



**DATE:** March 5, 2020

**MEMO TO:** Terry Wilke, Chair  
Finance Committee

**FROM:** Steve Neaman  
Director of Finance

**RECOMMENDATION:** Approve an amendment to the District’s Purchasing Procedures to include Federal Qualifications Based Selection Procedures.

**STRATEGIC DIRECTION SUPPORTED:** Organizational Sustainability

**FINANCIAL DATA:** There is no financial impact.

**BACKGROUND:** For selection of architecture, engineering, or land surveying services, the District currently follows the State Local Government Professional Services Selection Act, 50 ILCS 510/0.01 et seq (the “State Act”). However, for certain projects that will be funded by federal funds, the District is required to comply with the federal qualification-based selection (QBS) requirements of the Code of Federal Regulations (23 CFR172) and the federal Brooks Act, which is a federal law governing the selection of architects and engineers for certain federal projects. The documents for these federal grants require that the local government’s purchasing regulations spell out the federally-required QBS procedures, and not merely incorporate them by reference. The motion below and the attached QBS Procedures will bring the District’s Purchasing Procedures into compliance with these federal requirements.

**REVIEW BY OTHERS:** Chief Operations Officer, Corporate Counsel, Purchasing Manager

**MOTION:** Motion to amend the Purchasing Procedures by (i) adding the following language at the end of the Section titled “Formal Bidding”: “For any agreement for which such use is required, which may include engineering agreements with a contract price of \$40,000 or greater and that are funded in whole or in part with federal funds, the District shall use the qualification based selection criteria attached to these Procedures” and (ii) attaching to the Purchasing Procedures the qualification based selection criteria attached to staff’s memo dated March 5, 2020.

**APPROVED:**

Date: \_\_\_\_\_  Roll Call Vote: Ayes: \_\_\_\_ Nays: \_\_\_\_\_

Voice Vote Majority Ayes; Nays: \_\_\_\_\_

## Qualifications Based Selection Procedures

Lake County Forest Preserve District receives federal funds, which may be used to fund the engineering and design related consultants' services. Our written procedures as describe herein for QBS will meet the requirements of 23 CFR 172 and the Brooks Act.

1. Initial Administration – Lake County Forest Preserve District QBS procedures assigns responsibilities to the Purchasing Division within Lake County Forest Preserve District organization for the procurement, management, and administration for consultant services.
2. Written Procedures – Lake County Forest Preserve District believes their adopted QBS written procedures substantially follow Section 5-5 of the *BLRS Manual* and specifically Section 5-5.06(e), therefore; approval from IDOT is not required.
3. Project Description – Lake County Forest Preserve District will use the following five items when developing the project description and may include additional items when unique circumstances exist.
  - Describe in general terms the need, purpose, and objective of the project;
  - Identify the various project components;
  - Establish the desired timetable for the effort;
  - Identify any expected problems
  - Determine the total project budget.
4. Public Notice – Lake County Forest Preserve District will post an announcement on our website [[www.lcfpd.org](http://www.lcfpd.org)] and/or publish an ad in a newspaper with appropriate circulation. The item will be advertised for at least 14 days prior to the acceptance of proposals, and at least twice in the newspaper and/or on continuous display on our website.
5. Conflict of Interest – Lake County Forest Preserve District require consultants to submit a disclosure statement with their procedures. Lake County Forest Preserve District requires the use of the IDOT BDE DISC 2 Template as their conflict of interest form.
6. Suspension and Debarment – Lake County Forest Preserve District will make use of SAM Exclusions, IDOT's CPO's website and the three other state CPO's websites to verify suspensions and debarments actions to ensure the eligibility of firms short listed and selected for projects.
7. Evaluation Factors – Lake County Forest Preserve District allows the Purchasing Division to set the evaluation factors for each project but must include a minimum of 4 criterion and stay within the established weighting range. The maximum of DBE and local presence combined will not be more that 10% on projects where federal funds are used. Project specific evaluation factors will be included at a minimum in the Request for Proposals.

<b>Criteria</b>	<b>Weighting</b>	<b>Criteria</b>	<b>Weighting</b>
<i>Project Understanding</i>	10-20%	<i>Technical Approach</i>	10-25%
<i>Firm Experience</i>	10-35%	<i>Past Performance</i>	0-20%
<i>Staff Capabilities</i>	10-25%	<i>Local Presence</i>	0-10%

8. Selection – Lake County Forest Preserve District require a three (3) person selection committee. Typically, the selection committee members include the Project Manager, the Department Director, and additional staff representative of the project. The selection committee members must certify that they do not have a conflict of interest. Selection committee members are chosen by the Purchasing Division for each project. Lake County Forest Preserve District require each member of the selection committee to provide an independent score for each proposal using the form below prior to the selection committee meeting.

<b>Criteria</b>	<b>Weighting</b>	<b>Points</b>	<b>Firm 1</b>	<b>Firm 2 ...</b>	<b>Firm x</b>
<i>Project Understanding</i>	10-20%	10-20			
<i>Firm Experience</i>	10-35%	10-35			
<i>Staff Capabilities</i>	10-25%	10-25			
<i>Technical Approach</i>	10-25%	10-25			
<i>Past Performance</i>	0-20%	0-20			
<i>Local Presence</i>	0-10%	0-10			
<i>Total</i>	<i>100%</i>	<i>100</i>			

The selection committee members' scores are averaged for a committee score which is used to establish a short list of three firms. The committee score is adjusted by the committee based on group discussion and information gained from presentations and interviews to develop a final ranking. If there are other firms within 10% of the minimum score, the Purchasing Division may choose to expand the short list to include more than three firms.

9. Independent Estimate – Lake County Forest Preserve District will prepare an independent in-house estimate for the project prior to contract negotiation. The estimate is used in the negotiation.
10. Contract Negotiation – Lake County Forest Preserve District requires a two (2) person team to negotiate with firms. The team consists of the Purchasing Manager and the Department Director. Members of the negotiation team may delegate this responsibility to staff members.
11. Acceptable Costs – Lake County Forest Preserve District requires the Department Director to review the contract costs and the indirect cost rates to assure they are compliant with Federal cost principles prior to submission to IDOT.
12. Invoice Processing – Lake County Forest Preserve District requires the Project Manager assigned to any project using federal funds to review and approve all invoices prior to payment and submission to IDOT for reimbursement.
13. Project Administration – Lake County Forest Preserve District requires the assigned Project Manager to monitor work on the project in accordance with the contract and to file reports, as needed, with the Department Director. The Lake County Forest Preserve District procedures may require an evaluation of the consultant's work at the end of each project. These reports are maintained in Lake County Forest Preserve District project information database. Lake County Forest Preserve District follows IDOT's requirements and the required submission of Form [BLR 05613](#) to the IDOT district at contract close-out along with the final invoice.