ADMINISTRATIVE PROCEDURE

SUBJECT:
SELECTION, APPROVAL, AND CUSTODY OF PROFESSIONAL AND TECHNICAL SERVICES CONTRACTS

<table>
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<tr>
<th>Number</th>
<th>Effective Date:</th>
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<tr>
<td>X-7</td>
<td>Issued: 05/25/92</td>
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<td>Revised*: 06/18/18</td>
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* Previously revised on: 08/01/94, 08/05/01, 05/09/14, and 02/01/16

PURPOSE:

To establish procedures that meet the District’s mission and vision statements, while ensuring uniformity and consistency in contracting for the procurement of professional and technical services in accordance with applicable government regulations and Chapter 7.08 of the District’s Code of Regulations (Exhibit A). This procedure regulates the procurement of professional and technical services contracts where price is not the only selection criterion.

It is recognized that in certain circumstances the procurement of professional and technical services may require modification to one or more of the steps outlined in this procedure. Any exceptions should be approved by the Purchasing Officer in advance of initiating the procurement process.

For competitively bid construction contracts, contact the Engineering Department for additional information. For the procurement of goods, materials, equipment and service contracts, refer to Administrative Procedure X-4. For information about the completion of Purchase Requisitions, refer to Administrative Procedure X-11.

These procedures have been established to ensure an adequate level of supplies and services necessary to support the ongoing activities of the District at all times, under all conditions.

POLICY:

The procurement of all services shall be on the basis of documented competence and qualifications for the types of services to be performed and the most responsible and responsive proposal at a fair and reasonable price or the lowest bid.

The District will not pay for services performed by a contractor/consultant prior to the execution of a valid contract evidenced in writing in accordance with these procedures.

RESPONSIBILITY:

The Purchasing Officer, or his/her designee, is responsible for the distribution, advertisement, collection, and evaluation of all District-related procurement activities. He/she will coordinate and work in cooperation with other District staff in identifying and purchasing all professional and
technical services typically subject to competitive bid/proposal processes. Final solicitation documents will be reviewed by appropriate departmental and/or purchasing staff prior to release. It is the responsibility of the department initiating the request to assure appropriate approvals are in place prior to the release of any bid/proposal documents. The Finance Department will process payment for all services providing that purchasing procedures, as outlined herein, have been followed.

Department Heads (defined as Department Directors and Division Managers) are responsible for working with legal counsel and the Purchasing Officer to determine that all requests for services identified and submitted to Purchasing are legitimate, meet legal requirements, meet contractor licensing and insurance compliance requirements including contractor training and adherence to the District’s Contractor’s Safe Practices Handbook, and that charges for services rendered are utilizing appropriate and accurate account information, and are compliant with the currently adopted budget.

The competitive selection and award procedures and responsibilities are as follows:

<table>
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<tr>
<th>Activity</th>
<th>Responsibility</th>
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<tbody>
<tr>
<td>Publication of Notice, including District Website</td>
<td>Purchasing *</td>
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<tr>
<td>Release of Procurement Documents w/Addendums</td>
<td>Purchasing *</td>
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<tr>
<td>Prepare Scope of Work/Specifications</td>
<td>Department</td>
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<tr>
<td>Walk-Through/Pre-Proposal/Bid Meeting(s)</td>
<td>Purchasing w/Department</td>
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<tr>
<td>Bid Opening/Proposal Submittal</td>
<td>Assistance (as needed)</td>
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<tr>
<td>Evaluation for Recommended Action/Awards</td>
<td>Purchasing</td>
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<tr>
<td>Rejection of Bids</td>
<td>Department **</td>
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<tr>
<td>Prepare Agenda Docket, if applicable</td>
<td>Department and Purchasing</td>
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<tr>
<td>Award of Contract</td>
<td>Department or Purchasing ***</td>
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<tr>
<td>Obtain Insurance Certificates (for new vendors)</td>
<td>Level per Authority Matrix</td>
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<tr>
<td>Database Entry of New Vendor’s Insurance Certificates</td>
<td>Department</td>
</tr>
<tr>
<td>Finalization/Confirmation of Insurance Compliance</td>
<td>Purchasing</td>
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* Option for task to be addressed by the Department, if preferred.
** Department evaluates non-cost components of proposals; Purchasing typically evaluates cost component of proposals
*** Dockets typically prepared by Department, exceptions include those for consolidated annual routine goods and services, chemicals, and vehicle replacement which are prepared by Purchasing.

**DEFINITIONS:**

*Interviews:* Interviews with potential service providers, where requested, are to be scored separately based on defined and transparent criteria, documented in writing, and factored into the final determination.
Invitation to Bid: Formal process to obtain lowest responsive, responsible bidder or price. Invitations to Bid (ITB) are submitted in sealed envelopes with a formal public opening. These processes can be advertised at the District’s discretion in a periodical, newspaper or on the District’s website. ITBs are used when applicable to award based on specific technical service specification, or when utilizing cost or price-related criteria. For information regarding the procurement of goods, materials, and equipment subject to competitive bidding, refer to Administrative Procedure X-4.

Professional/Consulting Services: Specialized services performed by firms/persons who are qualified by education, experience, licenses or certification in a particular field (e.g., engineers, architects, attorneys, surveyors, and other licensed individuals). Examples of work product output are reports, studies, plans, specifications, etc.

Proposal Cost: The following is an example of the ratio method, the most common method of scoring proposal cost. With this method, the proposal with the lowest cost receives the maximum points allowed. All other proposals receive a percentage of the points available based on their cost relationship to the lowest.

This is determined by applying the following formula:

\[
\frac{\text{Lowest Cost}}{\text{Lowest Cost Being Evaluated}} \times \text{Maximum Points Available} = \text{Awarded Points}
\]

Example: Vendor A’s total cost for the proposal is $105,000. Vendor B’s cost is $125,000, Vendor C’s cost is $110,000, and Vendor D’s cost is $140,000. Total points available for cost are 50 points. (The calculations would be made in the same way regardless of the total points associated with cost element). Vendor A receives 50 points for cost; Vendor B receives 42 points; Vendor C receives 47.5 points; Vendor D receives 37.5 points.

Request for Proposal (RFP): Document which requests a firm to submit a proposal to perform the scope of work associated with a specific project or service (Exhibits B-E). A Request for Proposal (RFP) process is used for the procurement of products or services where the District intends to select a vendor based upon criteria specified in solicitation documents, including competence, qualifications, quality of proposed work product, experience, references and expertise in the field. Cost is not the sole basis for selection in an RFP, but may be considered as one of the criteria for evaluating proposals. For Technical Services, cost should typically constitute at least 50% of the evaluation score, unless an exception has been granted by the General Manager. Other criteria, such as experience, turnaround time, project team, references and approach to work are determining factors when evaluating a proposal.

Request for Qualifications (RFO): Document which requests a firm to submit information on its qualifications and capabilities to perform the scope of work associated with a proposed project.
Selection Committee: For awards requiring approval by the Board of Directions, the awarding department should organize a selection committee consisting of representatives from the District and/or panelists from other agencies/companies to review the qualifications and/or proposals from consultants/firms. No more than 50% of the evaluation committee should be comprised of staff from the awarding department; any exception must be approved in writing by the Department Head and Purchasing Officer. Members of the project team (for example, staff from the users’ group or awarding department) are eligible to sit on the Selection Committee. Outside staff (i.e., staff from local agencies, industry experts) shall be used, when possible. (Additional information on forming the committee is provided on page 10.)

Technical Services: Specialized services performed by firms/persons who are qualified by education, experience, or certification in a particular field and which usually includes some form of physical skill. Examples are: building a model, soils boring and analysis, simple construction not subject to competitive bidding processes, security, and janitorial or other normally non-licensed services.

Total Cost of Ownership: When evaluating a best value RFP, cost means the Total Cost of Ownership (TCO) over the life of the purchase, typically considered as a period of five years. TCO may include all purchase, operating, and related costs for a product or service. It includes, but is not limited to, purchase price, implementation costs associated with a particular approach, operating costs, maintenance, downtime, energy costs, as well as the costs of leaving at the end of the contract. In some cases, the TCO can be more heavily weighted toward variable cost consideration as opposed to a fixed cost.

Weights: Weighted values reflect the relative importance of each of the evaluation criteria to the District. Weighting is to be used for each factor and sub-factor including cost (with the exception of professional services where cost will not be weighted), so that all evaluators will have sufficient information to prepare their evaluations. Weighting and selection criteria will be listed in order of importance in the RFP documents. If interviews are requested as part of the proposal evaluation process, their weight with respect to the total score will be defined. Total score should be weighted to an index of 100%.

PROCEDURE: The following details the procedures for contracting for professional and technical services. A summary level check list is provided as Exhibit I to assist in the completion of the required steps.

Establish Procurement Need: District staff should consider procurement of professional and/or technical services:

1) To perform specialized professional or technical work that requires expertise not available among District staff.
2) To perform professional or technical work which District staff cannot perform due to workload, project priorities, project size, project schedule, etc.
Identify Type of Service: Consultants/firms may be retained for professional and/or technical services, which include, but are not limited to the following:

<table>
<thead>
<tr>
<th>Professional Services</th>
<th>Technical Services</th>
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<tbody>
<tr>
<td>Planning studies</td>
<td>Soils investigations</td>
</tr>
<tr>
<td>Environmental impact reports</td>
<td>Electrical testing</td>
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<tr>
<td>Design plans and specifications</td>
<td>Mechanical testing</td>
</tr>
<tr>
<td>Construction management and inspection/design services</td>
<td>Janitorial services</td>
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<tr>
<td>Architectural services</td>
<td>Computer systems design, analysis, programming etc.</td>
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<tr>
<td>Organizational analysis</td>
<td>Classification studies, executive recruitment</td>
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<tr>
<td>Land surveying</td>
<td>Security services</td>
</tr>
<tr>
<td>Financial Advisor Services</td>
<td>Technical training (job skills, computer, driver)</td>
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Identify Type of Contract: Select appropriate District Standard Form Contract for use, which shall include the following provisions and the insurance requirements detailed in the following section:

1) Scope of work in sufficient detail to clearly define the specific service to be provided
2) Schedule for completion
3) Expertise or specialized services required
4) Responsibilities of the respective parties under the contract
5) Indemnification and hold harmless provision
6) Prevailing wage rate shall be paid for all public work performed in excess of $1,000
7) Subcontractor and/or assignment of the contract
8) Cost and applicable progress payment
9) District’s Contractor’s Safe Practices Handbook
10) Completion of contractor safety training, where applicable
11) Other relevant information

Insurance: Insurance requirements will be provided via the terms and conditions of the Purchase Order, ITB or District Standard Form Contracts. It is the responsibility of the procuring department to secure all required insurance documents from Contractors who have not previously done business with the District, and to provide them to Purchasing. These documents must be forwarded to either the Risk Management Officer or Purchasing Officer, and approved (or the requirements waived by the Risk Management Officer) prior to the issuance of a contract and commencement of work on District property. The Purchasing Officer must approve the documents prior to the issuance of a contract and commencement of work on District property, unless the insurance requirements have been waived by Risk Management Officer. Insurance certificates for all new vendors will be entered into the insurance database by Purchasing.

Purchasing will also ensure that insurance documents have been renewed for existing vendors. Prior to insurance expiration, existing vendors are to submit updated insurance documents directly to the District’s third-party insurance administrator.
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Should the insurance documents be sent directly to the department, the department can either: mail or scan the documents and send them via email to the third-party administrator for database entry, or the department can choose to upload the documents directly into the database.

Standard insurance requirements are as follows:

1) Contractor shall provide commercial general liability and broad-form property damage liability coverage in the amount of $1,000,000 for a single limit occurrence and $2,000,000 aggregate;

2) Contractor shall provide commercial automotive, bodily injury, and property damage insurance on all vehicles impacted by the contract in the amount of 1,000,000 for a single limit occurrence

3) Contractor shall provide professional liability insurance in the amount of $1,000,000 for a single limit occurrence

4) Contractor shall provide statutory worker’s compensation and employer’’s liability insurance as required by law

5) Depending upon scope of work and level of exposure, insurance requirements may be increased or decreased at the discretion of the General Manager or his designee (Risk Management Officer). The District shall be named as an additional insured. Certificates of Insurance with endorsements to the policy are required

Documentation Review: The staff member responsible for the administration of each contract will be identified and noted in the project/contract file. Each phase of contract development should be distributed as follows for comment:

1) Supervisor, if applicable
2) Department Head
3) Purchasing Officer
4) District Legal Counsel (optional, as determined by Department Head)

The final contract shall be reviewed as follows prior to Board (or designee) submittal:

1) Department Head
2) Director of Finance
3) Risk Management Officer
4) Assistant General Manager, with oversight of applicable department
5) District Legal Counsel
6) General Manager
7) Board of Directors (via docket), if Board approval is required for the agreement
Implementation Steps: The Department needing professional and/or technical services should do the following:

Project Identification:

a. Evaluate project requirements for staffing needs and/or the use of specialized professional or technical services.

b. Prepare a written justification email (or memo) requesting approval to obtain the services and the estimated cost, scope, schedule, and funding source. The method of procurement and any special considerations, such as Right of First Refusal for lease agreements, should also be defined.

c. Requested authorization level(s) must conform to the District’s Authority Matrix.

Project Implementation:

1) Determine and follow appropriate procurement procedure. Professional Services Procurement procedures are set forth beginning on page 8. Technical Service Procurement procedures are set forth beginning on page 12. Consult with the Purchasing Officer to determine the appropriate contract documents for use. Prepare public advertising or web site advertising where appropriate.

2) Prepare an email (or memorandum) for the pertinent project, summarizing criteria and consultant/firm selection process and discussion of relevant criteria fulfillment upon which the selection decision was based.

3) For Professional Services, negotiate contract and prepare appropriate documentation for approval. For Technical Services, prepare appropriate documentation for approval.

4) Submit insurance compliance documentation including certificates of insurance at the specified levels of coverage, along with an additional insured endorsement page listing the District as an additional insured.

Lease Agreements – District Lands: A RFQ/RFP process for the selection of District tenants for the use or management of District property (including lands, buildings and other assets) shall be used for all new lease agreements, unless otherwise authorized by the General Manager in writing. The RFQ/RFP process used shall follow the same approach as defined under Request for Qualifications and Request for Proposal. An Invitation to Bid (ITB) process in the selection of a new tenant can be used in place of the RFQ/RFP process if authorized by the General Manager in writing.

In the case of lease agreements for District property, a Right of First Refusal condition may be provided in the RFQ/RFP or ITB if authorized by the General Manager in writing. Right of First Refusal allows an existing tenant or lessee to match a third party offer to continue the transaction.
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In making the recommendation for such a condition to the General Manager, such considerations for the existing tenant must include past investments by the tenant that provided a permanent betterment to the District’s property. Other considerations may include length of all prior leases for the property between the District and the existing tenant; reliability of financial payment and performance; value the tenant provides the District (for example, benefit to District brand, high level of past performance, record of tenant in meeting the District’s performance requirements), and any other beneficial consideration in selecting the tenant for continuing the lease at the property. If such a Right of First Refusal is authorized by the General Manager, it must be clearly defined and disclosed in the RFQ/RFP or ITB. In addition, it must be stated that the District will reserve the right to reject all proposals in the event the stated requirements, including a fair and reasonable price, are not met.

The use of the Right of First Refusal, if approved, must only be based on matching the best price, and only after it is determined that the existing tenant and other proposers are otherwise equal in the selection process. The existing tenant will be allowed the opportunity to meet the best price offered the District in order to continue as the selected tenant for the lease. The existing tenant must already, as a result of their proposal for the lease being offered, meet or exceed all District requirements as defined in the RFQ/RFP or ITB. The existing tenant’s proposal must meet all RFQ/RFP or ITB requirements for the existing tenant to be allowed the Right of First Refusal. The existing tenant cannot modify its proposal in areas of deficiency after the fact of submittal to the District in order to match its competitor’s submitted proposal.

**Professional Services Procurement Procedure:** Depending on anticipated contract amount, the appropriate procedures are as detailed in the following steps:

**Professional Service Contracts Exceeding $100,000 (requires Board Approval):**

1) **Prepare a Request for Qualification (RFQ):**

   a) The purpose of this step is to assist in getting a sufficient number of qualified firms to participate in the selection process for any professional services contract awards anticipated to exceed the General Manager’s Board-delegated authority. (The RFQ stage can be omitted at the Department Head’s discretion.)

   b) Unless an exception is approved by the Department Head, the standard District format for an RFQ will be used (see Exhibit F-G for examples). Performance of project specific work should be discouraged.

   c) The RFQ should include the following selection criteria:
      - Firm experience on projects of a similar nature
      - Staff experience on projects of a similar nature
      - Approved methods to accomplish work
      - General scope of work and schedule
      - Required licenses or endorsements
d) RFQs may include a form for the consultant to use in preparing a Statement of Qualifications (SOQ), normally associated with professional services. (Sample provided as Exhibit H.)

e) The Purchasing Officer shall approve the RFQ prior to release, unless the Department issues the RFQ directly (e.g., Engineering-based procurements).

f) At the Department’s discretion, the District may advertise the work in relevant professional journals or publications and on the District website, describing the work to be performed and advising interested firms to contact the District to obtain an RFQ.

g) The RFQ should be sent to all interested firms as determined from consultant record files, firms that have enrolled in the District’s Vendor Registration System or have expressed to the District their interest in such work, or firms that have otherwise been identified through various directories and professional associations (e.g., American Institute of Architects).

h) Review RFQs and select top-ranked firms for participation in the RFP process.

2) **Prepare a Request for Proposal (RFP):**

a) The Department Head shall approve the recommendation and the release date of the RFP and inform the Assistant General Manager and General Manager, as applicable.

b) A minimum of three firms shall be invited to participate in the RFP process. If the Department Head desires to invite less than three firms, approval must be obtained from the General Manager in writing (via email or memorandum).

c) The RFP will be specific to the project and preparation will require some general knowledge of the project. However, preparation of the proposal should not involve any work for which the proposer would normally be compensated during the project.

d) Prepare the RFP to address the following:
   - Standard contract requirements (include a copy of the applicable District standard agreement marked DRAFT)
   - Selection criteria
   - Specifications or scope of work, supporting data and relevant information
   - Schedule for completion
   - Required types and limits for insurance
   - Required compliance with District’s Contractor’s Safe Practices Handbook
   - Willingness to complete contractor safety training (e.g., Occupational Safety Councils of America training), where required, upon selection
• Deadline for submittal of proposals
• Name and phone number of District contact for scope of work
• Name and phone number for Purchasing Officer for questions about submittal process
• The title and reference number for the project

e) Issue the RFP to the selected firms. The issuance of the RFP shall occur electronically (via email), whenever possible, with a copy posted on the District’s website. Hard copies of the RFP package will be released upon request.

f) Form Section Committee (if applicable). A selection committee must be formed to evaluate the proposals for all awards subject to approval by the Board of Directors. The use of a selection committee for awards made within the General Manager’s delegated authority levels is based on the project manager’s discretion.

g) The selection committee shall be composed of at least three members, selected by the Department Head or authorized staff, with no more than 50% representation by the awarding department/division. Panelists from other public agencies or companies shall be used when appropriate, such as including an individual with a particular expertise on the committee or to assure impartiality in the evaluation process. Members of the project team are eligible to sit on the selection committee.

h) Review and rank the RFPs using the criteria listed in the Evaluation Criteria for Professional and Technical Services Selection (on page 14).

i) Where applicable, three firms shall be invited to participate in the interview process. If the Department Head desires to invite more than three firms, advance authorization must be obtained from the Assistant General Manager or from the General Manager if the award exceeds the delegated authority level to staff. The RFP must be clear in how the interview score will be included in the total evaluation. If no interviews will be used in the selection, the RFP must so state. If interviews will be used, the RFP must make clear that the proposals will be scored, and only the highest score proposals will be interviewed. Those interview scores will be totaled with the proposal scores to 100% possible to determine the final rankings (and those not interviewed will receive no interview score, and therefore will receive a total score less than any firm interviewed.) If interviews may be used, including either less than the top three or not at all, the RFP must state that interviews may be used to score the proposers. The RFP must make clear that the proposals will be scored, and if it is determined that interviews will be required to further differentiate the proposers and finalize the selection, only the highest score proposals will be interviewed. Those interview scores will be totaled with the proposal scores to 100% possible to determine the final rankings (and those not interviewed will receive no interview score, and therefore, will receive a total score less than any firm interviewed).
j) At the conclusion of the interviews, the selection committee shall total the scores and assign a ranking to each of the firms who were interviewed based upon their total evaluation score from the relevant selection criteria. (A sample scoring sheet is provided as Exhibit J.) This ranking shall be delivered in writing to the Department Head and Purchasing Officer. Consistent with the California Public Records Act, the ranking remains confidential until an agreement for the work has been reached with one of the firms, which must occur prior to Board award of a contract.

k) The Department Head or designee shall check references or verify experience of the top-ranked firm. Upon completion of verifications, the General Manager should be notified of Department Head finding prior to initiating negotiations. The Department Head or designee will attempt to negotiate an agreement with the top-ranked firm. Preparation and terms of any proposed contracts or agreements shall be in compliance with all applicable District regulations and procedures.

l) If an agreement to perform the work at a fair and reasonable price cannot be successfully negotiated with the top-ranked firm or if the firm’s competence and qualifications to perform the work cannot be verified, the firm shall be informed in writing that the District is no longer considering their services for the work. The process in Steps 10 and 11 would then be repeated with the next-highest-ranked firm(s) if needed to obtain an agreement for the work at a fair and reasonable price by a competent and qualified firm.

m) The selection process is completed when an agreement is authorized by the Board and the agreement for the work is executed by the General Manager or designee. Files and documents relating to the selection process shall be retained in accordance with the District’s Records Retention Schedule.

Professional Service Contracts of $100,000 or less (Board approval not required):

1) Prepare an RFP. For contracts expected not to exceed $100,000, the RFP may specify the submittal of a summarized proposal (in the form of a letter) from the firms rather than a formal proposal document.

2) Send the RFP to interested firms as determined from appropriate sources. Appropriate sources include: consultants who have enrolled in the District’s Vendor Registration Database or who have expressed to the District, in writing, their interest in such work, various websites, business directories and professional associations (e.g., American Institute of Architects). If necessary to attract a sufficient number of interested, qualified firms to participate in the RFP process, the work may be advertised as described earlier for RFQ’s in the Procurement Process for Professional Service Contracts Exceeding $100,000.

3) A minimum of three firms shall be invited to submit a letter of proposal. If the Department Head desires to invite less than three firms, written authorization from the
General Manager must be obtained in the same manner as for the RFP process discussed in Step 5 of the Professional Service Procurement Process for Contracts Exceeding $100,000.

4) The project manager, with an option to convene a selection committee, shall review the letters of proposal and a ranking assigned to each of the firms based upon their total evaluation score from the relevant selection criteria. This ranking shall be delivered in writing to the Department Head or designee and remain confidential until an agreement for the work has been reached with one of the firms.

5) The remainder of this selection procedure follows Steps 10 through 12 of the Procurement Process for Contracts Exceeding $100,000.

6) The selection process is completed when an agreement is authorized by the General Manager or his designee, and the agreement for the work is executed.

Additional Criteria: Award may take into consideration additional selection criteria only as identified in the RFP.

Contract Approval: Approval of the negotiated contract shall be done in conformance with the requirements of Chapter 7.08 of the District Code of Regulations related to purchases.

**Technical Services Procurement Procedure:** This procedure covers contracts subject to an RFP process. (For procurements subject to competitive bidding, refer to Administrative Procedure X-4.)

Depending on anticipated contract amount, the appropriate procedures are as follows:

**Technical Service Contracts Exceeding $100,000 (Board authorization required):**

1) Prepare an RFP. The Department Head and Purchasing Officer shall approve the RFP. Determination of when to use an RFP or an alternative procurement (such as an ITB) and the related requirements are listed in the Definitions section of this procedure.

2) Send the RFP to interested firms as determined from appropriate sources. Appropriate sources include: consultants who have enrolled in the District’s Vendor Registration Database or who have expressed to the District, in writing, their interest in such work, various business directories, websites, and professional associations (e.g., American Institute of Architects). If necessary, to attract a sufficient number of interested, qualified firms to participate in the RFP process, the work may be advertised as described earlier for RFQ’s in Step 2 of the Procurement Process for Professional Service Contracts Exceeding $100,000.

3) A minimum of three firms shall be invited to participate in the RFP process. If the Department Head desires to invite less than three firms, an email (or memorandum) to
the General Manager must be prepared. The email shall explain the reasons for inviting less than three firms and request approval to proceed with the selection process. The General Manager can give written authorization to proceed with the selection process or direct the Department Head to solicit interest from additional qualified firms before proceeding.

4) Review RFP: follow Steps 7 through 13 of the Professional Service Procurement Process for Contracts Exceeding $100,000 to complete the process.

5) The Department Head or designated staff member shall check references or verify experience of the highest-rated firm. Upon completion of verifications, the General Manager should be notified of Department Head finding prior to initiating negotiations. The Department Head or designee will prepare the proposed contracts or agreements and shall be in compliance with all applicable District regulations and procedures.

6) The selection process is completed when an agreement is authorized by the Board and the agreement for the work is executed by the General Manager or designee (per the District’s Authority Matrix). Files and documents relating to the selection process shall be retained in accordance with the District’s Records Retention Schedule.

Technical Service Contracts of $100,000 or less (Board authorization not required):

1) Prepare an RFP. For contracts expected not to exceed $100,000, the RFP may specify the submittal of a letter of proposal from the firms rather than a formal proposal. RFP requirements are listed in the Definitions section of this procedure.

2) Send the RFP to interested firms as determined from appropriate sources. Appropriate sources include: consultants who have enrolled in the District’s Vendor Registration Database or who have expressed to the District, in writing, their interest in such work, various websites, business directories and professional associations (e.g., American Institute of Architects). If necessary to attract a sufficient number of interested, qualified firms to participate in the RFP process, the work may be advertised as described earlier for RFQ’s in Step 2 of the Procurement Process for Professional Service Contracts Exceeding $100,000.

3) A minimum of three firms shall be invited to submit a letter of proposal. If the Department Head desires to invite less than three firms, authorization from the General Manager must be obtained in the same manner as for the process discussed in Step 4 of the Technical Service Procurement Process for Contracts Exceeding $100,000.

4) The Purchasing Officer, the Department Head or designee shall review the proposals.
   a) Follow Step 4 and Step 5 of the Professional Service Procurement Process for Contracts less than $100,000 to complete the process.
5) The Purchasing Officer, or the Department Head or designee shall conduct any required negotiations, check references or verify experience of the highest ranked firm. Upon completion of verifications, the Department Head or designee will prepare the proposed contracts or agreements and shall be in compliance with all applicable District regulations and procedures.

6) The selection process is completed when an agreement is authorized by the General Manager or his designee, per the District’s Authority Matrix, and when the agreement for the work is executed.

**Evaluation Criteria for Professional and Technical Services Selection:** Clearly defined, effective and transparent selection criteria offer all potential proposers a fair and equitable method of having their proposal reviewed and considered in a consistent and similar manner as their competitors. Second, they provide evaluators with a clear and concise method of identifying the competent proposers and allow ranking the proposals and ultimately select the best value.

The District will establish the evaluation criteria by clearly identifying the factors relevant to selection of a contractor/service provider. The District will prioritize or weight the factors according to their importance in satisfying the District’s needs in the procurement. Evaluation criteria will be individually tailored to each RFP, but should be:

- Clear – not subject to multiple interpretations, not ambiguous
- Relative – address all key elements of the project requirements that relate to the requirement definition
- Differential – to assist in separating best, average, and weaker proposals
- Fair and Reasonable
- Realistic – given the nature and intent of the contract
- Measurable – must have distinguishing importance
- Economical – provide best value to the District
- Justifiable – provide a proposal that can be justified on common sense, technical, and legal basis

Proposals will be evaluated on the basis of the evaluation factors listed in the Request for Proposal. Respondents should be ranked based on the non-cost selection criteria. At a minimum, the following criteria will be used to evaluate the RFP:

a) Firm experience (including work and project-related references)
b) Specific staff experience and availability (including work and project-related references)
c) Proposed methodology to accomplish the work
d) Scope of work and schedule
e) Financial capacity, when relevant
f) Price Considerations:
i. For technical services contracts, price is normally a 50% consideration in recommending award and will be along with non-cost criteria, the basis for evaluation and subsequent award as outlined in the RFP documents.

ii. For professional services contracts, price will not be a component of evaluating demonstrated competence and professional qualifications in selection of the best qualified firm.

iii. In cases where cost is not the only determining factor, cost information will be requested in a separate sealed envelope, which will not be opened until the non-cost based rankings of the firms have been completed. At that time, the price information will be compared to the qualifications and project budget to ensure that the price is fair and reasonable, and may at that time be further negotiated to reach agreement where required.

iv. In a selection where in the best judgment of the selection lead, the price may be unfair, all cost envelopes submitted may be opened for comparison. If a major discrepancy between the highest ranked firm and the other firms exist, that discrepancy shall be evaluated and explained prior to recommendation for award to that firm. If not satisfactorily resolved, the department will initiate negotiations with the next-highest-ranked firm. This process will continue until a mutually agreeable contract has been negotiated.

g) Interviews, where requested, will be scored separately from the written proposal and then factored into the final determination as part of the total score.

h) Scoring and evaluation criteria are the factors the District uses to determine which of several competing proposals submitted in response to an RFP would best meet the District’s needs. In establishing effective evaluation criteria, factors relevant to the selection are identified and then prioritized or weighted according to their importance in satisfying the needs in the procurement. Together, the proper identification and weighing of the evaluation criteria along with a consensus on the meanings of the criteria form an evaluation plan that will provide a common standard by which to judge the merit of competing proposals. This allows a ranking of the proposals received while simultaneously providing proposers with a fair basis for comparison.

**Delegated Authority Levels:**

1) **Board Delegated Authority:** The General Manager has been delegated authority by the Board of Directors to execute contracts, agreements or purchases in amounts up to $100,000.

2) **Authority Delegated by General Manager:** The General Manager’s delegated authority levels to staff to execute contracts, agreements or purchases, are identified through the District’s Authority Matrix.

3) **Authority Delegated by Department Heads:** Directors and Division Managers may further delegate authority to their staff. Department Heads will submit to the Purchasing
Officer a list of individuals authorized to approve requisitions and invoices, and the limit of their delegated authority. Purchasing will request an updated list at the beginning of each fiscal year. The Department should initiate an updated list as appropriate when there are significant changes in staffing mid-year.

**Sole Source - Exceptions to Soliciting More Than One Firm:** The General Manager has been delegated the authority to make sole source determinations per Board of Directors’ guidelines, through District Administrative Procedures and has further delegated authority to Assistant General Managers and the Department Directors, consistent with the Authority Matrix.

Upon written approval of the Board of Directors, General Manager or designee, the following exceptions to the selection procedures for professional and technical services may apply:

1) In the case where a consulting firm has satisfactorily performed the previous stage of a project, or has acquired extensive background and working knowledge relevant to the project, the firm may be selected for follow-up work without solicitations from other firms upon written justification and recommendation of the Department Head and written approval by the General Manager or designee.

2) If a firm is a highly recognized authority in a field or specialty, or has unique and/or specific knowledge regarding the project, then the firm may be selected without other solicitations and upon written justification and recommendation of the Department Head and written approval by the Board of Directors, General Manager or designee.

**Documentation.** It is the responsibility of the requesting department to supply the Purchasing Officer with a complete, written justification of the sole source purchase *in advance* of the purchase or approval to advertise. The requesting department should document the request using the District’s Sole Justification Form (Exhibits K-L). Purchasing is the gatekeeper for sole source approval, and responsible for determining whether or not the sole source justification is appropriate and adequate prior to actual procurement. Sole source procurements must be approved in writing by the Department Head, Assistant General Manager, and/or General Manager, consistent with the delegated authority levels for general procurement, as established within the Authority Matrix.

**Reporting.** The responsible Department should complete a Sole Source Justification Form when requesting sole source awards. The Finance Department will provide the General Manager semi-annually with a list of all sole source awards made within the authority levels delegated to Assistant General Managers or Department Directors. All sole source purchases exceeding the General Manager’s delegated authority must be authorized by the Board of Directors. The requesting department will be responsible for responding to the Board of Directors’ questions about the sole source purchase.

Also refer to Administrative Procedure X-4 for additional criteria for sole source selection for procurements subject to competitive solicitation (ITB) processes.
Use of District Standard Contracts:

When procuring professional, technical, and other services, staff should use one of the District’s Standard pre-approved contract forms. These include a Purchase Order, Standard Services Contract, or Project Standard Long Form Contract. All contract forms are available on the District’s Public Server in the “District/Forms/Contracts” file. At the discretion of authorized District staff, the following contract forms may be utilized:

1) The **Standard Services Agreement** should be used to procure technical and professional services where standard hourly rates or lump sum contracts have been negotiated. The Standard Services Agreement should be used for less complex scopes of work and consultant services applications. More complex billing requires use of the District’s Standard Long Form Contract. (See Exhibit M for a sample of the Standard Services Agreement.)

2) The **Project Standard Long Form Contract** is used for larger and/or more complex contracts. The Project Standard Long Form Contract contains provisions required for planning design and engineering contracts. It contains provision for compensating contractors for more complex billing including direct costs, overhead, sub-contractor fees and profit. A Project Standard Long Form Contract should be used when intellectual property rights and complex document custody issues are present. (See Exhibit N for sample.)

3) The **Purchase Order Contract** is utilized to procure needed technical services (such as security, janitorial, and maintenance service), when the terms and the scope of services can be adequately covered by the standard terms and conditions of the Purchase Order. If minimal to moderate risk exists, a purchase order may be used; however, when there is more than moderate risk, a more comprehensive Technical Services Agreement should be used. Purchasing/Risk Management can assist in evaluating the exposure to liability based upon the physical activity or operations performed. (See Exhibit O for sample.)

4) The **Technical Services Agreement** is utilized for minor construction, maintenance, repair and operations contracting activities which do not require the use of the District’s Standard Long Form Contract. This document is utilized when the terms and conditions of the District’s Standard Purchase Order do not adequately provide necessary coverage. (See Exhibit P for sample.) Note: not all referenced attachments are applicable for every agreement. If uncertain which sections must be included, contact the Purchasing Officer for direction.

Modified versions and any changes of the standard form contract or contracts other than those designated as standard are considered “non-standard.” Additional legal review and approval are required prior to the execution of non-standard contracts.
Communication of Process and Results:

Communication to all potential proposers throughout the competitive process must be fair, accurate, consistent, clear, and transparent. Communication is to be done by the awarding department, unless otherwise agreed to by the Purchasing Officer.

Clarification or modification to any of the elements of the RFQ/RFP must be made in writing and provided to all potential proposers so that all have the exact same information for competing and no one firm has been given a competitive advantage as a result of the District’s action or inaction. Typical methods to accomplish this communication can be the use of a website portal, letter, memorandum, mailed or delivered addendum. A meeting for all participants may be used in addition to written notice when warranted. On rare occasions, where the information is either very simple and clear, or time is of the essence, verbal communication backed with email validation may be used, but must be used for all known proposers.

Communication of final results to the successful and unsuccessful proposers is as important to the full process as during the competitive proposal/bid phase. At the conclusion of a complete solicitation process, and after the successful firm has been approved for selection, the approved firm shall be verbally informed of their selection. Upon tentative agreement between the District and selected firm on all key elements of the agreement, including price, the unsuccessful firms shall be informed of the results. Note that in the case of lease agreements where the Right of First Refusal is used, the price with the existing tenant is either accepted or inadequate and denied.

Communication of the results to the unsuccessful firms should be respectful, open, clear, and encouraging. Following verbal notification, a written letter should also be provided to all proposers and be provided clearly and professionally. If requested, provide clear, accurate, and honest feedback to the proposer. If warranted, the District should consider one-on-one meetings with proposers to assist in providing constructive feedback of strengths and weaknesses of the unsuccessful proposal, including the interview. No price information or other potential proprietary information from the competition should be provided without a specific written request. (When complete, the process records are a public record subject to release from a public records act request.) In the case of Board-level awards, it is recommended that notification to unsuccessful proposals occur no more than 10 business days prior to the date of the Board of Directors’ meeting where the award will be considered for approval.

Should unsuccessful proposers request the scoring of the proposals, including interview results, the scoring numbers can be provided after the final agreement has been negotiated. A final agreement is determined at the point where the agreement has been issued to the Board of Directors (or delegated authority) for consideration of approval. (Note that submittal of a summary of terms of agreement is considered issuance of a final agreement for consideration.) The selection information is considered public information when negotiations are complete.
Contract Approval Authority and Execution:

1) The District’s Authority Matrix will provide guidance on contract authority levels for execution by the Board of Directors, the General Manager or his/her designee.

2) Contracts shall be reviewed and signed off by the following:
   a) Risk Management Officer – verifies insurance requirements are appropriate
   b) Director of Finance – verifies that funds are available
   c) Legal Counsel (for non-standard contracts) – approves as to form. To promote efficient legal review, only those clauses deviating from standard from may be provided, or a full contract with exceptions highlighted may be forwarded to legal.
   d) Department Head – certifies that contracting procedures are followed.
   e) Assistant General Manager final review, if contract exceeds Department Head’s delegated authority.

3) Prior to execution, two duplicate original contracts, previously signed by the contractor will be submitted to the District Secretary with the following:
   a) The name and title of the contractor typed or printed below the signature blocks.
   b) In-house signatures (as described in Step 2, above).
   c) Legal counsel written approval as to form, if necessary (by email, fax, or letter).
   d) Contract/Amendment Submittal to the General Manager.
   e) If sole source, a copy of signed sole source justification form (Exhibit J/K).

4) The District Secretary will then:
   a) Assign a District contract number to the contract.
   b) Confirm the signature of the appropriate approval authority.
   c) Affix legal counsel signature, when applicable, upon receipt of documentation confirming legal counsel’s approval/authorization.
   d) Return the contractor’s original to the Department for transmittal to the contractor; the department should retain a copy for the working files.
   e) Retain the District’s original copy as per the District’s Records Retention policy.

5) A Contractual Service Order (CSO) is issued (rather than a PO) to transmit procurement authority for services established through a contractual agreement. The originating department will send a CSO Request to the Purchasing Officer. Copies of the authorization document(s) should be provided with the CSO Request to Purchasing; for example, the Board docket, approved contract, sole source authorization, etc. The Purchasing Officer will assign a CSO number and finalize the document. The assigned number is required for any invoices for payment to be submitted to Accounts Payable.

Any subsequent amendment to a CSO must be communicated in written form (emailed notification can suffice) to the Department Head and Administrative Analyst of the originating department. Authority levels must be complied with, and any
changes/additions to the scope of work must be directly related to the authorized project.

6) Any sole source approvals must be documented in writing, in compliance with the District’s Authority Matrix. Sole source approval must be documented via the District’s Sole Source Justification Form (or by separate memo) and routed along with the contract and CSO.

Contracts with Authorized Contingencies for Additional Work: Contracts with authorized contingency funds for additional work may have such funds released for use in one of two ways:

1) The contract may be executed for the authorized contract amount not including contingency funds. Use of authorized contingency would require a contract amendment prior to any work being performed by the contractor which would consume contingency/additional work funds.

2) The contract may specify the total authorization, including contingency funds, but it must also define what portion represents the contingency/additional work, and state that work requiring contingency use could be performed only with the written authorization of the District. The authorized staff (see the District’s Authority Matrix) may provide the written authorization. If and when contingency/additional work funds are to be released, a copy of the authorization letter to the contractor should be provided to the Purchasing Officer for the master files.

Contract Amendments:

1) A written contract amendment (Exhibit Q) is required to change the terms and conditions of the original contract and/or prior contract amendments or to increase the dollar amount beyond previous authorization.

2) Contract amendments should not be initiated for a new undertaking or work scope unrelated to the original contract. In these cases, a new contract should be negotiated, approved and executed.

3) The District approved Standard Form Contract Amendment will be used to document all changes to the terms and conditions of the original contract.

4) For contracts previously approved by the Board, the Board will approve any amendment which exceeds the previously authorized amount, including contingencies. The Board also approves any amendment which increases the total contract amount of over $100,000 unless the new contract total remains within the contingency level previously authorized by the Board.
5) For amendments within previously authorized contingency levels, consult the District’s Authority Matrix for authorized approval levels.

6) If the only change to a contract is to extend the date of completion, this change can be made through written notice to the contractor by the District’s Project Manager. A copy of this notice must be provided to the District Secretary for the master files coincident with its transmittal to the contractor.

7) Amendments shall be reviewed and signed off as follows:
   a) Risk Management Officer — if insurance provisions are changed by the amendment.
   b) Director of Finance — if funding beyond the authorized amount, including contingency, is required by the amendment to verify that funds are available.
   c) Legal Counsel — for amendments changing standard District contract provisions or involving unusual circumstances.
   d) Include a copy of original and subsequent amendments with memo requesting the General Manager’s signature.

**Contract/Amendment Approval as to Form by Legal Counsel:** For contracts and amendments requiring individual approval as to form, and upon which legal counsel recommends and/or requires changes, the following apply:

1) Required changes must be made and verified by legal counsel. If the recommended changes are not in the contract/amendment, then legal counsel must concur and send a follow-up email, fax or letter of agreement approving the form of the contract. Documents not following this protocol will not be executed.

2) When submitting contract documents to the District Secretary for processing, an original general counsel signature is needed, or a letter from legal counsel authorizing stamped signature affixation by the District Secretary must accompany the contract/amendment. If the email, fax or letter from counsel was conditional upon certain changes being made, then a transmittal memo from the requesting manager to the District Secretary confirming that such changes have been incorporated into the contract/amendment is required prior to using the legal counsel stamp.

**Custody of Original Contract Documents:** The District Secretary is responsible for the safekeeping of original contract documents including contracts, amendments, and renewal letters in accordance with the District’s retention policy. The Department’s contract manager will keep appropriate copies and any related documents in working files. When available, a copy of the contract (or the link to the electronic version) should be provided to Purchasing as backup for requested CSOs.
Services Agreement/Amendment Agenda Docket Items:

1) Agreements requiring Board approval shall be agendized following contract negotiations, and must be approved and executed prior to any work being performed by the consultant.

2) The docket summary should include the name of the consultant, a concise description of the services to be performed and for what project, the duration of services, the consultant selection process used, and the basis for the selection of the particular consultant.

3) For non-standard contracts, the summary will also include key contract provisions.

4) For contracts where contingency funds are requested, a justification for the request is needed in the summary.

5) The fiscal impact section of the dockets will specify the contract total, requested contingency (if any) and the total "not to exceed" authorization requested. For contract amendments increasing authorized amounts, a description of project and the status of previously authorized contingencies are to be included. This section will also address funding status in the current fiscal year budget.

6) The recommended action section will include the name of the firm, the contract total not to exceed, plus a specified contingency request (if any) for a total authorization not to exceed. For amendments changing contract amounts, the total authorization not to exceed addressed in the docket/staff report will also include any previous contingency.

7) A summary of key terms of the agreement should be attached to the docket and referenced in the summary section of the docket.

Multi-Year Contracts with Renewal Options

1) Contracts which have been authorized by the Board and include an option for renewal should have Board approval for staff to exercise the renewal option in the original authorizing Board action. If specific authority was not granted to staff to renew a contract beyond the initial term, the contract must be renewed by a separate Board action prior to exercising the renewal option.

2) Multi-year contracts approved by the Board should clearly state the means by which they will be renewed. The Board action approving a multi-year contract should also state the mechanism by which the contract will be renewed.

3) Multi-year contract renewal mechanisms can be specified as contract amendments or renewal letters.
4) If notification is through a renewal letter sent directly by the Department, a copy of the signed letter will be provided to the District Secretary and Purchasing Officer for the District contract files. Copies will be provided to the District Secretary by the Purchasing Officer if generated directly by Purchasing.

5) All multi-year contracts must be budgeted or re-budgeted for each fiscal year as part of the regular budget process; approval of a multi-year contract does not guarantee continued funding will be budgeted in future years.

6) Updated documents supporting compliance with all insurance requirements must be submitted to Risk Management or Purchasing.

**Notices to Proceed**

1) The notice to proceed with the tasks to be initiated upon the execution of the contract should be transmitted to the contractor with the contractor's original copy of the contract.

2) Notices to proceed for tasks included in the contract, but not authorized for work to begin with contract execution, should be transmitted to the contractor prior to any work being performed by the contractor or paid for by the District.

3) Copies of signed notices to proceed will be retained in departmental files, and are not required to be forwarded to the District Secretary.

**RESPONSIBILITY:**

It is the responsibility of each District employee who conducts a professional and/or technical service selection process to ensure adherence to this procedure.

**APPROVED:**

[Signature]

Jerry Brown
General Manager
Administrative Procedure
X-7: SELECTION, APPROVAL, AND CUSTODY OF PROFESSIONAL AND TECHNICAL SERVICES CONTRACTS
Effective: June 18, 2018
Page 24 of 24

Attachments:  Exhibit A  Code of Regulations, Chapter 7.08
              Exhibit B  Request for Proposal (RFP) cover letter contents
              Exhibit C  Sample Request for Proposal (RFP) cover letter
              Exhibit D  Request for Proposal (RFP) content requirements
              Exhibit E  Sample Request for Proposal (RFP)
              Exhibit F  Request for Qualifications (RFQ) content requirements
              Exhibit G  Sample Request for Qualifications (RFQ) letter
              Exhibit H  Sample Consultant’s Statement of Qualifications (SOQ) request
              Exhibit I  Summary Procedure Check-off List
              Exhibit J  Sample Standard Scoring Sheet
              Exhibit K  Sample Sole Source Justification Form - General
              Exhibit L  Sample Sole Source Justification Form – Construction
              Exhibit M  District Standard Services Contract
              Exhibit N  District Project Standard Long-Form Contract
              Exhibit O  District Purchase Order Terms and Conditions
              Exhibit P  District Technical Services Agreement
              Exhibit Q  Amendment to Standard Services Agreement
Chapter 7.08

PURCHASES

Sections

7.08.010 Scope - Purpose.
7.08.020 Purchases - Board Approval Required.
7.08.030 Purchases - Board Approval Not Required.
7.08.040 Exceptions.

7.08.010 Scope - Purpose.
The regulations codified in this chapter establishes the policies and procedures governing purchases of materials, supplies, services and equipment by the District, adopted pursuant to Article 7, Chapter 5, Part 1, Division 2, Title 5 of the Government Code of California. The purposes of this regulation are to establish efficient procedures for the purchase of supplies and equipment, to secure for the District supplies and equipment at the lowest possible cost commensurate with quality needed, to exercise positive financial control over purchases, to define authority for the purchasing functions, to assure the quality of purchases and to encourage full and open competition on purchases. (Reg. 102(a))

7.08.020 Purchases - Board Approval Required.
Purchases of materials, supplies, technical or construction services, and equipment with a value of more than one hundred thousand dollars may be by formal bid and awarded by the Board of Directors. Purchases of professional services with a value of more than one hundred thousand dollars may be by proposal and awarded by the Board of Directors. (Res. 14-31 Exh. B (part); Res. 06-12 Exh. A (part); Res. 00-19 Exh. A (part): Res. 96-22 Exh. A (part): Reg. 102(b))

7.08.030 Purchases - Board Approval Not Required.
Purchases of materials, supplies, technical or construction services, and equipment with a value of one hundred thousand dollars or less may be by formal bid and awarded by the General Manager or designee. Purchases of professional services with a value of one hundred thousand dollars or less may be by proposal and awarded by the General Manager or designee. (Res. 14-31 Exh. B (part); Res. 06-12 Exh. A (part); Res. 00-19 Exh. A (part): Res. 96-22 Exh. A (part): Reg. 102(c))

7.08.040 Exceptions.
Bidding may be dispensed with when the commodity is available from only one supplier or in an emergency when there is insufficient time for the bidding process. (Reg. 102(d))
REQUEST FOR PROPOSAL COVER LETTER CONTENTS

1. Date (RFP to be released)

2. Subject

3. Services the District seeks

4. List of firms receiving the RFP (optional-at the discretion of the department director/division manager)

5. Proposal submittal requirements

6. Identification of key District staff and contact information for the Project

7. Brief description of selection procedure and timetables

8. Selection criteria listed in order of importance

9. Project budget estimate (optional-at the discretion of the department director/manager)

10. Standard District statements


12. District contract sample
SAMPLE REQUEST FOR PROPOSAL (RFP) LETTER

Date

Address

Subject: Request for Proposal – Facility Planning Study of RBWTP Utilization

Dear:

We are pleased to inform you that your firm has been selected to respond to a Request for Proposal (RFP) to provide services related to facility planning for a study of RBWTP Utilization. The District is looking for a team with the best project approach and which possesses the capability to produce useful and thorough study work products.

The firms receiving this RFP are:

1.
2.
3.

Proposals shall be presented in accordance with the specified requirements in the attached requests. Supplementary material such as exhibits, biographical information, and other documentation may also be submitted separately bound from the proposal.

Six copies of the proposal shall be submitted to the District no later than Wednesday, August 15, 2014 by 5:00 p.m. A pre-approval conference will be scheduled to discuss the proposed project and answer questions. A meeting or phone conversation, if desired, should be scheduled through the staff directly. The key staff for this project are:

1. Bob Smith, Director of Engineering    925-688-8000
2. Jane Doe, Project Manager            925-688-8111

Proposals will be available on the District’s website at www.ccwater.com and interviews will be conducted during the week of August 25, 2014. The exact time and place for the interview will be advised at a later date. The consultant selection process will be followed by contract negotiation. The scope of the initial consultant agreement will include only facility planning. It is expected that the selected consultant should be ready to proceed with the work on or about September 19, 2014.

The budget estimate for the Scope of Work is approximately $80,000 to $130,000.

The District is an equal employment opportunity employer.
This solicitation does not commit the District to pay any costs incurred in the preparation and presentation of submittals or to select any consultant who responds. This solicitation covers only the work described herein and does not commit the District to any work beyond that described.

Sincerely,

Project Manager

PM:

Attachments

File: 591004
REQUEST FOR PROPOSAL CONTENT REQUIREMENTS

The RFP requirements should include the following:

1. Date of Issuance

2. Introduction

3. Listing of consultants or vendors invited to submit proposals (optional at the discretion of the department director/manager)

4. Scope of Work

5. District pre-proposal conference (information on whether an assembled site visit/interview is available)

6. Information available

7. Site information (if applicable)

8. Selection and evaluation criteria listed in order of importance

9. Required proposal format


11. District standard contract sample

12. Authorized project start date

13. Proposal due date and time
This Request for Proposal dated March 15, 2018 is being issued to receive proposals by the Purchasing Officer, Brian K. Jackson, Contra Costa Water District (District), 1331 Concord Avenue, Concord, California, until 1:30 P.M., Wednesday, April 4, 2018 for Laboratory Analysis Services for fiscal year 2019 (FY19), beginning on July 1, 2018 through June 30, 2019, and an priced optional 12-month extension period for fiscal year 2020 (FY20), from July 1, 2019 through June 30, 2020, to be exercised at the District’s sole discretion. Proposal priced option sheet(s) must be included for FY20, the optional 12-month extension, for the proposal package to be considered a complete submission. The District will evaluate both one-year and two-year pricing and will determine what appears to provide the best value to the District.

Included in the proposal response should be detailed information for cost and non-cost related items listed in this document. Non-cost related items will be evaluated based on service and information that exceeds expectations, substantially satisfies expectations, partially satisfies expectations, or fails to meet expectations.

No faxed or email proposals will be accepted. Proposers must also provide four (4) hard copy proposals (paper) and one (1) electronic version on a flash drive containing all required documentation in Word, Excel, or PDF format.

The attached pricing sheet lists the constituents that will meet the needs of the District’s regulatory compliance and operational monitoring programs. The pricing sheets are separated into three lists: Drinking Water (Safe Drinking Water Act), NPDES (Clean Water Act), and Business Continuity Testing (BCT). The BCT list includes a variety of analyses which requires that the vendor meet rapid turn-around-times (TAT). For these parameters, results would need to be reported to the District by the next business day after sample collection unless otherwise indicated.

The District is also interested in vendor’s ability to perform field testing and sample collection for microbiological testing under the Business Continuity Testing. Please indicate ability to conduct water quality sampling in compliance with state and local laws governing the protection of public water supply. Sample collection would include response to field calls, sample collection for lab analyses, and use of portable laboratory equipment for routine field and laboratory tests.

Brian K. Jackson
Purchasing Officer
Contra Costa Water District
Proposer must be prepared in accordance with the following attachments:

A: Pricing Sheets
B: Proposal Guarantee Form
C: Purchase Order Terms and Conditions
D: Bid/Proposal General Provisions

The District reserves the right to award separate contracts on a list item basis by section, within a section or an entire proposal basis. The award(s) will be based on Lists 1 - 3 outlined in the pricing sheets and the answers provided in the questionnaire as well as for field testing and sample collection. Award of contract is based on both price (50%) and other non-cost related criteria (50%). As indicated, please include in the proposal information that supports services in the non-cost related areas. The cost and non-cost related awards are as follows:

1. Cost (50%)
2. QA Assurance Manual (15%)
3. Access to web portal for retrieval of reports, invoices, COCs, and data mining and ability to submit data in EDD format (10%)
4. Five client references of similar size and scope to District requirements (5%)
5. Subcontracting percentage (5%)
6. Completeness of proposal within each list (5%)
7. Participation in drinking water EPA or AWWA committees (5%)
8. Allocation of analytical workload (5%)

If you have any questions, please feel free to contact Mary Smith at (925) 688-8000.
REQUEST FOR QUALIFICATIONS (RFQ) LETTER CONTENT REQUIREMENTS

The RFQ letter should include the following:

1. Date (RFQ Released)

2. Purpose

3. Brief description of service

4. Delineation of scope of service

5. Selection criteria

6. Standard statement on District not committed to pay any costs incurred in preparing submittals

7. Information requested

8. Due date and time

9. Contact person and contact information

10. District contract sample

SAMPLE
REQUEST FOR QUALIFICATIONS (RFQ) LETTER FORMAT

Date:

Subject: Request for Statement of Qualifications to Provide Design Services to Modify Existing Filters to Accommodate Granular Activated Carbon and Improve the Powdered Activated Carbon System at the Bollman Water Treatment Plant

Dear ______:

The Contra Costa Water District is requesting Statements of Qualifications (SOQs) from consultants interested in providing design services for filter modifications to accommodate a granular activated carbon change out and improve the powdered activated carbon system at the Bollman Water Treatment Plant.

The District wishes to replace its existing anthracite media with Granular Activated Carbon, which may require raising the wash water troughs, and to investigate the incorporation of an air scour system. The successful consulting firm will also be asked to evaluate and incorporate improvements to the existing Powdered Activated Carbon system.

The scope of the requested services will include the following:

• Evaluate existing facility and prepare a predesign report.
• Design and preparation of plans and contract documents; prepare an engineers’ estimate.
• Evaluate bids and make recommendations.

The District may also negotiate for construction management services at a later date.

Interested firms should prepare and submit their responses in accordance with the attached instructions. A selection committee will review the responses and determine which consultants will be requested to submit a proposal.

The following criteria will be used in evaluating the SOQ:

1. Experience and qualifications of the proposed project manager.
2. Experience and qualifications of key project staff, and their previous experience and qualifications related to the proposed function they would perform.
3. Firms related experience.
4. Performance on other projects, particularly quality of work, budget control, cooperativeness and responsiveness.

This solicitation does not commit the District to pay any costs incurred in the preparation of submittals or to select any consultant who responds. This solicitation covers only the work described herein and does not commit the District to any work beyond that described.
Brochures or other presentation material, beyond the requested herein, are not desired and should not be submitted.

Interested consultants should submit four copies of the requested information to the undersigned by [date]. The District is an Equal Employment Opportunity. The District encourages contracts with minority and women-owned business enterprises.

Sincerely,

Project Manager
925-688-8000

PM:

Enclosures
SAMPLE
CONSULTANTS STATEMENT OF QUALIFICATIONS REQUEST

INSTRUCTIONS

The consultant shall submit a letter of transmittal (4-page maximum) highlighting key reasons to
be selected; complete the requested information on the attached Statement of Qualifications
(SOC) forms; and attach detailed resumes of project staff. Information pertaining to the local
office shall be clearly identified. Provide information concerning full-time employees assigned
to the local office and, as applicable, the offices where the majority of the work will be
performed, shall be included. If these offices are one and the same, indicate this.

Six separately bound copies of the above-completed form shall be submitted to the Contra Costa
Water District as required by the Solicitation for this Project.

The submitted information will be utilized by the selection committee to evaluate consultants as
provided in the invitation.

All responses required on the attached Statement of Qualification forms are limited to the
number of pages indicated in each section, using 10-pitch type with single-spaced lines and no
reduction in size.

Promotional or other unsolicited materials shall not be submitted.

Incomplete submittals or submittals not in compliance with these instructions or the solicitation
may be rejected.

PROJECT TEAM

FIRMS: List the prime consultant and any proposed subconsultants, the discipline/expertise to be
contributed by each firm and the office location in which the required services will be performed.

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<th>Firm</th>
<th>Discipline/Expertise</th>
<th>Office</th>
</tr>
</thead>
</table>

INDIVIDUALS: List intended key project team individuals (the Project Manager and a
maximum of two other key individuals) by name, discipline and firm with which associated, and
indicate to whom the individual will report on project responsibilities.

<table>
<thead>
<tr>
<th>Name</th>
<th>Discipline</th>
<th>Firm</th>
<th>Reports To</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Consultant's Statement of Qualifications

Project Name

PROJECT MANAGER: (two pages allowed) The consultant’s Project Manager is defined to be the individual within the prime consultant’s firm who is directly responsible for and engaged in performing the required services. The Project Manager is the most knowledgeable individual regarding all aspects of the project but not necessarily a principal of the firm.

Name and Title:

Name of firm employed by:

Years of experience with this firm: Other firms:

Education, degrees, specialization, year attained:

Firm(s) and office location(s), and time period for each location(s), at which individual worked during the last five years to the present.

Representative experience: For not more than five projects, provide the following information on the following two pages. Include project(s) he/she is currently working on and schedule to which he/she is committed.

- Owner (or client firm if subconsultant), project description (including size), total construction cost location and completion date.
- Name, address and phone number of knowledgeable, owner/clients representative.
- Consultant services for which individual was directly responsible; services/functions directly performed by individual (not just a job title).
- Firm with which individual was employed during project experience.

OTHER KEY PROJECT STAFF: (two pages allowed) Not more than two individuals may be listed. Under the request of each individual's representative experience, the following information shall be provided for not more than five projects.

- Owner (or client firm if subconsultant(s), project description (including size), total construction cost, location and completion date.
- Name, address and phone number of knowledgeable owner/clients representative.
- Consultant services for which individual was directly responsible, services functions directly performed by individual (not just a job title).
- Firm with which individual was employed during project experience.
Consultant's Statement of Qualifications
Project Name

Name:

Specific project responsibility and functions to be performed

Name of firm employed by and office location where individual will perform required project services:
Years of experience with this firm: Other firm:

Education, degrees, specialization, year attained.

Active professional registration, in what state, year last registered, discipline.

Firm(s) and office location(s), and time period for each location(s), at which individual has worked during the last five years to present:

Representative experience (not more than five projects).

FIRM(S) EXPERIENCE AND PRODUCTION CAPABILITIES: (two pages allowed) In addition to a Federal Standard Form 254, which is to be prepared and submitted with this SOQ, the following information is required for the prime consultant and any proposed subconsultant:
- Office address(es) in which services are to be performed and percentage of work to be performed in each office.
- Percentage of total fees in last five years, firm wide, received from similar services.
- Facilities, manpower and production capabilities of office(s) in which work is to be performed.
- Listing of recent consulting services experience, including jobs of similar size and scope, providing the name, address, and phone number of knowledgeable owner/client representative.
ADMINISTRATIVE PROCEDURE X-7
SUMMARY CHECKLIST

SELECTION OF PROFESSIONAL & TECHNICAL SERVICES

This summary level checklist to supplement Administrative Procedure X-7; for additional details, refer to the procedure.

Professional Services Procedure:

For contracts exceeding $100,000: (requires Board approval)
1. ___ Prepare a written justification email (or memo) requesting approval for any new or modified services, including estimated cost and funding source. The justification will be addressed to the Department Head, who is responsible for obtaining approval from the Assistant General Manager and General Manager.
2. ___ Prepare an RFQ, at Department Head’s discretion
3. ___ Advertise
4. ___ Distribute RFQ and Post on District website
5. ___ Prepare RFP
6. ___ Select participants to receive RFP and distribute. If less than three firms are invited, send email to GM explaining why.
7. ___ Form a selection committee (only required for awards at Board of Directors level; otherwise, only formed if deemed necessary by Department Head)
8. ___ Select top ranked firms based on RFP requirement. If less than three firms are considered, send an email to GM explaining why.
9. ___ At the Department Head’s discretion, invite firms for interviews.
10. ___ Rank each firm and deliver to department head
11. ___ Check references
12. ___ Send an email to the GM with recommendation of award
13. ___ Negotiate an agreement upon GM approval
14. ___ Take to Board for authorization

For contracts between $50,001 and $100,000: (requires General Manager’s approval)
1. ___ Prepare an email (or memo) providing justification for any new or modified services; include estimated cost and funding source. The justification will be addressed to the Department Head with a cc to the Assistant General Manager and the General Manager.
2. ___ Prepare an RFP
3. ___ Send to interested firms and advertise on District’s website
4. ___ Form a Selection Committee, if requested by Department Head
5. ___ Follow steps 7-13
6. ___ Route agreement for General Manager’s approval

For contracts of $50,000 or less:
1. ___ Prepare a written justification email (or memo) for any new or modified service, requesting approval consistent with delegated authority levels; include estimated cost and funding source.
2. ____ Prepare an RFP
3. ____ Send to interested firms and advertise
4. ____ Follow steps 7-11
5. ____ Route agreement for approval

**Technical Services Procedure:**

**For contracts exceeding $100,000: (Board authorization required)**
1. ____ Prepare a written justification email (or memo) requesting approval for any new or modified services, including estimated cost and funding source. The email will be addressed to the Department Head, who is responsible for obtaining approval from the Assistant General Manager and General Manager.
2. ____ Prepare an RFQ or ITB
3. ____ Send to interested firms and/or advertise
4. ____ Mail out. If less than three firms are invited, send an email (or memo) to General Manager explaining why.

For an **RFP:**

____ Select top-ranked firms based on RFP requirements for interviews.
____ Follow steps 7-14 for Professional Services Section

For an **ITB:**

____ Select the lowest responsive bid
____ Check references
____ Take to Board for authorization

**For contracts between $50,001 and $100,000: (requires General Manager’s approval)**
1. ____ Prepare a written justification email (or memo) for any new or modified services; include estimated cost and funding source. Justification will be addressed to the Department Head with a cc to the Assistant General Manager and the General Manager.
2. ____ Prepare an RFQ or ITB
3. ____ Send to interested firms, and/or advertise.
4. ____ Follow steps 7-13 for Professional Services Section
5. ____ Route agreement to General Manager for signature

**For contracts of $50,000 or less:**
1. ____ Prepare a written justification email (or memo) for any new or modified service requesting approval consistent with delegated authority levels; include estimated cost and funding source.
2. ____ Prepare an RFQ or ITB
3. ____ Send to interested firms and/or advertise
4. ____ Follow steps 7-11 of Professional Services Section
5. ____ Route agreement for approval
SAMPLE STANDARD SCORING SHEET

For Technical Services Contracts total scoring is comprised of a combination of cost and non-cost factors which total 100 points. This is most typically made up of 50 possible points for the cost section and 50 possible points for the non-cost section. Cost and non-cost items can be broken out into different categories. An example might look like the following:

<table>
<thead>
<tr>
<th>Total Cost</th>
<th>50 points possible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firms Experience and Qualifications</td>
<td>10 points possible</td>
</tr>
<tr>
<td>Proposed Project Team</td>
<td>10 points possible</td>
</tr>
<tr>
<td>Proposed Project Methodology/Approach</td>
<td>10 points possible</td>
</tr>
<tr>
<td>Ability to meet project goals and deadlines</td>
<td>10 points possible</td>
</tr>
<tr>
<td>Acceptance of District contract terms &amp; conditions, and Contractor’s Safe Practices Handbook</td>
<td>5 points possible</td>
</tr>
<tr>
<td>References/Financial Capacity (where required)</td>
<td>5 points possible</td>
</tr>
</tbody>
</table>

Interviews would be conducted and scored separately.

For Professional Services Contracts selection is based on specified selection criteria and proposals would be scored in a similar method without the inclusion of a cost factor. Once a ranking of firms has been completed, pricing information would be evaluated/negotiated and a firm would then be recommended for award.