

Colorado's State Revolving Fund Loan Program Architectural and Engineering Services Procurement



Taking effect as of October 2014, the Water Resources Reform and Development Act of 2014 (WRRDA) implemented requirements for the procurement of architectural and engineering (A/E) services to comply with the elements as identified under chapter 11 of title 40, United States Code. In order to comply with WRRDA, the Colorado State Revolving Fund (SRF) loan program must ensure that equivalency projects meet this requirement.

It is recommended that all projects pursuing SRF loan funds utilize a procurement methodology that meets or exceeds the requirements of 40 U.S.C. 1101. Based upon the Colorado's SRF program needs, there may be exemptions provided to projects once the State has met the equivalency requirements for a particular year. It is suggested that entities planning to pursue SRF loan funding check with their Grants and Loans Unit regional project manager early in the project planning process to ensure that the appropriate A/E services procurement procedures are utilized.

This fact sheet has been prepared to summarize the A/E procurement requirements of 40 U.S.C. 1101 *et seq.*

1. Basic Requirements of 40 U.S.C. 1101 *et seq.*

- Public announcement of the solicitation (e.g., a Request for Qualifications);
- Evaluation and ranking of the submitted qualifications statements based on established, publicly available criteria (e.g., identified in the solicitation);
 - Evaluation criteria should be based on demonstrated competence and qualification for the type of professional services required (e.g., past performance, specialized experience, and technical competence in the type of work required);
- Discussion with at least three firms to consider anticipated concepts and compare alternative methods for furnishing services;
- Selection of at least three firms considered to be the most highly qualified to provide the services required; and
- Contract negotiation with the most highly qualified firm to determine compensation that is fair and reasonable based on a clear understanding of the project scope, complexity, professional nature, and the estimated value of the services to be rendered;
 - In the event that a contract cannot be negotiated with the most highly qualified firm, negotiation continues in order of qualification;
- Requirements apply to contracts for program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, and/or A/E services.