

Procuring professional services for your city or rural water district

Guess What? The city council or rural water board of directors has decided to replace ten blocks of water line including valves and fire hydrants. We don't have the maintenance staff to do it in a time effective and cost effective manner! Where do we go from here? We haven't had an engineer in years! Who should we hire and what steps should we take? Do we need just an engineer or do we need additional professional services? Just remember, like members of your governing body, engineers, attorneys and auditors vary widely in terms of their technical expertise and competence. It is very important for you to hire the firm that will work with you and meet your needs.



Rose Mary Saunders
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What exactly is procurement? Well, it is the method of selecting services (i.e. engineers and contractors) as well as material supplies. Believe it or not, you probably are doing procurement but just don't have it written down. That is something that should be remedied. In this article, I hope to provide information that will help you procure professional services.

There are four types of procurement: 1) Competitive bidding which is the one you are probably most familiar with. This is when sealed bids are submitted and most commonly used for construction. 2) Competitive negotiation which is what we are

covering here. 3) Small purchases which as an example covers purchasing the tires for the police car or purchasing a new computer for the office. According to the

to send out to several engineering firms to respond to.

Your project description needs to be detailed enough to allow the engineering firm to submit a

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State of Kansas, that means any purchase less than \$25,000.

4) Non-competitive negotiation. This is used when competitive negotiations are not feasible such as having only one supplier bid or there is a public emergency or the results of competitive negotiations are inadequate.

In order to help you to access the right professional for your project, you first need to put together a description of your project which will become the scope of services. Select several members from your community or rural water district who have some background with the type of project you are planning. Their experience and knowledge will assist you in putting together a Request for Qualifications

proper proposal which includes, but is not limited to, items such as: "Will there be land acquisition involved for the treatment plant or water storage tank site(s). Will the water line be installed in public right-of-way on private easement?"

Also, include the time frame for the completion of the feasibility study as well as contract services. The engineering firm needs to know who will be the local contact person to ask questions regarding the proposed project. Having this information



Local government officials should know what questions they will ask in an interview and who will ask them.

- graphic by Linda Winder, Thoroughbred Computer Systems

decided up front will make it easier for the engineering firm to respond to your request. All of this together will help provide the basis of your evaluation of the proposals.

Then, talk to your neighboring cities and rural water districts. Find out who they use and if they are satisfied with their services. Also look at notifying minority and female owned businesses as part of the process. If that doesn't give you as many contacts as you would like to notify, call the Kansas Rural Water Association office and they can assist you with additional engineering firm information. It's always good to contact three or more firms.

Back to competitive negotiation. Selecting your engineer, attorney or auditor should be based on their qualifications and not price. Don't get me wrong – price is important, but IT IS NOT and SHOULD NOT be the basis of your selection. There is a sample Request for Qualifications printed below. This sample has been used by many Kansas Department of Commerce applicants in selecting their engineer, but it can be adapted to cover legal and auditing categories too.

The next step is in the screening of the proposals that are received. Did the engineering firm respond to the questions you asked in the Request for Qualifications? Did anyone from the firm call or request someone meet with them for a site visit? Did the engineering firm include what their experience is regarding the proposed project and who will be working on the project and what their individual experience is? Can the engineering firm complete the project in the allotted time frame? Did they list any references? What is their performance record? Is their office close to your project? Are they familiar with the area

because they are or have worked here before?

Now that you have thought about the above questions, what do you do? First you assign a point system to each of the above questions. Then you call their references and check them out. Ask if they have the competent personnel. Did they get the work

done in a timely manner as well as within the scope of the project? Were there a lot of change orders on the project because something wasn't covered in the plans and specifications adequately? Was the estimate way off from the bids? Or was there a change in the scope of the project? How well did the firm respond or

SAMPLE*
REQUEST FOR QUALIFICATIONS

PROFESSIONAL ENGINEERING SERVICES

The City of Anywhere, Kansas requests qualifications for engineering services to assist in the proposed project utilizing State funds. The City intends to provide improvements to its municipal water system. Information provided to the City must include:

- (a) The specialized experience and technical competence of the firm with respect to water system improvements or related work;
- (b) The capacity and capability of the firm to perform the work in question, including specialized services, within a period of twelve (12) months beginning January 1, 2007;
- (c) The past record of performance of the firm with respect to such factors as control of costs, quality of work, and ability to meet schedules;
- (d) The firm's proximity to and familiarity with the area in which the project is located; and
- (e) References from all previous clients involved with the firm within the past five years. Ability to begin work immediately and guaranteed submittal to the Kansas Department of Health & Environment (KDHE) within twelve (12) months plus (c) above shall receive primary consideration.

This information must be submitted no later than December 1, 2006 by 5:00 PM CST at Anywhere Kansas City Hall located at 123 Main Street, Anywhere, KS 66666. For more information, please contact Harry Smith, Mayor at (785) 123-4567 between the hours of 9 AM and 5 PM.

The City of Anywhere, Kansas is an Equal Opportunity Employer and invites the submission of qualifications from minority and women-owned firms.

* The above format is the sample Request for Qualifications from the Kansas Department of Commerce Community Development Web site www.kansascommerce.com. This format can be revised to fit your community's or rural water district's needs. The rating form should include the information required above plus the interview.

In the contract with the engineering firm, make sure the conditions that you discussed in the interview are covered such as, but not limited to, time frame completion, termination clauses and remedies for violation or breach of contract, contract amounts, methods of compensation . . .

communicate with their clients? If there were problems, can they elaborate? Was this a new method of doing the water line installation or a new product that has not been used in Kansas before? Check to see if any complaints or litigation has been filed against the engineer or the firm.

Last, but not least, is the interview process. This is an important step in the selection of your engineer. Ask each of the firms the same questions so you can evaluate everyone with the same standard. Preferably you should send a letter stating what time and where the interview will

take place. We all know in this day and age, the telephone, faxes or e-mail gets the job done faster.

Just remember if you can't communicate with them during the interview, how will you communicate with them during the course of the project? Develop a list of questions based on the Request for Qualifications form.

After you have interviewed all the firms, rate each one of them. Start with the firm that has the highest number of points and begin discussion on the issue of cost of services. You are not tied to the firm that gives you the

lowest price. Sometimes selecting the next best firm is a better choice. If you decide to select your #2 candidate firm, you will already have your written documentation that shows why you made that decision. When you agree to final terms with your engineer, then send a letter to the others who were interviewed, thanking them for their time and advise them of your selection.

In the contract with the engineering firm, make sure the conditions that you discussed in the interview are covered such as, but not limited to, time frame completion, termination clauses and remedies for violation or breach of contract, contract amounts, methods of compensation, and the addition of any federal or state laws, rules or regulations.

Good luck on your project and I hope it is a very successful one!



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