

SUBJECT: RETAINING ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS, AND LAND SURVEYORS FOR CONSULTANT SERVICE

Purpose: Section 4.26 of the Madison General Ordinances (MGO) entitled "City Purchasing" specifies how Departments and Divisions seek the services of a consultant. This Administrative Procedure is to establish more specific guidelines in the retaining of Architects, Professional Engineers, Designers, and Land Surveyors for City projects.

Procedure:

When to use a request for proposals (RFP) and when to use a request for qualifications (RFQ)

1. An RFP is a complete process that begins with solicitation of contractors for a particular service and ends with a recommendation for selection.
2. An RFQ/RFP process is a two step process. First, general qualifications are provided. After evaluating all the request for qualifications submitted, a short list of Contractors is provided an opportunity to provide the City with a more detailed proposal.
3. Most projects will utilizing the single step RFP process however the RFQ process can be used when complex projects are undertaken.
4. The RFQ process can be more respectful of the Contractors time and effort by not requiring a detailed proposal be prepared by all Contractors.

Resolutions authorizing the RFP/RFQ

1. Contracts that do not meet the criteria of MGO 4.26 shall be authorized by resolution prior to the RFP / RFQ process.
2. It is recommended that staff obtain Common Council approve by resolution prior to soliciting proposals for projects that are controversial or in which the support for the project by the Common Council is questionable.

Entering into contracts without Common Council Authorization

1. MGO 4.26(3) allows some contracts for purchase of services to be entered into without Common Council authorization.
2. This administrative procedure requires that all contracts over \$100,000 shall be approved by the Common Council.

MGO 4.26 (4) allows contracts to be entered into without a formal RFP / RFQ process when certain criteria are met. See MGO 4.26 (4)

The RFP/RFQ process:

1. All contracts for purchase of services exceeding \$25,000 shall be completed by a competitive RFP or RFQ/RFP process where the Contractor provides the City with a price for services, their qualifications, and other information as required by the agency unless otherwise prohibited by law.
2. All RFPs and RFQs shall be e-mailed to Contractors that have expressed an interest in the type of work to be undertaken. Notice that the City is seeking an RFP or RFQ shall be advertisement on

VendorNet and DemandStar and may be advertised on the Agencies web page, newspapers, other web sites, or other locations as desired by the agency.

3. Agencies proposing RFPs and RFQs regarding buildings shall involve Facilities Management prior to advertising.
4. The following information shall be provided with the RFQ or RFP.
  - a. Name and address of Division, Department, Board or Commission.
  - b. A clear and complete description of the project or task.
  - c. The responding due date, time, and delivery address for consultant statements of qualifications proposals.
  - d. Any policy and project constraints.
  - e. The time schedule for award of contract, commencement of work, submission of project reports and project completion.
  - f. A draft contract shall be prepared by staff which provides detailed scope and objectives and the draft contract shall be provided to the Contractor during the RFP process such that the Contractor can provide a detailed cost proposal.
  - g. The basis for RFQ and/or RFP review and scoring including local preference.
5. A consultant interested in the work shall disclose complete information regarding qualifications. In addition to the specific data requested, previous job photographs and general background data may be included. The interested consultant shall provide at a minimum the following information when responding to an RFP or RFQ/RFP:
  - a. A description of qualifications, experience, organization and resources.
  - b. A brief list of similar types of work previously completed, with the name and address of the client for whom the work was done.
  - c. A description of the techniques he intends to use in approaching the City's project.
  - d. A list of the consultant's staff who would be committed to the project, with their professional resumes.
  - e. A description of subcontractors, if any are contemplated, indicating what portion of the work is to be done by them.
  - f. The cost to provide the services unless this is an RFQ or is otherwise prohibited by law.
6. Use of request for qualifications (RFQ).
  - a. When a RFQ is used it shall be followed by a competitive RFP process unless otherwise prohibited by law or otherwise allowed by Madison General Ordinances.
  - b. The Agency shall review all RFQs submitted and shall score and rank the RFQ based on the qualifications to determine a short list, typically 3 or more firms, and shall request a detailed RFP from the short list of Contractors.
  - c. The Agency shall provide a detailed draft contract and scope of services to the short list of Contractors prior to requesting a detailed proposal.
  - d. The Contractor shall provide a cost to perform the services as part of the detailed proposal in the competitive RFP which follows the RFQ.
7. Communication with Contractor during RFP/RFQ process.
  - a. All questions and answers shall be provided to all Contractors involved in the process and shall be advertised in the same fashion as the initial solicitation including placing on VendorNet and DemandStar.
  - b. City staff shall provide a written answer to all questions and shall make that information available to all Contractors unless the information provided can clearly and easily be ascertained by reading the draft contract and the information provided by the agency.

8. All RFPs once accepted shall be reviewed and scored by an evaluation team set up by the Agency for the purpose of reviewing and ranking the proposals.
9. The scoring of the proposals shall provide for 5% advantage to local firms.
10. The scoring of the proposals shall consider cost but cost shall not be the sole consideration when considering and ranking the proposals.
11. It is recommended that the Agency interview a short list of consultants on large projects, complex projects, projects where additional information is needed from the Contractors, or when otherwise warranted.
12. After selection of the Contractor, the Agency staff shall finalize the details of the Contractor's contract and shall prepare the final version of the Contract for execution by the Mayor and City Clerk or the Finance Director or the Finance Director's designee.
13. A resolution shall be approved by the Common Council authorizing the Mayor and City Clerk to enter into the agreement unless the Contract can be entered into without Common Council approval as outlined in this APM and MGO 4.26(3).

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Mayor

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