

# *APSPM* or *CPSM*?

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# Purpose of Session

- Construction Projects
- Clarify when to use:
  - *Agency Procurement and Surplus Property Manual (APSPM)*
  - *Construction and Professional Services Manual (CPSM)*



# Construction

- Means building, altering, repairing, improving or demolishing any structure, building or highway, and any draining, dredging, excavation, grading or similar work upon real property (*Code of Virginia, § 2.2-4301*)



# Capital Outlay Projects

- Acquisition or proposed acquisition of property, including any improvements thereto, a new construction project or improvements to state-owned property, a renovation, maintenance or repair project, an equipment acquisition or improvement to state leased property which meets the criteria in the *CPSM*



## Prior to PIM #98-023

- Construction which was not a Capital Outlay Project but involved plans and specs prepared by an AE was procured using the *CPSM*
- Same procedures and contract provisions as Capital Outlay Projects



## Prior to PIM #98-023

- Construction which was not Capital Outlay and did not involve plans and specs prepared by an AE was procured using the *APSPM*
- Used same manner as nonprofessional services



# PIM #98-023

## Effective 12/07/2007

- Construction which is not Capital Outlay but involve plans and specs prepared by an AE and/or require a building permit
- Procure using *CPSM* Capital Outlay procedures and contract provisions



PIM #98-023  
Effective 12/07/2007

- Construction which is not Capital Outlay and does not involve plans and specs prepared by an AE and does not require a building permit
- Procure using *CPSM* or *APSPM*



## When Using *APSPM*

- Small Business Set-asides apply up to \$50K
- Thresholds in Annex 3-B apply
- Small Business Subcontracting Plan required if >\$100K
- Process through eVA



# When Using *APSPM* Appendix B

- General Terms & Conditions
- Special Terms & Conditions
- Additional Conditions  
Non-Capital Outlay Construction  
Projects



## *APSPM 4.24 c.*

- Nonprofessional Services
  - Cost Estimating
  - Construction Inspections
  - Roofing Evaluations
  - Nondestructive Testing
  - Critical Path Method Scheduling



## *APSPM 4.24 g.*

- Equipment
  - Whether built in or free standing
  - Not acquired as part of general construction
  - Not involving plans and specs prepared by an AE
  - Not requiring a building permit
  - Buy up to delegated \$ authority for goods



# Methods for Construction Procurement when Using *CPSM*

- Sealed bids – Invitation for Bids
- 2 step Invitation for Bids
- Request for Proposals
- CM at Risk
- Design-Build
- Public Private Education Infrastructure Act
- Energy Performance Contracting



# Small Non-Capital Outlay (CPSM 1002)

- Non-Capital Outlay Minor Construction
- Up to \$5,000:
  - Develop Scope including plans and specifications
  - Use CO-7, General Conditions of the Construction Contract
  - Solicit from 4 certified small businesses
  - Receive faxed or e-mail bids
  - Open bids and Award to low bidder
  - Post Notice



# Small Non-Capital Outlay (CPSM 1002)

- Non-Capital Outlay Minor Construction
- More than \$5,000 but less than \$50,000:
  - Develop Scope including plans and specifications
  - Use CO-7, General Conditions of the Construction Contract
  - Solicit from **8** certified small businesses
  - Receive faxed or e-mail bids
  - Open bids and Award to low bidder
  - Post Notice



# Small Non-Capital Outlay (CPSM 1002)

- Non-Capital Outlay Minor Construction
- More than \$50,000 but less than \$100,000:
  - Develop Scope including plans and specifications
  - Use CO-7, General Conditions of the Construction Contract
  - **Publically Advertise, post in eVA and on VBO**
  - **Receive sealed bids**
  - **Open bids 24 hours after receipt**
  - Award to low bidder
  - Post Notice
  - **Performance bonds are not required but may be specified**



# Capital Outlay Construction Procurement (CPSM 1002)

- Capital Outlay Construction
- More than \$100,000:
  - Develop Scope including plans and specifications
  - Use CO-7, General Conditions of the Construction Contract
  - Publically Advertise, post in eVA and on VBO
  - Receive sealed bids
  - Open bids 24 hours after receipt
  - Award to low bidder
  - Post Notice
  - **Performance bonds are required**



# Construction Procurement Bid Forms

- Have to be dated to be valid
- Have to be signed by an authorized agent of the company to be valid
- Have to have the contractors Virginia registration number to be valid
- Have to have the FIN number to be valid
- Has to have the company name, address, phone and fax to be a valid bid



## Additional Guidance to be Provided

- Over the next year DEB and DPS will be working together to provide additional guidance.
- Training as a VCCO in order to procure construction under the CPSM will be beneficial
  - VCCO information is available at: [www.dgs.virginia.gov/BCOM](http://www.dgs.virginia.gov/BCOM)



# Pre-Qualified SWaM Contractors List

- Provide business opportunities to small, women, and minority owned contractors
- To provide a pool of qualified contractors for public bodies to negotiate work
- To expedite schedules and reduce the time and money spent by public bodies in the soliciting process



# How to Use the Pre-Qualified SWaM Contractors List

- Procedures for:
  - Bidding work under \$5,000
  - Bidding work \$5,000 - \$100,000
  - \$100,000 - \$500,000
    - Bidding
    - OR
    - Competitive Negotiation



# Bidding in the Pre-Qualified Pool

- Estimated value of work \$5,000 or less
  - Develop scope of work (Bid documents)
  - Contact a minimum of 2 bidders based on trade and area location
  - Conduct a site visit where applicable
  - The contractor shall submit a written/unsealed bid
  - Agency will receive and open bids on the same day
  - Issue an eVA purchase order



# Bidding in the Pre-Qualified Pool

- Estimated value of work \$5,000 - \$100,000
  - Develop scope of work (Bid documents)
  - **Use the CO7 Terms and Conditions**
  - Contact a minimum of **4** bidders based on trade and area location
  - **Required to** conduct a site visit
  - The contractor shall submit a written/sealed bid **on the bid form**
  - Agency will receive and open bids on the same day
  - **Award the contract using a CO9**
  - Issue an eVA purchase order



# Three Types of AE Service Contracts

- Category B services for estimated design fees of less than \$50,000
  - A simpler solicitation process that includes advertisements for statements of interest from AE firms and a telephonic interview process
- Single project contract
- Term contract
  - Project orders for work on smaller design projects. Project order maximum is \$200,000. Total contract aggregate is \$1,000,000. May be renewed up to 4 times



# How do I hire an Architect or Engineer?

- Request for Proposals
  - The VPPA states that we hire professional services based on qualifications utilizing competitive negotiations
  - AE forms as found in the CPSM are used for submissions and for evaluating qualifications
  - Review proposals and develop a short list of those best qualified for the project to interview
  - Interview a minimum of three firms
  - Rank after the firms after the interview
  - Negotiate a fee with the firm ranked first
  - If negotiations are unsuccessful, terminate negotiations and move to the second ranked firm



## Contact Info

- [www.dgs.virginia.gov/DEB](http://www.dgs.virginia.gov/DEB)
  - CPSM & BCOM
  - DEB Contracts (SWaM List)
  
- <http://dps.dgs.virginia.gov>
  - APSPM
  - PIM #98-023



# Questions or Feedback

