

CITY OF DALLAS

DOCUMENT 00065 - PROPOSAL EVALUATION PROCESS AND PROCEDURES

SECTION 00065 – PROPOSAL EVALUATION PROCESS AND PROCEDURES

ARTICLE I. Competitive Sealed Proposals Evaluation and Ranking Procedures

The following procedures shall be used to evaluate and recommend a construction contractor for selection by the City of Dallas Park and Recreation Department through the use of Competitive Sealed Proposals, as authorized in Section 271.116 of the State of Texas Local Government Code.

1.1 Proposal Evaluation Committee

1.1.1 For this Competitive Sealed Proposal method of procurement, the Assistant Director of the Park and Recreation Department shall convene a Proposal Evaluation Committee (Committee) comprised of the following individuals:

- Manager, Facility Development Division, Park and Recreation Department. - Chair
- At least 3 Construction Professionals members of staff not associated with the project. - Member
- Project Manager, Facility Development Division, Park and Recreation Department. - Member
- Project Manager, Trinity Corridor Project. - Member

1.2 Committee Advisers

1.2.1 The following individual(s) shall act as advisers to the Committee: - Consultant /PM.

1.3 Alternate Committee Members

1.3.1 Alternate Committee members shall be available as needed in order to provide full Committee representation in the event of absence by a regular member. Appointment of any Alternate Member to serve on the Committee shall, if required, be made by the Committee Chair. Alternate members shall include the following individuals:

- Sr. Architect/Dallas Park and Recreation Department - Alternate
- Contract Compliance Administrator,
Park and Recreation Department - Alternate
- Program Manager, Department of Streets Service - Alternate

1.4 Proposal Evaluation Committee Function

1.4.1 The Committee shall perform an evaluation of all submitted Proposals and shall recommend an order of selection ranking of all Proposers for contract award. The following procedures shall be used by the Committee in the evaluation process:

- a. As soon as possible following the public opening of Proposals, the Committee shall meet to

conduct a preliminary examination of each Proposal for compliance with the published requirements.

- b. The Committee shall conduct thorough discussions and evaluations of all Proposals.
- c. Within forty-five (45) days after publicly opening the Proposals, the Committee shall produce a ranking of Proposers in the order of the best value to the Park and Recreation Department.
- d. The recommended ranking shall be based on the data furnished by the Proposers in response to the request for Competitive Sealed Proposals. The following is a list of rating categories and values for each category. To provide the best value to the City of Dallas, these categories and values may be revised by the Committee based on the project type and conditions at the time Proposals are requested. Unless modified by addendum prior to opening of the Proposals, the following listing of categories and values shall be utilized by the Committee:

RATING CATEGORY	VALUE-%
1. Proposed Construction Contract Amount	45%
2. Qualifications/ Experience/References for Prime Firm	20%
3. Subcontractor Experience	10%
4. Good Faith Effort Plan	15%
a. Affirmative Action Plan or Policy. (2 percentage points)	
b. Documentation showing history of M/WBE utilization on 5 previous projects. (4 percentage points)	
c. Documentation showing construction team makeup, including the anticipated participation of M/WBE firms on the project. (7 percentage points)	
d. Signed Business Inclusion and Development affidavit which acknowledges the Prime Firm's intent to comply with the policy to meet, or strive to meet, the goal for the project. (2 percentage points)	
5. Financial Sufficiency	5%
6. Schedule/Time of Completion	5%
Total	100%

1.4.2 General Evaluation Procedures

Proposed Construction Contract Amount and Proposed Construction Contract Time will be rated using mathematical processes described below. Each of the other listed rating categories shall be evaluated on a scale of zero to ten. Each rating category response will be evaluated and the Committee shall produce a single evaluation determination in each category for each Proposal received.

1.4.2.1 Proposed Construction Contract Amount Evaluation

- a. This evaluation ranking shall be based on a value of ten (10) assigned to the lowest proposed amount. In increasing order of cost, each proposed amount shall receive a value based on ten times the ratio of the lowest proposed amount submitted to the proposed amount being considered. (Lowest proposed amount divided by higher proposed amount times ten)
- b. These resulting ratings are then multiplied by the value of this rating category, producing the construction contract amount score for each Proposer.

1.4.2.2 Proposed Construction Contract Time Evaluation

- a. The evaluation ranking of Proposed Construction Time shall be accomplished by the same mathematical process as the Contract Amount Evaluation (Refer to Item 1.4.2.1). The value of ten (10) is assigned to the shortest Proposed Construction Contract Time.
- b. These resulting ratings are then multiplied by the value of this rating category producing the construction contract time score for each Proposer.

1.4.3 Scoring

- 1.4.3.1 Proposers may receive equal ratings in the Proposed Construction Contract Amount or the Proposed Construction Contract Time category if their proposed amounts in these categories are identical.
- 1.4.3.2 With the exception of the Proposed Construction Contract Amount and Proposed Construction Contract Time ratings, all other category rating determinations among Proposers may receive identical values if, in the opinion of the Committee, the qualifications data provided by Proposers are determined to be equal for a selected category.
- 1.4.3.3 Upon determining a rating for each category, a categorical score for each Proposer shall be calculated by multiplying the category value by the Committee determined rating.
- 1.4.3.4 The total score for a Proposer shall be determined by adding the scores received for each category. The maximum score attainable for all categories shall be one thousand (1,000).
- 1.4.3.5 The Committee shall produce a tabulation of scores, which identifies the Proposers their Proposed Construction Contract Amounts, their Proposed Construction Contract Times, and their individual total scores.

ARTICLE II. Competitive Sealed Proposals Preparation and Submission

2.1 Preparation

- 2.1.1 The Proposal must be based on conditions at the project site, the project Drawings and Specifications and any addenda issued.
- 2.1.2 The Proposal shall be authoritatively executed in permanent ink on the Proposal form furnished in the Proposal request documents, or an exact duplication thereof, on white 8 ½" x 11" paper.
- 2.1.3 A Proposal showing omissions, alterations, conditions, or carrying riders or other qualifiers, which modify the Proposal form, may, at the Owner's discretion, be rejected as irregular.
- 2.1.4 The various sections of the Proposal binder should be separated by tabbed dividers. The tabs

must identify the sections by name and number.

2.2 Submission

- 2.2.1 If the Proposer chooses to issue a "No Response" (N/R) to a question on the Proposal, an explanation of this action is required. Failure to do so may be viewed by the Owner as an incomplete response and may subject the entire Proposal to rejection.
- 2.2.7 Only one Proposal may be submitted by each Proposer. If two or more Proposals are submitted, either in one envelope or in separate envelopes, such multiple Proposals may be subject to rejection.
- 2.2.8 The Proposer may modify a Proposal by means of a facsimile communication using company letterhead and executed by a company officer provided such communication is received by the presiding official at the location of the Proposal opening prior to the advertised time set for the receipt of Proposals in the published Proposal request documents. The communication must not reveal the Proposal price but should identify the addition or subtraction or other modification(s) so that the final prices will not be known until the sealed Proposal is opened. If original written confirmation is not received by the advertised time set for the receipt of Proposals, the Proposal modification will be ignored and the total Proposal may be rejected.
- 2.2.9 Proposals received after the advertised time for the Proposal opening will be considered ineligible.
- 2.2.10 After all Proposals are opened, but before the names of the Proposers are read aloud, they will be examined by the presiding official to determine if they are complete, in proper form and properly signed. If an error or omission is discovered and classified by the presiding official as a technicality, which the Owner has reserved the right to waive, the Proposer's representative may be permitted to make the appropriate correction. Any such correction will be announced and explained to the others present at the Proposal opening. A Proposal that is not and cannot be made eligible for consideration under this procedure will not be read, nor will the Proposal prices be revealed publicly.
- 2.2.11 A Proposer will receive no compensation or reimbursement of expenses incurred in of the preparation of a Competitive Sealed Proposal submission.
- 2.2.12 The Owner reserves the right to reject any or all Proposals, and waive any and/or all formalities.

ARTICLE III. Public Information and Notice of Confidentiality

- 3.1 The Owner considers all Proposal information, documentation and supporting materials submitted in response to this Proposal request to be non-confidential and/or non-proprietary in nature, and

therefore, shall be subject to the public disclosure under the Texas Public Information Act (*Texas Government Code*, Sec. 552.001, et seq.) after the award of the contract.

3.2 The Proposer must identify and designate those portions of their technical Proposal that contains trade secrets or other proprietary data. If the Proposal includes such data, the Proposer shall:

3.2.1. Mark the cover sheet of the Technical Proposal with the following phrase: "This Proposal includes data that shall not be disclosed outside the City of Dallas and the A/E design team and shall not be duplicated, used or disclosed in whole or in part for any purpose other than to evaluate this Proposal."

3.2.2. Mark each sheet and the specific data on that sheet that the Proposer wishes to restrict with the following phrase: "Use or disclosure of this specifically marked data is subject to the restrictions regarding confidentiality cited on the cover sheet of this Proposal."

ARTICLE V. Ownership of Competitive Sealed Proposal:

5.1 Submitted Proposals, documentation and supporting materials shall become the property of the Owner.

5.2 After award or rejection action by the Owner, the Proposer's financial statement and other information that has been properly identified and marked in accordance with Article III of these Instructions for Competitive Sealed Proposals, entitled "Public Information and Confidentiality," will be returned to the Proposer as expeditiously as possible.

ARTICLE VI. Site Investigation:

6.1 It is the responsibility of each Proposer to examine the project site, existing improvements and adjacent property and be familiar with existing conditions before submission of a Proposal

6.2 After investigating the project site and comparing the Drawings and Specifications with the existing conditions, the Proposer should immediately notify the A/E of any conditions for which requirements are not clear; or about which there is any question regarding the extent of the Work involved.

6.3 Should the successful Proposer fail to make the required investigation and should a question arise after award of contract as to the extent of the Work involved in any particular case, after receiving recommendations from the A/E, the Owner will make the interpretation of the Contract Documents.

ARTICLE VII. Evaluation and Contract Award Process:

7.1 Proposals will be opened publicly to identify the names of the Proposers. Other contents of the Proposals will be afforded security sufficient to preclude disclosure of the contents prior to award

or rejection action.

- 7.2 Proposals will be evaluated by the Owner and the A/E. The criteria for evaluation and selection of the successful Proposer for this award, will include the factors listed in 1.4.1 (d).
- 7.3 Within forty five (45) calendar days after opening the Proposals, the Owner will evaluate and rank each Proposal with respect to the published selection criteria described under Article I. After opening and ranking, an award may be made on the basis of the initially submitted Proposal, without discussion, clarification or modification, or the Owner may discuss with the selected Proposer, offers for cost adjustment and other elements of the Proposal. Other than the data read at the Proposal opening, the Owner shall not disclose any information derived from the Proposals submitted by competing firms in conducting such discussions.
- If the Owner determines that it is unable to reach a satisfactory agreement with the first ranked Proposer, the Owner will terminate discussions with that Proposer. The Owner will then proceed with negotiations with each successive Proposer as they appear in the order of ranking until an agreement is reached, or until the Owner has rejected all Proposals. After termination of discussions with any Proposer, Owner will not resume discussions with that Proposer.
- 7.4 Immediately following the Owner's approval of the order of ranking of Proposers and the Owner's contract award or Proposal rejection action, the Proposers will be notified via U.S. mail and/or facsimile message.
- 7.5 The Owner reserves the right to accept or reject any or all alternates or to accept any combination of alternates considered advantageous to the Owner.
- 7.6 The award or rejection action regarding this Proposal is at the sole discretion of the Owner and the Owner makes no warranty regarding this Proposal that a contract will be awarded to any Proposer.
- 7.7 The Owner agrees that if the Contract is awarded, it will be awarded to the Proposer offering the best value to the Owner, based upon the published selection criteria, and upon its ranking evaluation. The Owner is not bound to accept the lowest priced Proposal if that Proposal is judged not to be the best value for the Owner, as determined by the Owner.

END OF SECTION