

**CITY OF PLANO POLICIES AND PROCEDURES**

334.000

**Department Name:** Purchasing  
**Procedure:** Procurement of Professional and Consultant Services

**Effective Date:** 8/12/1986

**Revision Date(s):** 3/10/05

**Review: Annual:** 8/1/2006

**I. Purpose**

To provide procedures for procurement of professional and consultant services.

**II. Policy**

In professional work, experience has demonstrated that the public is best served by requiring "professional" practitioners to be judged upon the responsiveness of their proposed service, and the excellence, quality and effectiveness of their past services, and that competitive bidding based on the price only is not in the best interest of the public. The City will therefore enter into a written agreement with the service provider for each separate professional service contract. Compensation will be negotiated before the agreement is signed and after the service provider has been selected on the basis of his or her qualifications, as set forth in this procedure.

- A. Regardless of the contract amount, it is the intent of the City to diversify the selection of professional and consultant services.
- B. This selection process is not applicable to professional or consultant contracts \$10,000 or less. City policy follows State law with competitive bid requirements which excepts professional and personal contracts. City Council establishes the limit for which Council approval is required for award of contracts.

**III. Definitions**

- A. Professional Services - As defined by V.A.C.S. Art 664-4, "means those within the scope of the practice of accounting, architecture, optometry, medicine, land surveying or professional engineering as defined by the laws of the State of Texas or those performed by any licensed architect, optometrist, physician, surgeon, certified public accountant (excluding external auditor), land surveyor or professional engineer in connection with his professional employment or practice."
- B. Service Provider - Any service specifically mentioned as "Professional Service" above or any service deemed to be of a "professional" nature by the Legal Department.
- C. Capital Improvement Projects - Those projects approved by the City Council and adopted in the annual Capital Improvement Program (CIP) which consists of the City's facilities and infrastructure.

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- D. Facilities - Any structure or properties owned by the City, the land upon which the facility is situated for the provision of City services, and the initial furniture, fixtures, equipment and apparatus necessary to put the facility in service. Facilities include, but are not limited to, the following: administrative offices, parks, service centers and storage yards, recreation centers, libraries, fire stations, jails and courts, and water and sewer related structures.
- E. Infrastructure - Permanently installed facilities, generally placed underground or at-grade, which form the basis for the provision of City services. Typically included are thoroughfares, bridges, water and sanitary sewer lines, drainage channels, and storm sewers.
- F. Initiating Department - That user department requiring the service. For all Capital Improvement projects, the Capital Projects Department is the "Initiating Department."

**IV. Selection Procedure for Consultants**

A. Project Description

When professional consulting services are needed, the Initiating Department will prepare a description of the scope of services required.

B. Selection Committee

The Selection Committee shall consist of four City staff members including a representative from the Purchasing Division.

1. General

The Selection Committee will review the current list of consultants and select those firms (minimum of three) whose qualifications meet the job requirements. If available, at least one firm will be a certified minority or woman-owned firm. These consultants will be sent a Request for Proposal

2. Infrastructure Consultants

Annually, a Selection Committee will review the current list of consultants and select those firms (minimum of six) whose qualifications meet the job requirements for each of the following areas of expertise:

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- a. Streets
- b. Drainage/Hydrology
- c. Water and Sewer

Those firms listed will be rotated on a project-by-project basis for the current CIP project year. If available, at least two firms will be certified minority or woman-owned. The City reserves the right to disqualify a firm for any reason or to require participation by small, minority or women enterprises.

**C. Requests for Proposals (RFP's)**

Written Request for Proposals (RFP's) shall be sent by the Initiating Department to each firm(s) selected. The request shall include a list of services desired and a deadline for receipt of proposals. The request shall require the professional consultant to provide a schedule for completion of the scope of services.

**D. Reviewing of Proposals**

Copies of the proposal(s) shall be submitted to the Initiating Department, who will forward to members of the Selection Committee. The Selection Committee members review the individual proposal(s).

**E Interviews (Not Applicable for Infrastructure Consultants)**

Interviews may be scheduled with the highest ranked firm(s). The Selection Committee will ask each finalist to make a presentation of experience and then may question them as to their capability and methods of approach for furnishing the required services. Professional compensation is not considered in these discussions. The questions will center around the information requested in the Proposal and the criteria that the Selection Committee has established for rating the various proposals.

Firms not selected for an interview will be notified by the Initiating Department.

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F. Negotiations

The candidate or first choice candidate shall be notified that he or she has been selected, and a proposed contract shall be requested. Alternatively, the City shall submit a proposed contract to the candidate for completion and return. The contract shall include compensation, time required and full scope of the work to be performed.

If an agreement satisfactory to both parties cannot be reached, negotiations will be terminated and the process started over with the second choice candidate, and with the third choice, if necessary. As soon as the City and a candidate come to an agreement, the Selection Committee shall make a recommendation to the City Manager.

G. Contract Execution

For those contracts less than the Council established limit, the Initiating Department will send copies of the proposed contract to the City Manager, through the City Attorney, Risk Manager and Executive Director. A memo explaining the project, funding and reasons for recommending award will accompany the contract documents.

For those contracts exceeding the established limit, the Initiating Department will prepare a Request for Council Agenda Item and submit in accordance with City Procedure.

H. Notification of Award of Contract

The initiating Department shall send a copy of the executed Contract to appropriate City personnel and the Consulting Firm with instructions on initiating the contract. If there are going to be multiple payments, a Purchase Order will be utilized.

I. Notification to Unsuccessful Firms

The unsuccessful firms will be notified of the Award of the Contract to the successful firms, by the Initiating Department.

J. Amendments to Contracts

Contract Amendments exceeding \$25,000 or 25% of the original contract price require Council action.

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**V. Special Conditions**

- A. This policy does not pertain to contracts administered by another agency to which the City is signatory.
- B. For contracts of an emergency nature any or all of the above steps may be waived at the discretion of the City Manager or City Council.
- C. Additional steps and procedures may be added as determined necessary, i.e. request for State of Qualifications prior to Request for Proposal.