

GATEWAY WATER MANAGEMENT AUTHORITY
POLICY and PROCEDURES

PROFESSIONAL SERVICES

Professional services are those activities performed by a consultant who possesses a degree of expertise in a particular profession. This would generally include (but not be limited to) environmental services, accounting/auditing services, planning services, design services, engineering services, technical services, financial services, or other administrative services. Selections will be based on the most highly qualified provider of those services on the basis of demonstrated competence and qualifications.

A. On-Call Consulting List

1. An approved On-Call Consultant list is based on a 5-year rolling list, at such time the Chair would be authorized to execute Professional Services Agreements (PSA) with selected consultants on the list for up to 5 years; and
2. Consideration to add a consultant(s) to the list with Statement of Qualifications (SOQ) may be recommended to the full board for approval by majority vote.

B. Selection of Consultant

1. *Consulting Services for Up to \$10k*

- a. Chair Person is authorized to seek a proposal from and retain a qualified consultant for specific professional services for up to and including \$10,000. Chairperson may use his or her judgment on requiring more than one proposal. Upon approval of the expenditures, the Executive Officer will issue a Notice to Proceed (NTP) referencing the existing PSA on file. If no agreement is on file, staff will utilize the pre-approved general PSA template and attach the proposal as an exhibit prior to execution.

2. *Consulting Services between \$10k and \$75k*

- a. Based on a general scope of services, staff will request proposals from all consultants listed under the appropriate category(ies) on the approved On-Call Consultant List.
- b. The Executive Officer will evaluate, rank, and select the top ranked consultant upon negotiation until an agreement is met on the final fees. The Executive Officer will request authorization from the GWMA Board for award of contract to selected consultant. The request must include a brief description of the scope of work, background information regarding the amount being requested and the number of proposals sought and received. Upon approval, the Executive Officer will issue a NTP using the existing PSA on file. If no agreement is on file, staff will utilize the pre-approved general PSA template and attach the proposal as an exhibit prior to execution.

3. *Consulting Services between \$75k and \$500k*

- a. Working in consultation with a Standing Committee, called the "Consultant Selection Committee" (CSC), of 3 voting board members and staff, a detailed scope of services will be

prepared. Staff will issue a Request for Proposal (RFP) to all consultants listed under the appropriate category(ies) on the approved On-Call Consultant List. The need for interviews will be determined by the CSC.

- b. Once the evaluation of consultant proposals and selection of top ranked consultant is complete, the Executive Officer will attempt to negotiate a fair and reasonable price with the top ranked consultant.
- c. If a satisfactory price cannot be negotiated with the most highly qualified consultant, the Executive Officer will end negotiations with that provider and select the next most highly qualified consultant.
- d. The Executive Officer will attempt to negotiate a price with that consultant at a fair and reasonable price.
- e. The Executive Officer will continue this process to select and negotiate until a fair and reasonable price is achieved.
- f. With the recommendation of the CSC, the Executive Officer will request authorization from the GWMA Board for an award of contract with the selected consultant. The staff report must include background information on proposals sought and received and any additional information pertinent to the request for expenditures including a detailed scope of work, budget and schedule. Once approved, the Executive Officer will issue a NTP using the existing On-Call PSA. If no agreement is on file, staff will utilize the pre-approved general Professional Services Agreement template and attach the proposal as an exhibit prior to execution.

4. Consulting Services over \$500k

- a. Working in consultation with the CSC, staff will prepare a detailed RFP. The list of consultants for this solicitation will include names from the On-Call Consulting List and names from the GWMA membership and stakeholders including publication in a general circulation if requested. The RFP will be posted on GWMA's website.
- b. Once the evaluation of consultant proposals and selection of top ranked consultant is complete, the Executive Officer will attempt to negotiate a fair and reasonable price with the top ranked consultant.
- c. If a satisfactory price cannot be negotiated with the most highly qualified consultant, the Executive Officer will end negotiations with that consultant and select the next most highly qualified provider.
- d. The Executive Officer will attempt to negotiate a price with that consultant at a fair and reasonable price.
- e. The Executive Officer will continue this process to select and negotiate until a fair and reasonable price is achieved.
- f. With the recommendation of the CSC, the Executive Officer will request authorization from the GWMA Board for an award of contract with the selected consultant. The staff report must include background information on proposals sought and received and any additional information pertinent to the request for expenditures including a detailed scope of work, budget

and schedule. Once approved, the Executive Officer will issue a NTP using the existing On-Call PSA. If no agreement is on file, staff will utilize the pre-approved general PSA template and attach the proposal as an exhibit prior to execution

5. Award and Contract Amendments

1. The Executive Officer, in consultation with the Chairperson is authorized to issue amendments to the agreement for up to \$10,000 for changes or additions to the original scope of services that are equal or less than 10% of the original contract amount.
2. The Chair, in consultation with the Executive Committee is authorized to issue contract amendments to the agreement for up to \$20,000 for changes or additions to the original scope of services that are equal or less than 20% of the original contract amount
3. All other amendments must receive a majority approval of the GWMA Board.

6. Procedure Established by Granting Agencies, State or Federal agencies

Should a specific procedure for consultant selection be required from a Federal or State granting agency, GWMA shall follow the required procedures.

EXCEPTIONS

1. With a majority vote of the GWMA Board, a particular consultant may be chosen based on the unique requirements and/or experience of the consultant for a particular scope of work.
2. In the case of a unique requirement and/or time sensitive circumstance, a consultant may be requested to submit a proposal by the watershed committee subject to a majority approval by the GWMA Board.
3. The approved On-Call Consulting List is not limited. Staff, at any time may request a statement of qualifications from additional consultants.
4. Changes to this policy may be made by a majority vote of the GWMA Board at any time. Any process herein may be modified depending on specific grant guidelines. Definitions are listed below.

Definitions:

GWMA – Gateway Water Management Authority

NTP – Notice to Proceed

PSA – Professional Services Agreement

PSC – Professional Services Committee

RFP – Request for Proposals

RFQ – Request for Qualifications

SOQ – Statement of Qualifications