

**Agenda Item Details**

Meeting	Oct 10, 2012 - GB Regular Meeting
Category	15. FACILITIES
Subject	B. Agreement with Construction Testing & Engineering, Inc.
Type	Action (Consent)
Recommended Action	Approve Agreement No. A3612.12 with Construction Testing & Engineering, Inc. (CTE), to provide Special Inspection, Material Testing, and Geotechnical Engineering Services, related to Request for Qualification/Proposal (RFQ/P) 133, for the period October 11, 2012 to April 30, 2014, inclusive, in an amount not to exceed \$454,883.

SUBMITTED BY: Steven L. Crow, Vice President for Business and Financial Affairs

INITIATED BY: Nirav Desai, Consultant for Business and Financial Affairs, Proposition R Program Management

OVERVIEW

In 2012, the District conducted an RFQ/P and received seven (7) proposals for Special Inspection and Material Testing services. District staff and Proposition R Committee made up of four (4) individuals reviewed all proposals and based on several different criteria, shortlisted three (3) firms. The District conducted interviews with all three (3) qualified firms and evaluated their knowledge of Central Plant, Field House and/ Stadium Improvements Projects to comply with Division of State Architect "DSA" requirements to support and maintain an aggressive construction schedule.

PROCESS:

1. The Scope of the RFQ/P was identified by and written by John R. Brown based on the testing and inspection criteria of the design architect as reviewed by the Division of State Architect. As explained in the 2/21/12 Governing Board Workshop on Procurement at Southwestern Community College, professional services are exempt from statutory competitive bidding per Government Code 53060. In the interest of due diligence, encouraging fair competition, and transparency, the District decided to conduct an RFQ/P to identify a professional consultant based on their qualifications that best fit the District's needs. The RFQ/P procurement process followed the guidelines and regulations prescribed in Public Contracts Code 20111-20651, which contains the provisions for contracting of biddable services. To the extent possible, the principles of competitive bidding were followed, however, unlike a competitive bid process, the RFQ process is not a competitive bid process, hence all proposals received were subject to evaluation, interviews, and negotiations that were conducted between the District and the Proposers, in the interest of procuring the best value contract for this service.
2. The District placed advertisements in the following: San Diego Daily Transcript on May 15, 2012, Union Tribune on May 16, 2012, and La Prensa on May 18, 2012. The District also made the Request for Qualifications and project drawings and specifications available on Proposition R website.

3. At no time in the development of the RFQ or the execution of the RFP was any individual involved who was also associated with an entity that submitted a proposal.
4. The selection process for awarding the contract for RFQ/P 133: Special Inspection, Material Testing, and Geotechnical Engineering Services Proposal was carried out as a three-step process:
 - Step 1: The committee was formed for the review of the submitted qualifications and selection of Special Inspection companies to be invited to participate in the interview process:
 - RFQ/P 133 Proposal Review Committee members are listed below:
 - John R. Brown, Director of Facilities, Operations and Planning/Committee Co-Chair
 - Priya Jerome, Director of Procurement, Central Services and Risk Management/Committee Co-Chair
 - Robert DePew – Consultant / Project Manager
 - Nirav Desai – Consultant / Business and Financial Affairs, Proposition R Program Management
 - (7) Seven companies submitted proposals in response to the RFQ/P. In accordance with the selection criteria provided in the RFQ/P documents and after a lengthy discussion with Inspector of Record, which included the merits of the services provided as well as value and support to the District, 3 firms were deemed acceptable and were invited to participate in an interview process that included 30 minutes of Q & A.
 - Step 2: Interview process and selection of company:
 - RFQ/P 133 Interview Committee members are listed below:
 - John R. Brown, Director of Facilities, Operations and Planning/Committee Co-Chair
 - Priya Jerome, Director of Procurement, Central Services and Risk Management/Committee Co-Chair
 - Robert DePew – Consultant / Project Manager
 - Nirav Desai – Consultant / Business and Financial Affairs, Proposition R Program Management
 - Fernando Cardenas – Consulting & Inspection Services, LLC
 - After a lengthy discussion, the scores were tabulated. The average score given to each proposal was based on preset criteria that were provided in the RFQ documents. The scores for each of the 3 interviewed companies are provided in the table below.

RFP/Q 133 COMMITTEE SCORING

FIRM NAME	Average Score
Ninyo & Moore	96
Construction Testing & Engineering, Inc.	90
Testing Engineers - Vertical Five (NV5)	80

- Step 3: Based on committee's recommendation, the negotiations between the District and Ninyo & Moore were conducted, negotiations included John R. Brown and Nirav Desai representing the District. The District was unable to successfully negotiate a mutually agreeable price based on the value of services with Ninyo & Moore for the contract.
- District opened new Negotiations with the second firm, Construction Testing & Engineering, Inc. "CTE". After several rounds of intense negotiations, the District was able to successfully negotiate

including 10% allowance with Construction Testing & Engineering, Inc., in an amount not to exceed \$454,883.

RATIONALE FOR APPROVAL

After careful consideration of the proposal response, interview performance and the final results of negotiations, the RFQ/P Selection Committee recommends award to Construction Testing & Engineering, Inc. "CTE" for Special Inspection, Material Testing, and Geotechnical Engineering Services related to Request for Proposals (RFQ/P) 133.

FISCAL IMPACT/ACCOUNT

NTE \$454,883 Cost to District/Account No.: 5-46210-718722-970
(Central Plant/Field House and Stadium Improvement(s) Proposition R Funds)

 Agreement with Construction Testing & Engineering, Inc. (October 10, 2012).pdf (9,049 KB)