



Process for Assigning Work Authorizations 2023 PEPS Conference

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December 5, 2023



1

- Safety Minute

2

- Organizational Chart

3

- Planning for Work Authorizations (WAs)

4

- Requesting Work Authorization Assignment

5

- WAs from Pools of Indefinite Deliverable (ID) Contracts

6

- Non-federal ID Contracts

7

- Federal ID Contracts

8

- Additional Considerations and WA Tips

9

- Conclusion and Questions



HELP #EndTheStreakTX

End the streak of daily deaths on Texas roadways.

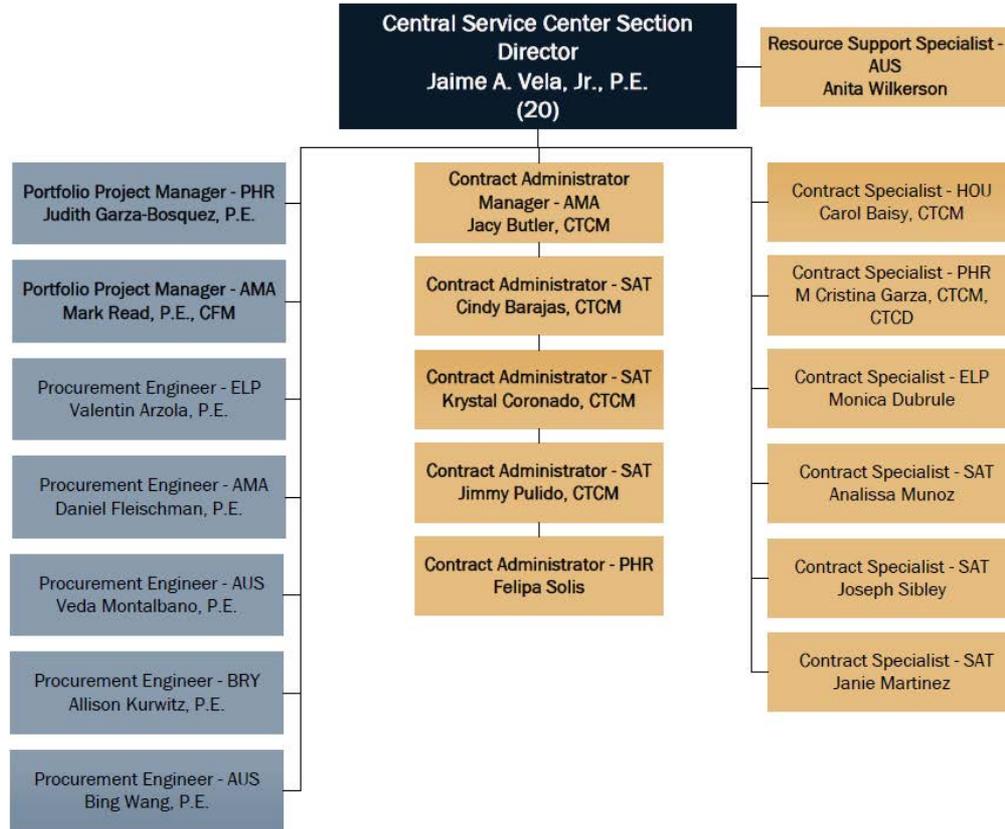
[TxDOT.gov](https://www.txdot.gov) (Keyword: #EndTheStreakTX)



#EndTheStreakTX Toolkit



Organizational Chart - PEPS Central Service Center



WORK AUTHORIZATION REQUESTS ARE IN HIGH DEMAND!



Planning for Work Authorizations (WAs)

PEPS Division Annual Procurement Planning Process



Receive Consultant Contract “Needs” assessment from Districts and Divisions.

“Needs” are analyzed and consolidated to develop the FY Procurement Plan (aka “Projected Contracts List”).

- “Needs” distributed among Indefinite Deliverable (ID) and Specific Deliverable (SD) contracts.

FY Procurement Plan is typically finalized in November of each fiscal year.

FY Procurement Plan published as Projected Contracts List (PCL) on www.txdot.gov

- FY Procurement Plan is developed into four cycles or Waves, roughly corresponding to the quarters of the calendar year.
- Waves planned to procure contracts ahead of need (at least 4 months).

Requesting Work Authorization (WA) Assignment



Requesting a Work Authorization (WA)

To request a WA, the District must:

- Be familiar with the project;
- Know the funding source of the project;
 - An on/off system project?
 - A special Federal earmark for the project?
 - Other program requirements?
- Complete the Identification of Contract Need (ICN);
- Understand that the WA will be assigned by PEPS based on the documented procedures used for assigning WAs.

 PEPS Identification of Contract Need	
Section A: (Completed by DDO PM) *Information Required for all Requests.	
Type of Contract Document Needed	
Requesting DDO	
Requested By	
Will PEPS be processing this document?	
Urgent/Critical (Y/N)	
Design Consultant (CEI Requests Only)	
For WA Requests	
Type of Need	
For SA & SWA Requests	
DDO Requested Contract No. (No Dash)	
WA Number	
Project Information	
Project Manager	
Amount Requested	
Construction Cost	
Primary CSJ (####-##-####)	
Anticipated WA End Date	
HWY	
County	
Limits	
Justification	



Required

- TxDOT is required to follow a documented system for:
 - Assigning WAs
 - Distributing work among consultants.

Objectives

- To distribute work among consultants in a fair and equitable manner.
- To consistently and effectively manage the utilization of available contract capacity.

Two Procedures for WA Assignments

- Non-Federal ID Contracts (State Procured)
- Federal ID Solicitations Involving Multiple Contracts

Additional Considerations

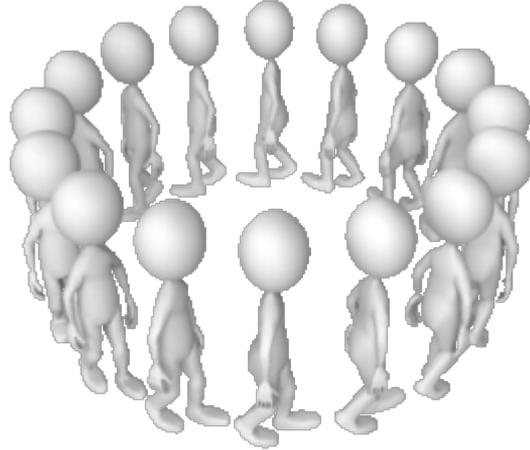
- Availability
- Capacity
- Past Performance
- Conflict of Interest

Contracts will not be selected based on:

- Who the Prime or Sub-providers are.
- Price – The perception that one provider may be cheaper than another.



“Let’s Get On The Rotation”



Non-Federal Indefinite Deliverable (ID) Contracts

Work Authorization (WA) Assignments – Single Series

With similar execution dates, WA assignments are issued in order of rank on a rotation system.

1. After one rotation through the series, available contract capacity becomes a determining factor in ensuring utilization is equitable.

- *Example: All contracts have received an initial assignment*
 - *Contract 1: 60% capacity remaining*
 - *Contract 2: 65% capacity remaining*
 - *Contract 3: 95% capacity remaining*
 - *Contract 4: 63% capacity remaining*

2. The next WA assignment would be given to Contract 3 so that utilization is more evenly distributed.

Non-Federal Indefinite Deliverable (ID) Contracts

Work Authorization (WA) Assignments – More Than One Series

When a new series of contracts is procured, there may be existing series of contracts still in rotation, nearing end of availability due to reduced capacity or limited time to issue new work authorizations.

The new series of contracts and the existing series of contracts will be treated as a single series.

New contracts are added to the bottom of the rotation with the goal to maximize utilization of existing contracts – older contracts are given priority on assignments.

Non-Federal Indefinite Deliverable (ID) Contracts

Work Authorization (WA) Assignments – More Than One Series (cont'd)

Example: Six contracts – three older series and three newer series

- *Contract 1: 60% capacity remaining, 4 months remaining*
- *Contract 2: 30% capacity remaining, 3 months remaining*
- *Contract 3: 10% capacity remaining, 4 months remaining*

- *Contract 4: 100% capacity remaining, 24 months remaining*
- *Contract 5: 100% capacity remaining, 24 months remaining*
- *Contract 6: 100% capacity remaining, 24 months remaining*

The next assignment would be:

- *If 20% capacity is requested – Contract 2.*
- *If 45% capacity is requested – Contract 1, the older contract would be next due to time remaining.*
- *If 70% or more capacity is requested – Contract 4, The highest ranked contract with enough available capacity would be next.*
- *If 5% capacity is requested – Contract 3 will be selected.*



“All You Need to Know”

Professional Qualification



Federal Indefinite Deliverable (ID) Contracts

*Procurement, Management, and Administration of Engineering and Design Related Services
23 CFR Part 172, Section § 172.9 Contracts and Administration*

Single solicitations with multiple ID contracts, each WA shall be awarded to the selected, qualified consultants through and additional qualifications-based selection procedure (second-tier competition).

If the consultants are selected to provide ID services to a region, contracts may be assigned on a regional basis.

Contracts procured under different solicitations are not required to be competed between each other.



Second-Tier Qualifications Based Process to Award Work Authorizations (WAs)

PEPS Service Center will work with the districts to assign WAs using the following:

1. Assign the first WA to the top ranked provider.
2. For subsequent WAs:
 - A. Evaluate the Proposals (including resumes) from the solicitation and select a provider which is most qualified for the services required for the WA project assignment.
 - B. The following additional factors may be considered when making assignments for WAs:
 - i. Availability of the qualified provider's staff based on previous WAs already assigned to the provider;
 - ii. Capacity of the contract with the provider;
 - iii. Past performance of the provider on previous work authorizations;
 - iv. Conflict of Interest of the provider if the firm has performed previous work on the project (i.e. CEI)



The basis for the award must be documented in the Business Case Memo (BCM) known as 2nd Tier Evaluation Memo.

Federal Indefinite Deliverable (ID) Contracts



Federal ID Solicitations Which Specify a Region (District) for One or More Contracts

- These contracts may not be subject to the second-tier qualifications-based process for issuing WAs.
- Follow the table for specific examples of the procedure for a single solicitation with six contracts:

Single Solicitation with Six Contracts							
Scenario 1							
Contract No.	1	2	3	4	5	6	Procedure
Assigned to District:							In the solicitation, each contract is assigned to a different region. No second-tier competition is required for assigning work authorizations under each contract.
Dallas	X						
Houston		X					
Paris			X				
Waco				X			
El Paso					X		
Austin						X	
Scenario 2							
Contract No.	1	2	3	4	5	6	Procedure
Assigned to District:							Six contracts are included in the solicitation and are assigned to each of two districts. The three contracts within each district need to be competed using second-tier procedure for assigning work authorizations.
Dallas	X	X	X				
Houston				X	X	X	
Scenario 3							
Contract No.	1	2	3	4	5	6	Procedure
Assigned to District:							Six contracts are included in the solicitation and are procured by the Central Service Center for Statewide use. The six contracts need to be competed using second-tier procedure for assigning work authorizations.
Statewide	X	X	X	X	X	X	



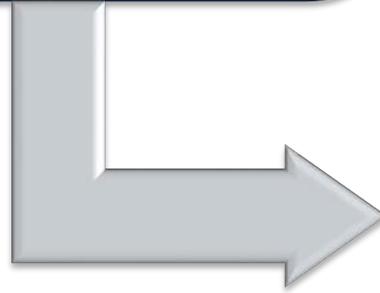
“The Big Picture”





Prime Provider Evaluations

May be used as a factor in
skipping work
authorization assignment



Must be supported by
one or more recent
negative Prime Provider
Evaluations



Resource Availability

Consultant may not have resources available to accept assignment without putting quality, schedule, and performance at risk.

Consultant should be given the opportunity to make the decision to pass on the assignment.

If TxDOT is not in agreement with the consultant plan to manage additional work, documentation must be prepared and placed into the contract file.

The assignment would go to the next contract in rotation.



Survey Services

Sealing requirements are different for surveyors than for engineers.

It may be acceptable to use a different contract with the same Registered Professional Land Surveyor (RPLS) if:

- RPLS has performed the survey and sealed the work.
- Additional services requested require the work to be sealed again.
- The original contract is not available.



Provider Responsibilities

1. When new contract is executed, inquire into which Service Center is managing the contract.
2. Be familiar with the contract, including Historically Underutilized Business/Disadvantaged Business Enterprise (HUB/DBE) commitments, and budget.
3. Request access to Professional Services Contract Administration Management System (PS-CAMS).
4. Start on Work Authorizations only after being executed and notice to proceed has been given by District/Division.
5. Attend scope kick-off meeting to finalize tasks and leave the meeting with consensus between TxDOT Project Manager (PM) and the Provider PM.
6. Prepare fee schedule based on the project scope. Rates, staffing, and other direct expenses must be according to the contract. Submit to the TxDOT PM for negotiations.



Provider Responsibilities (cont'd)

7. Be aware of conflict of interest. The Provider cannot inspect work designed by its firm, and the Provider cannot work for more than one party on the same projects.
8. Finalize Exhibits A,B,C,D, and the H-2 Form for approval by the TxDOT PM.
9. Each month, update the projected versus actual budget information and enter HUB/DBE usage into PSCAMS.
10. **Every month, please submit Invoices!**
11. Track contract and WA termination dates at 30-60-90 days ahead of termination date.
12. Send Project Manager (PM) change letter to respective Service Center Manager when changing PM on contract.

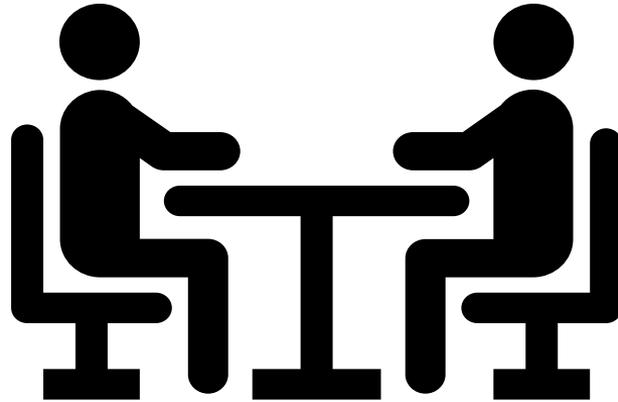


Districts/Divisions Responsibilities

1. Ask for contract only when scope has been prepared.
2. Ensure Business Case Memo (BCM) has reasonable justification if requesting “out of rotation” contract.
3. Refrain from offering another project to Provider when working with same Provider on existing Work Authorization.
4. Contact Service Center Manager for proper steps on ceasing negotiations with Provider at impasse on Work Authorization negotiations.
5. TxDOT Project Managers (PM): Complete performance evaluations for all Work Authorizations that you are managing.
6. Provider may notify the TxDOT PM that another prime provider employee will be assisting with management of a work authorization and serving as the WA PM. Coordinate with the Service Center to update Professional Services Contract Administration Management System (PS-CAMS).



“Combined Effort”





Non-Federal Indefinite Deliverable (ID) Contracts

The defined prioritization process focuses on:

- Distributing work in a fair and equitable manner and
- Effectively managing and using the “available” contract capacity = both money and time remaining.

First rotation-based firm’s ranking at selection.

Subsequent rotations-available contract capacity drives distribution of work.



Federal ID Solicitations Involving Multiple Contracts

1. Evaluate the proposals and Provider PM resumes (if applicable).
2. Assign Work Authorizations (WAs) using the following procedure:
 - A. The first WA goes to the top ranked Provider.
 - B. For subsequent WAs, will refer to the contract procurement file and:
 - i. Evaluate the proposals (including resumes) from the solicitations and;
 - ii. Select the most qualified Provider for the scope defined in the WA.

Questions and Discussion

*Thank you for attending the Process for
Assigning Work Authorization presentation*



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