

**WASHOE COUNTY PUBLIC WORKS DEPARTMENT
POLICY MANUAL**

SUBJECT: CONSULTANT SELECTION
POLICY NUMBER: 2006-08

EFFECTIVE DATE: September 1, 2006
LAST REVISION DATE: August 1, 2007

A. *PURPOSE*

The purpose of this Policy is to standardize procedures for selecting and retaining architectural, engineering, materials testing, and special inspection professional services on public works projects.

B. *PUBLIC WORKS PROJECTS DEFINED*

Public works projects are defined in Nevada Revised Statutes (NRS), Chapter 338. For purposes of this policy, public works projects are those projects that meet the statutory definition, and either: appear in the County's Capital Improvement Program (CIP) and are assigned to the Public Works Department (Department); appear in the Department's Infrastructure Preservation Program (IP); are included in another department's infrastructure preservation programs (upon approval by the Public Works Director); selected projects in the County's Facility Maintenance Program (MP); or projects designated by the Public Works Director (Director).

C. *DIVISION DIRECTOR RESPONSIBILITIES*

The division director is responsible to ensure that public works projects assigned to the division are accomplished in accordance with NRS, Washoe County (County) Policy, and Department Policy. The division director or designee will create a work program to accomplish the projects assigned to the division, and will assign each project to a project manager.

D. *PROJECT MANAGER RESPONSIBILITIES*

Project Managers will initiate the following process to procure professional services (generally design services or materials testing and inspection services) for the project.

E. *REQUEST FOR QUALIFICATIONS PROCESS*

1. SOLICITATION:

The County will announce its intent to engage the services of a competent architectural or engineering firm by placing notices in local newspapers of general circulation, in accordance with Nevada Revised Statutes (NRS). The project manager shall prepare the announcement, generally referred to as a Request for Qualifications (RFQ), and submit the RFQ to the division director for approval before advertising.

In addition to local advertising, RFQ's may be distributed to local firms from a list maintained by the Purchasing Division. This distribution process may include the American Institute of Architects, Northern Nevada Chapter or other professional organizations.

RFQ's will include, at a minimum, a brief description of the project (scope of work), proposed calendar of events, basis of award, the name, address and telephone number of the person at the County to contact for further information (generally the project manager), qualification format and content, and insurance and indemnification requirements.

2. STATEMENTS OF QUALIFICATIONS:

The response to a RFQ is referred to as a Statement of Qualifications (SOQ). All SOQ's shall be in the form and formatted as specified in the RFQ Section titled "Qualification Format and Content." SOQ's which do not include all of the elements as specified, or which deviate greatly from the qualification format and content as specified, may be deemed "non-responsive" by the evaluation committee and eliminated from further consideration.

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All SOQ's shall be received and date stamped by the Department prior to the date and time specified in the RFQ. Late submittals will be returned as "non-responsive."

3. SOQ EVALUATION:

The Director will establish a committee to evaluate the SOQ's.

This committee may be composed of the following:

1. Two representatives from Public Works Department.
2. Two representatives each from the affected department or departments.
3. One or more representatives from the Board of County Commissioners.
4. Other members as appropriate.

Evaluations are based on demonstrated competence as well as what is in the best interests of the County as determined by the committee, however, pursuant to NRS 625.530, the selection of a firm to provide professional services shall not be made on the basis of competitive fees.

The committee may perform reference checks. The committee may establish criteria for a reference check on the firms, to include standard questions to be asked of references.

Depending on the needs of the County in relation to the project, this committee may recommend award of a professional services agreement to the Director or this committee may provide a list of firms for further evaluation or interview.

4. INTERVIEWS:

Depending on the needs of the County in relation to the project, the Director may establish a committee to conduct interviews from the list established by the initial evaluation committee. There is no maximum or minimum number of firms that can be on the list.

The committee may establish a list of questions that will be asked of the firms on the interview list.

The committee may establish a numerical scoring system as part of the interview process.

The committee may perform reference checks. The committee may establish criteria for a reference check on the firms, to include standard questions to be asked of references.

This committee may be composed of the following:

1. Two representatives from Public Works Department.
2. Two representatives each from the affected department or departments.
3. One or more representatives from the Board of County Commissioners.
4. Other members as appropriate.

The committee may, on the basis of the interviews, rank the firms in order of preference with the top ranked firm listed as number one (1), with the next ranked firm listed as number two (2), and so on, until the shortlist is complete. The committee provides a shortlist to the Director, with the top ranked firm recommended for award of a professional services agreement.

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5. NEGOTIATION OF DESIGN FEES:

The Director reviews the recommendations from the evaluation/interview process and authorizes the project manager to begin negotiations for compensation.

As a first step in this process, the County and the top ranked firm shall meet and agree on the following:

1. Comprehensive scope of services
2. List of sub-consultants proposed by the consultant
3. Project work plan
4. Role of the consultant
5. Role of the County

When the County and the selected firm reach agreement on the above list, the firm shall prepare a fee proposal based on the outcome of the fee negotiations. If the top-ranked firm and the County are unable to reach agreement on fees, the County may end the discussions and proceed with the next firm on the list.

6. AWARD OF PROFESSIONAL SERVICES AGREEMENT:

The Board of County Commissioners (Board) awards professional services agreements more than twenty-five thousand dollars (\$25,000.00). The Director may award professional services agreements less than twenty-five thousand dollars (\$25,000.00). The Purchasing Division Director may award professional services agreements less than fifty thousand dollars (\$50,000.00).

The division director or designee will author a staff report, in approved format, recommending that the Board award a professional services agreement, if necessary.

7. INDEMNIFICATION / INSURANCE:

Washoe County has established specific indemnification and insurance requirements for contracts/agreements with contractors/consultants to help assure that reasonable insurance coverages are maintained. Indemnification and hold harmless clauses are intended to assure that contractors/consultants are aware of and accept the responsibility for losses or liabilities related to their activities.

Exhibit A is provided by the Risk Management Division, and is attached to every agreement form and included by reference. All conditions and requirements identified in Exhibit A shall be completed prior to the commencement of any work under the Agreement.

F. SELECTION PROCESS FOR LISTING PRE-QUALIFIED FIRMS

PROCESS DEFINED:

Except as noted below, selections will be made in accordance with the RFQ process described above.

In August of every odd-numbered year, the Director will direct the creation of a Request for Qualifications (RFQ) to prepare a list of firms that are pre-qualified to provide professional services for projects with a total budget less than one million dollars (\$1,000,000.00). The list will be in effect for a two-year period commencing January 1 of the following even-numbered year, and ending on December 31 of the following odd-numbered year.

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In August of every even-numbered year, the Director will direct the creation of a RFQ to allow firms not on the current pre-qualified list to submit their SOQ, and to provide an opportunity for firms on the pre-qualified list to update their SOQ, if needed. Firms who are determined to be qualified at this time will remain on the list until the next cycle begins, at which time they must submit a SOQ for that cycle.

There will be two RFQ processes each cycle – one for architectural and engineering services, and a separate process for materials testing and special inspection services.

EXCEPTION TO SOQ EVALUATION:

The Director will establish a committee to evaluate the SOQ's.

This committee may be composed of the following:

1. Representatives from Public Works Department.
2. Representatives each from the other departments.
3. Other members as appropriate.

Committee members are determined based on their expertise in a technical area; if a department is a primary Department customer (such as Regional Parks and Open Space, for civil engineering and landscape architecture); or other considerations.

EXCEPTION TO SELECTION FOR A PROJECT:

Firms are selected for award of professional services agreements based on several criteria, including but not limited to:

1. Volume of previous work with the County (total number of projects);
2. Combined value of previous work with the County (total cost of all projects);
3. Volume of previous work within the required discipline;
4. Combined value of previous work within the required discipline;
5. Size and type of project (cost of individual project, unique requirements or qualifications);
and,
6. Previous performance on County projects.

The Director or his designee will assign firms to project managers for individual projects using the above criteria. Project managers may not request a proposal from a firm without the Director's authorization.