



April 5, 2013

TO: Keith Metcalf, Eastern Region  
Dan Sarles, North Central Region  
Lorena Eng, Northwest Region  
Kevin Dayton, Olympic Region  
Don Whitehouse, South Central Region  
Donald Wagner, Southwest Region  
Craig Stone, Toll Division Director  
Nancy Boyd, CRC  
Linea Laird, AWW Program Administrator  
Julie Meredith, SR 520 Program Director

FROM: *JCL* J. C. Lenzi, Chief Engineer  
Assistant Secretary of Engineering & Regional Operations  
(360) 705-7032

SUBJECT: **Project Delivery Memo #13-01 – Second Tier Competition**

## **PURPOSE AND DIRECTION**

### **Background**

The intent of this Project Delivery memo is to formalize the use of second tier competition when selecting firms to perform work from Consultant Services on-call rosters. I want to also recognize that many of you have already been employing second tier competition when selecting consulting firms to perform various work for the department.

Attached are the formal procedures that detail the use of Second Tier competition when utilizing consultants from WSDOT's on-call consultant rosters.

### **Projects Affected**

Each project shall utilize the attached procedures where consultants are expected to be utilized to perform work using the WSDOT on-call consultant rosters.

## **ACTIONS REQUIRED**

### **Development Division**

Revise affected Consultant Procedures Manual to include the attached procedures.

### **Regions/Modes**

Effective immediately utilize the attached procedures.

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Attachment

cc: Region Project Development Engineers  
Region Construction Engineers  
Region Program Managers  
Region Traffic Engineers  
Pasco Bakotich  
Jeff Carpenter  
John Nisbet  
John Milton  
Jay Alexander  
Jugesh Kapur  
Brenda Nnambi  
Don Petersen, FHWA

## Consultant Services – On Call Agreements Second Tier Competition Process Steps

Prior to negotiating and executing task orders for services under the On Call agreements, the need for a second-tier competition must be conducted as shown below. In the event of unusual circumstances, only the CSO Manager, or designee, may grant an exception to this process.

- \$0 - \$10,000                      Customer may select directly from the list
- \$10,001 - \$20,000              Customer must document discussions with at least 3 firms prior to selection
- \$20,001 and higher              Customer must engage in the formal process outlined below

\*\* dollar amounts shown above represent the TOTAL task order value including amendments

### FORMAL PROCESS – Task Orders of \$20,001 and higher:

1. Customer (Purchaser) develops a “draft scope of work” outline, including a cost estimate for the work scoped.
2. Customer, in consultation with either the Area Consultant Liaison (ACL) or HQ CSO determines appropriate On Call Roster (Type of Work) to be utilized. A complete listing can be found at the following:  
(<http://www.wsdot.wa.gov/Business/Consulting/Agreements/default.htm>)
3. Customer and ACL reviews On Call Consultant roster and selects an appropriate number of related consultants for competition.  
**Multiple firms.** Customer(s) shall solicit responses from "multiple firms" in selecting a consultant. "Multiple" firms mean a reasonable number of parties considering such factors as type of services needed, cost, schedule, and availability. The offer is to be issued to, at a **minimum**, not less than 50% of the firms on the list. If fewer than 50% of the firms are contacted, an explanation is to be included in the contract file as to why more firms were not invited to participate.  
*Note: if there are 6 or fewer qualified firms on the roster/list, the customer and ACL shall solicit all firms.*
4. ACL and Customer develop Request for Additional Information (RFAI) documentation.  
*Note: Examples and Templates are available from HQ CSO if needed.*
5. ACL and Customer formally communicate, via email, the 2<sup>nd</sup> Tier Competition opportunity. The appropriate Request for Additional Information (RFAI) documentation shall be attached to the outgoing email.  
*Recommended that HQ CSO staff be included as a cc.*
6. Consultants submit Responses to ACL/Customer via email by the Response Due Date & Time, as specified by the in their RFAI documentation.
7. ACL and Customer conduct evaluation of all responding consultant Responses and make selection.
8. ACL and Customer negotiate the Task Order Document (TOD). Upon execution of a final TOD, work may commence.
9. Consultant performs work and submits proper invoices to Customer for payment, per the Payment terms outlined in the Master On Call Services Agreement.

### Consultant Services Staff Contact Information

Larry Schofield, P.E.

Email: [SchofiL@wsdot.wa.gov](mailto:SchofiL@wsdot.wa.gov)

Phone: (360) 705-6953

<http://wsdot.wa.gov/business/consulting>