments
- Website:  
<http://sddot.com/resources/Manuals/ConsultantServicesManual.pdf>

# CONSULTANT SERVICES MANUAL

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The screenshot shows the South Dakota Department of Transportation (DOT) website. The header features the DOT logo with the text "SOUTH DAKOTA DOT DEPARTMENT OF TRANSPORTATION" and navigation links for "Careers | Contacts". Social media icons for Facebook, Twitter, YouTube, and a South Dakota flag are also present. A main navigation bar includes links for HOME, TRANSPORTATION, DOING BUSINESS, TRAVELERS, PROGRAMS/SERVICES, INSIDE THE DOT, RESOURCES, and SITE MAP. On the left, a search bar and a sidebar menu with "Consultant Services", "Consultant Training", and "Consultant Estimate" are visible. The main content area is titled "Consultant Services" and includes a breadcrumb trail: Home > Doing Business > Engineering/Design Services > Consultant Services. Contact information for Doug Kinniburgh (Local Government Assistance, 605.773.4284) and James Ainslie (Contract Administrator, 605.773.8115) is provided. A "Save the Date!" announcement for a consultant training course on October 12, 2017, at the Pierre Ramkota is also present. Links for "Consultant Training Presentation Video and Materials" and "Consultant Services Manual" are included. The text states that the DOT is accepting new submissions (Form-925) for evaluation of qualifications for all categories on the Consultant Retainer list, with a deadline of June 30, 2016. A notice of intent for various engineering and related services is partially visible at the bottom.

Google Custom Se. Search x

Consultant Services

Consultant Training

Consultant Estimate

## Consultant Services

Home > Doing Business > Engineering/Design Services > Consultant Services

Doug Kinniburgh, Local Government Assistance, 605.773.4284  
James Ainslie, Contract Administrator, 605.773.8115

Save the Date! Consultant training course on October 12, 2017 at the Pierre Ramkota.

[Consultant Training Presentation Video and Materials](#)

[Consultant Services Manual](#)

The South Dakota Department of Transportation is accepting new submissions (Form-925) for evaluation of qualifications for all categories on the Consultant Retainer list. The populated and PDF saved (Form-925) for each category you wish to be evaluated on must be mailed in on one or multiple disks postmarked no later than June 30, 2016, if you have questions or would like more information, please call James Ainslie at 605.773.8115 or contact him by [email](#).

Notice of Intent for Various Engineering & Related Services



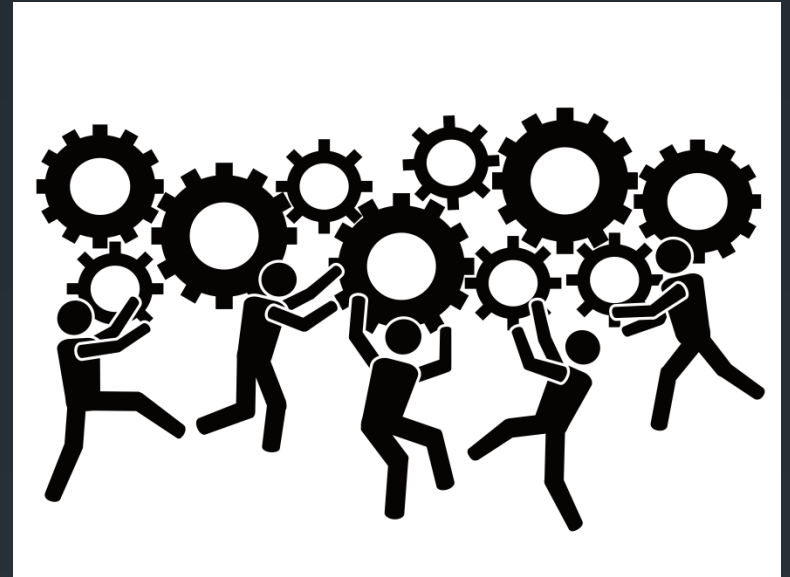
# CONSULTANT SERVICES MANUAL

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## ❖ 24 Work Types

❑ 90 Consulting Firms

❑ 24 DOT offices



- More consultant work in the future
- Need Consistency

\*\*\*

# Retainer Agreement

- How did you get on the list?
- Go to the SDDOT Website
  - <http://www.sddot.com/business/design/consultant/Default.aspx>
  - Consultant Services Manual pages 21-31
  - Notice for Interest – Newspaper Ad
  - Categories Defined
  - Consultant Ranking Sheet
  - DOT Form 925

# Great you were selected Now What?

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- Get your firm signed up with the Secretary of States Office to work in South Dakota.
- DOT FORM 900 – your Agreement
- Disclosure of Lobbying Activities
- AASHTO Internal Control Questionnaire
- South Dakota W-9
- Authorized Signature Form

# Continued

- Overhead Rate and Calculations – Cognizant Letter Ok
- Employee List and Pay Scales
- Proof of Insurance

# Interim Process

## Every Year

- Same Process
- Two firms here are new to the list, several here added a category or more.
- These firms are in addition to those previously selected.
- You must have an improvement to apply for a category if you have been denied previously.

Being on the list will not guarantee you will make the list next time. We will reevaluate and pick according to the advertised number.

# Lets get to Work

Per Policy our Projects are now Tiered by Estimated Price

- The Project Manager must develop an estimate for the Preliminary Engineering and that will determine the Tier.
- This applies to all categories
- If more than one category is covered in the project the largest one will determine which category list to use.
- Select which Tier select a consultant accordingly.
- Here are the Tiers.

The total estimated cost of professional services will determine the process for selection of consultant firms as follows:

- Tier A. Consultant services under \$50,000: Any consultant may be selected. However, if federal-aid is used, a minimum of three firms must be contacted, and their availability and qualifications are to be reviewed and ranked. The consultant is not required to be on the retainer contract list.
- Tier B. Retainer contract consultant services from \$50,000-\$200,000: Consultant is to be selected from the retainer contract list. Procedures for consultant selection can be found in the *Consultant Services Manual*. Total work order is not anticipated to exceed \$250,000.
- Tier C. Retainer contract consultant services from \$200,000-\$500,000: A minimum of three consultants, provided three are available and interested, are to be selected from the Retainer Contract List. These consultants are then invited to submit a proposal. A Proposal Review Committee will evaluate and select a consultant based on the proposals and may include interviews. Total work order is not anticipated to exceed \$600,000.
- Tier D. Retainer contract consultant services over \$500,000: The SDDOT will request a SOI from all the consultants from the appropriate category on the retainer contract list. A Proposal Review Committee will review and rank the SOI and send an invitation to submit a proposal to the top ranked consultants (minimum of three when three or more are submitted). The committee will review the proposals and may interview prior to selecting a consultant.
- Tier E. Consultant services other than the retainer contract services of \$50,000 or more: Special or nontypical projects may use an independent RFP process separate from the retainer contract list. Procedures for special and nontypical projects can be found in the *Consultant Services Manual*.



**Table II -1 CONTRACT PROCEDURE**

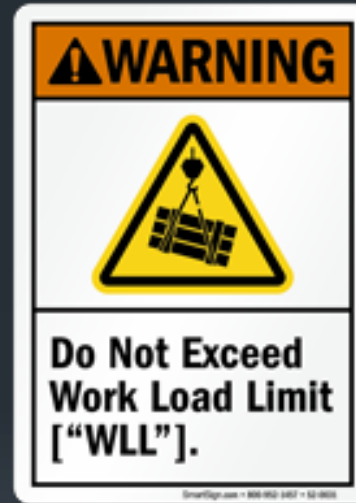
TIER	A	B	C	D	E
<b>ESTIMATED CONTRACT VALUE</b>	Under \$50,000	\$50,000 to \$200,000	\$200,000 to \$500,000	>\$500,000	SPECIAL OR NON-TYPICAL PROJECT
<b>MAXIMUM CONTRACT VALUE</b>	\$50,000	\$250,000	\$600,000	--	--
<b>REQUIREMENTS</b>	Not required to be on retainer contract; when federal-aid is utilized contacting a minimum of three firms is required.	Select from Retainer Contract List	Send request for Statement of Interest (SOI) to minimum of 3 firms from Retainer Contract for the specific work type	Send request for SOI to all firms on Retainer Contract for the specific work type; request RFP from a minimum of 3 firms	Full RFP Process, including Bureau of Finance and Management's Office of Procurement for publication
<b>CONSULTANT SELECTED BY</b>	Project Manager	Project Manager	Proposal Review Committee	Proposal Review Committee	Proposal Review Committee

## Color coded Responsibilities And Actions

TABLE III-C. TIER C PROCESS (\$200,000-\$500,000)	
RESPONSIBILITY	ACTION
SDDOT PROJECT MANAGER	<ol style="list-style-type: none"> <li>1. Develop a scope of work for the project and an independent cost estimate.</li> <li>2. Prepare a list of Proposal Review Committee Members for approval by the Program Manager or Area Engineer. One of the members shall be from outside the program or Area. If the project is an LPA project, a representative from the LPA is considered the person from outside the program.</li> <li>3. Assemble the Proposal Review Committee.</li> </ol>
PROPOSAL REVIEW COMMITTEE	<ol style="list-style-type: none"> <li>1. Choose at least three prequalified firms on the RCL in the appropriate work category. This may be done by an in-person meeting, conference call, or videoconference.</li> <li>2. LPA's may select from the State list or the Local list of work types.</li> <li>3. Determine deadline for SOI submittal.</li> <li>4. Determine if interviews will be needed.</li> <li>5. Modify the <i>Ranking Criteria for SOI</i>, as shown in Appendix E, for the particular project.</li> </ol>
SDDOT PROJECT MANAGER	<ol style="list-style-type: none"> <li>1. Prepare a <i>Request for a Statement of Interest Form</i> as shown in Appendix B.</li> <li>2. Email to the firms selected using the format shown in Appendix A <i>Email SOI Invitation to Consultants</i>. Include the Ranking Criteria.</li> </ol>
CONSULTANT	<ol style="list-style-type: none"> <li>1. Determine if you are interested in submitting an SOI. If not interested, email the SDDOT Project Manager letting them know of your decision.</li> <li>2. If interested, submit a <i>Statement of Interest</i> to the SDDOT by the specified due date electronically. The SOI shall include:               <ol style="list-style-type: none"> <li>a. Complete the <i>SOI Cover Form</i> as shown in Appendix C. This form may be on the Prime Consultant's letterhead.</li> <li>b. Include a Technical Letter of no more than 2 pages (8 1/2" x 11") of information about the firm's interest, qualifications, abilities, and availability to complete the proposed project. Address the Technical Letter to the SDDOT Project Manager.</li> <li>c. Include a one page Project Experience Chart and References.</li> <li>d. Include a list of personnel who will be part of the project team, as shown in Appendix D <i>Proposed Key Personnel to Be Used on SDDOT Project Form</i>. The Consultant is agreeing to make the personnel available to complete the work on the work order at whatever level the project requires.</li> </ol> </li> </ol>
SDDOT PROJECT MANAGER	<ol style="list-style-type: none"> <li>1. Any SOI received after the deadline will be considered non-responsive and will be disqualified.</li> <li>2. Distribute the SOI information received from the Consultants to the Proposal Review Committee. Include the ranking information.</li> <li>3. Set a meeting date to discuss.</li> </ol>
PROPOSAL REVIEW COMMITTEE	<ol style="list-style-type: none"> <li>1. Rank the SOI information prior to the meeting.</li> <li>2. Participate in the consultant selection process.</li> <li>3. Determine whether interviews will be required. If interviews are to be used, complete Appendix H <i>Consultant Interview Format Worksheet</i>. The SDDOT Project Manager will then schedule interviews with the firms.</li> <li>4. Select a Consultant for the project. Selection may be by "consent". "Consent" is defined as the willingness of all committee members to accept a decision reached by a collaborative process.</li> </ol>

## If you Exceed the Maximum Contract Limit for the Tier selected:

- State Funds: Division Director will approve or disapprove the exception.



- Federal Funds: Exceeding the tier limit will make the work ineligible for federal funding.

TIER C: \$200,000 - \$500,000

Cap of \$600,000

# MANUAL - Page 11

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## Consultant Selection Tier C:

**\$200,000 - \$500,000 /Cap of \$600,000**

- Write a Scope of Work
- Prepare a Cost Estimate
- Proposal Review Committee – approved by Program Manager; include a different manager as a member
- For LGA projects, include a local representative.

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## Consultant Selection Tier C:

**\$200,000 - \$500,000 /Cap of \$600,000**

- Project Manager sends a Request for Statement of Interest form to at least 3 selected firms. (email)

## Consultant Selection Tier C:

- If not interested, email the SDDOT Project Manager letting them know of your decision.

## Consultant Selection Tier C:

Consultants Statement of Interest includes:

- Cover Form
- Technical Letter (2 pages)
- Project Experience List
- List of Personnel who will be part of the project



<b>Statement of Interest (SOI) COVER PAGE FORM 2017-2019 Consulting Services</b>	
Date:	
<b>Project Information</b>	
PCN No.:	
Project No.:	
Project Manager Individual Name:	
<b>Firm</b>	
Firm Name:	
Agreement Number:	
Firm Address:	
<b>Primary Contact (During Selection Administration Process)</b>	
Primary Contact Name:	
Email:	
Office Phone No.:	
Cell Phone No.:	
<b>Secondary Contact If applicable</b>	
Secondary Contact Name:	
Email:	
Office Phone No.:	
Cell Phone No.:	
<b>Acknowledgements</b>	
<p><i>I understand the acceptance and completion criteria, submittal, and contract selection types. My firm shall comply with all state and federal contracting requirements applicable to the project. I understand SDDOT policies; procedures and processes may change during the duration of the project and shall comply with any changes required by SDDOT. I have fully and accurately disclosed any debarment, license issues, and/or investigations being performed by any governmental entity. Employees listed on the staffing plan are current bona fide employees of the firm.</i></p> <p><i>As authorized to sign for my organization, I certify the content of this Statement of Interest to be true, accurate and all matters fully disclosed as requested in the Request for Statements of Interest. I understand any misrepresentations or failure to disclose matters in the Statement of Interest is immediate grounds for disqualification.</i></p>	
<b>Signature Block</b>	
Signature:	
Name:	
Title:	

### Proposed Key Personnel to Be Used on Project

NAME	FIRM NAME	TITLE	License or Certification if Required	PROPOSED ROLE ON THE PROJECT

1. Include all personnel who are proposed to work on the project including sub-consultants. Add additional pages if needed.
2. If the Project Team has a change in key personnel during the selection or negotiation process, the Consultant is required to submit notification in writing immediately to the SDDOT Project manager. If the Project Team has a change in any personnel after the notice to Proceed on a work order, the Consultant is required to immediately notify the Project Manager. If SDDOT does not approve the change, the SDDOT may request a revision to the proposal, revisit the selection process, score the Consultant lower on the evaluation form, or terminate the contract.

## Consultant Selection Tier C:

### Committee:

- Determines if interviews are required
- Ranks and selects consultant.

### Selection by Consent

## Consultant Selection Tier C:

### Project Manager:

- Begin negotiation of hours with the selected consultant
- Write a Work Order
- Notify the consultants who were not selected

# MANUAL

TIER D: > \$500,000



# MANUAL - Page 13

## Consultant Selection Tier D: \$500,000 or greater

- Write a Scope of Work
- Prepare a Cost Estimate
- Proposal Review Committee – approved by Program Manager; include a different manager as a member
- Committee selects all firms from Retainer work type list

## Consultant Selection Tier D: \$500,000 or greater

- Project Manager sends a Request for Statement of Interest form to all firms. (email)
- Based on SOI, select top 3 firms
- Send top 3 firms a Request for Proposal

## Consultant Selection Tier D: \$500,000 or greater

Committee:

- Determines if interviews are required
- Ranks and selects consultant.

Selection by Consent



## Consultant Selection Tier D: \$500,000 or greater

### Project Manager:

- Begin negotiation of hours with the selected consultant
- Write a Work Order
- Notify the consultants who were not selected

## TIER E:

Special or Non-Typical  
Request for Proposal (RFP)

## Consultant Selection Tier E: RFP

- Write a Scope of Work
- Prepare a Cost Estimate
- Proposal Review Committee – approved by Program Manager
- Prepare a Request for Proposal form
- Determine ranking criteria

# MANUAL - Page 16

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## Consultant Selection Tier E: RFP

- Email interested firms
- Advertise on BOA website
- Advertise in newspapers

# MANUAL - Page 16

## Consultant Selection Tier E: RFP

- Committee ranks proposals and selects firm
- An agreement is signed

3 month process!

\*\*

# Sub-consultants

You have a choice to make

- A Sub- Consultant does not have to be on the SDDOT Consultant Retainer list.
- SDDOT does reserve the right to approve the selection.
- The sub-consultant does have to submit the same paperwork you did for approval by SDDOT Audits. Including insurance.
- Any variance must be approved by the Project Manager.
- That is a benefit to selecting off the list but it is your choice.

Your cost proposal must include the contract with the sub-consultant and their cost proposal. Their contract must have the key phrase to commit to following all the same stipulations in your agreement #####.

# Conflict of Interest

If you hire a former SDDOT Employee

- If that employee was involved in your selection to be on the Consultant Retainer List they cannot work on your projects for at least three years.
- A waiver is possible but it must be approved by the SDDOT Secretary.

- Consultant must perform a minimum of 51% of the total work order. Subcontracts cannot exceed 49%.



## CONTACT INFORMATION

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605-773-8115

[James.Ainslie@state.sd.us](mailto:James.Ainslie@state.sd.us)

WEBSITE: <http://sddot.com/business/design/consultant/Default.aspx>