



Ohio Administrative Code Rule 1501-3-05 Selection process.

Effective: May 22, 2011

(A) For every professional design services contract, a committee convened by the director or the director's designee shall review and evaluate, using pre-established project criteria, the statements of qualifications provided by professional design firms in response to the announcement of the project. Any professional design firm that fails to submit a statement of qualifications on the standard form in response to a specific project announcement will not be considered for that project.

(B) The committee shall issue a list of no fewer than three firms, rated fully qualified to perform the required services. Upon written notification to the director that fewer than three qualified firms are available, those firms shall be listed.

(C) If deemed to be necessary by the committee, a scope clarification meeting shall be conducted with all of the firms listed under paragraph (B) of this rule. The meeting shall be designed to explore further the scope and nature of the services required, the project schedule, the project budget, any unique project requirements, the conceptual or schematic design or other data developed in the pre-design phase, and the various technical approaches that the firms may take toward the project. Depending on any unique features of the project, the meeting may include a site visit. Any questions must be addressed at this meeting and shared with all participants, precluding any further contact with the committee. If necessary, written responses to any unresolved questions arising at the meeting will be provided to all participants.

(D) Each listed firm under paragraph (B) of this rule shall be asked to supplement its statement of qualifications with a technical proposal in accordance with the final scope of services and other project requirements as may have been presented at a scope clarification meeting. Each professional design firm requested to submit a technical proposal shall be informed of the date, time and location for such submittal. A firm that elects not to submit a technical proposal when requested to do so shall no longer be considered in the selection process for the project.

(E) The committee shall review the technical proposals and may interview individually all of the



firms that submitted technical proposals.

(F) The committee shall then evaluate, select and rank all the firms which submitted technical proposals and/or were interviewed and shall identify the firm or firms determined to be most qualified to provide the required professional design services based on their qualifications as presented in the technical proposal, and/or interview. The committee shall notify the director of the ranking of the firms.

(G) If only one firm is rated most qualified, the chief engineer shall ask the firm to submit a lump sum fee proposal for the project. If more than one firm is determined to be equally most qualified, then each firm so rated shall be asked to submit a lump sum fee proposal based upon contract conditions and deliverables to be required of the selected firm. Each firm may submit a revised technical proposal with its fee proposal and may be required to undergo a second interview if one was previously held in the selection process.

(H) When more than one firm is determined to be equally most qualified, the firm submitting the lowest fee proposal for completion of the work in a manner that meets the contract conditions and deliverables shall be determined to be most qualified. A contract shall be negotiated with the firm ranked most qualified to perform the required services at a compensation determined, in writing, to be fair and reasonable to the state.

(I) Contract negotiations shall be directed toward:

(1) Ensuring that the professional design firm and the department have a mutual understanding of the essential requirements involved in providing the required services, including meeting the established total project budget;

(2) Determining that the firm will make available the necessary personnel, equipment and facilities to perform the services within the required time;

(3) Agreeing upon compensation which is fair and reasonable, taking into account the estimated value, scope, complexity and nature of the services.



(J) Upon failure to negotiate a contract with the firm ranked most qualified, the firm shall be informed, in writing, of the termination of negotiations. Negotiations shall then proceed with the firm ranked next most qualified. If negotiations again fail, the same procedure shall be followed with each next most qualified firm selected and ranked pursuant to paragraph (H) of this rule, in order of ranking, until a contract is negotiated or the list of most qualified firms is exhausted.

(K) Should there be a failure to negotiate a contract with any of the firms selected pursuant to paragraph (H) of this rule, additional firms shall be selected and ranked as follows:

(1) From the list the committee issued pursuant to paragraph (F) of this rule, or;

(2) Pursuant to paragraph (A) of this rule, or;

(3) The entire project may be re-announced pursuant to rule 1501-3-03 of the Administrative Code.

Upon selection, negotiations shall continue as with the firms selected and ranked initially until a contract is negotiated.