RESOLUTION NO. 1989 - 6

SAN MATEO COUNTY TRANSPORTATION AUTHORITY

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ADOPTING PROFESSIONAL SERVICES CONTRACT POLICY AND PROFESSIONAL SERVICES CONTRACT/CONSULTANT SELECTION PROCEDURES

WHEREAS, the San Mateo County Transportation Authority desires to establish policies and procedures governing professional services contracts; and

WHEREAS, the Authority staff has worked with representatives of the consultant community in San Mateo County to develop a Professional Services Contract Policy and Consultant Selection Procedures; and

WHEREAS, the Administrative Procedures Committee has recommended approval of the aforementioned documents as presented by the Authority staff.

NOW, THEREFORE, BE IT RESOLVED by the San Mateo County Transportation Authority that the Professional Services Contract Policy and the Professional Services Contact/Consultant Selection Procedures, attached hereto as Exhibit A and incorporated herein by this reference, hereby are approved and adopted.

Regularly passed and adopted this 6th day of April, 1989, by the following vote:

AYES: BAKER, FITZGERALD, GRIFFIN, HUENING, MILLER, TEGLIA

NOES:

ABSENT: DUDLEY

Chairperson, San Mateo County Transportation Authority

ATTEST:

Secretary

SAN MATEO COUNTY TRANSPORTATION AUTHORITY

PROFESSIONAL SERVICES CONTRACT AND CONSULTANT SELECTION PROCEDURES

I. INTRODUCTION

These procedures outline the objectives of the San Mateo County Transportation Authority (Authority) to be achieved in the procurement of professional services; the process and evaluation criteria for selection of professional consultants retained by the Authority; and the manner in which professional service contracts will be administered. In connection with the projects included on the Expenditure Plan approved by the voters of San Mateo County in June of 1988, the Authority anticipates awarding professional service contracts to specially trained persons or firms in connection with engineering, design, or other matters involving specialized expertise or unique skills.

II. CONSULTANT SELECTION OBJECTIVES

The primary objective of the Authority is to select highly qualified firms to perform necessary professional services for the Authority at a reasonable cost. In addition, the Authority establishes the following objectives:

- that the process be fair, open and competitive;
- that the selection of firms be based on clearly stated, objective criteria;

- that firms located in San Mateo County receive some preference in the selection process in order to promote the expenditure of locally raised tax dollars within the County.

III. SELECTION PROCEDURES

A. Summary

The Authority's consultant selection procedures include the following steps:

- Preparation of a List of Potentially Qualified Consultants
- Evaluation of List of Qualified Consultants
- Preparation of Request for Qualifications
- Solicitation of Statements of Qualifications
- Evaluation and screening of Consultants' responses (which may include interviews)
- Negotiation with selected Consultant(s)
- Award of contract

B. Procedure Initiation.

Upon direction from the Authority to proceed with a project for which a professional service contract is required, the Authority staff shall describe the scope of services and identify potential consultants, examining their qualifications for and experience in providing the services required. The Authority staff also shall identify a Project Manager, whose duties will include performing a liaison function with the

Executive Director and the Deputy Executive Director. The Executive Director or his designee will approve all documentation relative to a consultant selection prior to its dissemination.

C. Preparation of List of Potentially Qualified Consultants.

The Project Manager, with the assistance of the Manager Contracts and Procurement, will prepare a list of "potentially qualified Consultants" to whom the requests for qualifications may be sent. Such list may include the suggested Consultants initially identified, and shall be augmented by the inclusion of such persons or firms that the Purchasing Department knows are potentially qualified for the provision of the subject services. In addition, on a periodic basis but at least annually, the Authority shall place advertisements in appropriate trade journals and newspapers of general circulation inviting the submission of statements of qualifications from individuals or firms for their possible inclusion on the Authority's list.

D. Evaluation of List of Qualified Consultants.

The Manager Contracts and Procurement, with the advice of the Project Manager and other Authority employees with technical expertise in the area of performance contemplated by the contract, shall review and evaluate the List of Qualified Consultants on file with the Authority. A determination shall be made as to which persons or firms appear most qualified in the specific area of expertise called for under the contract. An adequate number of such qualified firms, to permit reasonable

competition consistent with the nature and requirements of the contract, shall be selected for inclusion on the Request for Qualifications distribution list. Reasonable requests by other persons or firms to compete shall be honored to the extent practicable and appropriate.

E. Request for Qualifications (RFQ).

The RFQ shall set forth a detailed and particularized statement as to the scope of work and the specific services required and applicable terms and conditions to be addressed. In addition, the RFQ will include the time in which the project or services must be completed, requirements concerning coordination with other entities, information which may be useful in preparation of the Proposal, and the evaluation criteria and review process for selecting the successful proposer. In most cases, such criteria shall include those considerations listed on the "Consultant Evaluation Rating Form," which is attached hereto as Exhibit 1. As and when appropriate, the evaluation criteria may be modified, provided, however, that the "Location" criterion shall always be included. The evaluation form, which assigns weighted values to each of the evaluation criteria, will be incorporated in the RFQ for review by potential proposers. In addition, resumes of the consultant's staff may be requested.

Whenever it is found to be reasonable and appropriate, a firm not-to-exceed cost quotation will be requested in the RFQ. In other cases, the RFP shall solicit an hourly rate fee schedule for all categories of personnel to be utilized by the Consultant

in connection with the project, and a proposed project budget. Notwithstanding the foregoing, no cost quotations will be requested until the negotiations stage (Section III.H., infra) whenever design, engineering, architectural, surveying, construction management or planning services are sought. The RFQ shall set a date for the Pre-Qualifications Conference, if one is scheduled, and shall also establish the subsequent date by which the Statement of Qualifications shall be submitted to the Authority.

F. Pre-Qualifications Conference.

A Pre-Qualifications Conference may be held according to the schedule contained in the RFQ. The Conference shall be chaired by the Project Manager, or his or her designee, who will cover basic elements of the contract, including funding, contract service requirements, evaluation criteria, specific points to be addressed in the Proposals, and technical aspects of the scope of work. The Pre-Qualifications Conference shall offer an opportunity for interested consultants to inquire about or suggest changes in the terms of the RFQ. The Authority staff also shall review the time and place for submission of Statements of Qualifications and their requested content and length.

G. Screening and Review of Statements of Qualifications (SOQ's).

SOQ's received shall be reviewed by, at a minimum, the Project Manager, the Manager Contracts and Procurement and the Authority's Attorney. Other staff members with relevant

technical expertise shall be included in the review process, as necessary.

The review process shall begin with the verification that the SOQ's received are in conformity with the specifications in the RFQ. The review shall adhere strictly to the evaluation criteria set out in the RFQ and discussed at the Pre-Qualification Conference; no discriminatory waiver of criteria or requirements shall be allowed.

The conclusions of the reviewers shall be summarized in a report offered to the Executive Director or his designee and the Authority's Attorney. Those firms or persons judged by the reviewers to be the most qualified to perform the work required under the contract shall be considered for an interview. Those on the interview list shall be requested to make a formal presentation of their SOQ's to a Selection Committee of the Authority. The Selection Committee may consist of a combination of Authority members, staff members, or outside experts. On the basis of the oral presentations and the written statements, the reviewers shall make a final ranking of potential Consultants. Where appropriate, a presentation will be made to the Finance Committee or the full Authority as to the status of the review process.

H. Negotiations.

With the advice of the Attorney, a designated representative of the Selection Committee or the Authority staff shall negotiate with the consultant ranked first on the list in

order to establish a precise scope of work, the time and schedule for completion of the work, the cost of services, and the method and manner of payment. In the event that negotiations with the first-ranked consultant prove unsuccessful, the negotiating team or representative shall commence discussions with the second-ranked consultant, and so on. Upon the successful completion of negotiations as to the terms, conditions, and technical requirements of the proposed agreement, the Executive Director shall prepare a memorandum to be forwarded to the Finance Committee, outlining the cost and other significant terms of the agreement and recommending an award of contract to a particular consultant.

I. Award of Contract.

For contracts for professional services in excess of $10,000, the Authority shall authorize the award of the contract. Thereafter, the Attorney, in conjunction with the Manager Contracts and Procurement and the Project Manager, shall prepare the Agreement to be executed by the Authority and the Consultant. Whenever reasonably possible, the Agreement shall be prepared in a standardized form. The Manager Contracts and Procurement shall notify the successful Consultant of award of contract. The Consultant shall be given a reasonable time period, normally not to exceed two weeks, for execution of the Contract for Professional Services and for submission of the certificates of insurance. Purchasing Department staff shall send written notice

to all unsuccessful proposers, notifying them of the award of the contract.

For professional service contracts in the amount of $10,000 or less, the Executive Director or his designee shall be authorized to negotiate the compensation and other significant terms of the contract with the consultant(s) deemed most qualified. Upon the successful completion of negotiations, the Executive Director shall have the authority to award and execute an agreement with the selected Consultant if the cost of the contract is within the approved budget.

J. Notice to Proceed.

Upon receipt of the Consultant's required evidence of insurance and an executed Agreement, the Manager Contracts and Procurement will coordinate with the Project Manager as to the issuance of the Notice to Proceed to the Consultant.

IV. CONTRACT ADMINISTRATION

A. General Procedures.

The Executive Director shall designate the appropriate Authority employee as Project Manager for purposes of contract administration. Purchasing staff shall maintain a contract file for the contract; copies of relevant correspondence shall be distributed to the appropriate Authority staff representative. Similarly, correspondence from the Project Manager or other Authority representatives to the Consultant shall be copied to the Purchasing Department. The Manager Contracts and

Procurement and the Project Manager shall be responsible for monitoring and reviewing the project in order to determine whether contract terms and conditions are being met. These staff members, with the advice of the Attorney, shall endeavor to resolve any problems concerning adherence to terms and conditions of the contract. All financial matters shall be coordinated with the appropriate fiscal officers of the Authority.

B. Change Orders.

1. General Procedures.

The Project Manager will monitor compliance with the technical requirements of the contract, but shall have no authorization unilaterally to implement changes in the scope of work. When such changes are required and initiated by the Authority, they will be coordinated with the Manager Contracts and Procurement, and the Consultant will be requested to submit a proposal addressing the areas of cost impact, schedule change, and the extent of increase or decrease in scope. All contracts for professional services shall require that the Consultant advise the Authority in writing immediately upon notice of any unanticipated condition or contingency that may cause a change in the scope of work affecting an adjustment in the specified compensation. The written notice shall explain the circumstances giving rise to the unforeseen condition or contingency and shall set forth the proposed adjustment in compensation resulting therefrom. Such notice shall be given to the Authority prior to the time that Consultant performs work or services giving rise to

the proposed adjustment in compensation. Proposed changes shall be forwarded to the Attorney and the Executive Director or his designee for review.

2. Authority to Issue Change Orders.

For contracts calling for compensation in excess of $10,000, all change orders which represent an increase in the contract price of more than 10% shall be approved by the Authority. The Executive Director shall be authorized to approve all other change orders, if the costs are within the approved budget amount.

B. Contract Closure.

The Manager Contracts and Procurement shall issue a close-out form for completed contracts. Such form will be completed when the final product or deliverable required under the contract is received and all contractual obligations have been met. The Consultant and the Project Manager shall meet to review and evaluate the contract performance. A memorandum of their meeting shall be included in the file.

EXHIBIT 1

CONSULTANT EVALUATION RATING FORM FOR PROFESSIONAL SERVICES

FIRM:_____ Date:_____

CRITERIA	Total Possible Points	Score	Comments:
1. Comparable Firm Experience	10		
2. Quality of Firm	10		
3. Quality of Experience of Key Staff	10		
4. Quality of Experience of Project Manager	10		
5. Understanding of Project Requirements	15		
6. Project Management Plan	10		
7. Project Approach and Proposed Staffing Plan	15		
8. Location	10		

Firm Score: _____ Rated By:_____

SAN MATEO COUNTY TRANSPORTATION AUTHORITY

PROFESSIONAL SERVICES CONTRACT POLICY

I. INTRODUCTION

This policy sets forth the desired goals of the San Mateo County Transportation Authority (Authority) in respect to the procurement of professional services required for implementation of transportation improvement projects funded by means of Measure A Expenditures all or in part.

II. CONTRACTING POLICY GOALS

The Authority establishes the following goals to be achieved in the process of Professional Services Contracting and directs its staff to follow the approved Consultant Selection Procedures to achieve such goals. These goals are:

a. Selection of highly qualified firms to perform necessary professional services at a reasonable cost.

b. Use of clearly stated, objective and effective criteria in the selection procedure.

c. Preference for the resident professional service firms in San Mateo County so as to insure that local familiarity is effectively utilized for transportation improvements.

d. Monitoring of consultant selection and performance to insure that a reasonable percentage of the work and services contracted for by the Authority will be conducted by individuals, partnerships, corporations or joint ventures located in San Mateo County thus adding to the revenue support for Measure A.

e. Enhancement of the technical capabilities of professional firms within San Mateo County so as to afford the Authority a constantly expanding source of locally based consulting talent and sales tax revenues.

III. IMPLEMENTING PROCEDURES

The Authority, as a first step in implementing its Contracting Policy Goals, will establish a Consultant Selection Procedure designed to meet or exceed those goals. The Executive Director or his designee will prepare and submit at the January meeting of the Authority a summary

report of the Professional Service Contracts awarded during the preceding 12 months. That report will assess the effectiveness of the Authority's Selection Procedures in achieving the Authority's Contracting Goals and recommend continuation of or modifications to the Selection Procedures in light of the results obtained.

IV. DEFINITIONS

The following definitions applicable to the Selection Procedures are included as part of the Contracting Policy.

Potentially Qualified Consultant - An individual, partnership or corporation legally qualified and technically competent to provide the Professional Services requested according to the best knowledge of the Authority Staff. In this regard, the lists of qualified consultants normally employed by San Mateo County and SamTrans for similar work will constitute initial identification of Consultants to whom requests for Statements of Qualifications or Letters of Interest may be sent.

San Mateo County Location - For purposes of evaluating response to Contracting Goals and of assigning location criteria in the Selection Procedures, "located in San Mateo County" applies to firms having at least one fixed office

within the San Mateo County boundaries and certifying that at least one-half of the members of the assigned project team will provide the project services from the county office. To substantiate the location of the county office, a local firm must provide one of the following documents disclosing the County place of business as of June 7, 1988:

a. Federal and State tax returns indicating place of business;

b. Permit issued by a municipality to do business within San Mateo County boundaries; or

c. A local business license.

A joint venture will be considered local if the proposer provides evidence that at least 50% of the work and services will be conducted out of an office located in San Mateo County, which office must be substantiated in accordance with the above-referenced documentation requirements.

Firms not located in San Mateo County in accordance with the above criteria may subsequently qualify upon submission of one of the above noted documents to the Authority which shows that the firm has met the "located in

San Mateo County" requirement for at least six months prior to that submission.

EXHIBIT 1-A

CONSULTANT EVALUATION CRITERIA
DEFINITIONS

1. **Comparable Firm Experience**

   A. Demonstrated experience applicable to all tasks required to perform work

   B. Familiar with all specific requirements pertaining to services requested, including applicable State and Federal guidelines, rules and procedures

2. **Quality of Firm**

   A. Capability of providing majority of services required

   B. Capability of performing on schedule and in controlling costs

   C. Qualifications of principals and associates

   D. Size of firm and years in business

   E. Commendations and awards

3. **Quality of Experience of Key Staff**

   A. Length of experience

   B. Extent applicable to this work

   C. Experience in key staff positions

   D. Professional achievements, commendations, or awards

4. **Quality of Experience of Project Manager**

   A. Previous experience to demonstrate capability to successfully manage work

   B. Length of experience

C. Extent applicable to current work

D. Experience in key staff position

E. Professional achievements, commendations, or awards

5. Understanding of Project Requirements

A. Knowledge of critical project parameters

B. Familiarity with applicable guidelines, regulations and procedures

C. Identification of critical or controlling site conditions

D. Identification of process constraints which could affect design schedule and major factors that could affect project cost

6. Project Management Plan

A. Clear statement of team responsibilities and reporting relationships

B. Work breakdown structure suitable for effective monitoring and control

C. Indication of effective project control systems

D. Plan for coordination with other agencies, where applicable, and local communities

7. Project Approach and Proposed Staffing Plan

A. Completeness and clarity of discussion on each of tasks necessary to complete the work

B. Innovations in application of systems or procedures to accelerate schedule or reduce design costs

C. Discussion of applicable legal or outside agency standards, guidelines, and regulations

D. Detail of design schedule in accordance with milestone schedule

E. Staff resources allocated to all key tasks and related to schedule

F. Allocation of time of key personnel and principals, identified by names

8. Location

A firm "located" in San Mateo County shall receive the full ten points allocated to this criteria category. To be located in the County, a firm must have at least one fixed office within the San Mateo County boundaries and must certify that at least one-half of the members of the assigned project team will provide the project services from the county office. To substantiate the location of the county office, a local firm must provide one of the following documents disclosing the county place of business as of June 7, 1988:

A. Federal and State tax returns indicating place of business;

B. Permit issued by a municipality to do business within San Mateo County boundaries; or

C. A local business license.

A joint venture will be considered local if the proposer provides evidence that at least 50% of the work and services will be conducted out of an office located in San Mateo County, which office must be substantiated in accordance with the above-referenced documentation requirements.

Firms not "located" in San Mateo County in accordance with the above criteria may subsequently qualify upon submission of one of the above noted documents to the Authority which shows that the firm has met the "in San Mateo County requirement" for at least six months prior to that submission.