



Consultant Contract Program Collaboration Project

Final Report
April 2010



CENTER FOR
TRANSPORTATION STUDIES

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EXECUTIVE SUMMARY

Improving the efficiency and effectiveness of engineering-related contracting benefits the Minnesota Department of Transportation (Mn/DOT), the consultant engineering community, and the tax-paying public. In fall 2009, Mn/DOT began the Consultant Contract Program Collaboration Project to review its consultant contracting processes and practices for engineering-related professional and technical services.

The goal of the project is to improve the engineering-related consultant contract program at Mn/DOT by:

- Involving a wide spectrum of Mn/DOT staff and representatives from the engineering consultant community to define issues
- Clarifying issues and exploring key concerns about the contracting process
- Developing recommended outcomes and strategies to consider for implementation

The Center for Transportation Studies (CTS) at the University of Minnesota designed and managed Consultant Contract Program Collaboration Project for Mn/DOT and the consultant community, including development of the project process and schedule, administration of the project discovery phase, delivery of key project communications, and preparation of the final report.

A project Steering Committee with consultant representatives and organizational leaders at Mn/DOT guided each step of the project, and a Core Planning Team with members of Mn/DOT Consultant Services Section and CTS staff managed project logistics.

The project included a discovery phase, which involved online surveys of Mn/DOT staff and engineering consultants who deliver a wide range of professional and technical services, one-on-one interviews with a smaller group of engineering consultants and Mn/DOT staff, and a one-day workshop that brought Mn/DOT and consultant community representatives together for further discussion.

The discovery phase was designed to identify issues of concern to the engineering-related consultant community and Mn/DOT, and gather additional feedback on those topics. The results of the discovery phase are summarized in Chapter III of this report.

The Steering Committee used the emerging themes and results from the discovery phase to develop six desired outcomes to improve the consultant contracting program, as well as supporting strategies and key steps for each outcome. The desired outcomes and strategies follow:

Provide Reliable Projects of Future Work

(Desired Outcome #1)

- Strategy 1A: Develop and implement a consistent process to identify the volume and types of work that Mn/DOT plans to deliver with internal staff

- Strategy 1B: Identify the portions of projects within the State Transportation Improvement Plan (STIP) that are targeted for outsourcing, as well as other applicable projects
- Strategy 1C: Provide timely information about project opportunities to the consultant community

Improve the Pre-Qualification Program

(Desired Outcome #2)

- Strategy 2A: Evaluate, simplify, and streamline Pre-Qualification Program work type structure
- Strategy 2B: Streamline current Pre-Qualification Program application and renewal process
- Strategy 2C: Establish criteria and framework for the impact of performance and personnel changes on pre-qualification status

Increase the Consistency and Transparency of Consultant Selection Processes

(Desired Outcome #3)

- Strategy 3A: Evaluate all processes that Mn/DOT uses to select consultants
- Strategy 3B: Standardize proposal format and streamline the process for preparation and review of proposals
- Strategy 3C: Establish systems that support consistent implementation of the ways that consultants are selected within Mn/DOT
- Strategy 3D: Define a process for communicating the reasons for selection or non-selection with all consultants who submit proposals on projects
- Strategy 3E: Determine ways to incorporate past performance into the selection process

Expand Education about the Consultant Program and its Selection Processes

(Desired Outcome #4)

- Strategy 4A: Develop ongoing methods for communication throughout Mn/DOT and the consultant community regarding the consultant contract program
- Strategy 4B: Develop web-based and other tools to improve efficiencies
- Strategy 4C: Promote a greater understanding of the selection processes
- Strategy 4D: Develop training opportunities for consultants and Mn/DOT staff on each selection process

Strengthen the Relationships between Mn/DOT and the Consultant Community

(Desired Outcome #5)

- Strategy 5A: Promote ongoing educational and networking opportunities for Mn/DOT and consultant community project managers
- Strategy 5B: Explore opportunities to bring together public and private transportation leaders

Review Mn/DOT Consultant Business Practices

(Desired Outcome #6)

- Strategy 6A: Involve stakeholders in the development of business rules for professional errors and omissions
- Strategy 6B: Conduct a review of contract documents in collaboration with ACEC/MN-Mn/DOT liaison committee
- Strategy 6C: Conduct a review of financial/audit processes to identify opportunities for streamlining processes and improving communication in collaboration with the ACEC/MN-Mn/DOT liaison committee
- Strategy 6D: Improve the processes for project performance evaluation

In Chapter V, the Steering Committee categorized nine strategies as high-priority and 12 strategies as medium priority to guide implementation efforts. Chapter V also includes a suggested implementation framework. Work on high-priority strategies and related steps are scheduled to start within the next six months, followed by the consideration of medium-priority strategies and related steps.

Mn/DOT and ACEC/MN are interested in continuing to share updates about implementation of this project's strategies and key steps. The framework to move forward implementing strategies and key steps supports that ongoing communication.

I. PROJECT BACKGROUND

The engineering consultant community plays a key role in the delivery of the state's transportation projects. The Minnesota Department of Transportation (Mn/DOT) selects a variety of engineering consulting firms each year to provide expertise and services that are critical to the delivery of Mn/DOT's program.

Improving the efficiency and effectiveness of engineering-related contracting benefits Mn/DOT, the consultant engineering community, and the tax-paying public. In fall 2009, Mn/DOT began the Consultant Contract Program Collaboration Project to review its consultant contracting processes and practices for engineering-related professional and technical services.

Project Goals

Mn/DOT launched this collaborative effort with the engineering consultant community to explore in greater depth the issues that are important to both groups. The goal of the project is to improve the engineering-related consultant contract program at Mn/DOT by:

- Involving a wide spectrum of Mn/DOT staff and representatives from the engineering consultant community in defining issues
- Clarifying issues and exploring key concerns about the contracting process
- Developing recommended outcomes and strategies to consider for implementation

While this project focused on the engineering-related consultant contract program that principally supports the delivery of highway projects at Mn/DOT, its results also may have applicability to other types of contracting at Mn/DOT.

Link to Strategic Vision

The project supports Mn/DOT's strategic vision, which calls for Mn/DOT to be a:

“Global leader in transportation, committed to upholding public needs and collaboration with internal and external partners to create a safe, efficient, and sustainable transportation system for the future.”

It fits with Mn/DOT's emphasis on collaboration, trust, transparency, and accountability, as well as with several aspects of Mn/DOT's strategic direction to:

- Foster innovation and collaborative partnerships with the transportation community
- Mobilize in-house talent, public input, and external partnerships to deliver value to the public

Project Approach

The Center for Transportation Studies (CTS) at the University of Minnesota designed and managed the project for Mn/DOT and the consultant community, including development of the project process and schedule, administration of the project discovery phase, delivery of key project communications, and preparation of the final report.

A project Steering Committee with consultant representatives and organizational leaders at Mn/DOT guided each step of the project, and a Core Planning Team with members of Mn/DOT Consultant Services Section and CTS staff managed project logistics.

The membership of the Steering Committee and Core Planning Team follows. The American Council of Engineering Companies of Minnesota (ACEC/MN) identified the six consultant representatives who served on the Steering Committee.

Steering Committee

- Mike Barnes, Mn/DOT Engineering Services Division
- William Bennett, LHB
- Debra Brisk, Kimley-Horn and Associates
- Jeff Brunner, Mn/DOT Consultant Services Section
- Bob Busch, Mn/DOT District 3
- James Cownie, Mn/DOT Contract Management Section
- Rebecca Fabunmi, Mn/DOT Commissioner's Staff
- Dale Grove, Bonestroo
- Deb Ledvina, Mn/DOT Office of the Transportation Ombudsman
- Scott McBride, Mn/DOT Metro District
- Sue Mulvihill, Mn/DOT Operations Division
- Khani Sahebjam, Mn/DOT Deputy Commissioner
- Jon Chiglo, Mn/DOT Office of Technical Support (formerly Mukhtar Thakur)
- Glen Schreiner, Short Elliot Hendrickson, Inc.
- Gary Thompson, URS
- Shirley Walker Stinson, Walker Engineering

Core Planning Team

- Mike Barnes, Mn/DOT Consultant Services Section
- Jeff Brunner, Mn/DOT Consultant Services Section
- Shawn Haag, CTS
- Brad Hamilton, Mn/DOT Consultant Services Section
- Deb Ledvina, Mn/DOT Office of the Transportation Ombudsman
- Jan Lucke, CTS
- Laurie McGinnis, CTS
- Dawn Thompson, Mn/DOT Consultant Services Section

The project included a discovery phase to gather feedback and a phase to analyze discovery results and to develop desired outcomes, strategies, and key steps.

The discovery phase of the project involved online surveys of both Mn/DOT staff and engineering consultants who deliver a wide range of professional and technical services, one-on-one interviews with a smaller group of engineering consultants and Mn/DOT staff to discuss experiences and perspectives in depth, and the one-day Mn/DOT Consultant Contract Program Collaboration Workshop.

Results from the surveys, interviews, and the workshop were used to develop the desired outcomes, strategies, and key steps. See Appendix A for a chart that describes the discovery phase.

Survey

ACEC/MN members and firms that had applied for engineering-related work from Mn/DOT within the last two years received an invitation to participate in an online survey on engineering-related consultant contracting topics. Mn/DOT staff also received a similar survey but with questions tailored to their work. The Steering Committee reviewed and refined survey questions. During the two-week survey period, 130 Mn/DOT staff members and 73 consultants completed the survey. See Appendices B & C for complete survey results, including a compilation of comments.

Interviews

Confidential interviews also were conducted with both consultants and Mn/DOT staff members to explore issues in greater depth. The Steering Committee reviewed and refined the interview questions and approved the interviewee selection method. The majority of interview participants were selected randomly from the pool of consultants who applied for engineering-related work from Mn/DOT within the last two years. Five additional consultants were included on the interview list based on their previously expressed interest in contracting issues at Mn/DOT.

Mn/DOT Consultant Contract Program Collaboration Workshop

Survey and interview results helped shape the content of the Mn/DOT Consultant Contract Program Collaboration Workshop. The workshop offered an opportunity to further explore issues and challenges, and brainstorm outcomes, strategies, and action steps for improving the consultant contracting program. The Steering Committee reviewed and refined the workshop agenda and approved the invitee selection method.

Mn/DOT invited 75 engineering-related consulting firms to send a representative. The firms were randomly selected from the pool of consultants that applied for engineering-related work from Mn/DOT in the last two years. They represented the diversity of the pool, including out-of-state firms, Disadvantaged Business Enterprises (DBEs), small firms, and firms that had applied for but not received work from Mn/DOT.

The workshop took place December 3, 2009, on the University of Minnesota campus, with 50 consultants, each representing unique firms, and 25 Mn/DOT staff participating

in the workshop. After a presentation on the findings of the survey and interviews, participants worked in small groups to identify issues and challenges, and brainstorm suggested outcomes, strategies, and action steps for improving the consultant contracting program. Appendices D-F include a workshop agenda, participant list, and a summary of the issues and challenges, suggested outcomes, strategies, and action steps that were identified by the small groups. Appendix G includes notes from small group discussions.

The project Steering Committee drew on information gathered during the discovery phase, conversations with their peers, and their own experiences to develop six desired outcomes to improve the consultant contracting program, as well as supporting strategies and key steps for each outcome.

Mike Barnes, Mn/DOT, and Debra Brisk, Kimley-Horn and Associates, presented the Steering Committee's recommended desired outcomes, strategies, and key steps at the ACEC/MN – Mn/DOT Annual Conference: Partnering for the Future of Transportation on March 2, 2010. The steering committee also circulated the recommendations to Mn/DOT staff, ACEC/MN members, and workshop participants for comment. The feedback was used to further refine the recommendations, which are found in Chapter IV of this report.

II. Overview of Engineering-Related Consultant Contracting

This chapter provides an overview of current engineering-related consultant contracting processes at Mn/DOT. It includes general information about the functions and contracting practices, brief descriptions of the selection processes, and a summary that explains the work of selection committees.

These descriptions offer a context for understanding the survey, interview, and workshop findings in Chapter III, and ultimately the desired outcomes, strategies, and key steps in Chapter IV.

Contracting Background

The Mn/DOT Consultant Services Section, Mn/DOT districts, and the Mn/DOT Contract Management Section play key roles in engineering-related consultant contracting.

The Consultant Services Section administers specialty and Central Office contracts, which account for more than 50 percent of all Mn/DOT professional/technical (P/T) contracts.

The Consultant Services Section also performs many other functions that are related to contracting. It develops and manages activities to improve contracting policies and procedures; establishes and maintains contract programs at Mn/DOT; manages and maintains all data for Mn/DOT P/T contracts; provides training and assistance to districts; and coordinates key central administrative functions of the contracting process, such as encumbering funds and arranging for the payment of consultant invoices.

The Section acts as a liaison with districts and offices, including the Mn/DOT Office of Audit, the Mn/DOT Contract Management Section, other state agencies, consultants, and the ACEC/MN. In addition, it is responsible for monitoring and tracking the Taxpayer Transportation Accountability Act (TTAA) process and compliance.

In 2002, Mn/DOT decentralized its contracting process. As a result, districts and offices administer many aspects of individual P/T contracts.

Each district has a unique structure for administering P/T contracts. In some districts, dedicated staff members handle consultant contracting administration. In other districts, project managers take care of consultant contracting administration, and some districts use shared resources to handle the workload.

The Mn/DOT Contract Management Section also is involved in the contracting process at Mn/DOT. The office reviews and approves all contracts, facilitates the execution of contracts, ensures compliance with policy and law, and provides assistance on legal issues to contract administrators and project managers.

Consultant contracting at Mn/DOT complies with Minnesota statutes, Department of Administration rules, policies, and procedures, Mn/DOT policies, Mn/DOT Technical Memoranda, and all applicable federal rules and regulations. Contracts spell out expectations for projects, including roles and responsibilities and the services to be provided, along with the timeframe and compensation for delivery of those services. They also include appropriate policies and legal provisions, such as those that are required by state and federal laws.

Selection Processes

Mn/DOT currently uses a number of selection processes for its P/T contracts. Selection processes fall into two types – direct select and non-direct select.

With direct select, Mn/DOT districts and offices are able to select consultants for P/T contracts directly without a solicitation process. The non-direct select processes require a solicitation process and selection committee to review, rate, and rank the consultant proposals or letters of interest before making the final selection.

Direct select processes include:

- Annual Plan Agreement
- Direct Select Contract
- Certified List Program
- Pre-Qualification Program (contracts less than \$100,000)
- Single Source Contract
- Joint Powers Contract
- Work Order Contract

Non-direct select processes include:

- Formal Requests for Proposals
- Informal Solicitation
- Pre-Qualification Program (contracts more than \$100,000)

The charts that follow provide a brief description of each selection process and applicable limits, organized by type.

For more information about selection processes, visit the Consultant Services web site at www.dot.state.mn.us/consult/index.html.

DIRECT SELECT

<i>Selection Process</i>	<i>Description</i>	<i>Limits</i>
Annual Plan Agreement	Work must fall into one of the categories approved for use of annual plan agreements, currently: trainers and speakers, expert witnesses, technical assistance, title searches, and translators and interpreters	No single consultant can receive more than \$5,000 per fiscal year
Direct Select Contract	This type of selection process applies to projects that are estimated at or below \$5,000	Direct Select Contracts cannot exceed \$5,000
Certified List Program	Consultants respond to an RFP to be included on a Certified List for a specific type of technical service; once approved for the list, Mn/DOT directly selects a consultant for a specific project	Contracts for projects on the Certified List Program cannot exceed the amount approved by the Department of Administration for that certified list (generally \$100,000)
Pre-Qualification Program (Contracts that are less than \$100,000)	Consultants submit administrative and work type specific applications to become pre-qualified; Mn/DOT directly selects consultants based on their pre-qualification information for specific projects	Direct selection may occur only for contracts that are less than \$100,000 (During 2009 and early 2010, Mn/DOT was temporarily allowed to adjust this figure to \$400,000 due to the ARRA–American Recovery and Reinvestment Act); costs are negotiated with the selected consultant
Single Source Contract	These contracts are used in very limited circumstances, such as when the consultant is the ‘only reasonably available source’ of services	Contract Management at Mn/DOT and Department of Administration must agree that the single source exception meets statutory criteria
Joint Powers Contract	Mn/DOT uses Joint Powers Contracts for agreements with public agencies	A Joint Power Contract is essentially treated as a single source; private parties are not generally directly involved, but may serve as a sub to the public agency
Work Order Contract	Consultant Services assigns a consultant from the T-Contract Program; the Work Order Contract details the terms and conditions of the project	Specific work is assigned on a rotating basis to consultants with varying dollar limits according to each T-Contract Program

NON-DIRECT SELECT

<i>Selection Process</i>	<i>Description</i>	<i>Limits</i>
Informal Solicitation	Mn/DOT posts an informal solicitation that includes a project description and scope on a Department of Administration web site and/or on the Consultant Services web site	Mn/DOT uses the informal solicitation process for projects that are estimated to be less than \$100,000 and are not part of the Pre-Qualification Program
Formal Request for Proposal	Mn/DOT posts a request for proposals that includes a project description and/or scope in the <i>State Register</i> and/or on the Consultant Services web site	Mn/DOT uses the formal RFP process for projects that are at or more than \$100,000 and are not part of the Pre-Qualification Program
Pre-Qualification Program (\$101,000-\$800,000)	Consultants submit administrative and work type specific applications to become pre-qualified; pre-qualified consultants provide a letter of interest for advertised projects in response to a Request for Letters of Interest (RFLOI) posted on the Consultant Services web site	Process applies to projects that are estimated between \$101,000 and \$800,000 (because of the ARRA stimulus bill, Mn/DOT was authorized temporarily to use direct selection for some projects up to \$400,000); cost is negotiated with the selected consultant
Pre-Qualification Program (\$800,000+)	Consultants submit administrative and work type specific applications to become pre-qualified; pre-qualified consultants provide a letter of interest for advertised projects, and a selection committee chooses a short list of three to five consultants who prepare a best value (or QBS) proposal for the selection committee to make a final decision	Process applies to projects that are estimated at or more than \$800,000

Selection for Non-Direct Select P/T Contracts

The following summary highlights the work of selection committees, which are responsible for recommending the consultant selection for non-direct select contracts. The Director of the Mn/DOT Engineering Services Division approves the final selection decision.

- Districts or offices select at least three members for the project's selection committee. Selection committees typically include the project manager and a representative from Mn/DOT management. The Engineering Services Division Director approves selection committee members.
- Information from the RFP or advertised announcement establishes the relative weight of importance for each content area and for overall cost to evaluate proposals or letters of interest. In best value selection, the selection committee typically gives 70 percent of the total weight to the proposal's technical quality and 30 percent to the cost proposal. In some cases, the technical quality evaluation includes up to 10 percent for services performed in the United States versus those proposed to be outsourced to foreign countries.
- Selection committee members review, rate, and rank proposals or letters independently, with the highest technical score receiving the top ranking. They are instructed not to discuss their review and rankings before the selection committee meeting.
- The contract administrator facilitates the selection committee meeting, where members discuss the proposals or letters of interest and their evaluations. Cost information is not revealed to steering committee members until the discussion about qualifications is completed. Selection committee members may change their technical scores after the discussion about qualifications and before technical scores are revealed.
- Selection committee members reveal their technical scores and rankings after the discussion about qualifications ends.
- The contract administrator calculates the average technical score and rank. Top proposals receive the highest technical score and rank starting with one as the top rank.
- For the Pre-Qualification Program projects between \$100,001 and \$800,000, the selection committee chooses the highest scored letter of interest.
- For the RFP process, the selection committee discusses the technical scores and rankings and then determines by consensus which proposals will move to the next step of the selection process. Then the selection committee reviews the cost proposals. The lowest cost proposal receives 30 points. The remaining cost proposals receive points equal to the ratio of the lowest cost proposal versus their cost proposal. The contract administrator adds the cost points to the previously awarded technical points, re-ranks the proposals, and ensures that the selection committee reaches a conclusion about the proposal that offers the best value, given the technical qualifications and cost.
- For RFPs conducted using "Qualification-Based Selection," the cost is not used as an evaluation factor, and the proposer with the highest-ranked technical proposal is selected to enter into negotiations for a contract.

III. KEY FINDINGS

The chapter summarizes the key findings of the discovery phase, which includes the surveys, interviews, and workshop discussions. The surveys and interviews were designed to help gather feedback about the contracting process, which then shaped the topics for further discussion at the workshop.

Consultant Survey

Engineering consultants throughout Minnesota were encouraged to take part in an online survey to learn more about their contracting experiences. Mn/DOT sent invitations to complete the survey to all consultants from the Consultant Services database, and ACEC/MN also assisted in distributing the survey link to its members. In addition, the survey link was posted on the Mn/DOT Consultant Services web site. Seventy-three consultant community participants completed the survey. Highlights of survey results follow, and complete survey results are available in Appendix C.

Participation

- The most frequently used selection processes among respondents were the Request for Proposal, the Pre-Qualification Program for projects under \$100,000, and the Pre-Qualification Program for projects between \$101,000 and \$800,000.
- The least frequently used selection processes among respondents were the T-Contract Program and the Single Source Contract.

Awarding

- Respondents indicated that they received engineering-related work more times as a result of participating in Pre-Qualification Program for projects under \$100,000, Direct Selection Contract, the Request for Proposal, and the Pre-Qualification Program for projects between \$100,001 and \$800,000.
- Respondents indicated that they received the least amount of work from the T-Contract Program and the Single Source Contract.

Pre-Qualification Program

- The vast majority of respondents participate in Mn/DOT's Pre-Qualification Program with more than 92 percent saying they currently are pre-qualified.
- Regarding the Pre-Qualification Program, respondents also ranked 14 issues of high importance, medium importance, and low importance. The top-ranked issues and the percent of respondents who described it as highly important included the following:

For contracts over \$100,000, ease of learning of the upcoming contract solicitation (76.1 percent)

Feedback on success or failure of the pre-qualification process, initial or renewal

(73.5 percent)

For contracts below \$100,000, understanding the selection choice and/or criteria
(73.5 percent)

For contracts over \$800,001, understanding the requirement of a best-value RFP
(70.8 percent)

For contracts over \$100,000, clarity of the requirements for a letter of interest
(66.7 percent)

At the request of your organization, the usefulness of the additional information
and feedback provided after the selection committee's decision
(66.7 percent)

Usefulness of feedback given with the selection committee's decision
(65.7 percent)

Understanding the requirements to become pre-qualified
(64.2 percent)

Overall Issues

- Regardless of the selection process, respondents ranked 13 overall issues of high importance, medium importance, and low importance. The top-ranked issues and the percent of respondents who described it as highly important included the following:

Clarity of Mn/DOT criteria for selection for specific projects
(88.4 percent)

Overall fairness of which organizations are awarded contracts
(87 percent)

The usefulness of feedback when your organization is not selected for a contract
(72.9 percent)

Transparency of selection processes, including direct select projects
(69.6 percent)

The use of past performance in consultant selection
(61.8 percent)

Mn/DOT general responsiveness to information requests
(58.8 percent)

Timeliness of feedback when your organization is not selected for a contract
(50 percent)

Healthy Consultant Community

- Respondents also were asked to select one of eight statements that best describe a healthy consultant community; the following statements received the highest number of responses:

Work is evenly distributed among those organizations that are competent to perform the work
(31.9 percent)

Organizations are able to staff based on a good estimate of the work they will have in the future
(21.7 percent)

Work is given to the most qualified organizations
(15.9 percent)

I do not have a clear understanding of what is meant by a healthy consultant community
(15.9 percent)

Mn/DOT Survey

The project also involved a survey of internal participants, with questions that were similar to the consultant survey but tailored to Mn/DOT staff members and other state employees who are involved in different aspects of engineering-related consultant contract work. Consultant Services sent survey invitations to a broad spectrum of Mn/DOT and state employees. In addition, the survey link was posted on the Mn/DOT Consultant Services web site. One hundred and thirty Mn/DOT participants completed the survey. Highlights of survey results follow, and complete survey results are available in Appendix D.

Participation

- Respondents indicated that they most frequently were involved in the Pre-Qualification Program under \$100,000, the Request for Proposal, Direct Selection Contract, and the Certified List Program.
- Respondents indicated that they were least involved with the Pre-Qualification Program Over \$800,001, the Pre-Qualification Program Between \$100,001 and \$800,000, T-Contract Program, and the Single Source Contract.

Pre-Qualification Program

- Regarding the Pre-Qualification Program, respondents also ranked 10 items of high importance, medium importance, and low importance to improving the Pre-Qualification Program. The top-ranked issues and the percent of respondents who described it as highly important included the following:

Better consultant understanding of the requirements to become pre-qualified
(48.2 percent)

Feedback to the consultants regarding the success or failure of the Pre-
Qualification Program, initial or renewal process
(42.5 percent)

Communication within Mn/DOT about the status of the selection process
(41.9 percent)

Timeliness of feedback to consultants regarding the success or failure of the Pre-
Qualification Program, initial or renewal process
(38.1 percent)

Better consultant understanding of the selection choice and/or criteria for
contracts below \$100,000
(35.5 percent)

- Regarding the Pre-Qualification Program, respondents also ranked the 14 issues that they perceived to be of high importance, medium importance, and low importance to the consultant community. The top-ranked issues and the percent of respondents who described it as highly important included the following:

For contracts over \$800,001 understanding the requirements of a best value RFP
(67.7 percent)

Usefulness of feedback given with the selection committee's decision
(64 percent)

Usefulness of feedback given after the consultant's request for more information
after the selection committee's decision
(63.4 percent)

Timeliness of a consultant learning of the selection committee's decision
(62 percent)

Timeliness of feedback to consultants regarding the success or failure of the Pre-
Qualification Program, initial or renewal process
(62 percent)

Understanding the requirements to become pre-qualified
(60.8 percent)

Feedback on success or failure of the Pre-Qualification processes, initial or
renewal
(60 percent)

Overall Issues

- Regardless of the selection process, respondents ranked 15 overall issues of high importance, medium importance, and low importance. The top-ranked issues and the percent of respondents who described it as highly important included the following:

Consultant's competency to deliver what they have contracted to deliver
(89.1 percent)

Consultant's timeliness in completing deliverables
(85.7 percent)

Overall fairness of which organizations are awarded contracts
(68.9 percent)

Clarity inside Mn/DOT of Mn/DOT's selection criteria for specific projects
(68.6 percent)

Errors and omissions in consultant deliverables
(68.1 percent)

Transparency of selection processes, including direct select projects
(67.8 percent)

Perceived clarity from outside Mn/DOT of what Mn/DOT is using as criteria for selection for specific projects
(66.9 percent)

Healthy Consultant Community

- Respondent also were asked to select one of eight statements that best describe a healthy consultant community; the following statements received the highest number of responses:

Work is evenly distributed among those organizations that are competent to perform the work
(31.4 percent)

Work is given to the most qualified organizations
(19.5 percent)

I do not have a clear understanding of what is meant by a healthy consultant community
(22 percent)

Organizations are able to staff based on a good estimate of the work they will have in the future
(8.5 percent)

Survey Similarities and Differences

The surveys revealed both similarities and differences in responses by consultant community and Mn/DOT respondents.

For example, consultant community respondents reported most frequent use of the Request for Proposal and the Pre-Qualification Program, both for projects under \$100,000 and for projects between \$101,000 and \$800,000.

Mn/DOT respondents most often were involved in two of the most frequently used selection processes that were mentioned by consultant community respondents: the Request for Proposal and the Pre-Qualification Program under \$100,000. The Direct Selection Contract and the Certified List Program also were high on the Mn/DOT list.

Regarding the Pre-Qualification Program, the ease of learning about upcoming contract solicitation was of high importance to the consultant community. Both consultant community and Mn/DOT respondents rated issues that were related to understanding requirements and providing feedback as highly important. The following tables highlight similarities and differences in issues that Mn/DOT and the consultant community respondents selected as highly important.

Prequalification Program

Consultant Community Respondents <i>Issues of High Importance</i>	Mn/DOT Staff Respondents <i>Perceived Issues of High Importance to Consultant Community</i>
For contracts over \$100,000, ease of learning of the upcoming contract solicitation (76.1%)	Understanding the requirements of a best-value RFP – for contracts over \$800,001 (67.7%)
Feedback on success or failure of the pre-qualification process, initial or renewal (73.5%)	Usefulness of feedback given with the selection committee’s decision (64%)
Understanding the selection choice and/or criteria – for contracts below \$100,000 (73.5%)	Usefulness of feedback given after the consultant’s request for more information after the selection committee’s decision (63.4%)
Understanding the requirement of a best-value RFP – for contracts over \$800,001 (70.8%)	Timeliness of a consultant learning of the selection committee’s decision (62 percent)
Clarity of the requirements for a letter of interest –for contracts over \$100,000 (66.7%)	Timeliness of feedback to consultants regarding the success or failure of the Pre-Qualification Program, initial or renewal (62%)
At the request of your organization, the usefulness of the additional information and feedback provided after the selection committee’s decision (66.7%)	Understanding the requirements to be pre-qualified (60.8%)
Usefulness of feedback given with the selection committee’s decision (65.7%)	Feedback on the success or failure of the prequalification processes. Initial or renewal (60%)

Regarding overall issues of high importance, both groups indicated the importance of clarity in selection criteria, transparency of selection processes, and overall fairness in awarding contracts.

Consultant community respondents also indicated the importance of feedback (both usefulness and timeliness), the use of past performance in consultant selection, and Mn/DOT responsiveness to information requests. Mn/DOT respondents indicated the importance of the consultant’s competency and timeliness, and errors and omissions in consultant deliverables.

The following tables highlight similarities and differences in overall issues that Mn/DOT and consultant community respondents selected as highly important.

Overall Issues of High Importance

Consultant Community Respondents	Mn/DOT Staff Respondents
Clarity of Mn/DOT criteria for selection for specific projects (88.4%)	Consultant’s competency to deliver what they have contracted to deliver (89.1%)
Overall fairness of which organizations are awarded contracts (87%)	Consultant’s timeliness in completing deliverables (85.7%)
The usefulness of feedback when your organization is not selected for a contract (72.9%)	Overall fairness of which organizations are awarded contracts (68.9%)
Transparency of selection processes, including direct select projects (69.6%)	Clarity inside Mn/DOT of Mn/DOT’s selection criteria for specific projects (68.6%)
The use of past performance in consultant selection (61.8%)	Errors and omissions in consultant deliverables (68.1%)
Mn/DOT general responsiveness to information requests (58.8%)	Transparency of selection processes, including direct select projects (67.8%)
Timeliness of feedback when your organization is not selected for a contract (50%)	Perceived clarity from outside Mn/DOT of what Mn/DOT is using as criteria for selection for specific projects (66.9%)

Both groups selected the following statement with the greatest frequency to describe a healthy consultant community: Work is evenly distributed among those organizations that are competent to perform the work. Almost 32 percent of consultant community respondents and 31 percent of Mn/DOT respondents selected this statement. Both groups also indicated that they did not have clear understanding of what is meant by a healthy consultant community (15.9 percent of consultant community respondents and 22 percent of Mn/DOT respondents).

Interviews

In addition to the two surveys, interviews were conducted to gain more in-depth perspectives. Interview invitations were sent to selected Mn/DOT staff members and members of the consultant community. Twelve consultants took part in one-on-one

interviews. In addition, four group interviews also were scheduled with a total 14 Mn/DOT staff members.

Individual interview responses were treated in confidentiality. The following additional issues were raised in the interviews:

- Impact of Mn/DOT's pre-qualification list on local agency hiring
- Distribution of work to smaller contractors
- Processes that take too long
- Inconsistency with implementation throughout districts
- Too many different types and levels within the Pre-Qualification Program
- Difficulty in knowing which projects may go forward
- Feedback in a timely manner
- Preference for Minnesota-based firms
- Usefulness of Pre-Qualification Program
- Concerns about the overhead cap
- Better sense of projects that are slated for consultants
- Consideration of consultant rotation system
- Lack of experience with some project managers in defining project scope and in managing project details
- Feedback that is more helpful on selection decisions
- Scope of work often not defined well
- Systematic method to weigh the advantages and disadvantages of internal versus consultant work
- Difficult to understand the contracting process
- Impact of Taxpayer Accountability Act
- Definition of Healthy Consultant Community
- Questions about best value
- Improved communication within Mn/DOT
- Challenges in getting information about projects from Mn/DOT

Mn/DOT Consultant Contract Program Collaboration Workshop

An analysis of survey results and interview responses revealed a number of common themes that were both frequently mentioned and considered high priority by respondents. Those issues were grouped in three main areas – pre-qualification, selection, and healthy consultant community – for small group discussion at the Mn/DOT Consultant Contract Program Workshop, which was held December 3, 2009. Workshop participants included 50 consultant representatives and 25 Mn/DOT representatives. A brief summary of small group discussions follows. For additional details about workshop comments, see Appendices F and G.

Prequalification

Small group members discussed several key issues with pre-qualification that included a lack of understanding about the pre-qualification process, the complexity of pre-qualification processes and the amount of resources that is required to administer and

participate in the program, the number and type of work groups that are part of the Pre-Qualification Program, and lack of clarity about the actual evaluation and selection of firms under the Pre-Qualification Program. They talked about different ways to improve the efficiency of the program, to better explain the program, and to improve the transparency of pre-qualification decisions.

Selection

Small group members discussed several key issues with the selection process that included the importance of clear scope and scoring criteria for the request for proposal, distribution of work, fairness in selection, the use of past performance in selection, communication about potential work, transparency of the selection process, and timely and meaningful feedback. They talked about the benefits of increasing communication and providing a better understanding of selection process and criteria.

Healthy Consultant Community

Small group members discussed the concept of a healthy consultant community, including the benefits and challenges of better forecasting the workload for consultants, improved understanding of the role that consultants play, clear communications and expectations, distribution of work, available quality expertise at all levels, and strong partnerships. They talked about the need to build strong relationships and trust at all levels.

Desired Outcomes

The results of the discovery phase were synthesized and used to define six desired outcomes:

Provide Reliable Projections of Future Work

There is a strong desire in the consultant community to understand the amount of work that Mn/DOT will hire consultants to perform. This information helps consulting firms plan their staffing needs, including expertise, number of employees, and office space. Consultant firms of various sizes and locations mentioned this outcome.

Improve the Pre-Qualification Program

Representatives of the consultant community and Mn/DOT both mentioned similar issues with the Pre-Qualification Program. Each group noted the complexity of the pre-qualification process, as well as the time and resources that are required to complete and process the initial application and renewal. Consultants also were unsure of what it means for a consultant to be pre-qualified. In addition, since the program's start, the number of work types and levels of required experience also have multiplied, which impact the resources to maintain the skill set for pre-qualification and increases the required administrative resources.

Increase the Consistency and Transparency of Consultant Selection Processes

Consistency and transparency in selection were themes that came through in surveys and interviews and were discussed at the workshop. Frequently mentioned topics included the

perception of inconsistent application of the selection process throughout all districts, as well as timeliness and usefulness of feedback. Consultants and Mn/DOT staff members also discussed the impact of including a cost element in the selection criteria for certain types of projects. With close technical scoring, the cost element may have a greater-than-desired impact on the winning proposal and may reward underbidding or a cost that doesn't reflect the full scope.

Expand Education about the Consultant Program and its Selection Processes

Education was a key theme for both consultants and Mn/DOT staff. There is a significant lack of understanding of the existing selection processes in the consultant community. In particular, there is much confusion about the Pre-Qualification Program, including the requirements to become pre-qualified, as well as the pre-qualification process. Education for consultants and Mn/DOT staff members occurred during the last period of major changes to selection processes. Since then, though, new consultants and Mn/DOT staff members began their job duties without that historical knowledge.

Strengthen the Relationships between Mn/DOT and the Consultant Community

The desire to strengthen the relationship between Mn/DOT and the consultant community was a pervasive theme in interviews and discussions. Improved communication and healthy relationships are also important to addressing many of the other issues that were raised.

Review Mn/DOT Consultant Business Practices

A number of other issues were raised that relate to consultant business practices, such as errors and omissions in consultant deliverables, the calculation and use of overhead cap rates, and the elements of contract documents.

IV. DESIRED OUTCOMES

Survey and one-on-one interview feedback helped shape the themes for the one-day Mn/DOT Consultant Contract Program Collaboration Workshop, where stakeholder representatives continued to discuss key issues.

Workshop comments and suggestions were synthesized and presented to the Steering Committee. Steering Committee members analyzed the comments and suggestions, which were divided into six areas that reflected key concerns, and developed strategies and initial/suggested key steps for consideration.

The list of desired outcomes, strategies, and initial/suggested key steps follows.

Provide Reliable Projections of Future Work Desired Outcome #1

STRATEGY 1A: Develop and implement a consistent process to identify the volume and types of work that Mn/DOT plans to deliver with internal staff

Key Steps

- Communicate strategy to appropriate groups, including district engineers
- Involve appropriate district and office representation in process development
- Assess role for private sector in process development
- Establish a work group to determine the process and prioritize the work types and skills that are necessary to retain in-house competency
- Present work group findings for approval
- Determine implementation steps

STRATEGY 1B: Identify the portions of projects within the State Transportation Improvement Plan (STIP) that are targeted for outsourcing, as well as other applicable projects

Key Steps

- Request districts and offices to identify STIP and other projects that will involve consultant engineering services and send information to Consultant Services
- Request districts and offices to update the list at least quarterly
- Develop a way to gather and share pre-STIP information

STRATEGY 1C: Provide timely information about project opportunities to the consultant community

Key Steps

- Develop and implement a system that allows consultants to register for e-mail notification of upcoming projects
- Establish a web-based system to post and update a list of projects that are targeted for consultant delivery that includes estimated construction costs and work types

Improve the Pre-Qualification Program Desired Outcome #2

STRATEGY 2A: Evaluate, simplify, and streamline Pre-Qualification Program work type structure

Key Steps

- Involve the transportation community in the evaluation and change process
- Identify strengths and weaknesses of the current work type structure and best practices of other states
- Analyze work type structure
- Identify ways of combining and simplifying work types, if possible
- Develop a process to involve more small businesses, Disadvantaged Business Enterprises (DBEs), and Targeted Business Groups (TGBs)
- Develop final recommendations and determine approval process
- Implement changes

STRATEGY 2B: Streamline current Pre-Qualification Program application and renewal process

Key Steps

- Evaluate purpose of program and administrative requirements (SEE ALSO STRATEGY #3A)
- Identify strengths and weaknesses of the current process and best practices of other states
- Evaluate requirements for each work type and administrative requirements
- Review purpose of all required submittals and recommend streamlining changes for administration requirements
- Refine renewal process
- Develop final recommendations and determine approval process
- Implement changes

STRATEGY 2C: Establish criteria and framework for the impact of performance and personnel changes on pre-qualification status

Key Steps

- Determine a way to incorporate past performance evaluations consistently
- Communicate the criteria of past performance evaluations
- Clarify the use of past performance evaluations in future selection, as well as the impact of personnel changes on pre-qualification status

Increase the Consistency and Transparency of Consultant Selection Processes Desired Outcome #3

STRATEGY 3A: Evaluate all processes that Mn/DOT uses to select consultants

Key Steps

- Identify candidates for the review team
- Establish plan for review
- Consider reducing the number of selection processes
- Coordinate efforts to address issues of concern to small businesses, DBEs, and TGBs.
- Promote a greater understanding of each selection process (SEE ALSO STRATEGIES 4A & 4C)
- Determine steps for approval and implications for implementation

STRATEGY 3B: Standardize proposal format and streamline the process for preparation and review of proposals

Key Steps

- Identify common elements of all RFPs
- Determine opportunities for consolidation of information
- Develop proposal templates
- Review the process and identify opportunities for improvements
- Bring ideas forward for approval
- Communicate changes

STRATEGY 3C: Establish systems that support consistent implementation of the ways that consultants are selected within Mn/DOT

Key Steps

- Create a quality assurance and quality control process with oversight
- Periodically attend district selection committees and debriefings and provide feedback and guidance on the process
- Develop a tracking system that documents direct selection contracts and a step-by-step process that makes the process easier to understand and implement
- Provide additional checks and balances for districts regarding selection
- Consistently define and communicate project parameters, RFP requirements, selection criteria, expectations for proposal content, and scoring criteria based on selection criteria
- Establish a way for Mn/DOT project leaders to share documented project parameters with applicable project managers, contract administrators, and selection committee members

STRATEGY 3D: Define a process for communicating the reasons for selection or non-selection with all consultants who submit proposals on projects

Key Steps

- Determine and evaluate possible process options for privately sharing information
- Develop mechanism for providing constructive feedback on future proposal preparation
- Develop mechanism for receiving consultant feedback

STRATEGY 3E: Determine ways to incorporate past performance into the selection process

Key Steps

- Develop a way to incorporate past performance evaluations consistently into each selection process
- Communicate the criteria of past performance evaluations
- Clarify the use of past performance evaluations in future selections, including the weight that will be given to them and the length of time that they will be used in selection discussions

Expand Education about the Consultant Program and its Selection Processes
Desired Outcome #4

STRATEGY 4A: Develop ongoing methods for communication throughout Mn/DOT and the consultant community regarding the consultant contract program

Key Steps

- Evaluate and modify the web site to improve accessibility, accuracy, and timeliness (SEE ALSO STRATEGY 4C)
- Ensure continual updating of web site
- Develop communication tools to explain and share information about aspects of the consultant contract program, such as one-page summaries, video of training sessions, and *Newsline* articles
- Explore other innovative communication tools, such as Facebook and Twitter

STRATEGY 4B: Develop web-based and other tools to improve efficiencies

Key Steps

- Develop web-based applications that allow for electronic submittal of applications, renewals, and updates
- Provide online tools for consultants to update their information and for Mn/DOT staff to review applications and qualifications
- Investigate other online tools that make it easier for Mn/DOT and consultants to share information

STRATEGY 4C: Promote a greater understanding of selection processes

Key Steps

- Develop clear documentation of the selection process for the different types of options, including Pre-Qualification Program contracts that are less than \$100K;
- Pre-Qualification Program contracts between \$100K and \$800K; Pre-Qualification Program contracts that are greater than \$800K; Informal RFPs; and Formal RFPs
- Review other state DOT web sites to identify ways to improve communication about selection processes
- Develop one-page summary of each selection process to post on the web site

- Restructure the web site to improve access to information about each selection process
- Establish a link for consultants and the public to ask questions or provide comments
- Develop a process for responding to online questions or comments

STRATEGY 4D: Develop training opportunities for consultants and Mn/DOT staff on each selection process

Key Steps

- Conduct “train-the-trainer” sessions for ACEC members on the available documented selection processes to then share with other members, and post one session on the web site
- Conduct “train-the-trainer” sessions for Mn/DOT consultant coordinators to then share with contract administrators and project managers in their districts and offices, and post one session on the web site
- Explore the possibility of awarding professional development hours for training opportunities
- Present a session each year about the documented selection process at the Annual ACEC-Mn/DOT Conference
- Make use of communication strategies to share information (SEE STRATEGY 4A)

Strengthen the Relationships between Mn/DOT and the Consultant Community

Desired Outcome #5

STRATEGY 5A: Promote ongoing educational and networking opportunities for Mn/DOT and consultant community project managers

Key Steps

- Sponsor joint leadership training seminars for emerging leaders in both the consultant community and Mn/DOT
- Plan joint meetings with ACEC/MN Emerging Professionals Committee and Mn/DOT Young PE Group
- Expand transportation/consultant conference to include activities for younger professionals, including professional from cities and counties
- Develop an exchange program to rotate young professional engineers through Mn/DOT and consultant workplaces (similar to the Mn/DOT Grad Rotation Program)
- Encourage professional organizations to develop activities that increase younger professional involvement

STRATEGY 5B: Explore opportunities to bring together public and private transportation leaders

Key Steps

- Define role of and establish ongoing meetings, separate from other joint Mn/DOT and ACEC/MN groups, with ACEC/MN leaders and Mn/DOT senior staff to discuss issues

- Participate in discussions and activities that promote a greater understanding of the roles of private and public engineers
- Sponsor joint leadership training seminars for emerging leaders in both the consultant community and Mn/DOT

Review Mn/DOT Consultant Business Practices

Desired Outcome #6

STRATEGY 6A: Involve stakeholders in the development of business rules for professional errors and omissions

Key Steps

- Define appropriate contractual insurance requirements
- Establish a fair and consistent process to resolve errors and omissions when they occur
- Develop a policy for formal review of consultant errors and omissions to help guide department decision-making concerning corrections of errors and omissions and recovery of costs and damages that result from errors and omissions
- Meet with representatives from Mn/DOT, ACEC, professional liability insurance companies, and the state's risk management division to discuss a common definition of professional errors and omission, guidelines for contract insurance requirements to ensure consistency, and additional training for Mn/DOT engineering project managers and contract administration staff to help them better understand errors and omissions

STRATEGY 6B: Conduct a review of contract documents in collaboration with ACEC/MN-Mn/DOT liaison committee

Key Steps

- Research the possibility of developing some standard scope templates
- Identify priorities for addressing other contractual terms, such as liability/indemnification and standard of care, with the ACEC-Mn/DOT liaison committee
- Review short form contract to align the contents of key contractual provisions with similar provisions in the long form contract

STRATEGY 6C: Conduct review of financial/audit processes to identify opportunities for streamlining processes and improving communication in collaboration with the ACEC/MN – Mn/DOT liaison committee

Key Steps

- Explore ways to streamline contract close-out and annual audit processes
- Review AASHTO Uniform Audit and Accounting Guide recommendations, fixed fee calculation and payment, and overhead cap
- Assess recommended changes as a result of the review
- Gather necessary review and approval of changes

STRATEGY 6D: Improve the processes for project performance evaluation

Key Steps

- Explore relevant practices from other states and organizations
- Clarify goals for project performance evaluation processes
- Establish ways for consultants to provide process-related comments
- Ask contractors to evaluate plan quality
- Determine options for improvements to achieve a fair and balanced project performance evaluation process

V. NEXT STEPS

The desired outcomes, strategies, and key steps set the stage for further discussion about implementation by the Steering Committee. As part of those discussions, the Steering Committee prioritized strategies to help provide guidance for implementation.

This section highlights the results of the Steering Committee’s prioritization and a preliminary framework to support the implementation of the strategies and key steps.

High-Priority Strategies

The Steering Committee identified the following strategies and key steps as high-priority for implementation. In general, these strategies and key steps are ones where work can begin within the next six months. It is important to note that it may be necessary to complete some key steps before moving to others.

High-Priority Strategies	Key Steps
Strategy 1A: Develop and implement a consistent process to identify the volume and types of work that Mn/DOT plans to deliver with internal staff	<ul style="list-style-type: none"> • Communicate strategy to appropriate groups, including district engineers • Involve appropriate district and office representation in process development • Assess role for private sector in process development • Establish a work group to determine the process and prioritize the work types and skills that are necessary to retain in-house competency • Present work group findings for approval • Determine implementation steps
Strategy 1B: Identify the portions of projects within the State Transportation Improvement Plan (STIP) that are targeted for outsourcing	<ul style="list-style-type: none"> • Request districts and offices to identify STIP and other projects that will involve consultant engineering services and send information to Consultant Services • Request districts and offices to update the list at least quarterly • Develop a way to gather and share pre-STIP information
Strategy 1C: Provide timely information about project opportunities to the consultant community	<ul style="list-style-type: none"> • Develop and implement a system that allows consultants to register for e-mail notification of upcoming projects • Establish a web-based system to post and update a list of projects that are targeted for consultant delivery that includes estimated construction costs and work types
Strategy 3A: Evaluate all processes that Mn/DOT uses to select consultants	<ul style="list-style-type: none"> • Identify candidates for the review team • Establish plan for review • Consider reducing the number of selection processes • Coordinate efforts to address issues of concern to small businesses, DBEs, and TGBs • Promote a greater understanding of each selection process (SEE ALSO STRATEGIES 4A & 4C) • Determine steps for approval and implications for implementation
Strategy 3B: Standardize proposal format and streamline the process for preparation and review of proposals	<ul style="list-style-type: none"> • Identify common elements of all RFPs • Determine opportunities for consolidation of information • Develop proposal templates • Review the process and identify opportunities for improvements • Bring ideas forward for approval • Communicate changes

High-Priority Strategies	Key Steps
Strategy 3C: Establish systems that support consistent implementation of the ways that consultants are selected within Mn/DOT	<ul style="list-style-type: none"> • Create a quality assurance and quality control process with oversight • Periodically attend district selection committees and debriefings and provide feedback and guidance on the process • Develop a tracking system that documents direct selection contracts and a step-by-step process that makes the process easier to understand and implement • Provide additional checks and balances for districts regarding selection • Consistently define and communicate project parameters, RFP requirements, selection criteria, expectations for proposal content, and scoring criteria based on selection criteria • Establish a way for Mn/DOT project leaders to share documented project parameters with applicable project managers, contract administrators, and selection committee members
Strategy 4C: Promote a greater understanding of selection processes	<ul style="list-style-type: none"> • Develop clear documentation of the selection process for the different types of options, including Pre-Qualification Program contracts that are less than \$100K; Pre-Qualification Program contracts between \$100K and \$800K; Pre-Qualification Program contracts that are greater than \$800K; Informal RFPs; and Formal RFPs • Review other state DOT web sites to identify ways to improve communication about selection processes • Develop one-page summary of each selection process to post on the web site • Restructure the web site to improve access to information about each selection process • Establish a link for consultants and the public to ask questions or provide comments • Develop a process for responding to online questions or comments
Strategy 6B: Conduct a review of contract documents in collaboration with ACEC-Mn/DOT	<ul style="list-style-type: none"> • Research the possibility of developing some standard scope templates • Identify priorities for addressing other contractual terms, such as liability/indemnification and standard of care, with the ACEC/MN-Mn/DOT liaison committee • Review short form contract to align the contents of key contractual provisions with similar provisions in the long form contract
Strategy 6D: Improve the processes for project performance evaluation	<ul style="list-style-type: none"> • Explore relevant practices from other states and organizations • Clarify goals for project performance evaluation processes • Establish ways for consultants to provide process-related comments • Ask contractors to evaluate plan quality • Determine options for improvements to achieve a fair and balanced project performance evaluation process

Medium-Priority Strategies

The Steering Committee identified the following strategies and key steps as medium-priority for implementation. In general, these strategies and key steps are ones where work may begin somewhere between six to 18 months. It is important to note that it may be necessary to complete some key steps before moving to others.

Medium-Priority Strategies	Key Steps
Strategy 2A: Evaluate, simplify, and streamline Pre-Qualification Program work type structure	<ul style="list-style-type: none"> • Involve the transportation community in the evaluation and change process • Identify strengths and weaknesses of the current work type structure and best practices of other states • Analyze work type structure • Identify ways of combining and simplifying work types, if possible • Develop a process to involve more small businesses, Disadvantaged Business Enterprises (DBEs), and Targeted Business Groups (TGBs) • Develop final recommendations and determine approval process • Implement changes
Strategy 2B: Streamline current Pre-Qualification Program application and renewal process	<ul style="list-style-type: none"> • Evaluate purpose of program and administrative requirements (SEE ALSO STRATEGY #3A) • Identify strengths and weaknesses of the current process and best practices of other states • Evaluate requirements for each work type and administrative requirements • Review purpose of all required submittals and recommend streamlining changes for administration requirements • Refine renewal process • Develop final recommendations and determine approval process • Implement change
Strategy 2C: Establish criteria and framework for the impact of performance and personnel changes on pre-qualification status	<ul style="list-style-type: none"> • Determine a way to incorporate past performance evaluations consistently • Communicate the criteria of past performance evaluations • Clarify the use of past performance evaluations in future selection, as well as the impact of personnel changes on pre-qualification status
Strategy 3D: Define a process for communicating the reasons for selection or non-selection with all consultants who submit proposals on projects	<ul style="list-style-type: none"> • Determine and evaluate possible process options for privately sharing information • Develop mechanism for providing constructive feedback on future proposal preparation • Develop mechanism for receiving consultant feedback
Strategy 3E: Determine ways to incorporate past performance into the selection process	<ul style="list-style-type: none"> • Develop a way to incorporate past performance evaluations consistently into each selection process • Communicate the criteria of past performance evaluations • Clarify the use of past performance evaluations in future selections, including the weight that will be given to them and the length of time that they will be used in selection discussions
Strategy 4A: Develop ongoing methods for communication throughout Mn/DOT and the consultant community regarding the consultant contract program	<ul style="list-style-type: none"> • Evaluate and modify the web site to improve accessibility, accuracy, and timeliness (SEE ALSO STRATEGY 4C) • Ensure continual updating of web site • Develop communication tools to explain and share information about aspects of the consultant contract program, such as one-page summaries, video of training sessions, and <i>Newsline</i> articles • Explore other innovative communication tools, such as Facebook and Twitter

Medium-Priority Strategies	Key Steps
Strategy 4B: Develop web-based and other tools to improve efficiencies	<ul style="list-style-type: none"> • Develop web-based applications that allow for electronic submittal of applications, renewals, and updates • Provide online tools for consultants to update their information and for Mn/DOT staff to review applications and qualifications • Investigate other online tools that make it easier for Mn/DOT and consultants to share information
Strategy 4D: Develop training opportunities for consultants and Mn/DOT staff on each selection process	<ul style="list-style-type: none"> • Conduct “train-the-trainer” sessions for ACEC members on the available documented selection processes to then share with other members, and post one session on the web site • Conduct “train-the-trainer” sessions for Mn/DOT consultant coordinators to then share with contract administrators and project managers in their districts and offices, and post one session on the web site • Explore the possibility of awarding professional development hours for training opportunities • Present a session each year about the documented selection process at the Annual ACEC-Mn/DOT Conference • Make use of communication strategies to share information (SEE STRATEGY 4A)
Strategy 5A: Promote ongoing educational and networking opportunities for Mn/DOT and consultant community project managers	<ul style="list-style-type: none"> • Sponsor joint leadership training seminars for emerging leaders in both the consultant community and Mn/DOT • Plan joint meetings with ACEC/MN Emerging Professionals Committee and Mn/DOT Young PE Group • Expand transportation/consultant conference to include activities for younger professionals, including professional from cities and counties • Develop an exchange program to rotate young professional engineers through Mn/DOT and consultant workplaces (similar to the Mn/DOT Grad Rotation Program) • Encourage professional organizations to develop activities that increase younger professional involvement
Strategy 5B: Explore opportunities to bring together public and private transportation leaders	<ul style="list-style-type: none"> • Define role of and establish ongoing meetings, separate from other joint Mn/DOT and ACEC/MN groups, with ACEC/MN leaders and Mn/DOT senior staff to discuss issues • Participate in discussions and activities that promote a greater understanding of the roles of private and public engineers • Sponsor joint leadership training seminars for emerging leaders in both the consultant community and Mn/DOT
Strategy 6A: Involve stakeholders in the development of business rules for professional errors and omissions	<ul style="list-style-type: none"> • Define appropriate contractual insurance requirements • Establish a fair and consistent process to resolve errors and omissions when they occur • Develop a policy for formal review of consultant errors and omissions to help guide department decision-making concerning corrections of errors and omissions and recovery of costs and damages that result from errors and omissions • Meet with representatives from Mn/DOT, ACEC, professional liability insurance companies, and the state’s risk management division to discuss a common definition of professional errors and omission, guidelines for contract insurance requirements to ensure consistency, and additional training for Mn/DOT engineering project managers and contract administration staff to help them better understand errors and omissions

Medium-Priority Strategies	Key Steps
Strategy 6C: Conduct review of financial/audit processes to identify opportunities for streamlining processes and improving communication in collaboration with the ACEC/MN – Mn/DOT liaison committee	<ul style="list-style-type: none"> • Explore ways to streamline contract close-out and annual audit processes • Review AASHTO Uniform Audit and Accounting Guide recommendations, fixed fee calculation and payment, and overhead cap • Assess recommended changes as a result of the review • Gather necessary review and approval of changes

Implementation Framework

Mn/DOT and ACEC/MN have been working together to establish a framework that will support the implementation of the desired outcomes from this project and promote a collaborative partnership structure for the future.

Mn/DOT: Core Consultant Contract Team

Mn/DOT has created an internal Core Consultant Contract Team (CCCT), which will lead the implementation effort for Mn/DOT. Brad Hamilton, the Mn/DOT Consultant Liaison, will be responsible for all tracking, coordination, communication, and monitoring of progress for this effort. In addition to this project’s implementation, the CCCT and the Consultant Liaison also will serve as the key touch point for any other issues or initiatives that are related to consultant contracting, as well as the key contact for collaboration with ACEC/MN.

CCCT members are:

- Michael Barnes, Engineering Services Division Director
- Jon Chiglo, Office of Technical Support Director
- Jeff Brunner, Consultant Services Section Director
- Dawn Thompson, Consultant Services Section Assistant Director
- Brad Hamilton, Consultant Services Section Consultant Liaison

The CCCT has developed a framework for decision-making within Mn/DOT, which includes the CCCT, stakeholders, and established decision-makers, such as the Commissioner, Deputy Commissioner, and the Division Directors. The framework offers numerous partnering opportunities for close collaboration with ACEC/MN.

The planned framework also includes establishing working teams to address specific issues or opportunities for improvement. These working teams will include members from Mn/DOT and ACEC/MN. Mn/DOT anticipates that the decision-making framework will facilitate the implementation planning and implementation process for the desired outcomes.

ACEC/MN Framework

Similar to the internal Mn/DOT structure established for accountability and tracking of this project’s progress, ACEC/MN also has established the Transportation Committee as the lead committee within ACEC /MN to support the framework for communication to

Mn/DOT, including tracking progress on the project's prioritized items and assuring working teams are staffed appropriately.

ACEC/MN also has developed a draft structure for communication and collaboration with Mn/DOT that includes the ACEC Transportation Committee, an Executive Leadership Team, and ACEC/Mn/DOT Collaboration Team, as well as anticipated working teams. ACEC/MN currently is clarifying the organizational structure and membership for each component.

Ongoing Collaborations

Several groups are proposed to continue ongoing collaboration between ACEC/MN and Mn/DOT.

The Mn/DOT and ACEC Executive Committee, with proposed membership to include the Mn/DOT Commissioner and Mn/DOT executive staff and the ACEC Executive Leadership Team, is intended to nurture partnership, address common interests and needs, review progress on process improvement, share high-level strategy, and evaluate trends that impact either entity. Quarterly meetings are anticipated.

The ACEC/Mn/DOT Collaboration Team will meet more regularly – about every two months – to address specific issues. This team will serve as the main communication point for the ongoing implementation that results from this project and any new items for joint consideration. Proposed membership includes the full Mn/DOT CCCT and appointed ACEC/MN Transportation Committee volunteers, with leadership from the ACEC/MN Transportation Committee Vice-Chair and the Mn/DOT Engineering Services Division Director Michael Barnes.

Wider Reach

The framework also involves plans to involve and engage as many consultant community members and Mn/DOT staff as possible.

Those plans include organizing ACEC/Mn/DOT Partnership Breakfasts. These informal quarterly meetings will provide information and updates on issues and hot topics such as budgets, the Mn/DOT Program, process improvements, specific projects, and statewide initiatives, as well as general announcements from Mn/DOT and the consultant community.

ACEC/MN is planning to coordinate and facilitate these gatherings, which will be open to all levels of consultants and Mn/DOT staff. The ACEC/MN–Mn/DOT annual conference will count as one of these quarterly meetings.

Communication

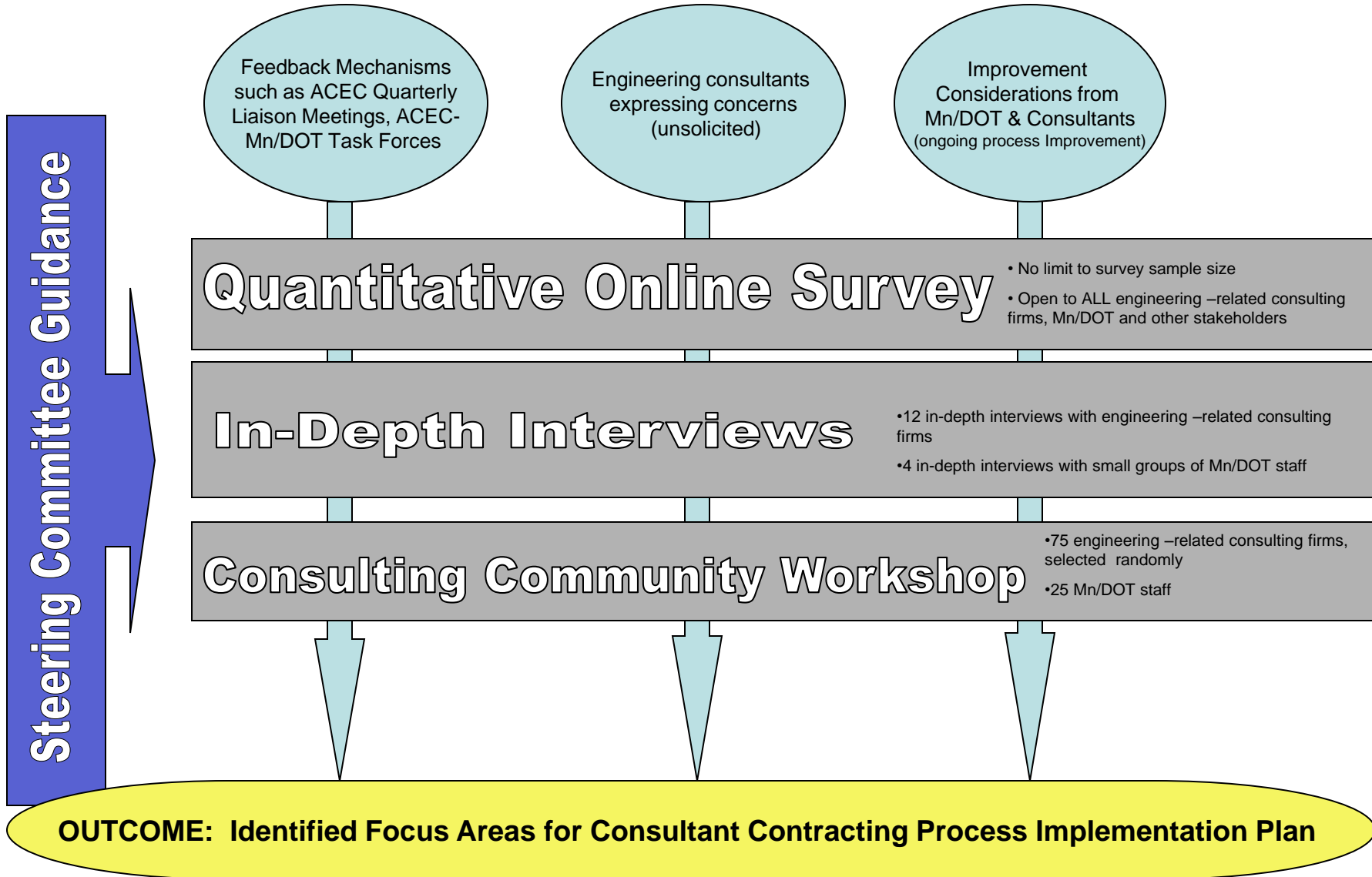
Both Mn/DOT and ACEC/MN are interested in continuing to share updates about implementation of this project's strategies and key steps. The framework to move forward implementing the strategies and key steps supports that ongoing communication.

Appendix A: Discovery Phase Chart

2009 Consultant Contract Program Collaboration Project

Input Process

There are multiple input channels for the consultant community as Mn/DOT seeks feedback regarding its engineering-related contract process.



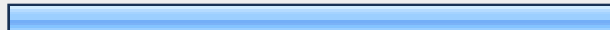

Appendix B: Consultant Survey Results

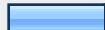
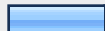
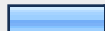
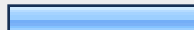
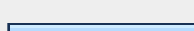
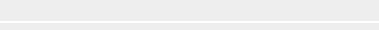
Consultant Contract Program Collaboration Project Survey for Consultants

1. How often, during the last 3 years, has your organization attempted to get engineering-related work under the following Mn/DOT Professional/Technical consultant selection processes?								
	Never	1 to 2 times	3 to 6 times	7 to 12 times	13 or more times	Don't Know	Rating Average	Response Count
Certified List Program	42.9% (24)	12.5% (7)	8.9% (5)	5.4% (3)	12.5% (7)	17.9% (10)	2.17	56
Direct Select Contract	29.1% (16)	16.4% (9)	16.4% (9)	12.7% (7)	16.4% (9)	9.1% (5)	2.68	55
RFP (Request for Proposal)	13.6% (8)	15.3% (9)	28.8% (17)	22.0% (13)	18.6% (11)	1.7% (1)	3.17	59
Pre-Qualification Program, Under \$100,000 (Direct Select)	20.0% (12)	16.7% (10)	20.0% (12)	21.7% (13)	20.0% (12)	1.7% (1)	3.05	60
Pre-Qualification Program, Between \$100,001 and \$800,000 (Letter of Interest)	26.8% (15)	16.1% (9)	17.9% (10)	23.2% (13)	14.3% (8)	1.8% (1)	2.82	56
Pre-Qualification Program, Over \$800,001 (Letter of Interest / Request for Proposal)	40.4% (21)	13.5% (7)	17.3% (9)	15.4% (8)	9.6% (5)	3.8% (2)	2.38	52
Single Source Contract	53.8% (28)	15.4% (8)	7.7% (4)	1.9% (1)	5.8% (3)	15.4% (8)	1.70	52
T-Contract Program	67.3% (35)	9.6% (5)	1.9% (1)	1.9% (1)	1.9% (1)	17.3% (9)	1.33	52
Unknown Selection Process	55.6% (25)	6.7% (3)	2.2% (1)	0.0% (0)	0.0% (0)	35.6% (16)	1.17	45
	answered question							64
	skipped question							9

2. How often, during the last 3 years, has your organization received engineering-related work under the following Mn/DOT Professional/Technical consultant selection processes?

	Never	1 to 2 times	3 to 6 times	7 to 12 times	13 or more times	Don't Know	Rating Average	Response Count
Certified List Program	49.0% (24)	14.3% (7)	16.3% (8)	2.0% (1)	2.0% (1)	16.3% (8)	1.73	49
Direct Select Contract	33.3% (17)	25.5% (13)	25.5% (13)	5.9% (3)	3.9% (2)	5.9% (3)	2.17	51
RFP (Request for Proposal)	41.8% (23)	36.4% (20)	12.7% (7)	3.6% (2)	1.8% (1)	3.6% (2)	1.83	55
Pre-Qualification Program, Under \$100,000 (Direct Select)	34.5% (20)	27.6% (16)	13.8% (8)	15.5% (9)	8.6% (5)	0.0% (0)	2.36	58
Pre-Qualification Program, Between \$100,001 and \$800,000 (Letter of Interest)	43.1% (22)	31.4% (16)	15.7% (8)	2.0% (1)	2.0% (1)	5.9% (3)	1.81	51
Pre-Qualification Program, Over \$800,001 (Letter of Interest / Request for Proposal)	63.3% (31)	24.5% (12)	4.1% (2)	2.0% (1)	2.0% (1)	4.1% (2)	1.49	49
Single Source Contract	70.0% (35)	16.0% (8)	2.0% (1)	0.0% (0)	2.0% (1)	10.0% (5)	1.31	50
T-Contract Program	74.0% (37)	4.0% (2)	4.0% (2)	0.0% (0)	0.0% (0)	18.0% (9)	1.15	50
Unknown Selection Process	59.1% (26)	6.8% (3)	2.3% (1)	0.0% (0)	0.0% (0)	31.8% (14)	1.17	44
	<i>answered question</i>							63
	<i>skipped question</i>							10

3. Is your organization currently Pre-Qualified under Mn/DOT's Pre-Qualification Program?			
		Response Percent	Response Count
Yes		92.9%	65
No		7.1%	5
Don't Know		0.0%	0
		<i>answered question</i>	70
		<i>skipped question</i>	3

4. If your organization is not Pre-Qualified (you answered No to the previous question), why not? Please check all that apply.			
		Response Percent	Response Count
Applied, but never approved		14.3%	1
Too cumbersome		14.3%	1
Never applied		14.3%	1
Unaware of program		28.6%	2
Cost too high to prepare the submittal		28.6%	2
Other (please specify)		57.1%	4
		<i>answered question</i>	7
		<i>skipped question</i>	66


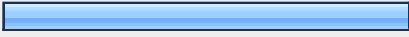
5. The Pre-Qualification Program is the most frequently used Professional/Technical engineering-related consultant selection mechanism. For your organization, how important are each of the following items, related to the Pre-Qualification Program, to address?

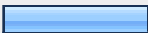

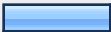




	High Importance	Average Importance	Low Importance	N/A	Rating Average	Response Count
Understanding requirements to become Pre-Qualified	64.2% (43)	25.4% (17)	9.0% (6)	1.5% (1)	2.56	67
Understanding requirements for bi-annual Pre-Qualification renewal	47.1% (32)	41.2% (28)	8.8% (6)	2.9% (2)	2.39	68
Feedback on success or failure of the Pre-Qualification process, initial or renewal	73.5% (50)	20.6% (14)	1.5% (1)	4.4% (3)	2.75	68
Timeliness of this feedback	55.9% (38)	38.2% (26)	1.5% (1)	4.4% (3)	2.57	68
For contracts below \$100,000, understanding the selection choice and/or criteria	73.5% (50)	22.1% (15)	1.5% (1)	2.9% (2)	2.74	68
For contracts below \$100,000, negotiation of contract cost	47.0% (31)	42.4% (28)	9.1% (6)	1.5% (1)	2.38	66
For contracts over \$100,000, ease of learning of the upcoming contract solicitation	76.1% (51)	17.9% (12)	0.0% (0)	6.0% (4)	2.81	67
For contracts over \$100,000, clarity of the requirements for a Letter of Interest	66.7% (44)	22.7% (15)	3.0% (2)	7.6% (5)	2.69	66
For contracts over \$100,000, the deadlines for responding with a Letter of Interest	43.9% (29)	40.9% (27)	7.6% (5)	7.6% (5)	2.39	66
Timeliness of leaning of the selection committee's decision	50.0% (33)	43.9% (29)	3.0% (2)	3.0% (2)	2.48	66
Usefulness of feedback given with the selection committee's decision	65.7% (44)	29.9% (20)	3.0% (2)	1.5% (1)	2.64	67
At the request of your organization, the usefulness of the additional information and feedback provided after the selection committee's decision	66.7% (44)	24.2% (16)	6.1% (4)	3.0% (2)	2.63	66
The negotiations about cost for						

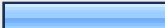
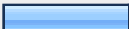
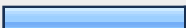


contracts between \$100,001 and \$800,000	44.6% (29)	36.9% (24)	9.2% (6)	9.2% (6)	2.39	65
For contracts over \$800,001 understanding the requirements of a 'best-value' RFP	70.8% (46)	16.9% (11)	1.5% (1)	10.8% (7)	2.78	65
Add any additional comments about the Pre-Qualification Program						23
<i>answered question</i>						69
<i>skipped question</i>						4

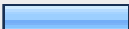
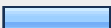

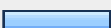

6. Regardless of contract or project type, how important are each of the following items to address?						
	High Importance	Average Importance	Low Importance	N/A	Rating Average	Response Count
Overall fairness of which organizations are awarded contracts	87.0% (60)	11.6% (8)	1.4% (1)	0.0% (0)	2.86	69
Transparency of selection processes, including direct select projects	69.6% (48)	30.4% (21)	0.0% (0)	0.0% (0)	2.70	69
Clarity of Mn/DOT criteria for selection for specific projects	88.4% (61)	11.6% (8)	0.0% (0)	0.0% (0)	2.88	69
Timeliness of feedback when your organization is not selected for a contract	50.0% (35)	48.6% (34)	1.4% (1)	0.0% (0)	2.49	70
The usefulness of feedback when your organization is not selected for a contract	72.9% (51)	25.7% (18)	1.4% (1)	0.0% (0)	2.71	70
Mn/DOT general responsiveness to information requests	58.8% (40)	36.8% (25)	4.4% (3)	0.0% (0)	2.54	68
The ratio of contracts awarded to Minnesota headquartered firms in comparison to non-Minnesota headquartered firms	40.3% (27)	25.4% (17)	31.3% (21)	3.0% (2)	2.09	67
The consistency of the contracting process across different districts	47.8% (32)	43.3% (29)	7.5% (5)	1.5% (1)	2.41	67
The selection process for Disadvantaged Business Enterprises	14.9% (10)	44.8% (30)	37.3% (25)	3.0% (2)	1.77	67
The method and/or application of overhead rates	46.3% (31)	34.3% (23)	17.9% (12)	1.5% (1)	2.29	67
The audit process for overhead rates	43.3% (29)	35.8% (24)	17.9% (12)	3.0% (2)	2.26	67
Errors and omissions in consultant deliverables	45.6% (31)	45.6% (31)	8.8% (6)	0.0% (0)	2.37	68
The use of past performance in consultant selection	61.8% (42)	33.8% (23)	4.4% (3)	0.0% (0)	2.57	68
Please add any additional items of importance						13


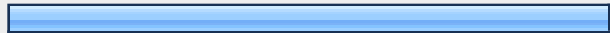

	<i>answered question</i>	70
	<i>skipped question</i>	3





7. Are you aware that Mn/DOT has stated an objective of a "healthy consultant community"?			Response Percent	Response Count
Yes			37.7%	26
No			62.3%	43
	<i>answered question</i>			69
	<i>skipped question</i>			4





8. Which one of the following statements best describes a healthy consultant community?			
		Response Percent	Response Count
Organizations are able to staff based on a good estimate of the work they will have in the future		21.7%	15
Work is evenly distributed among those organizations that are competent to perform the work		31.9%	22
Work is given to the most experienced organizations		0.0%	0
Work is given to the most qualified organizations		15.9%	11
Work is given to the most cost-efficient organizations		1.4%	1
Work is given only to Minnesota-based organizations		0.0%	0
Work is distributed evenly based on the capacity of organizations		1.4%	1
I do not have a clear understanding of what is meant by 'a healthy consultant community'		15.9%	11
Other (please specify)		11.6%	8
		answered question	69
		skipped question	4

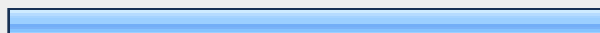


9. How many transportation-related employees work for your organization in your specific office?			
		Response Percent	Response Count
1 to 3		24.6%	17
4 to 10		18.8%	13
11 to 25		27.5%	19
26 to 75		26.1%	18
More than 75		2.9%	2
		<i>answered question</i>	69
		<i>skipped question</i>	4

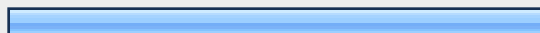
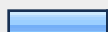

10. How many transportation-related employees work for your organization?			
		Response Percent	Response Count
1 to 3		18.8%	13
4 to 10		15.9%	11
11 to 25		11.6%	8
26 to 75		15.9%	11
More than 75		37.7%	26
		<i>answered question</i>	69
		<i>skipped question</i>	4

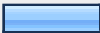

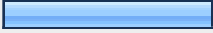
11. Is your organization a Disadvantaged Business Enterprise (DBE)?			
		Response Percent	Response Count
Yes		5.9%	4
No		92.6%	63
Don't Know		1.5%	1
		answered question	68
		skipped question	5



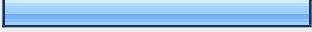

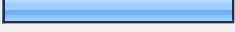
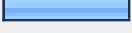
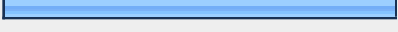
12. If your organization is not a DBE (you answered no to the previous question), why not?			
		Response Percent	Response Count
Not qualified		91.9%	57
Applied, but never approved		0.0%	0
Too cumbersome		0.0%	0
Never applied		1.6%	1
Unaware of program		1.6%	1
Cost too high to prepare the submittal		0.0%	0
Other (please specify)		4.8%	3
		answered question	62
		skipped question	11

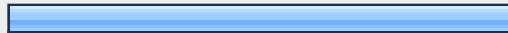
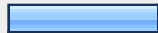
13. What percentage of work for your specific office comes from Mn/DOT?			
		Response Percent	Response Count
0% to 25%		73.9%	51
26% to 50%		11.6%	8
51% to 75%		11.6%	8
76% to 100%		2.9%	2
<i>answered question</i>			69
<i>skipped question</i>			4

14. What percentage of work for your organization comes from Mn/DOT?			
		Response Percent	Response Count
0% to 25%		91.3%	63
26% to 50%		7.2%	5
51% to 75%		1.4%	1
76% to 100%		0.0%	0
<i>answered question</i>			69
<i>skipped question</i>			4

15. Where is your office located?			
		Response Percent	Response Count
In the Twin Cities Metro Area		82.4%	56
Greater Minnesota		14.7%	10
Outside of Minnesota		2.9%	2
<i>answered question</i>			68
<i>skipped question</i>			5

16. Where are the headquarters of your organization located?			
		Response Percent	Response Count
Greater Minnesota		14.5%	10
In the Twin Cities Metro Area		53.6%	37
Outside of Minnesota		31.9%	22
		answered question	69
		skipped question	4

17. What are your primary roles in your organization? (More than one choice allowed.)			
		Response Percent	Response Count
Project management		76.5%	52
Contract management		52.9%	36
Project delivery		47.1%	32
Developing proposals and bids		57.4%	39
Cost estimating		35.3%	24
Accounting / finance		19.1%	13
Organizational leadership		60.3%	41
		Other (please specify)	2
		answered question	68
		skipped question	5

18. Is your organization a member of ACEC?				
			Response Percent	Response Count
Yes			77.1%	54
No			22.9%	16
			<i>answered question</i>	70
			<i>skipped question</i>	3

19. Please add any additional comments regarding Mn/DOT's consultant contracting processes (observations, annoyances, suggested methods of improvement)?				
			Response Count	
			29	
			<i>answered question</i>	29
			<i>skipped question</i>	44

Q4 If your organization is not Pre-Qualified (you answered No to the previous question), why not? Please check all that apply. Other (please specify)

1 Nov 9, 2009 1:56 PM Software requirements would cost over \$10,000 just to apply.

2 Nov 11, 2009 4:01 PM No category for the type of work that we do.

3 Nov 13, 2009 2:43 PM Let pre-qual expire, too cumbersome, costly to maintain, for the little amount of work we might receive

4 Nov 16, 2009 9:23 PM Pre-Qualified in some areas only

Q5 The Pre-Qualification Program is the most frequently used Professional/Technical engineering-related consultant selection mechanism. For your organization, how important are each of the following items, related to the Pre-Qualification Program, to address? Add any additional comments about the Pre-Qualification Program

1 Nov 4, 2009 8:49 PM We have had zero success obtaining work through the pre-qualification program. Small firms do not have a fair chance to obtain work. Projects are always large and therefore are directed to large firms. Give small firms a chance!

2 Nov 4, 2009 9:09 PM We are still waiting for feedback on one pre-qualification application that was not accepted 6 months ago despite several inquiries. Also, experience has shown that the requirements for pre-qualification are poorly written and poorly managed. It typically takes several times through the process to discover Mn/DOT's actual requirements, which are NEVER what is written.

3 Nov 5, 2009 8:05 PM Our experience is mainly with projects less than \$100K under the prequalification process.

4 Nov 6, 2009 1:32 PM Much preferred the T-Contract process. The Pre-Qual process has killed parts and seriously impacted other parts of our business. This was done by spreading the work out so far among too many firms that not enough works exists to keep the staff busy in one firm throughout the year. The result is a lose-lose for both parties.

5 Nov 6, 2009 2:21 PM It is very difficult for small firms to prequalify and/or remain prequalified because lack of contracts in the past 3 years. I believe that MNDOT needs to look into ways to encourage more small firms to participate and to be successful.

6 Nov 6, 2009 3:57 PM We have been on the certified program consultants list for 3 rounds and have never been given an opportunity to bid on a RFP unless it was a public bid. We have been told 4-6 times that there was a project in our area of service and would get an opportunity to bid on that project, but have never been given a chance. When we would call to ask when the bid was coming out our calls have never been returned. We are no longer going to maintain our firm on the consultants list because of this obvious intent to keep us from doing work with Mn/DOT. We have been on this list for approx 5 years and it was nothing but a big waste of time and money.

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7 Nov 9, 2009 1:19 AM Would like to see it more flexible to allow less experienced firms to get hired for things that lead to an area that they are very experienced in. Sometimes, you don't need to have the project experience required to do a more simple element of Preliminary or conceptual engineering that will lead into an area that the firm is very qualified for.

8 Nov 9, 2009 8:18 PM The program is weighted to favor large companies. It seems in the application process that experience is not allowed if it is more than 2 years old? We have good appropriate experience but it was done more than 2 years ago.

9 Nov 10, 2009 8:00 PM Regardless of firm or staff qualifications and ability, in lean times only a few get work in various categories. After a period of time, even qualified firms/staff may not be able to prequalify based on the current program requirements. There is an inherent un-fairness related to the process and I would encourage some modifications to the current approach to correct this unfortunate situation.

10 Nov 10, 2009 9:18 PM As my firm is the largest engineering services firm in the State, I have major concerns about MnDOT's efforts to spread the work around equally. We have professional staff in every corner of the State to better serve MnDOT and local communities, but we keep hearing MNDOT Districts say that it is hard to hire {firm name redacted} because we have gotten too much work from MNDOT. It is important to recognize that a qualified firm that has 20 times more professional staff in the state needs to get 20 projects for every one that the smaller firm receives. This has become a serious problem for us and jobs have been lost because of it.

11 Nov 11, 2009 3:44 PM We understand we continue to be pre-qualified and will be notified of renewal requirements when necessary by Mn/DOT. After 3 years we have not been so notified but continue to be requested to do work under the program.

12 Nov 11, 2009 4:01 PM There needs to be clarification or more communication of the requirements for subs on Pre-Qualified Projects. Most small businesses are excluded from doing business through the prequal process because they either cannot qualify for the pre-qual program.

13 Nov 11, 2009 10:11 PM "Usefulness of feedback given with the selection committee's decision" There is no feedback given with the decision. You were successful or you weren't. "At the request of your organization, the usefulness of the additional information and feedback provided after the selection committee's decision" The feedback that is provided is usually vague, contradictory and marginally useful. I understand that 3-5 people review each proposal and as such will result in a variety of opinions about our proposal. However, the comments often contradict 180 degrees and the scores often vary by 50% or more between reviewers. The debrief session does not correlate the comments to the scores. It does not provide a clear answer why the winning firm was selected. The winning scores are quite often in the 70's to low 80's. That indicates to me the best the consulting industry can do, in the eyes of Mn/DOT, is C to low B work.

14 Nov 12, 2009 5:27 PM Requirements are very confusing on what needs to be submitted and the forms are redundant and cumbersome.

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15 Nov 12, 2009 8:46 PM Need to address/resolve issues and challenges associated with spreading the work around versus selecting the preferred consultant.

16 Nov 12, 2009 10:09 PM Obviously all of these items are very important to us, I tried to provide some varied response to make the answers useful and more meaningful. Thanks

17 Nov 12, 2009 10:36 PM Inconsistent use of project required work types. Consider rollup of some work types.

18 Nov 13, 2009 2:43 PM As a small firm in outstate, we simply cannot invest the time or money in preparing the applications for the amount of work that is in our geographic region.

19 Nov 13, 2009 7:43 PM MnDOT Consultant Agreements Office is "deselecting" firms for consideration based on current contract amounts in an effort to spread out the work. Consideration should be given to the size of Consultant firms and the type of work under contract. Larger firms have more capacity to do work than smaller firms. Multidisciplined firms have the capacity to deliver different project types and therefore their volume of work should be determined by project type.

20 Nov 16, 2009 9:15 PM The pre-qualification process seems arbitrary, with the selection committees not really looking at the qualifications, but basing the decisions on what they know about the person. Also it seems like the certification of the individual for a particular category is arbitrary - meeting qualifications of one portion of that category does not give you qualifications in that category. Very few would have experience in all type of design listed under a particular category.

21 Nov 16, 2009 9:53 PM My opinion of the MN/DOT Pre-Qualification Program is that it is about as clear as mud. Specifically, the work-type definitions need to be clarified better. My organization went through the process of becoming pre-qualified earlier this Spring. Our intent was/is to be pre-approved to perform contaminated property investigation (Level II) work for various DOT projects. Long story short, our personnel is more than qualified to perform this type of work but came up just short on the minimum multi-site examples needed to pre-qualify. I can appreciate that a certain level of expertise must be demonstrated and supporting examples provided, however, my concern is that our overall experience/body of work would, without question, pre-qualify our organization with MN/DOT. So far, we have been denied on what I feel is a minor detail because we can demonstrate a high level of competence in our area of expertise - just don't have the minimum # of multi-site examples on our resume. There seems like there should be a better way to allow small businesses to get a piece of the pie.

22 Nov 16, 2009 10:05 PM We do not understand how consultants are selected for contracts under \$100,000 (direct select). We do not know how to solicit this type of work.

23 Nov 17, 2009 1:57 AM How to become prequalified if expertise resides outside MN, but work for same firm.

**Q6. Regardless of contract or project type, how important are each of the following items to address?
Please add any additional items of importance**

1 Nov 4, 2009 8:49 PM Selection process is not fair as it favors large firms. Small firms successfully complete projects too. Give us a chance!

2 Nov 6, 2009 3:57 PM I find the first question "Overall fairness of which organizations are awarded contracts" a joke. The one project we bid on there were 4 or 5 reviewers. One reviewer gave us the second highest score (and provided comments about our proposal and qualifications that were very good), while another reviewer ranked us the lowest score (and provided comments about our proposal and qualification that were very critical). Assuming both were reviewers were qualified, this cannot be a fair and unbiased review. In fact I would argue that it is impossible for two qualified people to each come to a radically different conclusion regarding the same proposal.

3 Nov 10, 2009 8:00 PM All of the major Mn/DOT design consultants procure and perform work in other states. Of the major consultants, some are "regional" and some are "national"...none are purely "local". However, ALL firms have local staff that have lived and worked in this state their entire lives. As such, any preferences extended to firms that are headquartered in Minnesota would constitute an unfair business practice that would, among other things, have long term implications to the consultant selection pool and ultimately, the Minnesota taxpayer.

4 Nov 10, 2009 9:18 PM The question about giving preference to firms headquartered in MN is interesting. My firm is headquartered in MN and when we work in other states, we lose points for not being headquartered in that state, yet as far as I know we do not get any preferential treatment here in MN.

5 Nov 11, 2009 4:01 PM The application of the DBE program to all consultant work even that using state funds rather than just when federal funds are involved.

6 Nov 11, 2009 10:11 PM Minnesota firms can provide information and designs based on their all-inclusive knowledge that spans from Fargo to Madison. National and International companies have resources, information and design experience across the country and around the globe which provides the State of Minnesota with opportunities for better, more cost-effective designs and solutions. Non-Minnesota headquartered firms still pay corporate taxes and income taxes in this state, our employees live and spend in this state and we contribute to the professional organizations, societies and charities in this state.

7 Nov 12, 2009 4:05 PM Lump Sum contracting is preferred. There needs to clarify what level of E&O requirements get passed down. Hard for some DBEs to meet the E&O limits

8 Nov 12, 2009 10:09 PM Again, all of these items are very important.

9 Nov 12, 2009 10:36 PM Performance evaluations should include 360 assessments

10 Nov 13, 2009 2:10 PM Where the firm is headquartered should not be a consideration in the selection process.

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11 Nov 13, 2009 5:57 PM Qualifications are only relevant for the previous 5 years. Consultant reviews should be kept on record for only five years as well.

12 Nov 13, 2009 7:43 PM Fairness is in the eye of the beholder. Consultant selection should involve a competitive process. Competition keeps consultants on top of their game. The selection process should allow fair competition. The total program should not be skewed towards only a few consultants, on the other hand, the program should not equally distribute contracts to all firms. Keep the process competitive. Errors and omissions requirements for consultants should be the same for government employees and for all practicing professional engineers. Do not hold consultants to a higher standard. In fact, consultants cannot be insured for more than the "standard of care for the industry".

13 Nov 16, 2009 9:15 PM Generally Mn/DOT does not provide very good responses to questions asked during the RFP process. Often their answers are really non-answers. The ratio of contracts awarded to Mn headquartered firms should not even be in this questionnaire. This should not be a criteria if the company has a Minnesota office. It should not matter if they are headquartered here. The DBE program needs to be completely overhauled. If Mn/DOT is going to pre-qualify a DBE firm, then they should be able to be used as long as they are competent in the particular field. If they are not competent, then Mn/DOT should not prequalify them.

Q8 Which one of the following statements best describes a healthy consultant community? Other (please specify)

1 Nov 6, 2009 3:45 PM Work is distributed evenly based on the capacity of organizations, but takes into account evenly distributing work among each work type based on the number of people qualified at each firm for the work type, not on just total work given to a specific firm under all categories and including all employees

2 Nov 11, 2009 3:44 PM Work is relatively evenly distributed among competent firms - and the planning horizon for future work allows effective scheduling and staffing.

3 Nov 11, 2009 10:11 PM This applies to questions 1 and 2. "Direct Select Contract" and "Pre-Qualification Program, Under \$100,000 (Direct Select)" are the same thing. I did not use the "Direct Select Contract" line because it would double count those contracts

4 Nov 16, 2009 7:48 PM All of the above are factors for a healthy program. Each factor needs to be properly weighed.

5 Nov 16, 2009 9:15 PM Work is evenly distributed among those organizations that are competent to perform the work. This needs to be qualified though because it should not be based on the number of contracts, but the dollar amount. It also needs to not pigeon hole a contractor that has several disciplines - say someone can do VE studies, roundabouts and bridge design-by only giving them VE studies they cannot support a bridge or roadway group and the firm will eventually lose its diversification.

6 Nov 16, 2009 11:41 PM Work should be distributed to competent firms, also the size and the number of employees of the organization should be considered.

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7 Nov 16, 2009 11:47 PM Work should be awarded to the most qualified firm that has the available staff to perform the work within the project scope and budget.

8 Nov 17, 2009 1:57 AM Work should be awarded to firm best suited to complete the requirements of the contract. Firm's with a higher headcount and national presence should also be placed on equal consideration as local firms, since the national firms employ locally.

Q12. If your organization is not a DBE (you answered no to the previous question), why not? Other (please specify)

1 Nov 9, 2009 1:22 AM We don't meet the rules to be DBE

2 Nov 16, 2009 7:39 PM Have not yet applied

3 Nov 16, 2009 8:23 PM Criteria to high-the state criteria should be used for state work not federal requirements, which Mndots uses

Q17 What are your primary roles in your organization? (More than one choice allowed.) Other (please specify)

1 Nov 6, 2009 2:31 PM Rail mode policy and program development.

2 Nov 11, 2009 4:04 PM As the owner of a small business you have to be able to do it all.

Q19 Please add any additional comments regarding Mn/DOT's consultant contracting processes (observations, annoyances, suggested methods of improvement)?

1 Nov 4, 2009 8:48 PM We are looking for consistency for getting on some of the prequalified lists. We do know of competitors that are on some lists that we cannot get on and have been told that the evaluation criteria has changed, or that they now have different staff (meaning they are no longer qualified for work but are still on the list).

2 Nov 4, 2009 8:56 PM Require that Mn/DOT project managers use all firms from each pre-qualified category. Each firm went through the pre-qualification process and therefore is, by definition, qualified to do the work. Yet the projects are not distributed to all firms on each list. We have yet to receive one single project from the categories for which we are pre-qualified. I now wonder if it is worth the effort to reapply when the time comes. The whole process is very disappointing to me and my firm. Please improve and do a better job!

3 Nov 5, 2009 8:23 PM We work for a wide range of public and private clients and Mn/DOT is probably one of our lowest paying and slowest paying clients. Mn/DOT also has one of the most elaborate processes we have encountered with regard to prequalification, contracting, retainage, and auditing. Mn/DOT work represents a very small portion of our consulting engineering business.

4 Nov 6, 2009 1:36 PM Let Mn/DOT's units decide what types of consultant selection process they wish to use. Small volume units spread a very small amount of work out to a potentially huge population of consultants. Carrying this staff as a consultant raises our overhead, which in turn costs Mn/DOT more.

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5 Nov 6, 2009 2:26 PM I strongly believe that contracts should be awarded to a wide of range of consultants including small firms an MBE's. It seems that only a few firms are getting the majority of contracts. There are many well qualified firms in the state of Minnesota.

6 Nov 6, 2009 3:54 PM Projects under each category tend to go to only a few specific consultants for the majority of the work, especially for direct select contracts. While they may be the "most" qualified, there are multiple other consultants prequalified under this program that can perform the work just as effectively. While it sometimes may be in the agency's best interest to hire the consultant with the most experience in a region or a specific work type, there should be an opportunity for smaller projects to go to other consultants to get experience within a region or specific work type. This would not only expand the potential pool of consultants qualified to do work in each region of MN on larger projects but would also enable Mn/DOT managers to be more comfortable with multiple consultants in each work type. Not receiving any contracts under each prequalified work type may result in some of these other qualified firms losing their prequalification in certain categories if they do not get any work under those categories. Even smaller work projects are a huge asset to maintaining prequalification.

7 Nov 6, 2009 4:02 PM MN based companies should be given priority on projects. Greater MN projects should go to greater MN companies. A company on the list should be given an opportunity to do at least one project to show they can perform the work within the pre-qualification period of time. If MnDOT has no intention of working with a company then they should not be lead to believe that by being pre-qualified they would get a chance to perform some work

8 Nov 6, 2009 4:25 PM It would be helpful for pre-qualified consultants to have an idea of the work load Mn/DOT anticipates over a given period of time and how Mn/DOT plans to use consultants to complete that work so we can anticipate staffing needs and timing. Also, if Mn/DOT has concerns related to our performance based on past projects we need to know that particularly if it will impact the amount of work to be delivered to us in the future. It is often difficult to get this kind of feedback from Mn/DOT.

9 Nov 6, 2009 6:32 PM When a project is in the audit phase, please notify consultant so they can "flag" invoices that are being audited. This will allow those invoices to be removed from the normal aging process and tracked seperately.

10 Nov 9, 2009 6:10 PM If Mn/DOT truly wants a "healthy consultant community" then they need to develop a policy for their objective and implement an oversight team to enforce the policy. Currently, every Mn/DOT District has a different selection process and does not know (or care) what consultants are being selected in other Districts. There needs to be oversight at the Division Level (or higher) as to the distribution of work to qualified firms.

11 Nov 10, 2009 2:39 PM MnDOT should be more fair in distributing work among consultants that are qualified and competent to perform the work. It would be helpful if email correspondence from MnDOT could be initiated that would notify consultants of projects that are coming up that the consultant firm is prequalified for.

12 Nov 10, 2009 8:08 PM We are a large multi-disciplined firm that can do many different types of work for Mn/DOT. As a result it seems that we do not get our fair share of work from Mn/DOT that is

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commensurate with our size. If one discipline gets a project it seems to limit our opportunities in other areas.

13 Nov 10, 2009 9:23 PM MnDOT contracts (prequal/direct select types) should be distributed based on experience, qualifications, and number of employees in MN. There has been too much emphasis on spreading the work around, resulting in more work for smaller and sometimes less experienced/qualified firms and less work and layoffs for larger firms with more employees here in MN

14 Nov 11, 2009 3:59 PM Many times we are asked to perform quickly for Env Assessments but have to wait 30 days or more for contracting. Mn/DOT PM's will adjust due dates but we could perform more quickly if there wasn't the approx 30 day contracting period.

15 Nov 11, 2009 4:04 PM MnDOT needs to find a way to include more small business participation in their consultant program, not just in their construction program.

16 Nov 11, 2009 10:13 PM In the debrief, tie the comments to the reviewer and reviewer's score. If Mn/DOT is truly going to maintain a healthy consultant pool, then the work and work value (\$) need to be spread more evenly.

17 Nov 12, 2009 4:08 PM RFQ responses should be limited to 10 pages. Need consultant to specifically state their role on any project they mention in response Lump Sum contracting is preferred

18 Nov 12, 2009 5:31 PM Selection process by Mn/DOT has a reputation of favoritism and not selecting bidders based upon their proposal but on who they like.

19 Nov 12, 2009 10:41 PM Please consider the suggestions provided by the MnDOT/ACEC Procurement, Compensation and Performance Task Forces

20 Nov 12, 2009 10:44 PM We've had a pretty good relationship with the folks who work in this group and the process. I find the debriefing process useful, but at times it lacks some transparency. We debrief when we win or lose and the message seems to vary at times as to what was good or bad about a submittal. There is a perception that the work is meant to be distributed and it is not based on best qualified or lowest cost or best value. I would like to better understand the performance records which are maintained for consultants. Everyone is going to have a difficult project, I think a measure of success would be how well the consultant is able to recover or correct and what actions they take in doing that. Having been a former Mn/DOT employee, I also recognize that the expectation for delivering are often greater for the consultant than it is when Mn/DOT delivers. This may be fair and a means of managing risk, but a reality and a variable which needs to be realized. It seems like there still exists a fair amount of opportunity to improve the invoicing and billing process between Mn/DOT and consultants. It still seems a bit cumbersome. This may be an opportunity for improvement. I appreciate the opportunity to provide input. Hopefully you find some of my information useful. Thanks

21 Nov 13, 2009 2:15 PM It is very difficult to find information about projects in advance of an RFP. Knowing 6 to 12 months in advance that an RFP is likely and the general scope and size of the contract would be a huge help.

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22 Nov 13, 2009 2:49 PM The entire pre-qual process is too involved. Iowa only requires a one page proof of insurance page to perform work. For small projects that we might be interested in, a small RFP and proposal should be sufficient. Only larger firms can get MnDOT work because the smaller firms cannot invest the time to get pre-qualified. The pre-qual process takes a week of time, as a small firm, we cannot take that time away from our existing clients. Also, part of the pre-qual submittal requires previous MnDOT work experience. How can a firm get MnDOT experience if they are not getting selected because they are not pre-qualified?

23 Nov 13, 2009 8:21 PM In order to maintain a healthy consultant community, there must be enough work for consultants to maintain their technical expertise in all project types. MnDOT should strive to maintain a consistent consultant program from year to year.

24 Nov 16, 2009 3:22 PM We really like working for Mn/DOT. We have developed good working relationships, and when we don't get awarded a project, we have received good feedback on how to improve our performance in the future.

25 Nov 16, 2009 8:23 PM Put more info on web for contracting.

26 Nov 16, 2009 9:28 PM It seems there maybe a bias towards selection of firms for work with Mn/DOT that have hired former Mn/DOT employees.

27 Nov 16, 2009 9:35 PM Contracting process can be very time consuming and often at the expense of the allotted time to complete the work. Projects at times will suffer due to the amount of time needed to get the contract processed and the inability to adjust the schedule due to a committed/ needed letting date. Also, the change order process can be quite lengthy and often the "change" work is needed immediately well in advance of the Contract paperwork. This means if the work is done the invoicing must wait for the Change Order thus payment can lag quite a ways behind. It would be nice if MnDOT could internally have the authority to authorize the work to proceed and be invoiced while the agreement is being completed. By in large I feel the MnDOT staff do a good job of providing and allowing for an open process for Consultants to do work and a good job of selecting consultants based on abilities and a desire to spread the work between the capable consultants. Any streamlining of the Pre-Qual. submittal process which could be made would be appreciated.

28 Nov 16, 2009 10:15 PM It is irrelevant if a companies headquarters is in Minnesota if the firm is qualified and familiar with Mn/DOT processes, and yet there are at least two survey questions dealing with this issue. In the process of providing work, remember that 3 contracts at \$25,000 each are not the same as 1 contract for \$800,000 when giving out work. Also, think about disciplines within a company - just because the roadway group received some work recently does not mean the bridge group should not get any work.

29 Nov 16, 2009 11:23 PM District selections are extremely variable in consultant selection - you need to be known by every district to get selected by that district. (Hard to establish knowledge and relationships in every district). Overhead Rate Cap in distinct contrast to FAR and 48 other states should be eliminated.. Use of almost exclusive Cost plus fixed fee approach, instead of variable project by project contract types is a discouragement to pursuit of contracts. Selections are NOT perceived as

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transparent, quality based, or inclusive. This includes direct selects. RFP's are frequently vague or unclear in scope and when fees are requested AND a part of selection process applies to apples selection does not occur. Consultant selections do not represent a fair distribution of work based upon the available qualified firms for any work type. (In other words, some firms seem to get more than their fair share, while other very qualified firms get limited opportunities).

Appendix C: Mn/DOT Survey Results

Consultant Contract Program Collaboration Project Survey for Mn/DOT Employees

1. How often, during the last three years, have you been involved in these Mn/DOT Professional/Technical project types?								
	Never	1 to 2 times	3 to 6 times	7 to 12 times	13 or more times	Don't Know	Rating Average	Response Count
Certified List Program	42.3% (47)	22.5% (25)	15.3% (17)	2.7% (3)	15.3% (17)	1.8% (2)	2.25	111
Direct Select Contract	24.8% (28)	33.6% (38)	21.2% (24)	7.1% (8)	11.5% (13)	1.8% (2)	2.46	113
RFP (Request for Proposal)	28.4% (33)	37.9% (44)	18.1% (21)	6.0% (7)	8.6% (10)	0.9% (1)	2.28	116
Pre-Qualification Program, Under \$100,000 (Direct Select)	24.1% (28)	26.7% (31)	12.9% (15)	9.5% (11)	23.3% (27)	3.4% (4)	2.80	116
Pre-Qualification Program, Between \$100,001 and \$800,000 (Letter of Interest)	53.2% (58)	20.2% (22)	11.9% (13)	4.6% (5)	5.5% (6)	4.6% (5)	1.84	109
Pre-Qualification Program, Over \$800,001 (Letter of Interest / Request for Proposal)	68.6% (72)	15.2% (16)	5.7% (6)	1.0% (1)	3.8% (4)	5.7% (6)	1.47	105
Single Source Contract	47.2% (51)	25.9% (28)	13.0% (14)	2.8% (3)	7.4% (8)	3.7% (4)	1.93	108
T-Contract Program	58.7% (61)	18.3% (19)	7.7% (8)	2.9% (3)	5.8% (6)	6.7% (7)	1.70	104
Unknown Selection Process	73.1% (68)	8.6% (8)	1.1% (1)	2.2% (2)	3.2% (3)	11.8% (11)	1.34	93
	answered question							127
	skipped question							3

2. The Pre-Qualification Program is the most frequently used Professional/Technical consultant selection mechanism. How important is it to improve each of the following items as they apply to the engineering-related Pre-Qualification Program?						
	High Importance	Average Importance	Low Importance	N/A	Rating Average	Response Count
Better consultant understanding of the requirements to become Pre-Qualified	48.2% (55)	28.9% (33)	14.9% (17)	7.9% (9)	2.36	114
Better consultant understanding of the requirements for bi-annual Pre-Qualification renewal	31.0% (35)	40.7% (46)	20.4% (23)	8.0% (9)	2.12	113
Feedback to the consultants regarding the success or failure of the Pre-Qualification Program initial or renewal process	42.5% (48)	41.6% (47)	7.1% (8)	8.8% (10)	2.39	113
Timeliness of this feedback	38.1% (43)	45.1% (51)	8.8% (10)	8.0% (9)	2.32	113
Better consultant understanding of the selection choice and/or criteria for contracts below \$100,000	35.5% (39)	40.0% (44)	17.3% (19)	7.3% (8)	2.20	110
For contracts over \$100,000, ease of a consultant learning of the coming project solicitation	29.2% (31)	44.3% (47)	14.2% (15)	12.3% (13)	2.17	106
For contracts over \$100,000, clarity of what is required in a Letter of Interest for consultants	31.2% (34)	43.1% (47)	14.7% (16)	11.0% (12)	2.19	109
For contracts over \$100,000, the length of time allowed for consultants to respond with a Letter of Interest	23.1% (25)	43.5% (47)	21.3% (23)	12.0% (13)	2.02	108
The amount of time it takes the selection committee to reach a decision	31.5% (34)	40.7% (44)	19.4% (21)	8.3% (9)	2.13	108
Communication within Mn/DOT about the status of the selection process	41.9% (44)	37.1% (39)	14.3% (15)	6.7% (7)	2.30	105
What else would you add about Pre-Qualification						16
answered question						114


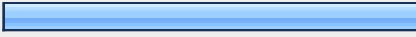
3. Continuing with the Pre-Qualification Program: How do you think the consultant community would rate the importance of improving following items?




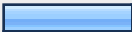


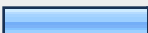
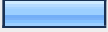
	High Importance	Average Importance	Low Importance	N/A	Rating Average	Response Count
Understanding requirements to become Pre-Qualified	60.8% (62)	23.5% (24)	6.9% (7)	8.8% (9)	2.59	102
Understanding requirements for bi-annual Pre-Qualification renewal	47.0% (47)	35.0% (35)	9.0% (9)	9.0% (9)	2.42	100
Feedback on success or failure of the Pre-Qualification process, initial or renewal	60.0% (60)	28.0% (28)	3.0% (3)	9.0% (9)	2.63	100
Timeliness of this feedback	62.0% (62)	23.0% (23)	6.0% (6)	9.0% (9)	2.62	100
For contracts below \$100,000, understanding the selection choice and/or criteria	56.4% (57)	28.7% (29)	5.9% (6)	8.9% (9)	2.55	101
For contracts below \$100,000, negotiation of contract cost	51.0% (52)	34.3% (35)	5.9% (6)	8.8% (9)	2.49	102
For contracts over \$100,000, ease of learning of the coming contract solicitation	53.5% (54)	32.7% (33)	4.0% (4)	9.9% (10)	2.55	101
For contracts over \$100,000, clarity of requirements for a Letter of Interest	49.5% (50)	34.7% (35)	5.0% (5)	10.9% (11)	2.50	101
For contracts over \$100,000, deadlines for responding with a Letter of Interest	48.0% (48)	34.0% (34)	7.0% (7)	11.0% (11)	2.46	100
Timeliness of a consultant learning of the selection committee's decision	62.0% (62)	26.0% (26)	3.0% (3)	9.0% (9)	2.65	100
Usefulness of feedback given with the selection committee's decision	64.0% (64)	25.0% (25)	2.0% (2)	9.0% (9)	2.68	100
Usefulness of feedback given after the consultant's request for more information after the selection committee's decision	63.4% (64)	24.8% (25)	3.0% (3)	8.9% (9)	2.66	101

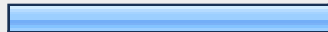
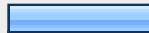
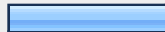

The negotiations about cost for contracts between \$100,001 and \$800,000	55.0% (55)	31.0% (31)	3.0% (3)	11.0% (11)	2.58	100
For contracts over \$800,001 understanding the requirements of a 'best-value' RFP	67.7% (67)	19.2% (19)	2.0% (2)	11.1% (11)	2.74	99
Add any additional comments about the Pre-Qualification from the consultant's perspective.						8
<i>answered question</i>						102
<i>skipped question</i>						28


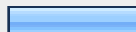




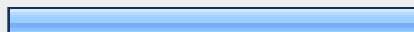
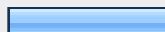
4. Regardless of contract or project type, how important are each of the following items to address?						
	High Importance	Average Importance	Low Importance	N/A	Rating Average	Response Count
Overall fairness of which organizations are awarded contracts	68.9% (82)	25.2% (30)	5.0% (6)	0.8% (1)	2.64	119
Transparency of selection processes, including direct select projects	67.8% (80)	26.3% (31)	5.1% (6)	0.8% (1)	2.63	118
Clarity inside Mn/DOT of Mn/DOT's selection criteria for for specific projects	68.6% (81)	27.1% (32)	3.4% (4)	0.8% (1)	2.66	118
Perceived clarity from outside Mn/DOT of what Mn/DOT is using as criteria for selection for specific projects	66.9% (79)	28.8% (34)	3.4% (4)	0.8% (1)	2.64	118
Timeliness of feedback given to consultants when they are not selected for a contract	44.4% (52)	45.3% (53)	9.4% (11)	0.9% (1)	2.35	117
General consultant responsiveness to information requests	45.3% (53)	49.6% (58)	4.3% (5)	0.9% (1)	2.41	117
Mn/DOT general responsiveness to information requests	45.8% (54)	49.2% (58)	4.2% (5)	0.8% (1)	2.42	118
The ratio of contracts awarded to Minnesota headquartered firms in comparison to non-Minnesota headquartered firms	21.0% (25)	38.7% (46)	37.0% (44)	3.4% (4)	1.83	119
The consistency of the contracting process across different districts	52.5% (62)	29.7% (35)	14.4% (17)	3.4% (4)	2.39	118
The selection process for Disadvantaged Business Enterprises	29.7% (35)	39.0% (46)	29.7% (35)	1.7% (2)	2.00	118
The method and/or application of overhead rates	37.9% (44)	50.9% (59)	8.6% (10)	2.6% (3)	2.30	116
The audit process for overhead rates	36.5% (42)	52.2% (60)	8.7% (10)	2.6% (3)	2.29	115
Errors and omissions in consultant deliverables	68.1% (81)	28.6% (34)	1.7% (2)	1.7% (2)	2.68	119

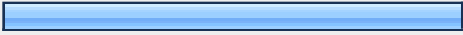
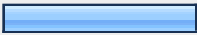
Consultant's competency to deliver what they have contracted to deliver	89.1% (106)	8.4% (10)	0.8% (1)	1.7% (2)	2.90	119
Consultant's timeliness in completing deliverables	85.7% (102)	11.8% (14)	0.8% (1)	1.7% (2)	2.86	119
What else would you add to this list?						11
<i>answered question</i>						119
<i>skipped question</i>						11

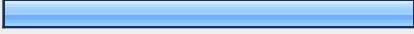
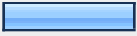


5. Are you aware that Mn/DOT has stated an objective of a "healthy consultant community"?			
		Response Percent	Response Count
Yes		36.4%	44
No		63.6%	77
<i>answered question</i>			121
<i>skipped question</i>			9


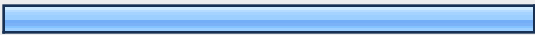
6. Which one of the following statements best describes a healthy consultant community?			
		Response Percent	Response Count
Organizations are able to staff based on a good estimate of the work they will have in the future		8.5%	10
Work is evenly distributed among those organizations that are competent to perform the work		31.4%	37
Work is given to the most experienced organizations		0.8%	1
Work is given to the most qualified organizations		19.5%	23
Work is given to the most cost-efficient organizations		0.8%	1
Work is distributed evenly based on the capacity of organizations		1.7%	2
Work is given only to Minnesota-based Organizations		0.0%	0
I do not have a clear understanding of what is meant by 'a healthy consultant community'		22.0%	26
Other (please specify)		15.3%	18
		answered question	118
		skipped question	12

7. Where in Mn/DOT do you work?			
		Response Percent	Response Count
Headquarters		49.2%	59
Twin Cities Metro		21.7%	26
A District		24.2%	29
Other (please specify)		5.0%	6
		<i>answered question</i>	120
		<i>skipped question</i>	10

8. Which of the following describes your roles and responsibilities at Mn/DOT? (More than one choice allowed.)			
		Response Percent	Response Count
Consultant Coordinator		6.2%	7
Contract Administrator		19.5%	22
Coordination between parties		8.8%	10
Audit Office		2.7%	3
Consultant Services Section		7.1%	8
Office of Contract Management		0.9%	1
Project Manager		62.8%	71
Overall Mn/DOT Management		23.9%	27
		Other (please specify)	9
		<i>answered question</i>	113
		<i>skipped question</i>	17

9. Have you ever sat on a selection committee?			
		Response Percent	Response Count
Yes		70.8%	85
No		29.2%	35
		<i>answered question</i>	120
		<i>skipped question</i>	10

10. What percentage of your work is focused on consultant contracting?			
		Response Percent	Response Count
0% to 25%		63.3%	76
26% to 50%		20.0%	24
51% to 75%		5.0%	6
76% to 100%		11.7%	14
		<i>answered question</i>	120
		<i>skipped question</i>	10

11. Have you ever worked as a consultant for Mn/DOT?			
		Response Percent	Response Count
Yes		18.3%	22
No		81.7%	98
		<i>answered question</i>	120
		<i>skipped question</i>	10

12. What else would you like to contribute regarding consultant contracting (observations, annoyances, potential improvements to the process)?

		Response Count
		38
	<i>answered question</i>	38
	<i>skipped question</i>	92

Q2. The Pre-Qualification Program is the most frequently used Professional/Technical consultant selection mechanism. How important is it to improve each of the following items as they apply to the engineering-related Pre-Qualification Program? What else would you add about Pre-Qualification?

1 Nov 4, 2009 9:09 PM While not currently using the Pre-Qual program I served on Pre-Qual selection committees and utilized the program up until two years ago when job duties changed.

2 Nov 4, 2009 9:53 PM What about work order contracts under the U of M Master Agreement? Not listed above! MnDOT spends a lot of money that route for many reasons.

3 Nov 5, 2009 12:34 PM I am not involved in the pre-qualification process

4 Nov 5, 2009 3:53 PM I have not used enough to comment

5 Nov 5, 2009 4:45 PM At this time, there appears to be no way to keep poorly-performing consultants off of the pre-qualification list, as long as they qualify on paper. The problem is that outside parties, such as the cities and counties, think our pre-qualification system means the consultants on the list are equally competent, which they very much are not. We spend (waste?) a lot of time trying to fix bad consultants' work on state aid projects and respond to consultants' questions about why they are not being hired on Mn/DOT projects.

6 Nov 5, 2009 4:54 PM I considered the importance to MnDOT and the consultants when answering these questions. I do not believe one can answer objectively by considering separate sets of questions for each. Each of these issues are keys to good consultant relationships.

7 Nov 5, 2009 5:14 PM We would like the ability to have more master contracts for specialty areas.

8 Nov 5, 2009 5:56 PM Small contractors have stated it is too rigorous a process for them to apply to be on the list when they never receive any work once they are on the list. The same larger firms are used over and over. I know this is not true for all work types but it may be true for traditional road –traffic design firms.

9 Nov 5, 2009 7:06 PM Training is need for Mn/DOT employees and consultants - what is the process.

10 Nov 5, 2009 9:36 PM Consultants need to better understand the requirements for the pre-qualification program for each work type.

11 Nov 5, 2009 9:43 PM On hands Training Twice a year for Certified DBE's to learn the process of the program

12 Nov 10, 2009 7:37 PM Make requirements more stringent so not all consultants make the list. As designers, we want the program to be about hiring consultants to perform, not to create a training program.

13 Nov 12, 2009 8:43 PM During debriefing sessions, there is often question about the meaning and scoring of the question regarding the personnel experience and their availability. A discussion between consultants and MnDOT resulting in standard phrasing and meaning would be helpful.

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14 Nov 13, 2009 3:02 PM The biggest problem I have seen is incomplete application submissions. It often appears that the consultants don't bother to read the submission requirements; at least I hope that is the problem rather than they simply don't feel a need to comply.

15 Nov 13, 2009 4:59 PM Is there some way to streamline the contract execution process? On average, it seems to take 3 weeks from the time the contract paperwork is sent to Consultant Services to the time the contract is executed. That time frame is too long for some of the "emergency" projects. Need to be able to remove consultants from the Pre-Qualification program. Some consultants do not do ethical things and Mn/DOT should not want them representing us. Others have made costly mistakes that could have easily been avoided.

16 Nov 14, 2009 5:51 PM Weighting for previous contract work performance and how this could affect the opportunities for the future.

Q3 Continuing with the Pre-Qualification Program: How do you think the consultant community would rate the importance of improving following items? Add any additional comments about the Pre-Qualification from the consultant's perspective.

1 Nov 5, 2009 12:34 PM I am not involved in the pre-qualification process, I believe these items would be very important for the consultants to understand

2 Nov 5, 2009 4:45 PM Prompt feedback on consultant performance and the impact that has on whether they will be hired in the future is a factor that appears to be missing from the above list; however, I think that that issue is very important to the consultants.

3 Nov 5, 2009 4:54 PM See question 2 comments.

4 Nov 5, 2009 9:43 PM Adding articles to the office of civil Rights Newsletter to focus on Pre-qual list... Would be a huge addition to the audience

5 Nov 6, 2009 4:39 PM They should be liable for any claims resulting from their work.

6 Nov 6, 2009 6:42 PM They spend too much time and effort marketing managers in MnDOT or trying to gather information that competitors may not have.

7 Nov 12, 2009 8:43 PM Again, during debriefings, the consultants frequently ask how the scoring was done on the availability.

8 Nov 13, 2009 3:02 PM None

Q4 Regardless of contract or project type, how important are each of the following items to address? What else would you add to this list?

1 Nov 4, 2009 9:53 PM I think that MnDOT does not do a very good job of QA/QC on the SCHEDULE in P/T contracts. For many contracts, the first time the contractor sees the actual "estimated completion" dates is when we send the contract to them for signature. The result is that the schedule in the contract is unrealistic from the start and it APPEARS that the contractor is not delivering on time. There should be

Survey Responses for Mn/DOT Employees

an additional step in the contract process to allow for a final check of the dates between the MnDOT project manager and consultant project manager BEFORE it is sent for contractor signature.

2 Nov 5, 2009 1:18 PM Far too many contracts go to one firm. Mn/DOT needs to spread the contracts out to ensure a vital, competitive consultant pool into the future. The attitude of that one firm is that they have more mouths to feed, therefore they deserve more work. That's BS...

3 Nov 5, 2009 8:20 PM From what I've heard, a significant final payment should be withheld until deliverables satisfy MnDOT's standards.

4 Nov 6, 2009 12:32 AM The selected firms need to held accountable by ?DOT/Auditor for contract delvierables and rework caused by their their choice of delviery methods. Sometimes ability to deliver for agreed to terms.

5 Nov 6, 2009 4:39 PM They should be liable for claims resulting from the work they are contracted to do.

6 Nov 6, 2009 6:42 PM Quality control planning and enforcement

7 Nov 6, 2009 10:46 PM Consultants understanding of contract limitations and obligations, especially related to cost overruns and ammendments. Consultants accountablility as expert in the contract they are awarded. Mn/DOT needs to send back poor or unacceptable work without detailed review until an acceptable product is delivered.

8 Nov 9, 2009 2:47 PM It is important to give all firms an equal chance at obtaining contracts. I think it would be better to used direct select sparingly.

9 Nov 13, 2009 3:02 PM Nothing

10 Nov 13, 2009 4:59 PM Quality control on the reports have been extremely lacking lately.

11 Nov 14, 2009 5:51 PM Overall contract compliance and ability to complete the work within budget constraints. Understanding the ramifications when performance is marginal and documentation of such.

Q6. Which one of the following statements best describes a healthy consultant community? Other (please specify)

1 Nov 4, 2009 9:53 PM From MnDOT's point of view, it should mean that we have access to consultants with the right qualifications and the capacity to do high-quality work in the time we need it. From the consultant business point of view it means "able to staff based on a good estimate of the work they will have in the future." Put those two defintions together to make it all work.

2 Nov 5, 2009 1:10 PM Work is distibuted evenly between those organizations that have proven that they can provide the needed services in a timely, cost-efficient and accurate manner.

3 Nov 5, 2009 1:18 PM Work is evenly distributed among those organizations that are competent and cost efficient. Firms which consistenly go over budget and ask for and receive additional compensation

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should be penalized in some way. Preference should be given to Minnesota based firms to help OUR economy, not Chicago's or San Franciscos, etc.

4 Nov 5, 2009 1:44 PM Work is distributed evenly among organizations that can demonstrate that they are competent and capable of performing the work, with due consideration given to the competency, quality, and cost efficiency of the work they have done in past contracts.

5 Nov 5, 2009 2:11 PM A balance of work distribution between Mn/DOT internal staff and consultants so that technical expertise is maintained.

6 Nov 5, 2009 4:54 PM I would choose the first 5 responses.

7 Nov 5, 2009 4:54 PM Consultants can maintain their staff, keep them qualified with meaningful experience, and work is given out across a wide array of firms so Mn/DOT has choices when the next outsourcing opportunity comes up.

8 Nov 5, 2009 5:39 PM Work is evenly distributed among those organizations that are competent to perform the work, and not pre-determining a minimum amount of work that must be done by consultants.

9 Nov 5, 2009 5:56 PM The phrase Healthy Consultant Community can be interpreted in two ways. 1. Corporations are profitable. The pool of qualified consultants for various work types is large and they have dependable ongoing contracts resulting in corporate profit and no employee layoffs from year to year. 2. Consultants maintain an adequate pool of qualified experts so as to add substantial value to the work Mn/DOT performs for the public. The balance between using Mn/DOT staff and consultants is well understood and it allows Mn/DOT access to a pool of qualified consultants in various work types as needed to provide high quality products quickly and cost effectively.

10 Nov 5, 2009 8:20 PM Consultants should be qualified as well as cost efficient.

11 Nov 5, 2009 9:43 PM Work is given to consultants meeting the DBE goal per project.....

12 Nov 6, 2009 12:32 AM It should be a combination of all of the above but no single one of them. Currently I believe the system works well with the good communications with Consult Services providing input/guidance/direction.

13 Nov 6, 2009 4:38 PM In the above context it means whatever the author of that objective intended, and is, hopefully, defined in that objective statement. From my perspective, most of the above apply. A healthy consultant community would require that our qualified consultants are able to keep qualified, experienced engineering employees employed and that the community is large enough to recruit, train, and employ adequate #s of people to do consistently good work, and sustain healthy competition among consultants. This of course, requires having a sense of how much work will be available, for business planning purposes.

14 Nov 6, 2009 6:42 PM work is distributed in a fair and competitive manner to the best match of required skills and cost efficiency.

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15 Nov 9, 2009 2:47 PM ? Never heard of it.

16 Nov 12, 2009 9:49 PM Work is awarded based on the specific needs of a project to a consultant. Maintaining a relationship and informed "group" of consultants to choose from is a "healthy consultant community." The consultants need to realize that not every consultant on the minimal qualification list has preferred qualifications for every project. Some are definitely better than others at certain types of projects.

17 Nov 13, 2009 3:02 PM This may be a combination of several of the above: Organizations are available with the required staff/skills to perform anticipated work, and are able to plan ahead based upon anticipated workloads.

18 Nov 13, 2009 10:22 PM one sentence will not cut it.

Q7 Where in Mn/DOT do you work? Other (please specify)

1 Nov 5, 2009 2:01 PM Office of Materials & Road Research

2 Nov 5, 2009 2:15 PM Bridge Office

3 Nov 5, 2009 3:59 PM CO Materials

4 Nov 5, 2009 4:54 PM Central Office

5 Nov 5, 2009 7:09 PM OMRR

6 Nov 10, 2009 4:40 PM Aeronautics

Q8 Which of the following describes your roles and responsibilities at Mn/DOT? (More than one choice allowed.) Other (please specify)

1 Nov 4, 2009 10:05 PM Research Services roadmap manager

2 Nov 5, 2009 5:46 PM Typically in the construction phase.

3 Nov 5, 2009 8:50 PM Surveys supervisor

4 Nov 5, 2009 9:36 PM District Engineer

5 Nov 5, 2009 9:44 PM Marketing Coordinator

6 Nov 6, 2009 5:33 PM supervisor

7 Nov 9, 2009 7:57 PM Part time Contract Administrator. Primary job responsibilities are not consultant related.

8 Nov 10, 2009 2:21 PM Specific Task Unit - District Section

9 Nov 10, 2009 4:40 PM State Aid to Airports

Q12. What else would you like to contribute regarding consultant contracting (observations, annoyances, potential improvements to the process)?

1 Nov 4, 2009 9:10 PM The consultants should not be allowed to continually market Mn/DOT offices. With a declining program we don't have work for consultants and the constant whining is annoying. Mn/DOT managers should not be allowed to retire from Mn/DOT and start marketing for a consultant the next day, and former Mn/DOT staff/current consultants shouldn't be able to throw their weight around the department to get contracts over other firms, or for work that isn't necessary.

2 Nov 4, 2009 9:37 PM We should resist giving consultant contracts to consultants who are marginally qualified in order to spread the work around

3 Nov 4, 2009 10:05 PM I have been generally satisfied with the contract process, except for the lack of QA/QC in the process of establishing dates in the contracts. I believe we need more training for practitioners on how to develop the scope, schedule and budget for P/T contracts, including a library of examples for how to write it. The HPDP provides zero guidance on how create a good scope of work that will accomplish the needed work, and too many MnDOT people have the consultant write the scope of work. We need training and reference guidance on P/T project management, including the roles of the MnDOT project manager and consultant project manager, and how they differ.

4 Nov 4, 2009 10:26 PM In the ancient days the Consultant Contracts process was too invasive, then in the middle-ages it gave a project manager too little direction, these days it's just right - procedural ownership/guidance but not project ownership/management.

5 Nov 5, 2009 1:05 PM No Input for this

6 Nov 5, 2009 1:12 PM Constultants need to use Engineering judgement to make certain decisions, not contact the Project Manager and be told everything about the project.

7 Nov 5, 2009 1:32 PM I would like to see the \$400,000 limit on direct select contracts eliminated. These projects are of good size and I think is causing hard feelings in the consultant community. The \$100,000 limit should be brought back.

8 Nov 5, 2009 1:51 PM Mn/DOT's performance appraisal process for contracts has not adequately provided for the gathering and dissemination of adequate, specific, and useful feedback about past completed projects nor has it provided for the use of that feedback in considering the selection of consultants for future contracts.

9 Nov 5, 2009 2:37 PM I believe the folks in the consultant services office are great. They have made their process very clear to me and to my consultants. I lean on them and have always found them to be responsive and helpful -- my consultants say the same.

10 Nov 5, 2009 2:53 PM Policy is way too rigid.... there is no flexibility allowed for situations outside either MnDOT's or the consultants control. Common sense isn't allowed to be used. The billing does not need to be as complicated as it is either.

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11 Nov 5, 2009 4:48 PM The prequalification criteria for some areas could be created in more of a checklist format, so that submittals are more uniform and easy to evaluate. It would be a huge improvement to be able to take consultants off of the list based on some performance criteria--whether the performance is in-house or completed for another client involved in a Mn/DOT project.

12 Nov 5, 2009 5:16 PM We would like the ability to have more master contracts. We would like additional standard worksopes developed to modify for work types.

13 Nov 5, 2009 5:46 PM Upper management needs to find the will to hold consultants accountable for errors and omissions. Consultant construction surveying is particularly atrocious.

14 Nov 5, 2009 7:09 PM WE usually get what we ask for, so we have to carefully ask the correct questions. Often, since we are too busy to do the work, we are also too busy to ask the right questions, and too busy to review the final product.

15 Nov 5, 2009 8:50 PM It seems we are too concerned about a healthy consultant community (which is important) but not concerned enough about a healthy MnDOT community. It appears to me that the highest level of management has decided or been told to downsize MnDOT and create the need to use more consultants, using the argument that there is not enough MnDOT personnel to do the job. I believe this is a reaction to the perception that MnDOT has become a sick, fat, and lazy community. It is easier to downsize and hire consultants than to clean house from the top down to create a healthy workplace that is efficient. This is such a big problem, it cannot be adequately addressed in limited comments in a survey not designed for it. In reality, consultants should be used only if it is very clear that MnDOT does not have the staff to complete the project in the time frame required. Why should I have to "make work" for my guys when a contract is offered a consultant and I'm never consulted as to whether I can handle it? It is a poor use of taxpayers' money to pay for consultants when the available expertise is ready and willing to do the work.

16 Nov 5, 2009 9:02 PM Greater ability to use on-call or IDIQ contracts to get a contractor on board more quickly!

17 Nov 5, 2009 9:36 PM I've been with Mn/DOT for 3 months and am still learning of the process from the inside. I've worked with consultants, but not directly on Mn/DOT projects recently.

18 Nov 5, 2009 9:44 PM A better understanding on the Web page for viewers....

19 Nov 6, 2009 12:34 AM The system works well for us currently. Although there are occasionally approval delays by F&A.

20 Nov 6, 2009 1:54 PM Mn/DOT's inability to terminate contracts with consultants that are not delivering what they are supposed to is frustrating. It usually ends up being a timing issue (not enough time to start the process over).

21 Nov 6, 2009 2:17 PM The Consultant/Contact Services staff should be able to work with each other to better serve internal customers, at least concerning routine matters. At this point it appears that work is

Survey Responses for Mn/DOT Employees

stalled if a staff person is out of the office. Also, some cross training among the staff would be helpful to better accommodate internal customer needs when they occur.

22 Nov 6, 2009 3:00 PM I believe many of the issues/concerns raised by the consultant community are a result of the current economic times. Any changes or modifications proposed should be evaluated carefully to determine whether they should be implemented irrespective of the economic climate. Changes shouldn't be made just for changes sake.

23 Nov 6, 2009 4:28 PM The consistency of the selection process, contract administration and communications from District to District needs to be addressed. While the de-centralization of consultant contracts to the Districts has resulted in a greater accountability in each District, it has created a huge lack of consistency in quality of contracts, communication to consultants, selection and transparency. Also, the culture of Mn/DOT needs to be changed at ALL levels to promote partnership with the consultant community. I would recommend that Mn/DOT continue to provide a Mn/DOT person/role to bridge the gap between the consultant community and the Districts. This would provide an outlet for both parties and promote consistency and a would close a communication gap.

24 Nov 6, 2009 4:39 PM That Mn/DOT does not always get the best or most accurate work from consultants and Mn/DOT often has to correct work either prior to lettings or on the project and then Mn/DOT is left as the liable party if a claim arise from the consultant's work with no monetary contribution from the consultant for damages resulting from their work.

25 Nov 6, 2009 6:32 PM As good a job as is done by internal resources, it seems that there is excessive time getting (or attempting to get) the plan from 95% or 98% good to 99.9% good. If some lessons couldbe learned from our consultant colleagues, perhaps that would be to not spend so much time and effort putting such a fine polish on the plans before they go out the door. The Construction guys are pretty smart and can be relied on to take care of most stuff...

26 Nov 8, 2009 6:25 PM Clear expectations on both sides and consistency between districts.

27 Nov 9, 2009 2:48 PM I would rather see us staff to be successful and use consultants in extreme work load times. That does not seem to be the case.

28 Nov 10, 2009 2:21 PM Engineering Consultants are not thorough.

29 Nov 10, 2009 4:16 PM Communication between consulting firms and those offices within Mn/DOT who deal with them.

30 Nov 10, 2009 4:40 PM It's very annoying that the selection process for consultants doing FAA funded airport work is a preselection, qualifications-only based process. Consultants do not have to competevely bid against each other, because somehow they are supposed to have the highest ethics and will only charge the going rate for actual work done plus a profit, what a joke. Once a consultant is selected by a City or County, they are the preselected consultant for whatever work is done over the next 5 years, and they pretty much have a license to steal, because: 1. FAA funds often come out at the last minute so there isn't enough time to do anything but go ahead with the preselected consultant, and

Survey Responses for Mn/DOT Employees

2. The city or county has to pay only 5% of the consultant fees, so while many of them are shocked at the fees being charged they go ahead anyway because 95% of the fees are paid by the FAA.

31 Nov 10, 2009 6:59 PM Consultants seem to think that just because they meet regularly with a DE for lunch that they are entitled to work. There needs to be accountability within the consultant community to know that just because they buy lunch doesn't mean that they get preferential treatment.

32 Nov 10, 2009 7:39 PM Speed up the process. As we downsize and consult for more services, we need a faster turnaround time for contract execution since workloads/priorities can change quickly, and without warning, so our ability to plan is much less certain.

33 Nov 11, 2009 5:08 PM Just because a local university (U of MN, Mankato State University, etc.) is nearby and the contracting process with them is simple, that doesn't mean they should automatically get the work. The need to deliver useful products, which hasn't always been the case.

34 Nov 12, 2009 1:13 PM We need to develop standard work scope templates for common P/T contracts. Scope language and deliverables are sometimes very clearly stated and sometimes vague. It varies considerably among Districts and even among PM's within a District.

35 Nov 12, 2009 8:51 PM 1)The current tracking process for project approval relies heavily on phone calls to Dalia. She is great, but it seems that this is somewhat inefficient. Could this somehow be done electronically? 2) The negotiating process gets to be cumbersome. Could the 'Best Value' process be expanded to include projects less than \$800,000?

36 Nov 13, 2009 3:07 PM My greatest annoyance is incomplete submissions for the Pre-Qual Program, especially when they are recurring. If the consultant cannot even find it within their ability to comply with the application requirements, why should I suspect they will be any more cooperative on the deliverables should they get the job? That being said, I have had several very positive experiences with consultants who went the extra mile to make sure we got what we wanted from them on the contract. Another problem is the expectation that just because they have pre-qualified they are somehow owed a contract.

37 Nov 14, 2009 5:54 PM We do not do a very good job of documenting performance and tracking performance management. This has led to much misconception in the community. Consultants often feel like they can't get the real scoop and have difficulty understanding performance expectations throughout the Department. We need to better train consultant PM's so they are in tune to necessary communication requirements, range of available resources and holding the bar on expectations.

38 Nov 16, 2009 3:20 PM I don't think work is evenly distributed throughout the consultant community. I think Mn/DOT employees fear working with consultants they are not familiar with. I know that the level of effort Mn/DOT expects on a contract is different from the level of effort the consultant expects on a contract. It is very hard to convey this level of effort. I tried very hard to make sure a consultant understood the level of effort and scope required for an Intersection Control Evaluation (ICE) Report and they still fell short of my expectations.

Appendix D: Workshop Agenda

**Consultant Contract Program Collaboration Project
Workshop**

Thursday, December 3, 2009

**Continuing Education and Conference Center
University of Minnesota St. Paul Campus**

FINAL AGENDA

- 8:00a.m. Registration and Continental Breakfast**
- 8:30 Welcome and Workshop Objectives**
Moderator: Laurie McGinnis, Acting Director, Center for Transportation Studies (CTS)

Tom Sorel, Commissioner, Minnesota Department of Transportation (Mn/DOT)
Glenn Schreiner, Vice Chair, American Council of Engineering Companies (ACEC) Board
- 8:50 Setting the Stage**
Introduction: Jan Lucke, Program Manager, CTS
Presenter: Drew Hagquist, Technical Consultant
Overview of Survey and Interview Results
Themes/Topic Areas Identified
Q&A

Small Group Working Session Instructions
Gina Baas, Assistant Director, CTS
- 10:15 Break**
- 10:30 Small Group Working Session**

What are the key elements/issues of this topic as they relate to the Mn/DOT consultant program?

What are the challenges associated with addressing these elements/issues?
- 11:45 Large Group Reconvenes for Small Group Reports.**
Laurie McGinnis, CTS

Afternoon Small Group Working Session Instructions
Gina Baas, CTS

12:30pm **Lunch**

1:15 **Working Session**

What should the outcome of addressing each of these themes be? What will success look like?

What are strategies for addressing this topic? Which strategies should be priorities for addressing this topic?

What are suggested action plans in support of these strategies?

3:15 **Break**

3:30 **Report/Summary of Working Session Activities**

Laurie McGinnis, CTS

4:15 **Closing Comments and Next Steps**

Mike Barnes, Mn/DOT

Debra Brisk, Chair, ACEC Transportation Committee

Laurie McGinnis, CTS

4:30pm **Adjournment**

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Appendix F: PowerPoint Summary of Workshop

Topic Area: Healthy Consultant Communities

Desired Outcome: Reliable Projection of Work and Better Management of Consultant Budgets

Strategy : Districts and Offices project work 12 months out, with quarterly updates that are communicated to consultant community.

Action Steps:

- Establish format/process for projections
- Start first projections by April 15th
- Establish Accountability Structure
- Use Website to communicate wider
- Establish District Guidance to Consultant Questions/Inquiries on Projections

Suggested Participants: Lead: Mn/DOT Engineering Services Division - **Others:** Mn/DOT Office Consultant Coordinators - Input/Feedback from ACEC Liaison Committee

Suggested Timeframe: April 15th for first Projection Report - Quarterly Review/Improvements for 1st year

(Slide 1) Theme: Provide Reliable Projections of Future Work

Topic Area: Healthy Consultant Communities

Desired Outcome and Strategy :

- Define how much work and type of work (write Coop agreements) that Mn/DOT will do in house over a longer period of time.
- Transparency in how dollars are allocated.

Action Steps:

- Mn/DOT needs to retain an appropriate technical base within the department.
- What volume of program dollars is appropriate for Mn/DOT to retain and deliver?
- What level of program has Mn/DOT delivered with in house staff in the recent past?
- Request transparency to the Investment Management Process.
- Determine eligible work types for outsourcing.

Suggested Participants: Lead: Mn/DOT Other Participants: ACEC, MN County Engineers Association and City Engineer Association of MN.

Suggested Timeframe: 4-6 months through till June 2010. Project Mn/DOT in house program size forecast for up to 5 years.

(Slide 2) Theme: Provide Reliable Projections of Future Work

Topic Area: Prequalification

Desired Outcome: More effective project notification

Strategy: Set up automated email notification of new projects and bulletins

Action Steps:

- Establish a system that allows stakeholders to sign up for notification lists by work type
- Develop a bulletin listing upcoming projects/RFPs

Suggested Participants:

Lead: Mn/DOT with input from ACEC

Others: Consulting community

Suggested Timeframe: short-term (1 year)

(Slide 3) Theme: Provide Reliable Projections of Future Work

Topic Area: Selection Process

Desired Outcome: Timely, consistent, and valuable communication related to:

- The Amount of Work Available (Quantity , #, \$, Type)
- The Expectations related to the work that is needed and how it can be provided.

Strategy: Post on consultant services web site anticipated work quantity, type and dollar value for foreseeable future.

Action Steps: Consultant services will solicit annually to district offices to provide information.

Suggested Participants : Lead: Consultant Services

Suggested Timeframe: Initiate within next quarter.

(Slide 4) Theme: Provide Reliable Projections of Future Work

Topic Area: Healthy Consultant Communities

Desired Outcome:

- Consultants can retained qualified and competent staff
- Reliable projections of Mn/DOT work for consultants

Strategy: Mn/DOT defines itself and acts as an "Engineering Management" company rather than an "Engineering" company

Action Steps:

- Work with organizational consultant to determine what Mn/DOT looks like as an "Engineering Management" company
- Determine the level of project delivery engineering capability within Mn/DOT to retain competency.

Suggested Participants: Lead: Mn/DOT

Suggested Timeframe: Short-term (one year)

(Slide 5) Theme: Provide Reliable Projections of Future Work

Topic Area: Healthy Consultant Communities

Desired Outcome: Updates to Prequalification program

Strategy: Mn/DOT's intention for the use of the pre-qualification list

- The two broad concepts discussed were that firms on the list would be somewhat guaranteed work or that the list would be used as an entry to be able to compete for projects.

Action Steps:

- Determine what constraints (if any) should be placed on the size of the pre-qual list
- Evaluate whether a small business prequal program should be developed.
- This would be used to evaluate new consultants before adding to the full list.
- Research how other states use their prequalification process and determine best practices for Mn/DOT.
- Conduct Scanning tour of other state practices.

Suggested Participants : Lead: Mn/DOT - Others: Mn/DOT Central Office, Mn/DOT Districts, ACEC, DOA

Suggested Timeframe: Long-Term

(Slide 6) Theme: Clarify the Purpose and Reduce the Complexity of the Pre-Qualification Program

Topic Area: Prequalification

Desired Outcome:

- Increase Prequalification Efficiency
- Streamline Prequalification Process (after structure is evaluated)

Strategy: Web-based automated system for initial application, renewal, and updates

Action Steps: Develop a web-based interface to submit prequalification applications, renewals, and updates.

Suggested Participants (MnDOT, ACEC, Others):

Lead: Mn/DOT with input from ACEC
Others: Consulting community

Suggested Timeframe (short-term; long-term): long-term (2 years max)

(Slide 7) Theme: Clarify the Purpose and Reduce the Complexity of the Pre-Qualification Program

Topic Area: Prequalification

Desired Outcome: Less complex process that still fits project needs.

Strategy:

- Re-evaluate structure of categories & levels/ work types (Not too broad or too refined. Better balance to fit project best.)
- Evaluate requirements for pre-qualification for each work type.

Action Steps:

- Identify what is working and needs for improvement, both from Mn/DOT and consultant perspective.
- Identify means of combining work types.
- Review what other states are doing.
- Review of changes by consultant community.

Suggested Participants :

Lead: Mn/DOT
Others: Input from ACEC and other consultant community

Suggested Timeframe: Long-term

(Slide 8) Theme: Clarify the Purpose and Reduce the Complexity of the Pre-Qualification Program

Topic Area: Prequalification

Desired Outcome: More Quality Projects-Use of new/innovative technologies

Strategy:

- Mn/DOT – Consultant Knowledge Exchange—for example, innovative finance; innovative project delivery models; ground-penetrating radar
- Observation—The prequal. program does not accommodate this type of communication

Action Steps:

- Consider community/social networking models to communicate Mn/DOT needs for new/innovative approaches and to find consultants who can provide for these needs

Suggested Participants: Lead: Mn/DOT, ACEC (MN and National), & CTS

Suggested Timeframe: Long

(Slide 9) Theme: Clarify the Purpose and Reduce the Complexity of the Pre-Qualification Program

Topic Area: Selection Process

Desired Outcome: Mn/DOT project managers, contract administrators and selection committee members...

- Understand RFP requirements and selection criteria
- Have common expectation for proposal content and format
- Provide scores and comments based on selection criteria

Strategy: Improve training and promote best practices

Action Steps:

- Review existing contract document templates for RFPs, proposal rating, etc. to ensure rating form closely matches RFP (short-term)
- Regularly communicate with project managers about process and best practices to minimize inconsistency (long-term)
- Hold more frequent consultant coordinator meetings to exchange information (long-term)
- Solicit feedback from consultants on best practices for RFPs, debriefing, etc. (short-term)

Suggested Participants: Lead: Mn/DOT Consultant Services - Others: Mn/DOT project managers, contract administrators, consultant coordinators, ACEC members

Suggested Timeframe: See above

(Slide 10) Theme: Increase Consistency of Consultant Selection Process

Topic Area: Selection Process

Desired Outcome: Streamline preparation, review and selection of RFPs and proposals – both for Mn/DOT and consultant staff

Strategy : Maximize the use of direct select contracting and letters of interest where appropriate

Action Steps:

- Approach Administration to increase direct select ceiling from \$100,000
- Demonstrate to Administration the benefits of increasing direct select and letters of interest
- Clarify when direct select and letters of interest are appropriate and what the selection process then entails so it is transparent to both Mn/DOT and consultant staff

Suggested Participants: Lead: Mn/DOT Consultant Services – Mn/DOT project managers, contract administrators, consultant coordinators, ACEC Members

Suggested Timeframe: Short-term

(Slide 11) Theme: Increase Consistency of Consultant Selection Process

Topic Area: Selection Process

Desired Outcome: Reduced Percentage of Cost Element

Strategy: Develop a process to reduce the cost element so that it doesn't dominate selection outcome

Action Steps:

- Establish task force or committee to evaluate various levels of cost percentages on best value selection process

Suggested Participants: Lead: Mn/DOT - Others: Department of Administration, ACEC, legislators?

Suggested Timeframe: ASAP

(Slide 12) Increase Consistency of Consultant Selection Process

Topic Area: Selection Process

Desired Outcome: Understanding of the process and consistent application of processes across the state.

Strategy: Education.

Action Steps:

- Update process within Mn/DOT and conduct training sessions with Mn/DOT and consultants.

Suggested Participants: Lead: Mn/DOT – CO consultant services - Others: District/CO contract administrators, consultant community, project managers

Suggested Timeframe: Pilot training session Summer 2010. Continuing to Fall 2010

(Slide 13) Theme: Expand Education about Prequalification and Selection Processes

Topic Area: Prequalification

Desired Outcome: Better understanding of process

Strategy:

- Hold seminars with Mn/DOT presenters to educate consulting community, local agencies, and Mn/DOT staff on prequalification process.

Action Steps: Develop presentation based on revised prequalification process.

Suggested Participants:

Lead: Mn/DOT with input from ACEC

Others: Consulting community, local agencies

Suggested Timeframe: short-term (1 year)

(Slide 14) Theme: Expand Education about Prequalification and Selection Processes

Topic Area: Prequalification

Desired Outcome: Better understanding of how pre-qual system works, how application evaluation process works, potential benefits of prequalification process

Strategy: Mn/DOT/Consultant Workshop on Pre Qualification

- Host a one-day meeting to provide information on prequal process and Mn/DOT support systems

Action Steps:

- Develop agenda
- Identify resources and costs; promote attendance (ACEC, State Register, other); host at "central" location; prepare written material/handouts (e.g. list of pre-qual categories, faq's and frequently missed items); identify speakers; meeting follow-up (e.g. answer questions by email); identify level of usage of various work types; provide handouts for new or changed work types

Suggested Participants: Lead: Mn/DOT Consultant Services ACEC, any interested consultants, pre-qual work type "owners"

Suggested Timeframe: Initial – short term (w/in 6 months); follow up as needed; post on web? Repeat meeting occasionally (e.g. once every two years)

(Slide 15) Theme: Expand Education about Prequalification and Selection Processes

Topic Area: Selection Process

Desired Outcome: Options for the selection process and criteria is understood and streamlined.

Strategy: Training and workshop for consultants and Mn/DOT on information/inputs into which selection process is best suited.

Action Steps:

- Develop curricula
- Create a schedule of training classes
- Deliver training

Suggested Participants : Lead: Mn/DOT Consultant Service

Suggested Timeframe : start within next quarter

(Slide 16) Theme: Expand Education about Prequalification and Selection Processes

Topic Area: Selection Process

Desired Outcome: Transparency and Uniformity in the Current Direct Select Process

Strategy : Develop Better Understanding by Mn/DOT and Consultants of the Direct Selection Process

Action Steps:

- Mn/DOT Formally Defines its Current Process
- Mn/DOT Report on how Process has been applied (Report Card)
- Presentation to Consultants on Process and How Process Has been applied
- Opportunity for Consultant Feedback on Process
- Joint Task Force to Recommend Changes if Needed

Suggested Participants: Lead: Mn/DOT; Participants : ACEC

Suggested Timeframe: Short-term

(Slide 17) Theme: Expand Education about Prequalification and Selection Processes Provide Theme: Two-Way Feedback and Information to Increase Transparency of Consultant Services Program

Topic Area: Selection Process

Desired Outcome: Clear communication about why a selection process and criteria was chosen.

Strategy : Communicate in advance of the selection.

Action Steps:

- Mn/DOT determines appropriate selection process and criteria.
- Mn/DOT is asked to determine if they are willing to publish information regarding direct selection and other selection processes chosen.
- Provide the information if Mn/DOT determines they are willing.

Suggested Participants : Lead: Mn/DOT (Consultant Services ?)

Suggested Timeframe : start within next quarter

(Slide 18) Theme: Provide Two-Way Feedback and Information to Increase Transparency of Consultant Services Program

Topic Area: Selection Process

Desired Outcome: Timely, consistent, and valuable communication on why or why not firm was selected.

Strategy:

- Create a Debriefing Paper (to be completed during the selection process)
- Debriefing should include a member of the Selection Committee in addition to Consultant Administrator
- Mn/DOT's Debriefing member needs to be shielded from Consultant reprisal to Mn/DOT Superiors for being totally truthful.

Action Steps:

- Subcommittee of Mn/DOT staff and consultants creates template , taking into account data practices requirements, for debriefing paper.
- Finalizing and start using it.

Suggested Participants : Lead: Consultant Services

Suggested Timeframe: Initiative in next quarter.

(Slide 19) Theme: Provide Two-Way Feedback and Information to Increase Transparency of Consultant Services Program

Topic Area: Prequalification

Desired Outcome: Full information access for transparency to reduce confusion and create an open atmosphere.

Strategy:

- Creation of Web based pre qual forms Web Information (What should it contain)
- Interactive, one page at a time completed before you can move on?
- Drop down help menu for each line item (Phone number of a human being to ask questions)
- Directory of resources for specific work items
- Re create web site to better serve the Consultant Community
- Real time status of activity... pending, awarded, not awarded...
- Timely feed back of pre qualification apps. Positive and negative
- Post minimum requirements for pre-qualification
- Post impending projects or work types
- Pre qualifications accepted and acted upon at ANY time

Action Steps: Sub group or committee to advance issues and take action.

Suggested Participants : **Lead:** Mn/DOT with ACEC participating

Suggested Timeframe: Now... he who hesitates is lost

(Slide 20) Theme: Provide Two-Way Feedback and Information to Increase Transparency of Consultant Services Program

Topic Area: Healthy Consultant Communities

Desired Outcome and Strategy :

- Define how much work and type of work (inc Coop agreements) that Mn/DOT will do in house over a longer period of time .
- Transparency in how dollars are allocated.

Action Steps:

- Mn/DOT needs to retain an appropriate technical base within the department.
- What volume of program dollars is appropriate for Mn/DOT to retain and deliver?
- What level of program has Mn/DOT delivered with in house staff in the recent past?
- Request transparency to the Investment Management Process.
- Determine eligible work types for outsourcing.

Suggested Participants: Lead: Mn/DOT **Other Participants:** ACEC, MN County Engineers Association and City Engineer Association of MN.

Suggested Timeframe: 4-6 months through till June 2010. Project Mn/DOT in house program size forecast for up to 5 years.

(Slide 21 – Repeat of Slide 2) Theme: Provide Two-Way Feedback and Information to Increase Transparency of Consultant Services Program

Topic Area: Healthy Consultant Communities

Desired Outcome: Mechanism to Build Relationships at All Levels

Strategy: Develop relationships at the PM level and below.

Action Steps:

- Integrate ACEC Young Engineers Council with Mn/DOT Engineers on Rotation in educational and social settings.
- Involve PM level and younger staff in professional organizations.
- Increase Joint Training Opportunities at PM level.

Suggested Participants: Lead: ACEC and Mn/DOT

Suggested Timeframe: Short Term

(Slide 22) Theme: Other Outcomes and Strategies

Topic Area: Healthy Consultant Communities

Desired Outcome: Mechanism to Build Relationships at All Levels

Strategy:

- Develop a set of business rules to deal with 1. Errors and Omissions
- Contract Issues
- Project Design Issues at the lowest possible level.

Action Steps:

- Create Mn/DOT/ACEC Panel to develop rules.
- Reinstate Mn/DOT Conflict Resolution Panel.
- Empower ACEC Liaison Committee Again.

Suggested Participants: Lead: ACEC

Suggested Timeframe: Short Term

(Slide 23) Theme: Other Outcomes and Strategies

Appendix G: Workshop Small Group Notes

Healthy Transportation Community

Facilitator: Dawn Spanhake, CTS

What does a “Healthy Community” look like, and what are the challenges related to a “Healthy Community”?

Healthy Community “Looks Like”:

1. Ability to Plan

- Ability to plan staff size/capability based on projected work flow
- The marketplace is relatively stable, i.e. work is consistent and can be planned for
- Understanding of future needs for consultant use, amount of work and types of work

Challenge:

- Mn/DOT to better forecast workload for a consultant that could potentially utilize consultants

2. Profitable/costs

- Profit >> Risk
- Cost is an important factor
- Consultant firms receiving a fee amount sufficient for a firm to be profitable
- Consultant firms receiving revenues commensurate with size. (keeping staff busy)

Challenges:

- Mn/DOT staff understanding of overhead and profit
- Consultant community understanding of politics and perception of cost
- Understanding real cost
 - Cost from proposal preparation to project delivery
 - Mn/DOT costs appear to be set regardless of output

3. Trust and Value

- A “healthy consultant community” is appreciated and valued by Mn/DOT management and employees as an “extension of Mn/DOT forces” providing reliable service without a sense of competing with Mn/DOT’s workforce.
- Understanding what a healthy consultant is
- All Mn/DOT staff understands the value consultants bring and consultants understand the value of Mn/DOT staff.
- Perception of consultant high cost and consultants “taking jobs” from Mn/DOT

Challenges:

- Having line staff in on the conversation (this is where the culture resides)
- Understanding underlying motivations (job security, union environment, firm stability, etc).
- Creating an atmosphere where mutual trust can be established

4. Excellent Services:

- Communications
 - State of the art
 - Communicate with shared language
- Services provided are excellent
 - Expectations are clear
 - Communications happen

- Staff is stable
- Understanding of intent of contract outcomes
- Responsive and responsible firms that meet their contractual requirements
- Accountable work results
- Proper accounting of errors without state employees unfairly targeting consultants
- Uses a common quality based system of continual feedback and improvement, defined requirements, and third party audits for verification
- A firm that accepts feedback and works to adapt

Challenges:

- Lack of trust that all are interested in excellent results
- Both communities are challenged to provide feedback without offending

5. Other:

- Even distribution between qualified firms
- Appropriate level of activity
 - Proper balance between the department maintaining expertise vs. consultant contracted work.
- Accountable consultant selection: fair, open process free of any politics
- Healthy community is:
 - There is mutual understanding of value and trust which leads to an extension of Mn/DOT staff with an ability to plan and therefore be profitable that is recognized as providing excellent service

Challenge:

- Centralize consultant selection process and functions with district input

6. Expertise:

- Good expertise at multiple levels
 - EG Utility Engineers (Junior, Senior, Principal)
- A wide range of expertise is available
- Be “Mobile” with some skill sets (e.g. fly in experts to assist when needed)
- Able to meet ebbs and flows of Mn/DOT program
- A very qualified pool of firms are available
- Ability to deliver in a short time frame and speed up schedule
- Variety/diversity in consultant firms represented in state
- A community that reflects the “Face” of Minnesota
- Consultants with a range of experiences to bring potential innovations to projects
- A “healthy consultant” is one that maintains experienced staff with minimal turnover
- Having a staff trained and experienced to deliver projects to Mn/DOT in the desired formats

Challenges:

- Viewing cross-pollenization as a good thing
- Knowledgeable and experienced Mn/DOT staff and project managers
- Maintaining a balance between local and national expertise
- Large firms may have a different definition than small firms (or national firm vs. local firm)
 - Solution: private sector must realize the importance of the different firm types at the leadership level and the production level.

- Both Mn/DOT and consultants need to understand the areas of expertise each will provide and the capacity each will maintain to jointly deliver transportation services
- A healthy consultant community is available to provide the needed services when requested

Outcomes and Strategies

Outcomes:

- Trust (need to define what that looks like)
- Partnership
 - How does it look?
 - How does it feel?
- Expertise- Work here allows firms to do work elsewhere; growing MN expertise
- Delivering transportation to citizens of Minnesota
- Knowing future needs
- Communication process to allow consultants to learn about needs
 - Needs to go both ways
- Defining ultimate size of Mn/DOT
 - Relates to union issues
 - Impacts in-house vs. consultant balance
 - What resources does Mn/DOT want available?
- Define community very broadly
 - Not just about consultants
 - Entire transportation community needs to be healthy
- Resources available to meet Mn/DOT needs in the time/schedule needed

Strategies:

- Mechanism to build relationships and trust at all levels
- Transparency in how money is allocated
- Mutual accountability
 - Need a process to achieve
 - Clear consistent expectations
- Define how much and type of work Mn/DOT will do in house
- Need to define healthy community
 - What is healthy?
- Define what partnering means and implement principles related to that definition
- Level playing field in contract selection process

Healthy Transportation Community

Facilitator: Gina Baas, CTS

Issues:

- Increased, up to date, timely communication between Mn/DOT and consultants
- Work is given to qualified cost effective firms with consideration given to workload and availability of the consultant
- A range of consultants that can meet the demands/ desires of Mn/DOT (more than one consultant to rely on)
- Training:
 - Process
 - Employees
- Quality Approach
- Work distribution based on quality
- Ethics and honesty
- Use of in-house expertise vs. consultant assistance
- Strong communication with Mn/DOT
- Mn/DOT assistance
 - Local governments/private sector help
- Mutual understanding of concerns of Mn/DOT and concerns of consultants
- Do we need to identify the need/purpose for the consultants before we say what will constitute a healthy community?
- An open, clearly understood process
- If you do not receive a contract, you are told why, given suggestions on how to be better and how to improve
- Mn/DOT has a transparent system for awarding contracts
- Qualified to meet work needs (highly versus minimal)
- Open communication between Mn/DOT and consultants
- Predictable opportunities for the consulting level of effort
- Competent staff (predictable level of work)
- Commitment from all sides to work together
- Understanding of work availability
- Includes both national and regional firms
- Qualified and quality consultants within the community
- Open communication and transparency
- Not about “even” distribution of work
- Work distributed based on quality
- The understanding of projected work by consultants
- Stated policy on outsourcing

Challenges:

- Variability of outside Influences (downturn or upturn in the economy)
- Sudden spikes in workload stimulus funding

- Uncertainty (nationally, locally)
- Getting people to view HCC from the “Community Perspective” and not a personal or “my first” perspective
- Adding more players to the definition of TAA
 - Those against using consultants
 - Union reps
- Highly unionized environment and legislative support of unions, getting an overall agreement on definition of TAA
- Understanding of the use of in-house expertise vs. consultant assistance
- Different expectations from consulting community
- Developing or allowing interactive opportunities between consultants and agencies so people can get to know and understand each other (ethic laws)
- Minimize events or practices that pit “us” vs. “them”
- Different disciplines and goals (public vs. private)
- Mn/DOT culture of reluctance to project out 1 or more years
- Poor expectations from Mn/DOT management
- Honest feedback to consultant community not provided or is inconsistent
- What is a quality firm (ratings)?
- Need a healthy organization

Outcomes/Successes:

- A quality manual exists and is utilized by consultants; establishes consistency
- Free-flowing information and feedback
 - Program level
 - Admin level
 - Project level
- Appropriate expertise and competency are available to Mn/DOT outside the organization when they need it.
- Consulting firms have a clear understanding of how to, and with whom to connect with Mn/DOT
- Project selection decisions are transparent and feed back is provided
- Acceptance of the use of consultants is achieved and understood within Mn/DOT
- Consultants can retain qualified, competent core staff who are available to work on projects
- Reliable projection of work is provided by Mn/DOT
- More opportunities for interaction between agency staff and consultants outside of projects to build relationships and communications
- Expectations are clear between Mn/DOT and the consultant

Strategies:

- Provide opportunities for firms to present their capabilities in person
- Twice a year face-to-face meetings between Mn/DOT and firms (expertise areas)

- Clarification of how Mn/DOT intends to use the prequalification list
- Districts and offices projecting work types (12 months out)
- Mn/DOT defines itself as an engineering “company” or an engineering management “company”
- Mn/DOT considers using alternate mechanisms for managing their consultant program

Prequalification

Facilitator: **Jim Grothaus, CTS**

Issues and Challenges:

Issue: Consistency/Standards

Challenges:

- There is a lack of understanding about what it means (and doesn't mean) to be prequalified
- Narrowly-defined work groups are an advantage to small firms vs. the challenge to some large firms
- Definition of a firms qualification to perform work type
- Efficiency of prequalification decision-making process.
 - Forms filled out correctly and submittal is perfect vs. demonstrated ability, simple submittal proving capability, reciprocity with another state.
- Firms with non-Mn/DOT experience have a difficult time being prequalified
- Evaluation process is unclear and unfair
- Analytical/technical mindset of our professional circle- is the existing prequalification program too focused on technical quals vs. a firms track record?
- Make as easy as possible
- Company quality vs. staff quality
- Timely feedback
- Lack of clarity/trust in decision process
- No opportunity to show ability to manage/deliver inter-disciplinary projects
- Training vs. experience (how is it weighed)
- What are the safeguards to prevent favoritism?
- State/fed laws have impacts
 - Why not use FHWA process?
- Why was I rejected?
- Does the prequalification list mean quality?
- Large vs. small instate vs. outstate
- What does prequalification mean?
- Should L.G.A.s use the prequalification list
- How does performance impact prequalification list?

Outcomes:

- Good value and quality
- Share information about selection process
- More connections with people making the selection
- Pre-qualification decisions
- Accessibility to decision makers (PQ)

Strategies:

- Consultants and Districts (needs discussions) with no bells/whistles
- Interaction with project manager

Issue: Education

Challenges:

- Unclear understanding of the organization and distribution of work within Mn/DOT
- Too fine-grained
- Too many categories and levels
- Too time consuming/expensive to apply
- What happens when no work type is developed and available to meet the project need?

Strategies:

- Provide on-line detail
- Establish training (Mn/DOT consultants)
- Better communication between various work types

Issue: Trust

Outcomes:

- Quality projects
- Knowing data from selection process
 - Who received the project?
 - How were they selected?
- Use of better talent/innovation
- Understanding the value of being on the prequalification list
- Confidence in prequalification process

Strategies:

- Workshop on selection process
- More info on web
 - Show who received what contract
- Mn/DOT meet two or more times a year with consultants

Issue: Efficiency

- Prequalification categories too narrow
- Firms with Mn/DOT experience have an easier time getting on the prequalification list
- Firms with no DOT experience have more difficulty to get on the prequalification list
- Increase access to prequalification list (smaller firms)
- Time/Money vs. Probability of work (Poor)

Prequalification

Facilitator: **Linda Preisen, CTS**

1. Issues:

Effort/cost to apply and review

- Too few consultants in some groups
- High effort/cost to become approved or re-approved
- Level of effort in preparing the prequalification package, streamlining requirements to eliminate presentation of redundant information
- Level of effort vs. payback. Does the process pay off in the end with contract awards?
- Keep application simple
- The cost in resources of the program is too high, both on the Mn/DOT and consultant side (time equates to cost)
- Need a simple process for prequalification and renewal
- Effort and cost by Mn/DOT and consultants
- What is the proper amount of effort by consultants?
- Too many “players” (Mn/DOT staff) involved in the process
- Prequalification renewal should be painless

Challenges:

- How to specify a clear process that is simple and easy for both parties?
- Developing a “user friendly” program that meets all needs
- Tradeoffs between Mn/DOT needs and simplifying or reducing costs of the prequalification process
- Firms must dedicate a lot of resources to complete a complicated and time consuming prequalification process.

Outcomes:

- Mn/DOT needs are met
- Increased efficiency
- Streamlined process

Strategies:

- Web-based, automated process for initial application and renewal updates.

2. Issues:

Process structure complexity and education

- If consultant falls off the list, there should be an opportunity to be briefed and potentially change the outcome
- Limitations of prequalification process
 - Static vs. dynamic
 - Ongoing changes
- Complexity of the program
- Number of categories too large and still does not meet the project needs
- Detailed requirements must be clear
- All subconsultants are not prequalified (cross-cutting)
- Process needs clear direction
- How specialized should the work types be?
- Work type definitions lack clarity
- Too many sub work types
- Checks to ensure continuing prequalification

- Uniform/clear categories for work (Levels)
 - Definition of each list (how many levels are really needed in each category?)
- Challenges:
- How to improve information/education communication on process
 - Provide education program once established
- Outcomes:
- Process is simplified but still meets project needs
 - Better understanding of the process
- Strategies:
- Re-evaluate structure of categories and levels/work type
 - Not too broad or too refined. Better “Balance” to best fit each project best.
 - Education: Hold seminars to educate consultant community and Mn/DOT staff about prequalification process (clearly address whether or not prequalification guarantees work)

3. Issue:

Selection Criteria

- Needs to be Mn/DOT driven and meet Mn/DOT needs.
- How do firms with no qualifications ever obtain them if never rewarded a contract?
- Some firms hire former Mn/DOT employees to become more successful
- Barriers to small business exist
- Process should be “friendly” to large and small firms
- Should the firm size affect the process?

Challenges:

- Opening Mn/DOT doors to small firms or firms with no prior Mn/DOT experience
- Is it cost effective for Mn/DOT to accommodate both new and experienced firms?
- Doing business with who we know vs. training new consultants

Outcomes:

- More fair process for firms of all sizes
- Better understanding of the process
- Hold seminars to educate consultant community and Mn/DOT staff about prequalification process

Strategies: None identified

4. Issues:

What does prequalification mean?

- Should/Is being prequalified an implicit/explicit guarantee of work?
- Definition of “Pre-Qualified”
- The role of prior Mn/DOT experience in determining if firms are “qualified”
- Knowledge about what it means to be “pre-qualified” managing expectations about project opportunities
- Minimum qualifications for consultants clearly stated and verified.
- Understanding performance metrics going into the pre-qualification process
- Lack of distinction between qualified and quality.

Challenges:

- Clear definition of pre-qualification
 - What does it mean?
 - What is it intended to accomplish?
- Defining Quality vs. Qualified
 - Simplify vs. meaningful
- Prequalification Meaning
 - Defining level of detail necessary to assess a firm’s qualifications, but, keep volume of information manageable.
- Redistribution of projects: Mn/DOT vs. Consultants
- Small and large firms have different challenges: How does a “program” meet all those needs
- How to specify a process fair to all types of firms (i.e. Large/small, previous Mn/DOT experience vs. None)
- Stating that prequalification is no guarantee
- Restructuring process time-frame (how long
 - Prequalification vs. T-Contract (find the middle ground)

Outcomes:

- Define what the meaning of prequalification should be.
- “prequalification” is well-defined
- “prequalification” is understood

Strategies:

- Evaluate prequalification categories and requirements for each category
- Eliminate “informal” requirements
- Consider revising selection process as a result (modifications to prequalification impact selection)

5. Issue:

Notification of upcoming projects

- Advanced notice of projects
- Notification to consultants when projects are “Posted”

Challenges: N/A

Strategies:

- Set up a list serve for prequalification work type and send email notifications when new projects are posted
- Bulletins listing upcoming RFPs and upcoming projects

6. Issues:

Transparency/Fairness

- Selection is sometimes based on individuals and not necessarily the firm (i.e. strong project manager or technical expertise)
- Opportunity should be made to meet with consultant prior to direct select to determine if qualified for specific task. If determination is made that there is not a good fit, then the next consultant should be used (T-Contract process followed this).
- Overcoming the perception or reality of established firms with Mn/DOT experience getting preferential treatment.
- Consistent application requirements.

- Selection of projects (i.e. smaller projects are good projects to give to consultants to get experience but don't necessarily fit the needs of Mn/DOT)
- How does Mn/DOT verify manpower and resources to complete a project accurately and on schedule?
- Use of Prequalification vs. certified lists.

Challenges:

- Cost of effective solution to each category must be reasonable
- How much information is too much? Confusing/misconceptions
- High cost to Mn/DOT in maintaining fairness to all consultants in an open pre-qualification process
- Meeting the needs of all
 - Consultants of all sizes
 - Mn/DOT, district, counties, etc.
- Meeting the needs of Mn/DOT while maintaining a healthy consultant community
 - "Perception" vs. "Reality"
- Modification to system will take years and significant effort
- Fear of change within Mn/DOT and consultants
- Implementation puts burden on Mn/DOT
- Limited resources at Mn/DOT to improve process
- Providing timely and accurate feedback
- Difficult to simplify and be fair to all at the same time
- Meeting Mn/DOT needs

Outcomes: N/A

Strategies:

- Mn/DOT to publish level of funding to consultants by work type: Create a "Transparency Report"
 - Helps consultants understand what types of work Mn/DOT may need assistance with, based on historical data

Selection Process

Facilitator: Jan Lucke, CTS

Issues and Challenges:

1. Issue:

Expectations and experience of Mn/DOT staff in developing RFP (scope qualifications, criteria)

- RFP development, scope of work, desired qualifications. Some of whom are more/less experienced more/less able to articulate needs, etc.
- At times it seems that the selection panel is not familiar with the requirements of the RFP.
- Proposal review teams may be too large (to ensure fairness) and may lead to a lack of understanding among reviewers. Re: scope of work, desired qualifications, etc.

Challenge:

Who/How should the selection of consultants be managed in Mn/DOT?

- Training
- Time
- Consistency

2. Issue:

Distribution of work related to how selection is made.

- The criteria to use when reviewing distribution
- How selection is made from prequalified pool for direct select

Challenges:

How do you define a firm?

- Site
- Capacity
- Location

How do you decide criteria to use in distribution?

- Split interest
- It's not black and white, answers not always clear.

3. Issue:

Fairness/Favoritism

- Fairness
- Favoritism, familiarity with firms/staff
- Fairness of selection process. There is a perceived favoritism for some consultants

Challenge:

How do you define fair?

4. Issue:

How to determine selection process

- OBS vs. Best Value. Use of cost in selection
- Selection Criteria.
- (Best Value) Overhead rates – has this been considered in the selection process?
- (QBS vs BV) How does Mn/DOT determine what selection process they will use?
- Timeline for selection needs to be as short as possible.
- Recognition of changing environment for grant consideration and selection

- Consistency
- Selection/ evaluation criteria consistency. Clear definition.
- Importance/Weighing of criteria. Key Personnel/ Experience. QBS vs BV.

Challenge:

How do you gauge workload?

- Unclear when to use what. Must vs. Can.

5. Issue:

Use of Past Performance

- Use of performance in selection
- Past performance in selection consultants.
- How to better evaluate the quality of a consultants previous work and the appropriate weight in the selection process
- Past Performance- Reliable Data (consistent, comprehensive)

Challenges:

- Not clearly evaluated
- Agreement on whether should or should not be used

6. Issue:

Level of effort involved in preparing proposals (Particularly related to perception of pre- deter.)

- Direct Select (\$100,000 vs. \$400,000). Proposals are an expensive, time consuming process.

Challenges:

- Cap for direct select. Is it right level?
- Dept. of Admin/Feds requirements.

7. Issue:

Consideration of Smaller/Specialized DBE Firms

- Consideration of smaller and specialty firms for specialized tasks

Challenges:

- Packaging of proposal scope doesn't acknowledge separate niche need. Doesn't position Mn/DOT to select best firm for small niche

8. Issue:

Management/Burden of Perceptions of Conflict of Interest

- Does the consultant community understand the burden placed on Mn/DOT to eliminate perception of conflict of interest

Challenges:

- Communication with consultant community
- Media role in creating perception
- Public trust, public understanding of value
- Burden of rules/process requirements

9. Issue:

Opportunity- perceptions about how much work is available

- Size, process, tiers and magnitude of prequalification process likely leads people to believe there is more opportunity than exists. This in turn creates a lot of disappointed people at selection and in turn causes "frustration with selection process."

Challenge:

- How can you quantify what you know?

10. Issue:

Communication related to “Increasing your chances” of getting work

- Are prequalified consultants expected to solicit Mn/DOT for work? (especially direct select)
- Are there too many options for selection? Too complex?
- In direct select situations, Mn/DOT works very hard to try to hire in a fair manner based on distribution between competent performing consultants, but there also appears to be a group which does not feel this is occurring.
- Mistrust, in process, criteria, scope, etc. Misunderstanding about QBS, best value, low cost, etc.
- Notification when work is available. Do all projects get listed on the Web site for consultants?
- Contracting delay

11. Issue:

Transparency of process

- Transparency in selection criteria and qualification communication
- Communication of selection decisions
- More transparency on the selection panel scoring

Challenges:

- Too complex. Too multi-layered.
- Risk of misuse of data. Is the data needed readily available?
- What data do we need?
- How do you communicate info about selection process? How does Mn/DOT decide what to share?

12. Issue:

Feedback

- Meaningful debrief sessions w/ TRC
- Feedback on why selected or not
- How to better provide Mn/DOT feed back to non-selected consultants
- Recommendations of areas of future proposals vs. favoritism

Challenges:

- Timely
- Valuable

Outcomes and Strategies:

Outcomes:

- Timely consistent and valuable communication and feedback
 - Amount of work available (quantity, dollar value, type)
 - Expectations related to work that is needed and how it can be provided
 - Debrief related to why or why not selected
 - Debriefing paper
- Mn/DOT chooses best qualified specialty resource to perform task
- Selection process and criteria are understood and streamlined
 - Internally and externally
- Selection process method and criteria best fits scope
- Process manager, contract admin and selection committee
- Understand RFP requirements, selection criteria, consultant needs
- Common expectation for proposal content and format
- Provide scores and comments based on selection criteria
- Mn/DOT will approach admin to increase direct selection

Strategies:

- Training/ workshop for Mn/DOT and consultants related to options
- Training
- Time
- Executive summaries
- One-page on RFP
- Simplify committee participation
- Reconciliation of scores and comments
- Role of process manager

Selection Process

Facilitator: Drew Hagquist, Hamline University

- A. Reputation and past performance. How this affects a selection.
 - Communicating back to all players
 - Uniformity of process across Mn/DOT; Understanding of process
 - Decentralization issue (come to consensus among state)
 - Debriefing sessions
 - Consistency (knowing what to give back)
 - Usefulness
 - Evaluation forms- accuracy of documenting scores and comments

- B. Level of experience of panel members
 - Are there enough people at the right level who can commit the time
 - Direct select process
 - Education/info to consultants on how it's done
 - Best Value Process (QBS)
 - Parameters for when this needs to be used
 - Education to staff on why to use and when
 - Education/communication process as to when projects are coming
 - Who owns process

- C. Report Card
 - First debrief
 - Consultant response to inputs and bound consultant response
 - Qualified selection panel
 - Written guidance (panel in/outside)
 - Uniformity of ratings (output)
 - Direct select
 - Transparency/Understanding