

RE: Letter of Interest

Beaverson, Brett N. - SCPS Director of Operations

Sent: Wednesday, May 09, 2012 4:08 PM

To: Adams, Charles (Superintendent)

What does the KRS say about the actual selection?

45A.745 Criteria for evaluation of interested firms.

(1) A local public agency shall evaluate those firms submitting statements of interest in a proposed project according to the following criteria:

- (a) Qualifications;
- (b) Ability of professional personnel;
- (c) Past record and experience;
- (d) Performance data on file;
- (e) Willingness to meet time and budget requirements;
- (f) Location;
- (g) Workload; and
- (h) Any other factors that the local public agency has set forth in writing, including the reciprocal preference for resident bidders required by KRS 45A.494.

(2) The local public agency may then conduct discussions and require interviews with firms deemed to be the most qualified according to the criteria in subsection (1) of this section. Bids for the cost of the proposed project shall not be a factor in the evaluation of firms until negotiations are begun in accordance with KRS 45A.750.

(3) The local public agency shall select, on the basis of the evaluations done in subsections (1) and (2) of this section, at least three (3) firms that are judged to be the most qualified and rank them accordingly. If fewer than three (3) firms are judged to be qualified, then those firms that remain shall be ranked in like manner.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 162, sec. 16, effective July 15, 2010. -- Created 1992 Ky. Acts ch. 249, sec. 4, effective July 14, 1992.

Does the BOE choose from the advertisements? Yes. As stated in Model P – the Board could “conduct discussions and require interviews with firms...”

Do they offer bidding by percentage to help make the decision? If I understand your question, the BOE, after evaluations of criteria in subsections (1) and (2) shall rank the top three most qualified firms as a means of assisting the decision.

45A.750 extends to the next step after a firm is selected.

45A.750 Negotiation of contract.

(1) Based on the rankings developed in KRS 45A.745(3), the local public agency shall contact the highest-ranked firm and attempt to negotiate a contract for a fair and reasonable value that takes the following into account:

- (a) The estimated value of the services needed;
 - (b) The scope and complexity of the proposed project;
 - (c) The business risk anticipated; and
 - (d) The professional nature of the services required.
- (2) If the local public agency is unable to negotiate a satisfactory contract with the highest-ranked firm, negotiations with that firm shall be terminated. The local public agency shall then go through the negotiation process with the next firm in the rankings, continuing this procedure until an agreement is reached or the list of ranked firms is exhausted.
- (3) If negotiations with all of the ranked firms fail to result in a satisfactory contract, the local public agency shall reevaluate the architectural or engineering services involved in the proposed project and proceed to comply with KRS 45A.740 and 45A.745 until a contract is successfully negotiated.
- Effective:** July 14, 1992

History: Created 1992 Ky. Acts ch. 249, sec. 5, effective July 14, 1992.

Please let me know if I answered your questions. Brett

Brett N. Beaverson

Director of Operations
Spencer County Public Schools
(502) 477-3250
(502) 477-4259 Fax

"Going the Distance for All Students"

From: Adams, Charles (Superintendent)
Sent: Tuesday, May 08, 2012 4:56 PM
To: Beaverson, Brett N. - SCPS Director of Operations
Subject: RE: Letter of Interest

Does the BOE choose from the advertisements? Do they offer bidding by percentage to help make the decision?
What does the KRS say about the actual selection?

Chuck Adams, Superintendent
Spencer County Schools
"Going the Distance for ALL Students"

From: Beaverson, Brett N. - SCPS Director of Operations
Sent: Tuesday, May 08, 2012 4:43 PM
To: Barlow, Michelle
Cc: Adams, Charles (Superintendent)
Subject: FW: Letter of Interest