

**EASTERN MICHIGAN
UNIVERSITY™**

**PHYSICAL PLANT
FACILITIES, PLANNING, & CONSTRUCTION
DEPARTMENTAL PROCEDURES**

Section:	Administration	Effective date:	July 1, 2014
Subject:	Selection of Construction Contractors & Professionals	Procedure Number:	FPC-03

Purpose

To describe the procedure that allows for the procurement of construction contractors and professionals. In addition to Capital Design and Construction projects, these guidelines are applicable to all relevant maintenance and operations projects. References to position or authorities from the Facilities Planning and Construction Department shall be parallel position titles / authorities for Maintenance and Operational projects.

Procedure

1. Selection

1.1. Contractor Database

- 1.1.1. General: Eastern Michigan University will maintain a listing of all construction professionals interested in providing services to Eastern Michigan University. The Purchasing department, with technical assistance from the Facilities, Planning, and Construction department, maintains this file. This database will be used as a starting place to determine the most qualified contractors for a project.
- 1.1.2. Advertisement: The Purchasing department will, on an as-needed basis, place an advertisement in major newspapers and trade journals in the State of Michigan and/or Purchasing Web Page, for one day inviting interested contractors to submit qualifications. Interested contractors will be provided a pre-qualification form regarding the size

of their firm, their expertise, and their experience. Contractors may request to pre-qualify with the University throughout the year. It is the responsibility of each contractor, once qualified, to update qualifications annually.

- 1.1.3. The generated list will serve as the pool for invitations to bid Type II and Type III projects. Type I projects will require pre-qualification per project.

1.2. Classifications

- 1.2.1. Eastern Michigan University uses three procedures for the selection of construction professionals depending on the size of the project. The dollar sizes of the projects mentioned below are guidelines. The Type II procedure may be used for projects with construction cost less than \$625,000 based on the judgment of the Project Manager. Total project cost shall mean all costs required to complete a specific capital construction project.

- 1.2.1.1. Type I - Major Projects: Major Projects include new buildings and major renovations where there is significant coordination requirements between multiple trades / stakeholders and significant complexity or sensitivity requiring additional supervision or oversight where the total project is expected to cost more than three million dollars (\$3,000,000).

- 1.2.1.2. Type II – Medium Projects: Medium projects include new buildings and renovations where there is moderate coordination requirements between multiple trades / stakeholders and moderate complexity or sensitivity requiring additional supervision or oversight where the total construction is expected to cost greater than six hundred twenty five thousand and one dollars (\$625,001) and the total construction is expected to cost no greater than three million dollars (\$3,000,000).

- 1.2.1.3. Type III - Small Projects: Small Projects include projects where there is regular coordination requirements between multiple trades / stakeholders and regular oversight generally handled by the Project Manager where the total project is expected to cost six hundred twenty five thousand dollars (\$625,000) and under. Any portion of the work to a single contractor shall not exceed \$50,000.

1.2.1.3.1 If a contractor's fee will exceed the \$50,000 maximum for any portion of work, the Type II procurement process shall be used for that portion of the project scope.

1.2.2. Due to the complex nature of capital projects the University reserves the right to alter the selection process when deemed in the best interest of the University.

1.3. Evaluation Criteria

1.3.1. The University's procedures for selecting consultants for each project will be based on a "Best Value" Qualifications Based Selection that will be both quantitative and qualitative:

- The contractor's qualifications.
- The number of projects the contractor has completed that are similar in scope and size.
- The contractor's past performance.
- The contractor's present work load.
- The contractor's experience with the project.
- The contractor's project schedule and milestones
- Fee Schedule with inclusions and exclusions
- Interview as required.
- Post proposal Scope Review

2. Selection Procedure

2.1. Type I - Major Projects

2.1.1. There are six (6) major processes, procedures and requirements which must be followed in the selection of a Construction Professional for Type I projects. The process is based on a "Best Value" Qualifications Based Selection. The steps are:

2.1.1.1. Advertisement of RFQ:

University Purchasing department publishes an announcement of the project, which includes a Request for Qualifications (RFQ).

2.1.1.2. Receive Responses:

Interested contractors submit a response to the RFQ (i.e. "Statement of Qualifications"), in the format identified in the RFQ.

2.1.1.3. Evaluate Responses and Create Short List:

The qualifications are reviewed by Physical Plant who evaluate and score the RFQ response submitted by each contractor (“Response”). The scores are compiled to become the basis of creating a “short list” comprised of two to five or more qualified contractors.

2.1.1.4. Proposal (RFP):

Soon after determining the short list, a Request for Proposal (RFP) is released to those contractors. The selected contractors shall submit a Proposal to indicate the contractor’s understanding of and proposed approach to the project, the budget and proposed fees / construction cost for the project, and to serve as a reference during the negotiation process. The RFP and the Proposal are incorporated into the Agreement.

2.1.1.5. Interview and Selection:

The University representatives interview the short-listed contractors to determine a rank order listing of contractors, based on the results of the interviews.

2.1.1.6. Fee Negotiation and Contract Award:

The contractor selected and the University negotiates the fees / construction cost necessary to perform the required services, which, with the concurrence of the Owner, will result in a formal contract between the Construction Professional and the University. If no Construction Professional agrees to the terms of the University contract or fee / construction cost, the selection criteria and designated fee / construction cost may be modified and the selection process shall start over. After campus approvals, the top ranked contractor and successfully negotiated agreement are recommended to Administration and/or Board of Regents for approval if necessary.

2.1.1.7. Deviation from the Selection Process:

The University may elect to deviate from the above process when determined to be in the best interest of the University.

2.1.1.8. Documentation of Procurement:

For Type I projects, the Project Manager shall utilize the Project Procurement Checklist identifying the general project parameters and personnel involved in the evaluation and selection process.

2.2. Type II - Medium Projects

2.2.1. There are three (3) major processes, procedures and requirements which must be followed in the selection of an Construction Professional for Type II projects. The process is based on a “Best Value” Qualifications Based Selection. The steps are:

2.2.1.1. Proposal

A minimum of three contractors pre-qualified with the University will be invited to respond to an RFP. The invited contractors shall submit a Proposal to indicate the contractor’s understanding of and proposed approach to the project, the budget and proposed fees / construction cost for the project, and to serve as a reference during the negotiation process. The RFP and the Proposal are incorporated into the Agreement.

2.2.1.2. Interview and Selection:

The University representatives may elect to interview the contractors to further determine a rank order listing of contractors, based on the results of the interviews.

2.2.1.3. Fee Negotiation and Contract Award:

The contractor selected and the University negotiates the fees / construction cost necessary to perform the required services, which, with the concurrence of the Owner, will result in a formal contract between the contractor and the University. If no Construction Professional agrees to the terms of the University contract or fee, the selection criteria and designated fee / construction cost may be modified and the selection process shall start over. After campus approvals, the top ranked contractor and successfully negotiated agreement are recommended to the Board of Regents for approval if necessary.

2.2.1.4. Deviation from the Selection Process:

The University may elect to deviate from the above process when determined to be in the best interest of the University.

2.2.1.5. Documentation of Procurement:

For Type II projects, the Project Manager shall utilize the Project Procurement Checklist identifying the general project parameters and personnel involved in the evaluation and selection process.

2.3 Type III - Small Projects

2.3.1 Construction Professionals may be selected to provide services under a continuing contract (T & M) for projects for which the fee / construction cost is \$50,000 or less. A Campus Service Agreement is effective for one year, with the option to renew up to five years. Periodically, project managers are encouraged to consider no less than three (3) qualified contractors for projects of this size to encourage competitive bidding.

2.3.1.1. Renewal and Rebidding:

The Purchasing Department shall periodically coordinate with the Physical Plant to determine if any Campus Service Agreements shall be renewed, terminated and/or rebid on a case-by-case basis.

2.3.1.1. Periodic Evaluation of Pricing:

Periodically, the Facilities Planning and Construction department shall procure no less than three (3) quotations from T&M Vendors to periodically validate competitive pricing. (Minimum 3 when possible – varies depending on contracts in place.)

2.3.1.1. Monitoring of Vendors under Campus Service Agreements:

The Purchasing Department shall monitor the Vendor database, with technical assistance by the Physical Plant, for the potential over/under use of a particular Vendor.

2.3.2 The Project Manager shall initiate the issuance of a Purchase Order/Work Order to the selected Vendor for services provided under the Campus Service Agreement / T&M Contract including all pertinent information. Further the Project Manager shall sign the Requisition Form for PO issuance prior to distribution to the Vendor. For work scopes anticipated to be in excess of \$10,000 the Director; Facilities Planning and Construction shall also sign the Requisition Form for PO issuance.

2.3.3 For work and/or services provided under a Purchase Order on a Time and Material basis, the Vendor shall provide to the Project Manager time sheets for all pertinent staff on a weekly basis for review. The Vendor shall also validate these time sheets with their invoice submittal.