

QUALITY BEGINS WITH QUALITY-BASED SELECTION (QBS)

The selection of a consulting engineer is one of the most important decisions you will make in completing a successful project. While the cost of engineering services for the average facility represents less than one percent of the total lifetime costs of construction, operation and maintenance, the design can have a major impact on all other costs. Investing in quality design services at the outset of the project often results in long-term savings.

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Cost effective problem solving and high quality design can only be achieved with competence and experience. The Qualifications Based Selection (QBS) Process helps clients find qualified design consultants for their projects. It is a time-proven method endorsed by federal, state and local government and used by many private sector owners and institutions.

Nevada has a “mini-Brooks” law that requires public agencies to use qualifications based selection. See NRS 625.

Following this simple method, consultants are selected first on competence, creativity and performance and second on negotiation of a fair and reasonable price. By selecting a consulting engineer based on price competition you limit the professional’s resources to undertake a thorough analysis of a problem and to search for innovative solutions. You also deny yourself access to the most valuable assets the professional has to offer: creativity and professional judgement.

Cheap design is expensive

Cheap design is expensive. Your investment in quality design will enable the most qualified consultant to apply technical knowledge and relevant project experience to develop a functional and cost-effective facility designed to meet your needs.

If you deal with the lowest bidder, it is well to add something for the risk you run.
And if you do that, you’ll have enough to pay for something better.

John Ruskin

WHY QBS?

Many state and local governments including Nevada, as well as private industry, have followed the lead of the federal government in the procurement of consulting engineering services based on Qualifications Based Selection. In 1972, the U.S. Congress recognized the merits of competition based on qualifications and established as federal law, a policy that engineers are to be selected on the basis of competence and unique abilities for each project and at a fair and reasonable price. The American Bar Association has endorsed this qualifications based selection and negotiation process in its “Model Procurement Code for State and Local Governments.”

Remember that Qualifications Based Selection (*QBS*) *does not mean that you cannot negotiate a fair and reasonable price for services. It does, however, mean that price is negotiated after competent, qualified, professionals are selected by you.* Most importantly, it means that our buildings, bridges, roadways and wastewater treatment facilities will be designed in the most competent and cost effective manner, not only for today, but also for the future.

BASIC QBS PROCESS TO BE FOLLOWED BY CLIENT:

STEP 1 – REQUEST FOR QUALIFICATIONS

Prepare a formal Request for Qualifications (RFQ) for a proposed project and distribute to a select list of firms. Ask respondents to indicate their interest in the project and illustrate their relevant project experience and overall capabilities to perform the services required for the project. The initial RFQ should include the following:

- A description of the proposed project
- Any special expertise or unusual services that might be required
- A time schedule for the project, including the selection process to retain a consulting engineer
- A list of selection criteria (location of firm, small business set-aside, current workload)

STEP 2 – EVALUATION OF FIRMS

Evaluate the written qualifications of the firms and select the top one to three firms to be interviewed. The evaluation should be based on the following factors:

- Individual qualifications of personnel as a team
- Overall experience of personnel as a team
- Ability of team to perform within time constraints
- Firm's awareness of project's issues, opportunities and constraints
- Project team's experience on similar projects
- Quality of past work
- Performance evaluation from past clients

STEP 3 – INTERVIEW

Arrange for interviews with top firms. An evaluation form with predetermined selection criteria should be allocated between interviews to allow interviewers to complete the evaluation form. The evaluation form should include the following components:

- Project team management plan
- Previous experience of project team
- Location and quality of office facilities
- Project control measures to monitor schedule and budget
- Availability of staff resources based on firm workload
- Project approach
- Quality of work on similar projects
- Awards and past client recommendations
- Financial stability of firm
- Overall team ranking

STEP 4 – SELECTION/NEGOTIATION

Select the top-ranked firm and initiate the negotiation for the scope of work, the terms and conditions of a contract and compensation. The negotiation process includes:

- Preparation of comprehensive proposal by the top-ranked firm
- Presentation of scope of work, schedule and level of effort by the top-ranked firm
- Agreement on scope of work, schedule fee, and areas of responsibility and liability
- Preparation of written contract binding both parties to agreement

FREQUENTLY ASKED QUESTIONS REGARDING NRS 625

NRS 625.005 – General Provisions

The purpose of this chapter is to safeguard life, health and property and to promote the public welfare by providing for the registration of qualified and competent professional engineers and land surveyors.

(Added to NRS by 1991, 2236.)

NRS 625.403 – Use of word “certify” or “certification” in practice of professional engineering or land surveying.

The use of the word “certify” or “certification” by a professional engineer or professional land surveyor in the practice of professional engineering or land surveying constitutes an expression of professional opinion regarding those facts or findings which are the subject of the certification. (Added to NRS by 1991, 367.)

NRS 625.520 – Unlawful practice of engineering: penalty; injunctive relief.

1. Except as otherwise provided in subsection 4, it is unlawful for:

- (a) Any person not properly licensed or exempted in accordance with the provisions of this chapter to :
 - (1) Employ, use or cause to be used any of the following terms or any combination, variation or abbreviation thereof as a professional or commercial identification, representation, claim, asset or means of advantage or benefit, namely, “engineer,” “engineering,” “engineered,” “professional engineer,” or “licensed engineer”;

NRS 625.530 – Restrictions upon public works.

1. The State of Nevada or any of its political subdivisions, such as a county, city or town, shall not engage in any public work requiring the practice of professional land surveying or engineering, unless maps, plans, specifications, reports and estimates have been prepared by, and the work executed under the supervision of, a licensed professional engineer, professional land surveyor or registered architect.
2. Nothing in this section:
 - (a) Applies to any public work wherein the expenditure for the complete project of which the work is a part does not exceed \$35,000.
3. The selection of a professional engineer, professional land surveyor or registered architect to perform services pursuant to subsection 1 must be made on the basis of the competence and qualification of the engineer, land surveyor or architect for the type of services to be performed and not on the basis of competitive fees. If, after selection of the engineer, land surveyor or architect, an agreement upon a fair and reasonable fee cannot be reached with him, the public agency may terminate negotiations and select another engineer, land surveyor or architect.

For a booklet listing just NRS 625 and NAC 625, please call:

**Nevada State Board of Professional Engineers and Land Surveyors
1755 East Plumb Lane, Suite 135
Reno, Nevada 89502
775-688-1231 or 800-728-2632**