

RESPONSES TO QUESTIONS RECEIVED ON THE WATER RESOURCES TECHNICAL ASSISTANCE PROGRAM REQUEST FOR QUALIFICATIONS

Note: We have extended the deadline for the submission of the Statements of Qualifications until MONDAY, SEPTEMBER 15 by 2 pm to provide firms more time to prepare the required materials.

Clarification: The Qualification Table excel spreadsheet is meant to be a way of summarizing the areas that you wish to be considered as qualified. Under the project columns, please indicate the reference ID (#) of the project that demonstrates relevant expertise/experience. You can also include a brief project name – but you do not need to include the entire description here – as those will be in your project descriptions. This spreadsheet also now includes two additional tabs for additional areas we have added.

Questions received via email and responses:

- Is there a limit to the value of contracts that can be procured should you be prequalified?
 - o There is currently no limit to the value of the contracts that can be procured. This program will most likely be used for smaller projects (< \$50k) but there is no prohibition against using it for larger projects. However, for projects over \$50k the work assignment memo would have to be approved by the Board of Finance; for projects over \$100k the work assignment memo would have to be approved by the Board of Finance and City Council.
 - o Note: This is not so much a pre-qualification process as a qualifications based process to select a “short list” of the top ranked consultants in each area of expertise. As such we are not going to be retaining ALL the firms who are qualified in an area – but rather those that are the most qualified.
 - o Our hope is that kick-off of project can happen more efficiently as the majority of the contract paperwork will already be executed, and the work assignment memos will not require additional administrative/legal review unless there are significant additional conditions.
 - o See “process outline” at the bottom of this response to questions.
- Does the City envision using the prequalified firms for large public works under the specific technical realms outlined in the RFQ for infrastructure projects or would they issue open RFP's/RFQ's?
 - o We would potentially use the on-call list for large public works projects, assuming any particular funding agencies will accept this method of procurement. However, the City will retain the right to issue an open RFQ/RFP if the project is such that we think we would be better served by an RFQ/RFP. Since the process is designed to be (slightly) more efficient, we suspect that we will always try to utilize the On-Call list if it is acceptable to our funding agencies and if the project is clearly within the areas of expertise outlined in the RFQ.
- Does a cover and table of contents page count towards the Statement of Qualification's 20 double-sided page limit?
 - o Yes, the cover letter and TOC count.
 - o Remember that the project descriptions and resumes do NOT count.
 - o Given that some of you may be submitting evidence of qualifications for multiple/all of the areas of expertise, we will raise the page limit to 25 pages double sided (with resumes and project descriptions included as an appendices. Please use these extra pages judiciously – i.e. we only expect to see these longer formats for firms that are submitting qualifications for MANY areas of expertise.

- For a large team, is it expected that all staff shown on an organization chart have a resume in the appendix, or is it acceptable that only key leaders for applicable 'areas of expertise' be given resumes at this time?
 - o Any staff member who would be working on a project over the course of the on-call contract duration (2 years) should have a resume in the appendix (again, it doesn't count towards your page limit). If there are new, qualified people added to your firm over the course of the 2 years, then we will likely need to have them submitted for verification of equivalency.

- Can you provide any additional information regarding how the City anticipates using this program? Specifically, will this program allow to City to identify and directly contract with consultants that are selected in response to the RFQ or would the selected consultants form a short-list which the City might opt to select one or more firms to respond to potential RFPs? Are there contract dollar value thresholds that would determine which option(s) might be available to the City?
 - o Ultimately, this process forms more of a "short list" from which, depending on the \$ value of the project, we would go through an informal (phone calls and/or project description meetings), semi-formal (project description memo) or formal (with a short RFP and selection committee) truncated selection process which would involve, at a minimum, submission of a scope of work, schedule, and budget. For larger value projects, an actual proposal would need to be submitted (though it would not need to include as much proof of "general qualification" as is typical – and would be focused more on approach and any specific additional qualifications that might apply to the project in question.
 - o See below for our draft "On-Call Process"

- Does the City have a preference for responses from consultant teams that are able to comprehensively address all of the areas of expertise listed in the RFQ, or will it look equally favorably upon individual firms that are able to speak to only a subset of the expertise requested?
 - o No preference. We just want the most qualified firm for each of the sub-areas listed in the RFQ (i.e. each of the boxes in the table).

- The only question we have is how many firms received this RFQ?
 - o Unknown, they are published in 3 public website locations and we are not requesting submission of letters of intent.

- I am writing to ask whether the City would like to consider other areas where we have expertise should these appear to have value to the City:
 - o This On-Call RFQ is designed to cover the needs of the Water, Wastewater and Stormwater Utilities. A separate, more general engineering and transportation related RFQ is scheduled to be released at a later date that will address some of the other areas of expertise suggested. However, we will amend the list (see amended documents) to include structural design/evaluations/forensics of WW, SW and water related infrastructure.

- I am writing to ask if the city would consider lowering the insurance requirements outlined in the RFQ?
 - o We understand that our insurance requirements are higher than some other contracts – these have been provided to us by our insurance company. While we do sometimes request a variance on the insurance requirements for projects which bear

less risk or have a smaller \$ value, the challenge is that in order to be on the list, you need to submit an certificate of insurance, and since the on-call contract has no upper limit as far as project value, my understanding is that you would need to be able to meet the insurance requirements as is – otherwise we would have to do COIs for each individual project.

- We will discuss this further with our legal/risk management staff so that if there are any other creative solutions that we can put in place prior to the Master On-Call Agreement being executed, but unfortunately your firm needs to be prepared to carry that level of insurance to be on the on-call list.

On-Call Process (Subject to Change)

Note: We are in the process of updating our purchasing policy – in which case this process would need to be updated to be compliant with the new policy.

- 1) The target # of firms to be selected will be 6-8 total firms in each area of expertise. However the final number of on-call firms will be dependent on 1) the total number of firms who have provided statement of qualifications for a particular area of expertise and 2) any natural breaks in the scoring (e.g. if there is a large score spread between the 5th ranked firm and the 6th ranked firm, then only 5 firms might be selected for the on-call list).
- 2) Execute “Master On-Call Agreements” with selected proposers; these Master agreements will contain the City’s Standard Consultant Contract conditions (including local ordinances on Union Deterrence, Livable Wage and Outsourcing) and Insurance requirements and will reference the SOQ and the cost proposal. The Consultants will need to submit certifications regarding the local ordinances and certificates of insurance that are in compliance with the City’s insurance requirements with the City named as an additional insured. Since there is no exchange of funds at this point, this contract would not go before the Board of Finance at this time.
- 3) As projects develop, the following process will be used for procurement from the On-Call List. In all cases, cost is not the sole consideration in selecting the consultant. The project manager may select the consultant based on considerations of the proposed scope of work, current workload, past performance and the cost. This decision will be documented and kept on file. The City retains the right to extend the request for services outside the on-call list when it is in the best interest of the City.
 - *Tier I: Under \$2,500, the project manager will sole source contracts based on the qualifications, current workload and/or past performance of consultants.*
 - The project manager will review the available consultants in an area of expertise and select one.
 - This contract amount does NOT require CAO approval.
 - *Tier II: Between \$2,500 and \$15,000, the project manager will request (via email request, project description meeting/site visit etc.) a short scope of work, schedule and proposed budget from all on-call consultants qualified to perform the specific type of work.*

- No approval from the CAO is necessary unless the project manager, for purposes of emergency or timing, is pursuing work with only one on-call firm when there are 2 or more available on-call consultants. In this case, approval to sole source is required from the CAO.
- *Tier III: Between \$15,000 and \$50,000, the project manager will issue a short project description memo and request a short scope of work, schedule and proposed budget from all on-call consultants qualified to perform the specific type of work. Final selection of the consultant for the project will be executed by the project manager and will be based on the appropriateness of the project approach in the scope of work, availability (schedule) and budget.*
- *Tier IV: Over \$50,000, the project manager will send a RFP (containing specific scoring criteria for the project) to all on-call consultants within an area of expertise and request proposals and budget information. Final selection of the consultant will be executed by a selection committee consisting of a minimum of 3 staff members who will rank the proposals based on the scoring criteria and then use cost as a final determination of selection.*