

VILLAGE OF BRADLEY

RESOLUTION NO. R-11-18-4

A RESOLUTION APPROVING A QUALIFICATION-BASED SELECTION POLICY FOR THE
VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 26 DAY OF NOVEMBER, 2018

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 26 day of NOVEMBER, 2018

RESOLUTION NO. R-11-18-4

**A RESOLUTION APPROVING A QUALIFICATION-BASED SELECTION POLICY FOR
THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS**

WHEREAS, the President and Board of Trustees of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt resolutions and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to the provisions of the Brooks Act (40 USCS § 1101, *et seq.*), the Local Government Professional Services Selection Act (50 ILCS 510/0.01, *et seq.*), and other applicable laws, the Village is, under certain circumstances, required to perform a qualification-based selection (“QBS”) process before retaining any professional engineer or engineering firm to provide consulting services on public projects; and

WHEREAS, the Village does not presently have any written policy setting forth the procedures that must be followed when the Village engages in a QBS process; and

WHEREAS, the Village desires to adopt a written QBS Policy, a copy of which is attached hereto as Exhibit A and fully incorporated herein (the “QBS Policy”); and

WHEREAS, the Village previously submitted a copy of the QBS Policy to the Illinois Department of Transportation (“IDOT”) and IDOT has approved the QBS Policy in form and substance; and

WHEREAS, the Corporate Authorities of the Village have determined that approving the QBS Policy is in the best interests of the Village and its citizens.

NOW THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The President and Board of Trustees hereby find that all of the recitals contained in the preamble to this Resolution are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. That the Qualification-Based Selection Policy, attached hereto as Exhibit A and fully incorporated herein, is hereby approved and adopted and shall hereinafter be the Qualification-Based Selection Policy of the Village of Bradley, Kankakee County, Illinois (the “QBS Policy”).

SECTION 3. In the event that any provision or provisions, portion or portions, or clause or clauses of this Resolution shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Resolution that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 4. All ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Resolution, are hereby repealed to the extent of the conflict.

SECTION 5. The Village Clerk is hereby directed to publish this Resolution in pamphlet form.

SECTION 6. This Resolution shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the Board of Trustees on a roll call vote on the 26 day of NOVEMBER, 2018.

TRUSTEES:

GERALD BALTHAZOR	Aye – <input checked="" type="checkbox"/>	Nay – <input type="checkbox"/>	Absent – <input type="checkbox"/>
ROBERT REDMOND	Aye – <input checked="" type="checkbox"/>	Nay – <input type="checkbox"/>	Absent – <input type="checkbox"/>
LORI GADBOIS	Aye – <input checked="" type="checkbox"/>	Nay – <input type="checkbox"/>	Absent – <input type="checkbox"/>
MICHAEL WATSON	Aye – <input checked="" type="checkbox"/>	Nay – <input type="checkbox"/>	Absent – <input type="checkbox"/>
DON BARBER	Aye – <input checked="" type="checkbox"/>	Nay – <input type="checkbox"/>	Absent – <input type="checkbox"/>
NICK ALLEN	Aye – <input checked="" type="checkbox"/>	Nay – <input type="checkbox"/>	Absent – <input type="checkbox"/>

VILLAGE PRESIDENT:

BRUCE ADAMS	Aye – <input type="checkbox"/>	Nay – <input type="checkbox"/>	Absent – <input type="checkbox"/>
TOTALS:	Aye – <u>6</u>	Nay – <u>0</u>	Absent – <u>0</u>

ATTEST:

Michael J. Lagesse
MICHAEL J. LAGESSE, VILLAGE CLERK

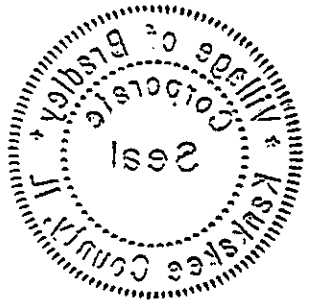
APPROVED this 26 day of NOVEMBER, 2018.



Bruce Adams MAYOR PRO TEM
BRUCE ADAMS, VILLAGE PRESIDENT

ATTEST:

Michael J. Lagesse
MICHAEL J. LAGESSE, VILLAGE CLERK



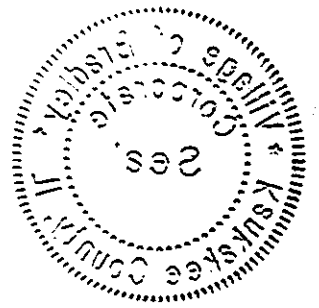
STATE OF ILLINOIS)
) §§
COUNTY OF KANKAKEE)

I, Michael J. LaGessee, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Resolution number R-11-18-4, "A RESOLUTION APPROVING A QUALIFICATION-BASED SELECTION POLICY FOR THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS," which was adopted by the Village President and Board of Trustees at a meeting held on the 26 day of Nov, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 26 day of Nov, 2018.


MICHAEL J. LAGESSE, VILLAGE CLERK





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Whenever the Village of Bradley (“Village”) receives federal funds for consultant engineering services, or at any other time that qualification-based selection is required by the Local Government Professional Services Selection Act (50 ILCS 510/0.01, *et seq.*) or any other law, the Village will follow the procedures set forth in this Consultant Qualification-Based Selection process (“QBS Policy”), which meets the requirements of 23 CFR 172 and the Brooks Act (40 U.S.C. § 1101, *et seq.*). This QBS Policy, as adopted by the Village, substantially conforms to the requirements of Section 5-5 of the Illinois Department of Transportation (“IDOT”) Bureau of Local Roads and Streets (“BLRS”) Manual (specifically including, but not limited to, Section 5-5.06(e) thereof).

I. Administration Responsibilities:

The following personnel within the Village shall bear all responsibility for the procurement of consultant engineering services, negotiations with any selected consultant engineering firm, and administration of any contract for projects to which this QBS Policy applies, as described herein:

- **Village President (Mayor):** The Mayor shall create the project description for any project covered by this QBS Policy. Further, the Mayor shall serve as a selection committee member, unless conflicted out, and shall thereafter be the lead negotiator with any consultant selected pursuant to this QBS Policy. Finally, the Mayor shall also act as the Project Administrator (“Village PA”) after IDOT authorizes the Village to proceed with any given project.
- **Village Administrator:** The Village Administrator shall assist the mayor in creating the project description for any project covered by this QBS Policy. Further, the Village Administrator shall be the initial point of contact for questions from potential respondents to any RFQ published by the Village pursuant to this QBS Policy. Additionally, the Village Administrator shall serve as a selection committee member, unless conflicted out, and shall thereafter be the assistant negotiator with any consultant selected pursuant to this QBS Policy. Finally, the Village Administrator shall assist the Mayor in providing administrative oversight for any and all projects that are authorized by IDOT.
- **Village Clerk:** The Village Clerk shall be responsible for the posting of any and all public notices required by this QBS policy. Such notices shall be in the form of a Request for Qualifications (“RFQ”) and shall be published (i) on the Village website; (ii) in a local newspaper of appropriate circulation; and (iii) in any additional location as the Village Clerk deems appropriate and expedient. The Village Clerk shall be further responsible for receiving, processing, and forwarding any and all consultant submittals in response to any such RFQ to all members of the selection committee as that term is used in this QBS Policy. Finally, the Village Clerk shall create and maintain a “Village consultant information database,” which shall store the written evaluations prepared by the Village PA for each consultant engineering firm at the end of each project.

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- **Corporate Authorities (Mayor and Board of Trustees):** The Corporate Authorities of the Village shall hold the final responsibility to approve or reject (i) any and all selections made by the selection committee and (ii) any and all contracts negotiated with any selected consultant prior to said contract's submission for IDOT approval.

II. Project description:

Before publishing any notice or RFQ, the Mayor and Village Administrator (along with any staff as they determine to be necessary) shall clearly define the scope of services required and provide an overall project description, taking the following into account, along with such additional items as necessary when unique circumstances exist:

- The anticipated need, purpose, and objective of the project, as well as all relevant functional components thereof; and
- The scope of engineering services being requested; and
- Any expected unique challenges or problems; and
- The contract type and method(s) of payment anticipated; and
- Any special provisions or contract requirements associated with the services to be solicited; and
- The desired timetable for the engineering services being requested; and
- Any specific qualification requirements; and
- The minimum submittal requirements for interested consultant engineering firms; and
- The evaluation criteria that will be used for reviewing and scoring the consultant submittals (*see §IV, infra*); and
- All submittal instructions and due dates, provided that in determining the due dates for consultant submittals, the Village shall provide sufficient time for interested consultant engineering firms to receive notice and prepare and submit a proposal (except in unusual circumstances, this period shall be not less than fourteen (14) calendar days from the initial date of the relevant RFQ's publication as required by this QBS Policy); and
- The anticipated timeframe for consultant selection; and

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- An estimate of the total project budget.

III. Public Notice:

At the direction of the Mayor and Village Administrator, the Village Clerk shall prepare and publish a RFQ that shall contain the following:

1. The Project Description, as formulated by the Mayor and Village Administrator; and
2. An explicit statement that (i) no consultant engineering firm responding to the RFQ may include any cost proposals, estimates, or other elements of cost therein; and (2) that such cost proposals/estimates will be requested, if at all, during contract negotiations, as set forth in the Village QBS Policy; and
3. An explicit statement regarding whether the Village will require interviews with the responding consultant engineering firms (with or without presentations); and
4. Instructions for retrieving available background information and submitting questions to the Village Administrator; and
5. Instructions for submitting responses to the RFQ, which instructions shall include a requirement that each interested firm submit one (1) electronic copy and two (2) hard copies of their response to the RFQ for review by the selection committee. The instructions for submitting responses shall further specify that all submittals must be (i) single-sided and (ii) limited to a maximum of 20 pages, not including front and back covers, table of contents, and tabs; and
6. Instructions for the submittal of a conflicts disclosure statement (on an IDOT BDE DISC 2 form), as required by this QBS Policy.

After the RFQ is prepared and approved by the Mayor, the Village Clerk shall publish the RFQ (i) on the homepage of the Village website [<http://il-bradley.civicplus.com>]; (ii) in a newspaper with appropriate circulation; and (iii) in any additional location as the Village Clerk deems appropriate and expedient. Once published, the RFQ shall remain continuously available on the Village website, to the extent possible, until the close of business on the date of the submission deadline set forth therein. For the purposes of newspaper publication, the RFQ need only appear in the chosen newspaper twice, with the first date of publication occurring at least fourteen (14) days before the submission deadline set out in the RFQ and the second date of publication occurring at least a week thereafter.

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IV. Conflicts of Interest:

Every consultant engineering firm that responds to any Village RFQ shall submit a conflicts disclosure statement with its RFQ submittal. All such conflicts disclosure statements shall be made on the IDOT BDE DISC 2 form, as amended from time to time by IDOT, or else any successor form that IDOT may use hereinafter.

V. Review of Consultant Submittals

Selection Committee:

The selection committee shall review all consultant submittals and shall consist of (i) the Mayor; (ii) the Village Administrator; (iii) the relevant department head (if any); and (iv) any other person that the Mayor determines, in his/her sole discretion, holds expertise or particularized knowledge that will assist the selection committee in evaluating all consultant submittals. Under no circumstances shall the selection committee consist of fewer than three (3) persons.

Each member of the selection committee must certify that they do not have a conflict of interest prior to completing their review of the consultant submittals. Such certification must be in compliance with the IDOT BLRS Manual, Section 5-5.04. If a replacement member of the selection committee is required, the replacement will be appointed by the Mayor, except that if the Mayor is conflicted out said replacement shall be appointed by the Village Administrator. If both the Mayor and the Village Administrator are conflicted out, the Village Board shall appoint any required replacements.

The Mayor shall be the chairperson of the selection committee. If the Mayor is conflicted out, then the Village Administrator shall be the chairperson of the selection committee. If both the Mayor and the Village Administrator are conflicted out, the Village Board shall select a member of the selection committee to serve as chairperson.

Evaluation Factors:

The Mayor and Village Administrator will establish the evaluation factors for reviewing the consultant submittals for each project, which evaluation factors shall be included in the published RFQ. The evaluation factors will typically include the criterion listed below, and shall further comply with the weighting range guidance in Section 5-5.06(d) of the IDOT BLRS Manual:

- Project Understanding; and
- Similar Project Experience; and

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- Past Performance; and
- Project Team; and
- Project Development Approach; and
- IDOT Prequalification; and
- Overall Completeness of Submittal; and
- Local Presence; and
- Available performance data; and
- Current workload; and
- Willingness/ability to meet the Village’s time-frame goals.

These evaluation factors may vary from one project to another depending on unique project requirements or conditions that may be present. In addition, any factors that consider a firm’s status as a distressed business enterprise (“DBE”) and/or local presence shall not receive a combined weight of more than 10%.

Scoring of Consultant Submittals:

Each member of the selection committee will review all consultant submittals and provide an independent score for each proposal using the form attached hereto as Exhibit A prior to the selection committee meeting. The number of points associated with any given evaluation factor shall be determined by the weight given to that factor.

Final Scoring of Short-Listed Consultants:

At the meeting of the selection committee, the scores assigned to each evaluation factor for each consultant proposal by each member of said committee shall be averaged, resulting in an overall committee score. This overall committee score may be adjusted at the meeting, based upon selection committee discussion, and thereafter, based upon any additional information gained from interviews (if conducted), provided that no overall committee score may be adjusted without the unanimous consent of all members of the selection committee.

The overall committee score will be used, after any and all adjustments have been made,

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to determine the final scoring of all consultant submittals. Thereafter, the selection committee shall create the final short list, which shall contain the three top-ranked consultant submittals, in order of rank.

If fewer than three (3) consultant submittals are received, the Village will request IDOT to approve the Village's ranking of the submittals that it did receive. In such a situation, the Village shall only proceed to contract negotiation after receiving written approval from IDOT.

The final scoring of all consultant submittals and the short list referenced in this section shall be presented to the Village Board for approval.

Suspension and Debarment:

The Village will ensure the eligibility of the short-listed consultants before the final selection committee scores and short list are submitted to the Village Board for approval. In doing so, the Village may review any combination of the following for suspensions and/or debarment actions: SAM Exclusions; IDOT's CPO's website; the CPO's websites for the Capital Development Board; General Services; and/or Higher Education; the Illinois Department of Labor website; and the Illinois Department of Human Rights website. The Village shall also have the authority to request each consultant to submit a suspension/debarment disclosure, in a form acceptable to the Village.

VI. Contract Negotiation:

After the Village Board approves the short list prepared by the selection committee, the Village negotiation team will commence negotiations with the top ranked firm.

Prior to beginning negotiations, the Village will (1) prepare an independent in-house estimate for the cost of the consultant engineering services being requested; which estimate will be used as a guide in the negotiation; and (2) prepare a written description of the project that is sufficient to allow the Village and the selected consultant to reach a complete and mutual understanding of all project requirements and expectations.

The negotiation team will consist of the Mayor (or his/her designee) and the Village Administrator (or his/her designee), along with any other person that the Mayor, in his sole discretion, determines holds expertise or particularized knowledge that will be helpful to the negotiation team. The negotiation team will be the sole negotiator for the Village and shall negotiate all terms of the contract between the Village and the selected consultant. In negotiating the consultant's compensation, the negotiation team will seek to establish a rate of compensation that is fair and reasonable, taking into account (i) the scope and amount of the engineering services required; (ii) the expertise of the consultant; (iii) the number, novelty, and intricacy of any anticipated problems

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or unique issues; (iv) the Village's desired timetable; (v) the manpower required to satisfy the Village's needs; (vi) the level of engineering effort required by the project; and (vii) the balance and scope of the Village's and consultant's respective responsibilities and liabilities.

Before presenting any contract to IDOT for approval, the negotiation team will review all contract costs and all indirect cost rates to assure they are compliant with Federal cost principles. After any such contract is approved by IDOT, the negotiation team will present the contract to the Village Board for final approval.

If the negotiation team is unable to negotiate an acceptable contract with the top-ranked short-listed consultant within a reasonable time (which shall not be less than fourteen (14) days), the negotiation team shall inform the consultant that the Village is going to negotiate with the next-ranked consultant on the short list. The negotiation team shall then attempt to negotiate an acceptable contract with the next-ranked short-listed consultant, and so on. In the event that the negotiation team is unable to negotiate an acceptable contract with any of the short-listed consultants, the negotiation shall so inform the selection committee, which shall meet, re-evaluate all consultant submittals, and generate a new short list pursuant to this QBS Policy.

After any contract negotiated pursuant to this QBS Policy is successfully approved by both IDOT and the Corporate Authorities of the Village, the Village shall safely and securely dispose of any and all cost proposals, estimates, or other elements of cost which may have been received from any short-listed consultant. In so doing, the Village shall exercise all reasonable caution to ensure that no such cost proposal, estimate, or other element of cost shall be disseminated or disclosed to any person not entitled to review them pursuant to any applicable law.

VII. Project Administration:

The Project Administrator ("Village PA") for the Village will be the Mayor (or his/her designee). The Village PA will monitor work on the project in accordance with the contract and provide status reports to the Corporate Authorities of the Village as required and/or requested thereby. The Village PA will also prepare a written evaluation of each consultant's work at the end of each project. All such written evaluations shall thereafter be maintained by the Village Clerk in the "Village consultant information database."

The Village PA will be required to review and approve all invoices submitted by the consultant prior to payment and submission to IDOT for reimbursement.

At the end of each project, the Village will follow IDOT's requirements, including but not limited to the required submission of BLRS Form 05613, as amended from time to time (or any subsequent form used by IDOT), to the relevant IDOT district at contract close-out along with the final invoice.

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VIII. Recordkeeping

The Village shall retain (i) any and all documentation related to the solicitation, proposal, evaluation, and selection of each consultant selected and (ii) any and all documents related to the negotiation of each contract entered into pursuant to this QBS Policy in accordance with the provisions of 2 CFR 200.333.

EXHIBIT A

Village of Bradley

Selection Matrix for Consultant Engineering Firm

Project: _____

Selection Committee Member: _____

QUALIFICATIONS/SOI RECEIVED FROM:	[NAME]	[NAME]	[NAME]
CRITERIA	SCORE	SCORE	SCORE
Project Understanding			
Similar Project Experience			
Past Performance			
Project Team			
Project Development Approach			
IDOT Prequalification			
Overall Completeness of Submittal			
Local Presence			
Available performance data			
Current workload			
Willingness/ability to meet the Village's time-frame goals			
TOTAL SCORE			