How to Hire and Manage a Consultant – the Art of Writing a Request for Proposal

Todd Brockmann, FHWA Tribal Coordinator
Who is the speaker?

Todd Brockmann

• Tribal Coordinator with FHWA
• A/E Technical Specialist
• Transportation Engineer

• Not an expert on this topic by any means
Who is the audience??

First time at NTICC?

Has done a Request for Proposal before?

Who is new to the Request for Proposal process?
What we are covering today

• What is a Request for Proposal (RFP)?
• Elements of your Statement of Work (SOW)
• Selecting and Managing a Consultant
• Answering questions that may arise
• *Deliver “BEST PRACTICES” not necessarily requirements*
You get the best project at the right price;
There are less additional charges from contract modifications by the Consultant;
There are less problems during construction;
You get more done with your Tribe’s TTP $$$. 
Use an **RFP** to advertise for a Consultant

- Request For Proposal (RFP)
- Guidance
- Selection/Evaluation Criteria
- Statement of Work
- Questions and Answers
- Due Date
- Type of Contract
RFP
What Type of Contract?

• Fixed-Price Contract
• Cost-reimbursement Contracts
• Time and materials (Labor –hour)
• Indefinite-Delivery Indefinite Quantity (IDIQ) Contract
Finding that Common Ground / Elements

- **Scope**: Clearly defines the project requirements, deliverables, end products, documents and reports that are expected to be provided by the Engineer.
- **Budget**: Clearly defines the project cost for performing and completing the specific scope.
- **Schedule**: Defines the task / project start and finish dates, timelines for different phases of the project and the various milestones.
“You don’t get what you deserve, you get what you negotiate” Chester Karrass
Write a **scope** for someone you would hire to **design an apple**.

- Meet with your group, and come up with a written requirements.
- What are the features of an apple that you want designed?
- How will you know if the designer is doing a good job designing it?
- What should the designer provide (during the design) so you know if he / she is doing a good design job?
Apple Computer

Hope you didn’t want to eat this apple.
Maybe with more detail we’ll get the whole apple next time.
Apple iPhone

Who says your apple can’t talk?
Apple Seeds

Well, you didn’t say when you needed the apple.
Golden Apple

It’s going to be nice, but it’s going to cost you.
Apple TREE

Apples in abundance; Can you use all of these?
A well written and specific **SOW** helps keep costs down for you;

- Less contract mods by the Consultant that cost you $$$

Include:

- **Scope** – The work the Consultant will do
- **Schedule** – The start and finish dates, duration, and due date of each task and deliverable.
You write the **SOW** before you advertise for a Consultant.

The **SOW** is the “recipe” for the work the Consultant will do.

Don’t make the **scope** too simple and general, like “Bake the cake”.

- Why would this be a bad “scope”? 

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**Statement of Work**

Use the SOW when advertising for a Consultant
Statement of Work
Elements – Part I

• Part I – General Information
  o Introduction
  o Background
  o Scope
  o Applicable Documents
• Part II – Work Requirements
  o Technical Requirements
  o Deliverables
• Part III – Supporting Information
  o Period of Performance
  o Government furnished information
Statement of Work

Technical requirements

I'll need to know your requirements before I start to design the software.

First of all, what are you trying to accomplish?

I'm trying to make you design my software.

I mean what are you trying to accomplish with the software?

I won't know what I can accomplish until you tell me what the software can do.

Try to get this concept through your thick skull: the software can do whatever I design it to do!

Can you design it to tell you my requirements?
Statement of Work

Technical requirements

- Divide the Work into tasks
- Define requirements
- Describe all work elements
- Describe known risks/assumptions
- Describe tasks in sequence
What is a “deliverable”?

- It is a report or package (plans, etc.) the Consultant produces and submits to you for your review and approval.
  - Interim/End Product

List and describe in the SOW the deliverables you want, and list a due date for each one.
The table lists all the deliverable ("ingredients") the Consultant needs to give you.

These are small enough for good results.

Find some of these. Why are they important?

What is the "Comments Return date" column for?
Selecting and Managing Consultant

Advertising

- Advertise for a Consultant AFTER you write the SOW.
- Include the SOW in the advertising.
- Advertise for a Consultant according to:
  - Tribe’s own written procurement policy; and
    http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl
Selecting and Managing Consultant

Advertising

- Engineering and Design/Environmental services contracts may use a qualifications-based type of selection.
- Typical processes for advertising:
  - Direct Solicitation
  - Newspaper or Journal Advertisement
  - Internet, websites
  - Advertisement Period of 2 weeks or more
- Ensure Competition, try to get no less than 3 proposals.
- Rank the proposals in order of preference.
Selecting and Managing Consultant

Selection

• Score and rank proposals by their:
  - Appropriate project experience;
  - Experiences in the desired area;
    - Preferably experience in your type of geographical area (tundra, or hilly, etc.).
• Get references from past clients of the consultant.
• Check SAM.gov for debarred consultants / contractors
• Base selection of consultant on qualifications;
  - Do not base selection on cost alone.
After the Consultant is hired:

- Set up review meetings
  - Weekly, monthly
  - Use the meetings to ask the Consultant questions.
  - Answer questions that the Consultant may have.
- Keep an eye on the scope, schedule and budget.
- Perform a Review of each “Deliverable” (submittal) that the Consultant provides to you
- Make sure each Deliverable satisfies the requirements you listed in the SOW.
Selecting and Managing Consultant

Review the “Deliverables”

- The Consultant will provide you the “Deliverables“ according to the Deliverable Schedule in the SOW and contract.
- The Tribe will receive and review the Deliverables to ensure that it meets contract requirements.
Open Discussion

Cost

Reviews and Meetings

a) Attend Plan-In-Hand Field Review at the project site in Mt. Baker-Snoqualmie National Forest; discuss Plan-In-Hand Review comments with WFLHD and Forest Service personnel.

- Duration of meeting
- Where is meeting? Field location or teleconference?
- # of staff expected to attend
- Purpose of review
- Roles and Responsibilities
Prepare and submit progress reports on a quarterly basis.

The guidelines contained in the Federal Lands Highway Project Development and Design Manual (PDDM) and the attached appendices for studies, reports, and design work are available for use by RPA. Any deviations from these guidelines need approval by the COTR prior to use.

Plan-In-Hand PS&E—Produce a set of Plans, Specifications and Estimates approximately 70% complete.
Plan-In-Hand PS&E Phase

1. Design
   a) Address Comments from WFLHD Intermediate Review, and incorporate revisions into the PS&E.
   b) Submit completed WFLHD-3 form with justifications.
   c) Conduct internal QA/QC Review of Plan-In-Hand PS&E package, and complete the Designer portion of the QA/QC Checklist.
   d) Revise PS&E per internal QA/QC Review.
   e) Submit Plan-In-Hand PS&E package to COTR for review.
   f) Revise Plan-In-Hand PS&E package per COTR review comments.
   g) Submit Plan-In-Hand PS&E package to COTR for review by WFLHD and Forest Service. Include in package a draft Construction CPM Schedule with documented production rates, construction submittal requirements, schedule restrictions and any other assumptions affecting the construction schedule.
   h) Prepare and submit preliminary Hydraulic Recommendation memo.
### Open Discussion

**Quantity/Time**

<table>
<thead>
<tr>
<th>Task</th>
<th>Deliverable/Milestone</th>
<th>Number of Copies</th>
<th>Submittal Date WFLHD</th>
<th>Comments Return Date WFLHD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.b.</td>
<td>Submit WFLHD-3 to WFLHD</td>
<td>1</td>
<td>9/28/09</td>
<td></td>
</tr>
<tr>
<td>1.e.</td>
<td>Submit PIH PS&amp;E package for COTR review</td>
<td>2</td>
<td>9/28/09</td>
<td>10/2/09</td>
</tr>
<tr>
<td>1.g.</td>
<td>Submit PIH PS&amp;E package for WFLHD and FS review</td>
<td>10</td>
<td>10/13/09</td>
<td>10/27/09</td>
</tr>
<tr>
<td>1.h.</td>
<td>Prepare preliminary Hydraulics Recommendations and submit to WFLHD</td>
<td>2</td>
<td>10/13/09</td>
<td>10/27/09</td>
</tr>
<tr>
<td>2.a.</td>
<td>Submit Right of Way Plans</td>
<td>3</td>
<td>10/13/09</td>
<td></td>
</tr>
<tr>
<td>3.b.</td>
<td>Submit Draft Wetland Mitigation Plan and narrative</td>
<td>2</td>
<td>9/7/09</td>
<td>9/7/09</td>
</tr>
</tbody>
</table>

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**Plan-In-Hand PS&E Phase**

1. **Design**
   - a) Address Comments from incorporate revisions into the
   - b) Submit completed WFLHD-3
   - c) Conduct internal QA/QC Review: complete the Designer portion
   - d) Revise PS&E per internal QA/QC Review.
   - e) Submit Plan-In-Hand PS&E package to COTR for review.
   - f) Revise Plan-In-Hand PS&E package per COTR review comments.
   - g) Submit Plan-In-Hand PS&E package to COTR for review by WFLHD and Forest Service. Include in package a draft Construction CPM Schedule with documented production rates, construction submittal requirements, schedule restrictions and any other assumptions affecting the construction schedule.
   - h) Prepare and submit preliminary Hydraulic Recommendation memo.
Example RFP from US Government on https://www.fbo.gov/
Helpful Tips

- Ask other departments for lessons learned;
- Write the SOW to meet your actual needs, not fit the budget;
- Address appropriate contract management requirements;
- How many alternatives do you expect?;
- State any assumptions;
Consider breaking large or complex requirements into smaller packages that can be performed in phases;

Create an Independent Estimate

Address review or site visit requirements;

Consider withholding 5%–10% (retainage) of the contract until work is complete;

Address how is success measured?
Questions?
Contact & Program Info

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- FHWA OTT website:
  http://flh.fhwa.dot.gov/programs/ttp/

- FHWA Program Delivery Guide: