



City of Arts & Innovation

City of Riverside Administrative Manual

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Policy Owner(s): Finance Department

Approved:

Charles Mike Futrell

Department

City Manager

SUBJECT:

Contract for Professional Services when fees are in excess of \$50,000

PURPOSE:

To establish procedures for obtaining professional services when the expected fees are in excess of \$50,000.

SOURCE OF AUTHORITY: Purchasing Resolution Articles Five and Seven

POLICY:

Professional Services means advisory, consulting, architectural, information technology, engineering, financial, legal (including claims adjustment), surveying, research, or developmental and any other Services which involve the exercise of professional discretion and independent judgment based on an advanced or specialized knowledge, expertise, or training gained by formal studies or experience.

This policy shall not be construed as pertaining to the retention of outside legal counsel or the retention of bond counsel pursuant to the City Charter.

Professional services shall be retained on the basis of:

- Compliance to technical requirements
- A firm's demonstrated competence
- Professional qualifications
- Adequate financial resources
- Satisfactory performance record
- Satisfactory record of integrity and business ethics
- Sustainability, e.g., social, economic, environmental
- Fair and reasonable prices
- Ability to meet City's time schedule(s) for the project
- Ability to meet City's insurance requirements

To optimize the strategic value of Procurement, departments should involve Procurement early in the process for the best outcome.

PROCEDURE:

Responsibility	Action
Originating Department	<ol style="list-style-type: none"> 1. Determines the need for professional services and identifies source of funding. 2. Coordinates with other City departments that will be affected by the planned project. 3. If applicable, prepares and submits a Council/RPU Board memorandum with supporting documents to the Purchasing Manager through the online portal requesting waiver of selection process, providing the applicable Purchasing Resolution Exception to be utilized.
Purchasing	<ol style="list-style-type: none"> 4. If applicable, reviews Council/Board memorandum and determines if waiver of selection process is appropriate. 5. If request for waiver of selection process is approved, Purchasing Manager authorizes Originating Department to proceed to (Step #25).
Originating Department	<ol style="list-style-type: none"> 6. Establishes a Consultant Selection Committee (Evaluation Panel), and provides this information to Purchasing. <ol style="list-style-type: none"> a. Consultant Selection Committee shall consist of at least three qualified members that are selected based on the nature of the procurement, balancing engagement, expertise, and available resources. b. Purchasing shall serve as the chairperson of the evaluation committee and facilitate the process. <p>If no Selection Committee is necessary (only one proposal received), Originating Department shall perform duties otherwise assigned to the Selection Committee.</p> 7. Prepares and submits appropriate solicitation document and sample agreement for review as follows: <ol style="list-style-type: none"> a. To Purchasing if utilizing the City Attorney pre-approved templates (RFP/Agreements). b. To the City Attorney's Office for review if utilizing other solicitation or agreement documents. 8. Sends approved solicitation documents to Purchasing. 9. Department is to provide final specification documents in Word and PDF format for posting on eProcurement platform. (PDF documents can be a maximum of 25 MB each.) Documents are to be submitted to Purchasing 10 business days prior to desired posting date.
Purchasing	<ol style="list-style-type: none"> 10. Following City Attorney review and approval thereof, posts Request for Proposal (RFP), Request for Qualifications (RFQ), or

PROCEDURE:

Responsibility	Action
	Request for Information (RFI) on the City's eProcurement system to a minimum of three (3) registered firms with detailed project description, a draft contract (prepared by City Attorney), other required documents and appropriate consultant questionnaire(s). Solicitation documents should include all necessary information that must be included in each consultant's proposal and should define the scope of the work to be performed with sufficient detail that the consultant can submit estimated fee data for budgetary purposes and review.
	11. Facilitates all aspects of the procurement process to include but not limited to: <ul style="list-style-type: none">a. Questions & Answersb. Addendac. Vendor communicationsd. Interviewse. Evaluationsf. Reference checksg. Contract negotiation
	12. Reviews the proposals submitted by the prospective firms to conduct pre-screening and pre-qualification based on the following factors at minimum: <ul style="list-style-type: none">a. Demonstrated competence and qualifications for the types of services to be performed at fair and reasonable prices;b. Record of the firm in accomplishing work on other projects in required time;c. Quality of work previously performed by the firm for the City (if applicable);d. Recent experience showing accuracy of cost estimates;e. Compliance to technical requirements;f. Adequate financial resources;g. Satisfactory record of integrity and business ethics;h. Sustainability, e.g., social, economic, environmental; andi. Verifies license requirements are met if applicable. (DIR, State, Professional, etc.)j. Applies Local Vendor Preference where applicable.
	13. Retains unopened cost proposals until technical scores are final.
	14. Calculates Pricing Score of proposals as applicable.
	15. Schedules Selection Committee meeting to clarify proposal scoring guidelines and Code of Conduct and to ensure that no conflict of interest exists.
Selection Committee	16. Signs and submits the following forms through eProcurement platform: <ul style="list-style-type: none">a. Evaluation Conflict of Interest Statement; andb. Proposal Evaluation Rules of Conduct

PROCEDURE:

Responsibility	Action
Purchasing	17. Releases proposals to Evaluators through eProcurement platform.
Selection Committee	18. Reviews solicitation documents and evaluates firm proposals according to set criteria within the solicitation through the eProcurement platform. 19. Submits scores to Purchasing for each responsive contractor with supporting comments through eProcurement platform.
Purchasing	20. Invites a reasonable number of firms to appear before the selection committee at a specified time and place for formal presentations and discussions of their proposals and qualifications as specified in the solicitation documents. 21. Facilitates interviews held by the selection committee of the prospective consultants. Interviewees are scored based on the criteria listed in the solicitation documents. If no additional criteria is listed for interviews, main criteria is to be utilized.
Selection Committee	22. Submits scores to Purchasing for each interviewee with supporting comments through eProcurement platform.
Purchasing	23. Provides Bid Summary Packet with scoring tabulation and supporting proposal documents to Originating Department for acceptance of Purchasing recommendation.
Purchasing and Originating Department	24. Purchasing facilitates, coordinates, and attends negotiations with Originating Department and selected firm through meetings, email or telephone conferences. 25. Negotiates a fee that is within the funds available for this project. <ol style="list-style-type: none"> a. If, after reasonable effort, a contract cannot be negotiated with suitable terms, the negotiations with the designated consultant shall be terminated in writing and negotiations shall be started with the consultant rated number 2. b. In no case shall renegotiation be entered into with the first consultant firm after negotiations have started with firm rated number 2.
Originating Department	26. Prepares a Request for City Attorney Services Form and forwards draft contract to City Attorney for review.
City Attorney	27. Reviews or drafts contract and prepares appropriate documents. 28. Verifies ability to do business in the State of California. (Business Entity License)

PROCEDURE:

Responsibility	Action
	29. Confirms that contractor meets the RFP requirements of no Bankruptcy and/or Litigations against the City.
	30. Returns the draft contract to the Originating Department for preparation of final form.
Originating Department	31. Determines if selected firm is required to file conflict of interest forms (with advice from City Attorney's office as appropriate), and notifies City Clerk.
City Clerk	32. Sends conflict of interest forms to selected firm, if necessary.
Originating Department	33. Sends contract to consultant for execution.
	34. Prepares a City Council or RPU Board agenda report regarding the selection of the consultant firm, the scope of work to be performed, the fee proposal, and contract, then submits to Purchasing for concurrence. <ul style="list-style-type: none">a. If the waiver of consultant selection process was approved by the Purchasing Manager, the agenda report must include a statement addressing the waiver and justification, therefore.b. If a board, commission or committee is involved, submits the report to that board, commission or committee through the appropriate department director for approval prior to sending it to the Purchasing Manager.c. If Public Utilities Department is the Originating Department, RPU Board expenditure approval and recommendation to City Council and City Council approval is required when over \$50,000.d. All other Originating Departments, City Council approval is required when over \$100,000.
	35. Once concurrence is obtained from Purchasing, Originating Department submits Agenda Report and supporting documents into Legistar/Agenda Manager.
	36. Upon receipt of the executed contract, submits to City Attorney for approval as to form.
	37. Upon receipt of the required insurance documents, submits to Risk Manager through online portal for approval as to form.
Purchasing	38. Posts Notice of Intent to Award on eProcurement platform with selection decision to firms if applicable.
	39. Schedules and meets with contractors for debriefs upon contractor requests.

PROCEDURE:

Responsibility	Action
City Attorney	40. Approves contract as to form and forwards to the City Clerk.
Risk Manager	41. Approves required insurance documents as to form and forwards to City Clerk.
City Council/RPU Board	42. Takes appropriate action. 43. If approved, authorizes execution of the contract with the selected firm(s).
City Clerk	44. Ensures that the contract and certificates of insurance have been approved as to form and that originals are on file in the City Clerk's Office.
City Manager and City Clerk	45. Executes and attests contract based on City Council or RPU Board approval.
City Clerk	46. Processes approved documents. Notifies Originating Department, City Attorney, Purchasing, and Risk Management of contract execution indicating that scanned contract will be available online within 24 hours.
Originating Department	47. Prepares Electronic Purchase Requisition in the current work order management system, with description of work to be performed, or service to be provided. States date approved by City Council or RPU Board on the Requisition. 48. Secures electronic approval of Purchase Requisition. Attaches copy of City Council agenda report and supporting documentation to purchase requisition and retains the copies in Originating Department files.
Purchasing	49. Upon receipt of electronic Purchase Requisition and verification of approval level(s), prepares Purchase Order to encumber necessary funds. 50. After notification by City Clerk that contract documents have been executed, releases Purchase Order for processing.
Originating Department	51. Upon completion of the work by the consultant, notifies City Clerk.