**Section 2600.330 Competitive Selection Procedures for Professional and Artistic Services**

a) The provisions of this Section apply to every procurement of professional and artistic services, except as otherwise provided in this Part.

b) If the professional or artistic contract is with a firm or other business entity, the individuals whose education, experience and technical ability provided the basis on which the firm or other business entity was selected must meet the qualifications.

c) Except as authorized under Section 20-25 (Sole Source Procurement) or Section 20-30 (Emergency Procurements) of the Code, these competitive selection procedures shall be used for all procurements of professional and artistic services of $25,000 or more or as otherwise established in Section 20-20 of the Code.

d) The CPO may use the list of prequalified professional and artistic vendors maintained by CMS pursuant to 44 Ill. Adm. Code 1.2045.

e) Notice of the need for professional and artistic services shall be made by the Procurement Officer in the form of a Request for Proposals and must be given as provided in Section 2600.200 and published in the Procurement Bulletin. Notice shall also be distributed to prequalified persons interested in performing the services required by the proposed contract.

f) The Request for Proposals shall be in the form specified by the CPO or his or her designee and must be returned to and handled by the CPO or his or her designee. It must comply with the Invitation for Bids requirements found in Section 2600.305.

g) Proposals shall be evaluated only on the basis of evaluation factors stated in the Request for Proposals. Price will not be evaluated until ranking of all proposals and identification of the most qualified vendor. The relative importance of the evaluation factors will vary according to the type of services being procured. The minimum factors are:

1) the plan for performing the required services;

2) ability to perform the services as reflected by technical training and education, general experience, specific experience in providing the required services, and the qualifications and abilities of personnel proposed to be assigned to perform the services;

3) the personnel, equipment, and facilities to perform the services are currently available or demonstrated to be made available at the time of contracting; and

4) a record of past performance of similar work.

h) Proposals and modifications shall be opened publicly at the time, date and place designated in the Request for Proposals. Opening shall be witnessed by an SBEL employee, but the person opening proposals shall not serve as witness. A record shall be prepared that includes the name of each offeror, the number of modifications received, if any, and a description sufficient to identify the supply or service item offered. The record of proposals shall be open to public inspection after award of the contract. Proposals of offerors who are not awarded the contract shall not be open to public inspection.

i) The Procurement Officer may conduct discussions with any offeror in order to determine in greater detail the offeror's qualifications or learn more about the scope and nature of the required services, the offeror's proposed method of performance, and the relative utility of alternative methods of approach. The Procurement Officer may allow changes to the proposal based on those discussions.

j) Discussions shall not disclose any information derived from proposals submitted by other offerors, and the agency conducting the procurement shall not disclose any information contained in any proposals until after award of the proposed contract has been made. The proposal of the offeror awarded the contract shall be open to public inspection, except as otherwise provided in the contract.

k) After conclusion of validation of qualifications, evaluation, and discussion, the Procurement Officer shall rank the acceptable offerors in the order of their respective qualifications.

l) Pricing submitted for all proposals timely submitted shall be opened and ranked.

1) If the low price is submitted by the most qualified vendor, the Procurement Officer may award to that vendor.

2) If the price of the most qualified vendor is not low and if it does not exceed $25,000, the Procurement Officer may award to that vendor.

3) If the price of the best qualified vendor exceeds $25,000, the Procurement Officer must state why a vendor other than the low priced vendor was selected and that determination shall be published in the Bulletin.

m) If compensation, contract requirements, and contract documents can be agreed upon with the best qualified offeror, the contract shall be awarded to that offeror, unless the procurement is cancelled. Compensation must be determined in writing to be fair and reasonable, as determined by the Procurement Officer based on the circumstances of the particular procurement, including but not limited to the nature of the services needed, qualifications of the offerors, consideration of range of prices received in the course of the procurement, and SBEL's identified budget.

n) The Procurement Officer may choose to negotiate with a source other than the best qualified offeror if compensation, contract requirements, or contract documents cannot be agreed upon with the best qualified offeror. A written record stating the reasons for the disagreement shall be placed in the file. The Procurement Officer shall advise the best qualified offeror of the termination of negotiations.

o) Nothing in this Section shall prohibit the Procurement Officer from making a selection that represents the best value, qualifications, price and other relevant factors established in the Request for Proposals being considered. The Procurement Officer may, in considering best value, determine the proposal from a fully qualified vendor that submitted the lowest price to be the best value without further evaluation.

p) The Procurement Officer may enter into negotiations with the next most qualified vendor or vendors when SBEL has a need that requires multiple vendors under contract.

q) Small, sole source and emergency procurements of professional and artistic services under the jurisdiction of a Procurement Officer do not require approval of the CPO to proceed. Any notices shall be published by the Procurement Officer.

r) Following completion of the contract, the Procurement Officer shall provide a synopsis of the contract and shall rate the vendor's performance. A copy of the completed form shall be maintained in the files of the CPO.