

## Local Administered, Consultant List – Transition Projects FAQ

1. Will the OFCC/ Agency agreement unbilled amounts be deducted in the project?
  - A. Once the consultant list final bills in SFC-170999; Tasheena Duresky, OFCC Project Coordinator, will complete a Consultant closeout amendment. Then, an OFCC/ Agency deduct will occur.

When the consultant final bills for the fiscal year; Tasheena will complete a Consultant Closeout Amendment for any unbilled amounts. Once the State Agency pays the final bill to OFCC; an OFCC/Agency Closeout Amendment will occur.

2. Will OFCC keep the 10% fee associated with the line items that were not billed- not completed?
  - A. OFCC will not keep the 10% fee associated with the line items that were not billed. Tasheena will send an email to your Agency Fiscal person to Reduce or closeout the associated PO for the project.
3. Does the agency need to go back to controlling board to close OFCC PO balances and re-issue POs to the firm?
  - A. Yes, you will need to go back to controlling board to re-issue POs to the firm. The purchasing authority ("Agency Released Competitive Opportunity") granted by Controlling Board was only for FY20 and only authorized OFCC to contract with the consultant, not other agencies.
4. OFCC, in the past, has provided suggested language so that controlling board requests can look the same across agencies. Would you please provide language for this type of request where we are moving vendor payment responsibility from OFCC to a State Agency?
  - A. First, try this process, If the POs are still being used for the same projects to the same vendors, your agency may be able to avoid going to the Controlling Board, with the exception of any consultant firm that is not on the new consultant list. Your finance department can make a request to change the remaining balance of the PO (after June 30, 2020) over to the vendor. This can be done through the OBM Director's Memo portal. There may be a possibility that this is not allowed. Please explain in the memo that these

projects lasted longer than expected and now need to be transferred over to the new consultant list process, requiring your agency's need to pay the consultant directly. Your agency fiscal staff could reach out to your OBM analyst to see what they think before requesting it.

- B. Or, if you need to go to Controlling Board for Approval for new projects, please see the below examples:

The consultant was selected from the OFCC consultant list. The consultant list is developed via a Request for Qualifications (RFQ) process to select and pre-approve a pool of design consultants to provide architectural and engineering services on an as-needed basis. OFCC has already been granted purchasing authority via Controlling Board request SFC0101088, approved on June 10, 2019.

The [State Agency] Department selected [Consultant] from the Ohio Facilities Construction Commission (OFCC) shortlist. This request, totaling \$133,900.00 is composed of design fees for [Consultant] of \$131,900.00 and OFCC Consultant List Flat Fee of \$2,000.00

[Consultant] was selected from the Ohio Facilities Construction Commission (OFCC) list of pre-approved consultants that was developed through a request for qualifications process and approved by the Controlling Board at the June 10, 2019 hearing. This request will release \$85,000 in favor of [Consultant] for design, permitting, bidding, and construction administration services, \$2,000 for OFCC consultant list fees, and \$14,500 for OFCC local administration fees, for a total of \$101,500.00.

5. Can I do new amendments in the actual projects for these "legacy" projects?
- A. The user Agency would execute a new Consultant agreement for the remaining or additional services to complete the project.
6. What is the Agreement that I need to use for this new consultant list process?
- A. Please select C130-01-CI-2020-JAN-Consultant Agreement. This can be also found on the OFCC Website under Agreements and Standard Requirements, Consultant Agreements, [https://ofcc.ohio.gov/Portals/0/Documents/AgmntsStdRqrmnts/ProfServices/C130-01-2020-JAN\\_Consultant\\_Agreement.docx?ver=2020-01-24-072218-260](https://ofcc.ohio.gov/Portals/0/Documents/AgmntsStdRqrmnts/ProfServices/C130-01-2020-JAN_Consultant_Agreement.docx?ver=2020-01-24-072218-260)

7. How do we handle the 10% markup that is on all of the contracts in OAKS CI? If we are creating a new agreement between the A/E and the State Agency directly, we will not be including the 10%, correct?
- A. Once you notify Tasheena of the project stopping point; she will complete a deduct in the Consultant list project and a deduct amendment in the actual project. The new agreement that you create within this project will not include the 10% markup; since this new agreement will be between your State Agency and the consultant, instead of your State Agency and OFCC.
8. How does the consultant deduct amendment occur?
- A. The PM team needs to communicate with Tasheena directly regarding the legacy projects that will extend past 6/30/20 to see when a good “stopping” point is for each project. Tasheena will then complete a Consultant Deduct Amendment in SFC-170999 and then in the actual project to deduct unused services. Once this is completed, Tasheena will request OAKS CI to update the project to confirm this project should have the new consultant list process workflows. Your ACC would complete new agreements (not amendments) for these projects following the new consultant list process in the actual projects.
9. For the new Consultant list Agreement, following the new process, will the ACC need to receive an updated proposal and all the other required documents?
- A. Yes, this is correct.