



OLR RESEARCH REPORT

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ARCHITECT SELECTION FOR STATE CONSTRUCTION PROJECTS

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You asked how the Department of Construction Services (DCS) and UConn select architects for construction projects. You also wanted to know the (1) identity of the architects selected for the new (a) Jackson Laboratory facility in Farmington and (b) Gateway Community College building in New Haven and (2) the percentage of architectural services contracts awarded to Connecticut firms.

Much of the information in this report is from DCS's *Selection and Bidding Manual*.

SUMMARY

DCS's selection process varies depending on the contract's value. If the cost of consultant services (including architectural services) is expected to exceed \$300,000, the law requires a DCS selection panel to recommend to the commissioner a ranked list of the most qualified firms. (The selection panel evaluates a shortlist of firms produced by a separate screening panel.) The commissioner then selects a firm and negotiates a contract (CGS §§ [4-57](#) and [-58](#)). Both the screening and selection panels grade the firms based on certain weighted criteria.

DCS uses a similar process to select firms for "on-call" contracts (those which are not connected to a specific project). For smaller projects, the law requires the DCS commissioner to negotiate a contract with the firm he judges to be most qualified at a price he determines to be both

fair and reasonable to the state (CGS § [4b-58](#)). DCS consultant contracts must also be approved by the State Properties Review Board if their value exceeds \$100,000 (\$300,000 for higher education and Judicial Department projects).

UConn is not subject to these requirements. For each project, it uses a selection board to develop rating criteria and select firms to provide consultant services. The contract is negotiated by the vice president for operations or a designee. The vice president must approve any changes in scope that affect the project's cost. UConn's contracts are not subject to State Properties Review Board approval.

According to a February 29 press release, Jackson Laboratory selected two architectural firms for its new facility, Centerbrook Architects and Planners of Centerbrook, CT and Tsoi/Kobus & Associates of Cambridge, MA. For Gateway, Perkins + Will, a Chicago-based firm, was the architect.

A recent report by the Department of Administrative Services found that most construction services (separate data specifically for architectural services were not available) contracts awarded in the past three years have gone to Connecticut companies: the in-state percentages were 94% for DCS and 84% for UConn.

DCS

The law requires the DCS commissioner to advertise for consultant services (including architectural services) opportunities at least once in one or more newspapers having circulation in each county. Bidding opportunities are also posted to the State Contracting Portal and are generally sent to trade and professional associations. By law, DCS must use a selection panel to recommend firms to the commissioner if the value of the services exceeds \$300,000.

Under the selection panel process, DCS uses the Qualifications Based Selection method (QBS) for selecting consultants. QBS uses weighted criteria to compare and evaluate firms in relation to work of similar scope and complexity that is required for the specific contract. The firms are graded against the criteria and not relative to each other.

Proposals are first reviewed by a screening panel to compile a shortlist, which is then evaluated by a selection panel that makes a recommendation to the commissioner, who makes a selection and negotiates a contract. Both panels grade the firms using letter grades based on certain QBS criteria. The panels have five voting members each

and serve only for the specific contract award. The DCS commissioner appoints four panel members, who must be current or retired DCS employees. The fifth member is appointed by the head of the user agency (the agency for which the project is being undertaken).

Screening Panel

After DCS staff review submissions to ensure that the firms are eligible for a contract award, the submissions are evaluated by a DCS screening panel. DCS's *Selection and Bidding Manual* requires that the screening panel shortlist at least four firms unless the commissioner approves a written justification for a shorter list.

The screening panel's QBS criteria include a firm's experience with work of similar size and scope (35%), organizational/team structure (30%), past performance data (20%), and partnering experience (15%). Each of these weights, except for past performance, can be adjusted by five percentage points in either direction if (1) the services are of an unusual nature and (2) permission is granted by various DCS officials. Scores are on a 100 point scale.

Parity Points. The screening panel awards five parity points to firms that have not done business with DCS in the last five years unless the reason was misconduct by the firm (e.g., debarment). Additionally, a firm cannot receive parity points if it has a performance evaluation more than five years old indicating poor performance.

The five parity points are added to the firm's screening panel score (meaning such a firm could potentially score a maximum of 105 points).

Selection Panel

DCS uses a separate selection panel to evaluate shortlisted firms. The process may include interviews with the firms and, like the screening panel, uses the QBS method.

The selection panel's QBS criteria include problem solving capabilities (30%), organizational/team structure (25%), past performance (20%), approach to the work required (15%), and contract oversight capabilities (10%). Each of these weights, except for past performance, can be adjusted by five percentage points in either direction if (1) the services are of an unusual nature and (2) permission is granted by various DCS officials. Scores are on a 100 point scale.

Preference Points. A firm can have points added to its final score (see below) for knowledge of the state building code and proximity to the project site.

If a firm has a key personnel member with a Connecticut building official license, it receives an additional maximum of five “CT Code Expertise” points. If that staff member also demonstrates substantial working knowledge of Connecticut state codes in relationship to the scope of the contract, the firm receives another maximum of five “CT Code Expertise” points.

If a shortlisted firm’s headquarter office is within 60 miles of the project site, it receives 10 “Site Proximity” points.

Final Score Calculation. A firm’s final score is calculated by adding together (1) its screening panel score (worth 10%), (2) its selection panel score (worth 90%), and (3) any additional points for code expertise and site proximity.

Selection. The selection panel must submit a list of the most qualified firms in ranked order to the commissioner for his consideration. If fewer than three responses were received, then the panel must submit each firm’s name. If the commissioner does not choose the selection panel’s highest-rated firm, he must explain that decision in writing.

DCS and the user agency then meet with the selected firm to discuss the contract’s scope and details of the required services. The firm must submit a detailed fee proposal and negotiate a price with DCS. After agreeing on a price, the firm and DCS enter into a contract, which must be approved by the DCS commissioner, the attorney general’s office, and, depending on its value, the State Properties Review Board (see below).

On-Call Contracts

DCS also employs architects and other consultants through “on-call” contracts. An on-call contract defines a broad range of consultant services (e.g., architectural services) and is generally valid for two to three years. An on-call contract is not connected to a specific project; rather, DCS subsequently issues task letters to firms with on-call contracts that identify a specific scope of services to be performed and the fee for those services.

The process for awarding on-call contracts is generally the same as described above, except that the panels have slightly different membership requirements. DCS typically awards multiple on-call

contracts for the same type of consultant services (e.g., four (or possibly more) firms may receive the same on-call architectural services contract). Each firm's contract has an aggregate limit for the value of the work that can be performed. For instance, if an on-call architectural services contract has a limit of \$500,000, DCS can issue one or more task letters to the firm under that contract, but the aggregate value of such letters cannot exceed \$500,000.

State Properties Review Board Approval

Consultant contracts must be approved by the State Properties Review Board if they cost more than \$100,000 (\$300,000 for higher education and Judicial Department projects). The approval requirement also applies to all DCS on-call contracts and to task letters if the task letter's value exceeds \$100,000. The board has 30 days to approve or disapprove the contract or task letter (CGS § [4b-23\(i\)](#)).

UConn

UConn is not subject to the same statutory requirements as DCS. The law authorizes UConn to contract with architects and other consultants (CGS § [10a-109d\(a\)\(5\)](#)) and requires such opportunities to be posted to the State Contracting Portal (CGS § [4e-13](#)), but does not specify how UConn must select a firm.

For each project, UConn uses a selection board to develop rating criteria and select firms to provide architectural services. Criteria may include experience with comparable projects (particularly projects on college campuses), experience and qualifications of key personnel, adherence to project schedules and budgets, and the quality of the project approach and work plan. UConn, like DCS, considers a firm's building code knowledge and proximity to the project site. However, UConn uses a 100 mile site proximity radius (DCS uses a 60 mile radius).

The contract (which may be an on-call contract) is negotiated by the vice president for operations or a designee. The vice president must approve any changes in scope that affect the project's cost. UConn's contracts are not subject to State Properties Review Board approval.

ADDITIONAL RESOURCES

Department of Administrative Services: *Report on In-State Preference Policy in State Procurement*
<http://das.ct.gov/images/1090/In%20state%20Preference%20report%202012.pdf>

Department of Construction Services: *Selection and Bidding Manual*
http://www.ct.gov/dcs/lib/dcs/bdc/pubs/selection_and_bidding_manual.pdf

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