

Pre-Planning

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OVERVIEW OF THE PLANNING, DESIGN, AND CONSTRUCTION PROCESS

CHAPTER 1: INTRODUCTION

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PRE-PLANNING

Establish Partnerships with Community Stakeholders

It is important to address the real need to include the community in the educational planning process. Critical links should be established among students, building administrators, faculty members, parents, school board members, and the community. These connections ensure a good outcome and continued support of construction endeavors.

Establish/Refine Educational Vision

Stakeholders should work together to develop an educational vision. Questions that may be answered include:

- What are the most appropriate program areas and delivery systems for the district?
- What does educational research suggest?
- What is the most appropriate grade organization or school size?
- What areas are working? What needs to be changed?

Connect Educational Program and Vision with Facilities

Connections must address the relationship of every site's school improvement planning process, the facility that is being considered, and community involvement in taking ownership of the process. Questions that address connecting the educational program with facilities include:

- What are the future educational programs and/or systems that will impact facilities?
- What priorities should be addressed regarding the educational program and facilities?

Once the district has developed an educational vision it is now time to assess the physical condition of the district's classroom facilities and the ability of those facilities to support the district's educational vision. The district may apply for the facilities assessment only program at any time to determine the condition of their classroom facilities.

Apply for Assessment Only Program permits school districts to receive a district-wide assessment and master facility plan for existing classroom facilities. This information empowers the district to make informed decisions regarding their facilities.

Apply for Non-funded Program (Expedited Local Partnership Program – ELPP or Vocational Facilities Assistance Program (VFAP) (ELPP))

ELPP permits school districts that are estimated to be over two years away from eligibility for state assistance under the Classroom Facilities Assistance Program (CFAP) to receive a district-wide assessment and master facilities plan from the Commission. The Commission will assess the classroom facilities needs of participating districts, and, in collaboration with the district, develop a district-wide master facilities plan. Program participants may spend local resources on a discrete part of their overall master facilities plan (either new construction or major renovation) and later receive credit for qualifying expenditures from the school district's share of the overall project budget when the district becomes eligible for state assistance under CFAP or VFAP.

Apply for Funded Program (Exceptional Needs Program – ENP)

ENP is a building replacement program that provides school districts with the ability to protect the health and safety of their students with a new facility. The program has a single building orientation, so it will not necessarily fund a district's entire facilities needs. Eligibility is open only to those districts with a ranking on the yearly Ohio Department of Education "Equity List" of lower than the 75th percentile. The General Assembly recently amended the program to include those districts whose students are inadequately housed due to overcrowding. Districts that can be expected to be served by the CFAP within a 3-year period are ineligible to participate.

OVERVIEW OF THE PLANNING, DESIGN, AND CONSTRUCTION PROCESS

CHAPTER 1: INTRODUCTION

C. DETAILS OF THE PLANNING, DESIGN, AND CONSTRUCTION PROCESS, continued

PRE-PLANNING

Notification of Eligibility for Funded Program (CFAP, VFAP or ENP)

CFAP is the largest of the OSFC programs and provides funding for the entire facility needs of a school district. Each district is ranked on the Equity Aid Distribution List supplied to the Commission by the Ohio Department of Education.

District Selects Design Professional

The district is responsible for interviewing and selecting the Design Professional (DP) for the project(s). The DP is responsible for securing sub-consultants, such as mechanical and electrical engineers and technology experts, to design the building. ***In making this selection, factors include: experience in school design, energy efficient design, and sustainable design.*** The Commission approves the district's agreement with the Design Professional.

C. DETAILS OF THE PLANNING, DESIGN, AND CONSTRUCTION PROCESS, continued

Educational Planning & Programming for Facility Needs

During the Pre-Planning phase of a district's school facility project, school leaders should work to:

1) Establish Partnerships with Community Stakeholders

It is important to address the need to include members of the community in the educational planning process. Critical links should be established among students, building administrators, faculty members, parents, school board members, local and regional media, business leaders, and the general community. These connections ensure a good outcome at the ballot and continued support of construction endeavors. Outreach efforts to community stakeholders may include, but are not limited to:

- Facilitated meetings and focus groups
- Community wide surveys and targeted phone or mailed surveys
- Core communicator and oversight groups
- Newsletters with project updates from the district

2) Establish and Refine the Educational Vision

Stakeholders should work together to develop an educational vision for the district. Questions that may be answered include:

- What is the school district's mission?
- How do particular spaces (e.g. science laboratories, special education delivery spaces) in the district's current facilities help to meet this mission and associated objectives?
- What are the most appropriate program areas and delivery systems for the district?
- What does educational research suggest?
- What is the most appropriate grade organization or school size for the district?
- If stakeholders determine that changes are necessary in the educational delivery system, how could these changes be made? What is the timeline for these changes? What resources are needed?

3) Connect the Educational Program and Vision with Facilities Needs

Connections must address the relationship of every site's school improvement planning process, the facility that is being considered, and community involvement in taking ownership of the process. Questions that address connecting the vision to facilities include:

- What are the future educational programs and/or systems that will impact facilities?
- What priorities should be addressed regarding the educational program and facilities?
- Are there any partnerships that may be developed with local agencies or businesses to share the facility (e.g. YMCA, health clinics, etc.)?
- How can the facility be used by the community during and after regular school hours?

Once the district has developed an educational vision, an assessment of the physical condition of the district's classroom facilities will occur. Assessors will determine the ability of existing facilities to support the district's educational vision.

OVERVIEW of OSFC COMMUNITY ENGAGEMENT ASSISTANCE to SCHOOL DISTRICTS

As a district moves forward with its facilities project, a well-developed community engagement plan is a critical factor in obtaining community support for a project. It is also another area where OSFC and the district can work in partnership.

The Commission can provide a wealth of information for a district to share with community stakeholders to assist them in the decision-making process. Let's look at how this might work in one area.

Development of the Master Facilities Plan

Once a building-level assessment is performed for a district, a Master Plan is developed which outlines what is to be done in terms of building improvements in the district. School administrators, in collaboration with the Commission, are strongly encouraged to hold community-wide meetings to gather input from stakeholders. Usually, a representative from the Ohio School Facilities Commission attends these meetings to help the district to provide an accurate overview of the improvement process and to answer questions from the public. The more the community is involved, the better the chances are for support of the overall master plan and funding to support it.

Master facilities planning will provide the blueprint for the physical environment in which the district operates. As the quality of the building is inextricably tied to the success of the educational delivery plan, the master planning process deserves due attention, and school districts benefit from the knowledge and enthusiasm offered by community participation. An effective and well-planned strategy for engaging community participation will make the process enjoyable and productive.

There are a number of Ohio companies that offer years of experience in managing these efforts. Some of the topics that should be considered during the master planning process are:

- Grade configurations
- Educational plans
- Operational issues
- Neighborhood schools vs. campus-style arrangements
- School size (minimum projected enrollment-350 students)
- Community values
- Community size, geography, and demographics
- Planning and zoning opportunities/restrictions

Districts can conduct a series of focus groups on facilities improvement issues to receive crucial input from the public. Oftentimes, surveys are distributed throughout the community as well to gather opinion on the needs of the district. Based upon stakeholder input, the district's Master Plan evolves to reflect the unique desires of

these groups. Master planning is a collaborative planning process that will ultimately reflect the goals of the community.

Community involvement in the Master Facilities plan may typically take between four to six months, depending upon the complexity of local concerns regarding the project and the scope of the plan. However, districts may start community outreach efforts as early as they wish. Districts may even request a facilities assessment early on, before their district is actually up for funding from the state, so that they may begin the community engagement process.

For a typical district participating in the Classroom Facilities Assistance Program (CFAP), notification of eligibility for state matching funds is given twelve to eighteen months in advance. This timeline provides districts the ability to begin gathering community feedback very early on in the process.

Schools such as Cedar Elementary School in the Canton City School District provide an excellent example of the community engagement process during the planning phase of the project. The building's teachers and administrators attest to the great deal of stakeholder involvement in the planning process. Many will say, "This school works because we designed it that way."

Materials

A variety of materials are available to school districts that may help them to communicate with and to engage stakeholders early on in the planning and design phases of the school improvement process. Materials are available to all school districts and to the public and include:

- A DVD that provides an overview of school facility improvement in Ohio. Through real testimonials from teachers, students, and administrators who have participated in the process and video footage of renovated and rebuilt facilities, the DVD demonstrates the strong connection between school and community pride and refurbished school facilities.
- A comprehensive Ohio School Facilities Commission web site, www.osfc.state.oh.us, that allows the public and school districts to learn more about funding options, Commission programs, rules, appropriations, and the focus of the Commission. The web site also affords users the ability to search for information on specific school district projects and case studies on improved district facilities.
- The Ohio School Design Manual, which provides guidelines on construction and planning aspects of the school improvement process and is updated regularly with input from community stakeholders and designers.
- Informational brochures that offer easy to understand overviews of various aspects of school design and the purpose of the Ohio School Facilities Commission including building renovation and historic preservation, information on funding options, and a description of the Ohio School Design Manual. This literature has proven to be very effective as a means to "get the word out" to community members and stakeholders.

Another excellent source for community engagement materials is the KnowledgeWorks Foundation, a private foundation specializing in creating educational opportunities. They have a website at <http://www.kwfdn.org/>.



Policy on Public Records

Introduction

It is the policy of the Ohio School Facilities Commission (OSFC) that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of OSFC to strictly adhere to the state's Public Records Act, to construe possible exemptions to the Records Act in their narrowest sense, and to present an explanation of any denial of public records in response.

Section 1 - Public records

This office, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of OSFC are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

It is the policy of the OSFC that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Because the Commission administers school facility construction across the state of Ohio, certain records for a particular school construction project may be kept at the actual school construction site in the care of the Construction Management firm (CM) overseeing that particular construction project on behalf of the Commission. Each CM will organize and maintain their records in an appropriate manner.

Record retention schedules are to be updated regularly and posted prominently.

Section 2 - Record requests

When the Commission receives a public records request, staff shall make every reasonable attempt to fulfill the request with records that are held at the Commission or that are immediately available to the staff. In the event that necessary records are held at the project site, the Commission shall contact the appropriate CM and request that the records are forwarded to the Commission for distribution to the requestor. If it facilitates a faster response, the Commission staff may arrange for the CM to provide the records directly to the requestor.

Public records requests received directly on-site by the CM shall be forwarded to the Commission for response.

Each request for public records should be evaluated for a response using the following guidelines:

Section 2.1 - Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the OSFC to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian will contact the requester for clarification, and will assist the requestor in revising the request.

Section 2.2 - The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. It is the Commission's general policy that this information need not be requested.

Section 2.3 - Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

Section 2.4 - Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records will be satisfied immediately when feasible. Routine requests include, but are not limited to, meeting minutes, budgets, forms and applications, personnel rosters, etc. If the records are readily available in an electronic format that can be e-mailed or downloaded easily, the records may be produced in such a format. In general, records shall be provided in the medium in which they are maintained, however, a change in medium may be approved at the discretion of the Commission.

In the event a requestor makes a request for a voluminous amount of material, the staff or CM shall apprise the requestor of the projected estimate of cost for making the copies and offer the requestor the opportunity to review the material prior to making the copies.

All records requests shall either be satisfied, or acknowledged as to the complexity, within a reasonable period of time.

Section 2.5 - Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

Section 3 - Costs for Public Records

Those seeking public records will be charged only the actual cost of making copies.

Section 3.1 - The Commission's standard charge for paper copies is 5 cents per page. If the request is voluminous by nature or the time needed to respond would be lessened, the staff (or CM where applicable) shall make arrangements with the requesting party for the documents to be sent to a commercial copying business. If the requestor has an account with the commercial copying business, then the requestor shall take responsibility to make direct billing arrangements. If the CM or Commission arranges the copying/billing, then the invoice for the copying may be sent directly to the requestor.

There shall be no charge for documents e-mailed. There shall be no charge for records provided on CD-ROM.

Section 3.2 - Additional charges, such as fees for retrieval or transportation of records may not be imposed. Charges for staff time in compiling the requested records are also prohibited. Access to the records cannot be limited to conditions where the requestor will incur expenses for that access (such as room rental fees at the storage facility).

Section 3.3 - Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

Section 4 - Email

Documents in electronic mail format are records when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

Section 5 - Failure to respond to a public records request

The Ohio School Facilities Commission recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, OSFC's failure to comply with a request may result in a court ordering this agency to pay the requester attorney's fees and damages.

Making a Successful Transition From Expedited Local Partnership (ELPP) to Classroom Facilities Assistance (CFAP)

Questions and Answers for School Districts

Q: When is a district considered to be participating in ELPP?

A: You are not considered to be a participant in the ELPP program unless you have actually awarded construction contracts for your project. If you have not reached this phase you will begin CFAP like any other non-ELPP district.

Q: If we have not begun construction will we get credit for participating in ELPP?

A: No. If construction contracts for an ELPP project have not yet been let, and only architectural work has been underway, then ELPP participation is not achieved and no credit shall be established. This means that the agreed upon state and local shares of the ELPP agreement do not apply. Pre-construction site investigation and design services may be reimbursed from the CFAP project construction fund upon approval by the Commission. In other words, if the ELPP project is still in the design phase, the next phase would be handed off to CFAP, and no further reviews would be conducted during ELPP.

Q: How will funding for our project change as we transition from ELPP to CFAP?

A: OSFC will calculate the project cost and district share of the updated Master Facilities Plan. The credit will be applied to the local share and the district must acquire the balance of the local share prior to the release of state funds for CFAP. The district will also be responsible for a ½ mill maintenance fund prior to the release of state funds under CFAP. Once the district can certify the availability of those two funding sources, and after the appropriate CFAP approvals have been secured, state funds will be disbursed to the Project Construction Fund on a quarterly basis according to an agreed upon Draw Down Schedule.

Q: How will my local share be determined?

A: The state and local share percentages for the CFAP project are established through participation in ELPP. Assuming your district has entered into construction contracts for the ELPP project, the state and local share percentages established in the ELPP Master Facilities Plan will be the same used in the CFAP Master Facilities Plan, regardless of the district's position on the Eligibility Ranking List when it is eligible for CFAP.

Q: When does the district receive ELPP credit?

A: ELPP credit is considered to be "conditional" until it is approved by the Commission (OSFC) and the State Controlling Board as part of the CFAP Master Facilities Plan. Undetermined ELPP credit at the time of the CFAP Master Facilities Plan will be "estimated" and finalized once the ELPP project is completed, then reconciled with the state and local share amounts.

Q: Can we choose the same architect for CFAP that we used for our ELPP projects?

A: Districts are required to comply with Ohio's Design Professional Selection law (ORC 153.65) for the selection of architects and engineers. If a district properly engaged their Architect/Engineer (A/E), a new selection process may not be required for the CFAP project. OSFC recommends that districts seek legal advice in this matter. A district's ELPP A/E will remain with that project through completion.

Q: If we already have a Construction Manager (CM) under contract through ELPP, can we use the same CM for our CFAP projects?

A: The Commission selects construction management firms for the projects participating in CFAP. In some situations, the district may proceed with the selected firms that have been contracted to provide services through the ELPP program. At this time, those districts are eligible for state funding and the Commission's requirements associated with the state funded programs apply, including the selection of a Construction Manager by the Commission.

Q: What do new enrollment projections and new assessments under CFAP mean to us?

A: OSFC will conduct a new facilities assessment, as well as new enrollment projections, for use in updating the Master Facilities Plan for the district. New numbers may mean a change in the scope of the project if enrollment has gone up or down. In addition, updated enrollment projections will not count Joint Vocational spaces or non-special needs pre-kindergarten students in the general population.

Q: Will we have a new Master Facilities Plan?

A: Yes, but it may be very similar to your current plan. In order to participate in CFAP, a new Master Facilities Plan will be developed, based upon an updated facilities assessment and new enrollment projections. The Commission (OSFC), the school board, and the State Controlling Board must approve the new plan.

Q: Will the role of OSFC under CFAP differ from ELPP?

A: Yes. Participating districts can expect to see an increased presence of the agency within the project. For example, all design documents will be approved by OSFC staff. Project Administrators will work closely with you to explain the role of the OSFC and the district in CFAP. Under the ELPP program, districts worked with a planner and a Regional Planning Coordinator; under CFAP, the district's primary contacts are the Construction Manager (CM) and the OSFC Project Administrator (PA).

Q: Do I need a Maintenance Plan?

A: A Maintenance Plan is required to receive credit under the program. In fact, all school districts participating in one of the OSFC programs (Exceptional Needs Program, Expedited Local Partnership Program, Classroom Facilities Assistance Program) are required to prepare a plan for preventative maintenance and capital planning of the new or renovated facility. The goal of the maintenance program is to obtain the maximum return on investment for newly acquired assets.

Need additional information?
Contact OSFC at (614) 466-6290

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Ohio QBS Manual

Qualifications-Based Selection

*A guide to selecting the highest qualified
architecture/engineering firm*



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This manual is produced as a public service by the Ohio QBS Coalition,
which is comprised of the following organizations:



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Introduction

The most important element of any construction project is its design. The quality of design is the single most important factor in determining a project's "life-cycle cost" — the initial cost of construction plus the long-term cost for operation and maintenance.

Design is one of the very first steps in the process of developing any facility, but it is the design that dictates everything that follows: the size and layout of the facility, the type of construction materials to be used; the capacity of mechanical and electrical systems; energy efficiency; and other factors. Not even the best contractor using the finest of materials can overcome the failings of a poor design.

Architectural and engineering services represent only a small percentage of the overall budget for any construction project — and a far smaller percentage of the overall life-cycle cost — so it makes sound financial sense to make sure your architect or engineer has the experience and expertise needed to deliver a high-quality design.

Qualifications-Based Selection (QBS) is a process that enables the project owner to obtain the advice and service of a highly qualified architect or engineer at a fair and reasonable cost, an investment in quality that will result in substantial savings over the life of the project.

Federal agencies, most states and many local governments award A/E design contracts using a QBS process. In addition, the QBS process is endorsed by groups such as the American Public Works Association and the American Bar Association because this method of A/E selection provides the project owner with the greatest assurance of obtaining a high-quality design and a successful project.

The Ohio QBS Coalition is pleased to provide this manual to assist project owners in retaining an architect or engineer via the QBS process. Owners who want personal assistance in implementing the QBS process are encouraged to contact the Coalition and request a free consultation with the Ohio QBS Facilitator.



The QBS Process

1

PLANNING

- Describe your project needs and goals
- Identify your selection committee
- Establish a schedule for selection
- Establish selection criteria
- Compile a list of Architecture/Engineering (A/E) firms
- Prepare a request for Statements of Qualifications (SOQ)
- Distribute the SOQ requests

2

SELECTION

- Evaluate SOQs
- Establish a short-list of A/E firms
- Inform all A/E firms of selection results



If you are able to make a decision based on SOQ, you may proceed to step 3, negotiation.

- Arrange a site tour
- Conduct interviews and rank firms
- Inform short-listed A/E firms of selection results

3

NEGOTIATION

- Open, formal discussions with the highest ranked design professional regarding the firm's proposed technical approach to the project, the schedule, key personnel to be devoted to the project and related issues
- Enter into a contract with the highest ranked firm that spells out the specific scope of services to be provided by the firm and the fee for those services

Frequently Asked Questions

What is QBS?

QBS stands for “Qualifications-Based Selection.” It is a process that helps you select the highest qualified architect or engineer for your project. This process focuses on helping owners identify the design professional with the optimal qualifications and experience for the project at hand. The QBS process is:

- *Straightforward,*
- *Easy to implement,*
- *Objective and fair; and*
- *A well-documented and defensible process.*

Why use QBS?

- *QBS provides an objective, step-by-step process that allows you to identify and contract with the architect or engineer who has the best qualifications for your specific project.*
- *QBS develops a successful and cooperative relationship between you and the A/E firm.*
- *QBS benefits both you and your architect or engineer by saving time and money.*
- *QBS gets the A/E on board early enough to improve project planning, minimize total project costs and enhance efficiency and effectiveness.*

Am I required to use QBS?

Ohio Revised Code section 153.65 - .71 requires all public authorities to use the QBS process (see page 6).

Who uses QBS?

QBS is endorsed and promoted by the American Public Works Association.

QBS is recommended by the American Bar Association in its Model Procurement Code for State and Local Governments, and is currently used by most states, numerous localities and private owners.

The Office of the State Architect (Ohio Department of Administrative Services), the Ohio Department of Transportation and the Ohio Department of Natural Resources all use the QBS process to select A/E firms.

Since 1972, with passage of the Brooks Act, the federal government requires QBS for its A/E services procurement.

The last page of this manual contains a list of organizations that support and promote the QBS process.

How much time will QBS take?

Depending on the project and the number of decision-makers, it can take from one week to five months. Between two to three months is common.

Can I get help in working through the QBS process?

Yes. The Ohio QBS Coalition has retained the services of QBS Facilitator who will meet with you to help you develop a QBS selection process tailored to your specific project. You can arrange to meet with the Facilitator simply by calling the Coalition’s office.

Is there a cost for using the services of the QBS Facilitator?

No. The services of the QBS Facilitator are provided at no charge as a public service.

What specific services will the QBS Facilitator provide?

The Facilitator will:

- *Meet with your board, committees, staff and other groups to provide QBS selection information.*
- *Help customize QBS materials to meet your project’s special needs.*
- *Provide guidance and answer questions throughout the selection process.*
- *Provide resources, such as directories of architecture and consulting engineer firms.*

What won’t the QBS Facilitator do?

The Facilitator will not:

- *Recommend any individual firm.*
- *Evaluate or critique any individual firm.*
- *Participate in the interview process or contract negotiations between you and the selected firm.*
- *Provide estimates for A/E services or construction costs.*

Ohio's QBS Law

153.65 DEFINITIONS

As used in sections 153.65 to 153.71 of the Revised Code:

(A) "Public authority" means the state, or a county, township, municipal corporation, school district, or other political subdivision, or any public agency, authority, board, commission, instrumentality, or special district of the state or a county, township, municipal corporation, school district, or other political subdivision.

(B) "Professional design firm" means any person legally engaged in rendering professional design services.

(C) "Professional design services" means services within the scope of practice of an architect or landscape architect registered under Chapter 4703. of the Revised Code or a professional engineer or surveyor registered under Chapter 4733. of the Revised Code.

(D) "Qualifications" means all of the following:

(1) Competence of the professional design firm to perform the required professional design services as indicated by the technical training, education, and experience of the firm's personnel, especially the technical training, education, and experience of the employees within the firm who would be assigned to perform the services;

(2) Ability of the firm in terms of its workload and the availability of qualified personnel, equipment, and facilities to perform the required professional design services competently and expeditiously;

(3) Past performance of the firm as reflected by the evaluations of previous clients with respect to such factors as control of costs, quality of work, and meeting of deadlines;

(4) Any other relevant factors as determined by the public authority.

153.66 SUBMISSION AND UPDATING OF STATEMENT OF QUALIFICATIONS

Each public authority planning to contract for professional design services shall encourage professional design firms to submit a statement of qualifications and update the statements at regular intervals.

153.67 PUBLIC ANNOUNCEMENT OF AVAILABLE CONTRACTS

Each public authority planning to contract for professional design services shall publicly announce all contracts available from it for such services. The announcements shall:

(A) Be made in a uniform and consistent manner and shall be made sufficiently in advance of the time that responses must be received from qualified professional design firms for the firms to have an adequate opportunity to submit a statement of interest in the project;

(B) Include a general description of the project, a statement of the specific professional design services required, and a description of the qualifications required for the project;

(C) Indicate how qualified professional design firms may submit statements of qualifications in order to be considered for a contract to design the project;

(D) Be sent to either of the following:

(1) Each professional design firm that has a current statement of qualifications on file with the public authority and is qualified to perform the required professional design services;

(2) Architect, landscape architect, engineer, and surveyor trade associations, the news media, and any publications or other public media that the public authority considers appropriate

153.68 PREQUALIFICATION REQUIREMENTS

Any public authority planning to contract for professional design services may institute prequalification requirements for professional design firms seeking to provide services to the public authority and may require that each prequalified firm maintain a current statement of qualifications on file with the public authority. The prequalification requirements shall be based on factors such as those set out in division (D) of section 153.65 of the Revised Code.

153.69 EVALUATION OF STATEMENTS OF QUALIFICATION; RANKING AND SELECTION OF FIRMS; CONTRACT NEGOTIATIONS

For every professional design services contract, each public authority planning to contract for professional design services shall evaluate the statements of qualifications of professional design firms currently on file, together with those that are submitted by other professional design firms specifically regarding the project, and may hold discussions with individual firms to explore further the firms' statements of qualifications, the scope and nature of the services the firms would provide, and the various technical approaches the firms may take toward the project. Following this evaluation, the public authority shall:

(A) Select and rank no fewer than three firms which it considers to be the most qualified to provide the required professional design services, except when the public authority determines in writing that fewer than three qualified firms are available in which case the public authority shall select and rank those firms;

(B) Negotiate a contract with the firm ranked most qualified to perform the required services at a compensation determined in writing to be fair and reasonable to the public authority. Contract negotiations shall be directed toward:

(1) Ensuring that the professional design firm and the agency have a mutual understanding of the essential requirements involved in providing the required services;

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

(Continued on page 24)

QBS Process Documents

This manual provides several sample documents to assist you in using the QBS process. The following identifies the QBS tools to be used at each step in the process and where they can be found.

1 PLANNING

	<i>Title</i>	<i>Page</i>
• Describe your project	Preliminary Scope of Services	8
• Establish a schedule	Schedule of Activities	9
• Establish selection criteria and compile a list of A/E firms	Qualifications Evaluation Criteria	10
• Prepare a request for Statements of Qualifications (SOQs) and distribute SOQ requests	Request for SOQs	11

2 SELECTION

• Evaluate SOQs	Qualifications Evaluation Criteria	10
	Reference Check Form	13
	Qualifications Evaluation Summary	14
• Establish a short-list	Short-List Highest Qualified A/E Firms	15
• Inform all A/E firms	Memo to Short-Listed Firms	16
	Memo to Firms Not Selected for Interview	17
• Arrange a site tour	Providing a Tour of the Facility/Site	18
• Conduct interviews and rank	Interviews	19
	Interview Evaluation Form	20
	Selection Committee Score Sheet	21
• Inform short-listed A/E firms	Memo to Interviewed Firms	22

3 NEGOTIATION

• Discuss scope of services with highest ranked firm and negotiate agreement	Negotiate Scope of Services, Compensation and Agreement	23
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Preliminary Scope of Services



The preliminary scope of services provides a description of your project needs and goals. A properly defined and clearly communicated scope of services saves time, money and effort for both you and the A/E firms. Given the appropriate information, firms can tailor their statements of qualifications directly to your project's requirements, providing you with a more uniform basis for your evaluation.

- 1) _____
owner/client _____ *project*
- 2) _____
location
- 3) _____
owner/client's representative



Limit contact to one person and include mailing address, telephone number, fax number, and email address as appropriate.

- 4) Other involved groups (e.g., boards, committees, or citizens groups).
- 5) Description of available and relevant studies, surveys and preliminary feasibility of work.
- 6) Project description: intended size, function, capacity and general requirements (e.g., preliminary design/ studies demolition, renovation, new construction, waste management, energy, land use and site selection considerations).
- 7) Timeline:
Award of A/E contract _____
Commencement of design work _____
Beginning of construction _____
Planned project completion date _____
- 8) Description of A/E selection process.
- 9) Other requirements (e.g., referendums, public hearings).

Schedule of Activities



To keep your selection process running smoothly, set a schedule. An established time frame prevents misunderstandings and last-minute surprises that could delay the selection process.

The following schedule has been established by:

_____ owner
 for _____ project

Date	Description
_____	Develop a preliminary scope of services and project description.
_____	Identify a selection committee.
	 A good selection committee mix includes individuals who are decision makers, have technical experience, and at least one board/council member. Provide all selection committee members with a copy of the QBS Manual.
_____	Identify interested and potential firms.
_____	Mail requests for Statements of Qualifications (SOQs).
_____	SOQ due date.
	 Allow a minimum of two weeks for firms to submit their material.
_____	Review references and develop a short-list of firms to interview.
_____	Notify short-listed firms of the pre-interview tour date, the interview date and the interview criteria.
_____	Notify all other firms of short-listed firms and express appreciation for their time and interest.
_____	Tour facility/site at _____ at _____ . <small style="margin-left: 100px;">time</small> <small style="margin-left: 100px;">location</small>
	 Schedule tours at least 10 days before the interview date to allow for preparation.
_____	Interview short-listed firms.
_____	Review SOQs and interview notes. Rank firms.
_____	Notify all firms interviewed of the results and express appreciation for their involvement.
_____	Negotiate and execute a contract with the selected firm.
_____	Arrange for any post-selection requirements, such as public hearings.

Qualifications Evaluation Criteria



General suggestions:

- Document all selection proceedings in the event questions arise.
- Establish a policy that you will not consider SOQs submitted after the deadline.
- Check references before you meet to determine your short-list. You should check references other than those suggested by the firm. (Reference page 13, Reference Check Form.)
- A short-list of three firms is usually sufficient.

project

A/E firm



The criteria below represent general criteria for rating firms. Add to this list, depending on project needs (e.g. environmental experience if the project has extraordinary environmental concerns). Weight each category if certain categories are more important to the project than others by adjusting the Best Possible Rating for each criteria.

Qualifications Evaluation Form		
Criteria	Best Possible Rating	Rating
1) Project interest and understanding		
2) Firm's history		
3) Firm's ability and expertise		
4) Assigned personnel		
5) Related project experience		
6) Reference check (Reference Check Form, p. 13)		
Total		

Request for Statements of Qualifications



Once you have formulated your project's scope, invite potential firms to submit their Statements of Qualifications (SOQs). When requesting SOQs, remember that firms' responses can be lengthy and will require careful review. Keep this in mind when deciding how many firms you will contact. You can find potential firms by contacting facility owners who have completed projects similar to yours. State professional associations representing architects, engineers and landscape architects also publish member directories or on-line membership listings. Allow at least 14 days for firms to submit their SOQ.

TO: _____
list, in alphabetical order, all firms

FROM: _____
owner/client

owner/client representative

RE: Request for Statement of Qualifications

Your firm is invited to submit a Statement of Qualifications to become eligible for an interview for A/E services for

project

owner

Attached to this memo are the following:

- 1) A list of information and materials that you should include with your Statement of Qualifications.
See following page.
- 2) A Preliminary Scope of Services.
See page 8.
- 3) A Schedule of Activities for the selection process.
See page 9.

We will arrange a tour of the facility/site, if appropriate, for firms selected for an interview.

Forward your Statement of Qualifications to the following address, to be received no later than

_____ on _____
time date

TO: _____
name

address

Request for Statements of Qualifications

Statement of Qualifications Information and Materials

- 1) Firm name, address, telephone number and contact person.
- 2) A **one-page statement** of interest and qualifications for this project.
- 3) A **brief** (maximum two-page) project understanding description. Include any concerns regarding permits, schedule, site, etc.
- 4) Discussion of firm's specific abilities and expertise to provide the required professional services and qualifications related to project requirements, including project management skills and methodology to monitor project budgets.
- 5) Key personnel proposed as project team members, including detailed resumes. Clearly identify subconsultants, if proposed, with similar information.
- 6) Examples of specific knowledge, expertise and project management experience related to this type of project.
- 7) Descriptions of recent and related projects completed by the firm.
- 8) References of other owners for which the firm has provided similar professional services. Reference information **must** include:
 - a) name of owner
 - b) project name
 - c) brief description of firm's involvement
 - d) contact person
 - e) address
 - f) telephone number
 - g) firm's key personnel assigned to the referenced project

Reference Check Form

References checked for _____
A/E firm

_____ *owner*

_____ *address*

_____ *project referenced*

_____ *phone*

_____ *person contacted*

What was your project? _____

When was it completed? _____

What did the firm do for you (e.g. design work, construction phase services, project budget, studies, other)?

Who was the staff person assigned to the project? _____

Rate the following:	Rating 1-5 (5 = highest)	Comments
Quality of key personnel		
Timeliness		
Budget control		
Communication		
Creativity		
Total		



Other categories can be added by the selection committee.

Qualifications Evaluation Summary



Use this form to compile the evaluation results of all SOQs. Enter the grand total for each firm as recorded by individual reviewers.

Evaluation Summary Table										
Reviewers	Firms									
	A	B	C	D	E	F	G	H	I	J
1										
2										
3										
4										
5										
6										
7										
8										
Total										

Short-List Highest Qualified A/E Firms



To finalize your short-list, rank the firms' SOQs and select the top firms for your short-list. A short list of three firms is usually sufficient. Notify all firms of your decision.

- 1) **Notify the firms that you have selected for your short-list.** Your project's size and complexity will determine whether you will conduct subsequent interviews in person or by telephone. If you decide to interview in person, the short-listed firms will need the following information:
 - The date, place and time of the interviews.
 - The date of the tour(s), when appropriate, of the facility/site.
 - A list of the project issues, the interview criteria and an explanation of the scoring and selection process.
 - List any feasibility studies, project program or other background information that will be made available to all short-listed firms.
 - A sample memo you may send to short-listed firms is on page 16.
- 2) **Notify the firms you did not select for further consideration.** The A/E firms devote considerable time and expense in preparing their SOQs and deserve recognition for their efforts. Personal contacts will help to preserve good relations with the firms you have not selected. A sample memo thanking participating firms for their interest is on page 17.

Memo to Short-Listed Firms

TO: _____
list, in alphabetical order, all firms you plan to interview

FROM: _____
owner

RE: Interview Schedule and Requirements

Congratulations. Your firm has been short-listed for consideration to provide professional services for

project

Following is information regarding the interview process.

Each firm will have 45 minutes to present its qualifications and to answer questions. The interviewers will schedule 15 minutes between interviews for informal discussion of information presented during the preceding interview. After the interviews, the interviewers will rank the firms according to their competence and compatibility for the project. The firm deemed highest qualified will then enter into negotiations for a contract to provide the necessary services. If contract terms cannot be reached, the firm ranked second will be invited in for contract negotiations.

Interviews will be held on _____ at _____ .
date *location*

The order and times of the interviews are:

_____	_____
<i>firm A</i>	<i>time</i>
_____	_____
<i>firm B</i>	<i>time</i>
_____	_____
<i>firm C</i>	<i>time</i>

We have arranged a tour of the facility/site for _____ .
date and time

Please have your firm's representative contact _____ , acknowledging
owner's representative
attendance at the tour and at the interview.

The committee anticipates making a decision and notifying short-listed firms of final rankings by

date

Memo to Firms Not Selected for Interview

TO: _____
list, in alphabetical order, all firms you have not selected for an interview

FROM: _____
owner _____ *address*

RE: Status of Selection Process for _____
project

The _____ appreciates your interest in our project.
committee or group

After careful consideration, we have decided to interview the following firms:

List short-listed firms in alphabetical order.

Although your firm was not short-listed, we appreciate your interest in our project and the resources spent preparing your statement of qualifications.

Providing a Tour of the Facility/Site



In major or complex projects, a tour of the project facility or site can be an important part of the selection process. Tours provide interested firms with the opportunity to obtain first hand information on the proposed project and to have their questions answered.

Schedule tours at least ten days before the interview date to allow firms enough time to incorporate any new information into their presentations.

In most cases, you should provide tours for short-listed firms only. Whether to offer tours to all interested firms or only to short-listed firms depends on the project requirements. A group tour that includes all interested firms can be effective, but may inhibit firm representatives from openly discussing the project and raising questions, for competitive reasons.

Depending on the complexity of your project, one-on-one tours may be appropriate, with your representative meeting with firm representatives one firm at a time.

For one-on-one tours, the following is suggested:

- Schedule all tours for one date.
- Limit times for each tour to be consistent for each firm (e.g., one hour for each short-listed firm).
- Ensure that the owner's representative is the only "owner's voice" on the tour to prevent possible conflicting information. Also, the owner's representative should strive to answer similar questions from each of the firms with the same information.

Interviews



Interviewing the short-listed firms gives you the opportunity to compare each firm's creative approach to the project as well as its interpretation and understanding of the project requirements.

The Interview Environment

The room for the interview should be comfortable, have good acoustics and be large enough to accommodate the expected number of people. You should provide a separate area for firms waiting to be interviewed.

Interview Guidelines

- 1) All interviewed firms should have an equal opportunity to prepare their presentation and equal access to all pertinent information. Send all firms the criteria to be used for the interview scoring.
- 2) Schedule all interviews on the same day, so the committee can compare all firms while the information is fresh in their minds. The same interviewers should be present at all of the interviews. This will also result in consistent interview scoring.
- 3) Schedule 45 minutes for each presentation and 15 minutes between interviews. This will allow ample time for the presentation, the question and answer period and discussion of the presentation among the selection committee members.
- 4) Request that the firm's project manager and key personnel attend the interview.
- 5) Let all firms know when the selection decision will be made and when they will hear from you.
- 6) A sample Interview Evaluation Form is provided on page 20. You may develop other versions of this form, depending on your project's complexity.
- 7) Each interviewer should evaluate each firm and record his/her score on separate forms. The chair of the committee will then compile the individual score sheets. See page 21 for a Selection Committee Score Sheet.
- 8) After completing interviews and rankings, it is customary to notify firms of the final selection decision. A sample Memo to Interviewed Firms is provided on page 22.

Interview Evaluation Form



The individual firm score sheet is an effective tool for rating, ranking and ultimately selecting a qualified and compatible firm. This system also provides a well-documented record of your selection process.

Project: _____

Firm: _____

Rate each firm using the categories listed below. Depending on your needs, you may wish to weight the categories by determining different Best Possible Ratings for each one. Develop a rating system in advance that your group is comfortable with. You may tailor categories as appropriate to your project.

Interview Evaluation Form		
Category	Best Possible Rating	Rating
1)Project requirements Firm's analysis, preparation and interest level		
2)Design approach/methodology Firm's or individual's creativity		
3)Key personnel and roles Qualifications and professional skills of key individuals		
4)Previous experience of firm Related projects		
5)Resources and abilities Quality and importance of support services		
6)Project management Project cost controls, construction observation, conflict resolution and schedule control		
7)Responsiveness to owners' concerns Firm's ability to communicate and form successful working relationships		
Total		



Other categories/criteria can be added by the selection committee.

Selection Committee Score Sheet



The chairperson should use this form to compile all of the individual evaluation scores. Enter the total for each firm as recorded by individual interviewers.

Selection Committee Score Sheet			
Interviewer	Firm		
	A	B	C
1			
2			
3			
4			
5			
6			
7			
8			
Combined Total			

Memo to Interviewed Firms

TO: _____
list, in alphabetical order, all firms interviewed

FROM: _____
owner

address

RE: Status of Selection Process for _____
project

The _____ *owner* has completed the selection process for professional services for _____ *project* .

Our objective was to select the highest qualified firm to perform this service.

We have now entered into contract negotiations with _____ *firm #1* .

On behalf of _____ *the owner* 's selection committee, I would like to express our appreciation for your time, effort and interest spent on our behalf.

Sincerely,

selection committee chair

Negotiate Scope of Services, Compensation and Agreement



As soon as possible, after an A/E firm is selected, begin detailed discussions on the A/E agreement for professional services. This gives you the opportunity to refine your goals, project requirements (scope of services), fees and expectations of the selected firm.

From this point on, you and the selected firm will work as a team. You should discuss the project in detail with the selected firm so that you both have a good understanding of what the project entails and what services the firm is to provide. For a major project, these discussions might require several meetings. The result of your discussions — a detailed scope of services — is the foundation of your agreement.

When you have agreed on the scope of services, the A/E firm will develop a detailed fee proposal, which will serve as the basis for your fee negotiations. Common fee proposals include:

- lump sum
- percent of construction costs
- hourly rate basis
- cost plus fixed fee
- combination of above

If the proposed fee exceeds your budget, the firm can suggest modifications to the scope of services. At this time, the firm's project manager will also explain the possible ramifications of any changes to the original scope of services.

In the unlikely event that you and the selected firm are unable to reach an agreement on the scope of services and/or compensation, you should terminate discussions and begin negotiations with the second-ranked firm.

A written agreement between you and the A/E firm is important to ensure that both parties have the same expectations and understanding of the project requirements, responsibilities, scope of services and compensation. The firm may recommend using a standard form of agreement developed by either The American Institute of Architects (AIA) or the Engineers Joint Contract Document Committee (EJCDC). These standard contract documents are widely used and accepted because they are time tested and reflect the consensus of opinion among organizations representing facility owners, attorneys, insurance industry and contractors, as well as engineers and architects. These AIA and EJCDC standard agreements are part of a coordinated family of contract documents, which is important and beneficial to the owner. For example, if you use AIA contract documents, you will know that the provisions contained in the agreement with your A/E firm will be consistent and coordinated with the provisions contained in the contract with a contractor for the construction of your project.

It is advisable to involve legal counsel when finalizing the agreement and its subsequent approval by your governing board.

Organizations Supporting QBS

Qualifications-Based Selection (QBS) is supported and/or employed by the following state and national organizations:

- AIA Ohio, A Society of the American Institute of Architects
 - American Bar Association (ABA)
 - American Council of Engineering Companies
 - American Council of Engineering Companies of Ohio
 - American Public Works Association
 - American Institute of Architects
 - Federal Highway Administration
 - National Society of Professional Engineers
 - United States Army Corps of Engineers
 - Ohio Department of Administrative Services - Office of the State Architect
 - Ohio Department of Natural Resources
 - Ohio Public Works Commission
 - Ohio Department of Transportation
-

Ohio's QBS Law *(Continued from page 6)*

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

(C) If a contract is negotiated with the firm ranked to perform the required services most qualified, the public authority shall, if applicable under section 127.16 of the Revised Code, request approval of the board to make expenditures under the contract.

(D) Upon failure to negotiate a contract with the firm ranked most qualified, the public authority shall inform the firm in writing of the termination of negotiations and enter into negotiations 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 division (A) of this section, in order of ranking, until a contract is negotiated.

(E) Should the public authority fail to negotiate a contract with any of the firms selected pursuant to division (A) of this section, the public authority shall select and rank additional firms, based on their qualifications, and negotiations shall continue as with the firms selected and ranked initially until a contract is negotiated.

153.691 REQUIRING ESTIMATE OR MEASURE OF COMPENSATION PRIOR TO SELECTING AND RANKING FIRMS

No public authority planning to contract for professional design services pursuant to R.C. 153.69, shall require any form of fee estimate, fee proposal, or other estimate or other measure of compensation prior to selecting and ranking professional design firms except for instances where firms are selected and ranked from a pre-qualified list created pursuant to R.C. 153.68 and payment of funds for the professional design services has been pre-approved by the Controlling Board for a state agency.

153.70 PROFESSIONAL LIABILITY INSURANCE

(A) Except for any person providing professional design services of a research or training nature, any person rendering professional design services to a public authority shall have and maintain, or be covered by, during the period the services are rendered, a professional liability insurance policy or policies with a company or companies that are authorized to do business in this state and that afford professional liability coverage for the professional design services rendered. The insurance shall be in amount considered sufficient by the public authority.

(B) The requirement for professional liability insurance set forth in division (A) of this section may be waived by the public authority for good cause, or the public authority may allow the person providing the professional design services to provide other assurances of financial responsibility.

153.71 RULES; EXEMPTIONS

Any public authority planning to contract for professional design services may adopt, amend, or rescind rules, in accordance with Chapter 119. of the Revised Code, to implement sections 153.66 to 153.70 of the Revised Code. Sections 153.66 to 153.70 do not apply to any of the following:

(A) Any project with an estimated professional design fee of less than twenty-five thousand dollars;

(B) Any project determined in writing by the public authority head to be an emergency requiring immediate action including, but not limited to, any projects requiring multiple contracts let as part of a program requiring a large number of professional design firms of the same type;

(C) Any public authority that is not empowered by law to contract for professional design services.

