

ORDINANCE 1998 - 3

AN ORDINANCE OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
ADDING CONSULTANT SELECTION GUIDELINES TO MCSD'S RULES AND
REGULATIONS

WHEREAS, State Law enables local governmental agencies to
adopt guidelines for selecting consultants by
Ordinance.

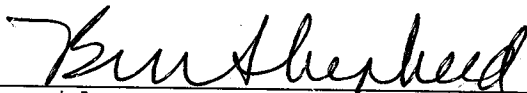
NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MCKINLEYVILLE
COMMUNITY SERVICES DISTRICT DOES HEREBY ADD THE REGULATION
ATTACHED HERETO TO MCSD'S RULES AND REGULATIONS.

On the Motion of Director GEIST and seconded by
Director MURPHY, the foregoing ordinance is duly
adopted this 10th day of December 1998 by the following vote:


AYES: GEIST, HARLING, MURPHY, SHEPHERD, WALUND

NOES: NONE


ABSENT: NONE


President, Board of Directors
McKinleyville Community Services
District

ATTEST:


Secretary, Board of Directors
McKinleyville Community Services District

I, SHARON L. DENISON Secretary to the Board of
Directors of the MCKINLEYVILLE COMMUNITY SERVICES DISTRICT,
hereby certify that the foregoing is a full, true, and
correct copy of an ordinance duly adopted this 10th day of
December, 1998.


Secretary to the Board of
Directors of McKinleyville
Community Services District

REGULATION 67 - CONSULTANT SELECTION

Rule 67.01. INTRODUCTION. This regulation will detail the process that MCSD will follow in selecting "Professional" consultants (architectural, engineering, surveying and construction management services) and all other consultants (ie. auditors, environmental analysts, etc.). This regulation does not apply to either material vendors or contractors (licensed firms retained to construct works).

Rule 67.02. SELECTION OF "PROFESSIONAL" CONSULTANTS. This rule has been drafted to comply with section 4525 et seq of the California Government Code (the Little Brooks Act) and to ensure that qualified consultants are retained to perform architectural, engineering, land surveying or construction management services. MCSD shall use the process set forth in this part to govern selection of "professional" consultants except where the service is expected to cost less than \$15,000 (see Rule 67.04 for projects expected to cost less than \$15,000); where the Manager determines that the services requested are technical services requiring little professional judgement (see Rule 67.03); or where the services requested relate to proprietary expertise unique to specific District software or hardware.

A. PREPARE DRAFT REQUEST FOR PROPOSAL: Staff shall prepare a Draft Request for Proposal (RFP) that: (1.) provides an overview of the assignment, (2.) requests that the consultant submit a Proposal detailing their qualifications and approach, and (3.) requests that the consultant submit under separate cover an estimated budget.

(1.) The RFP overview describes the nature of the project; details the services required including a timeline for each task and workproduct; explains the criteria for selection; sets the due date/time for submittal; sets the submittal requirements (#copies, size, etc), and identifies a contact person for additional information. The RFP shall reserve the right to reject proposals.

(2.) Based on the overview's description of the project, the consultant will next be asked to submit a proposal detailing the firm's qualifications and approach to the assignment. This proposal must identify the experience of the firm and the project manager in relation to the project. This proposal must also document the firm's credentials and insurance capability.

(3.) Finally, the consultant will be asked to submit a project budget under separate cover in a sealed envelope. The consultant will be expected to negotiate an agreement for the described services using this budget. The budget submittal shall break out the proposed fee and hours by staff type for each task. The consultant may include costs for optional services for the services not detailed in the RFP.

B. BOARD AUTHORIZATION TO PROCEED: Staff shall present the draft RFP along with a listing of known firms with similar expertise for Board edit. If the Board authorizes the process, then staff will mail an RFP to each identified consultant and post notice of the RFP at the MCSD office.

C. EVALUATION OF PROPOSALS: It is not possible to foresee the specific criteria for ranking proposals until the assignment is specified. However, the following general categories will be common to any screening -- (1.) minimum qualifications and (2.) comparison rankings.

(1.) MINIMUM QUALIFICATIONS: RFPs must demonstrate that the firm has the appropriate credentials to perform the service; has appropriate insurance and can satisfy the requested project timeline.

(2.) COMPARISON RANKINGS: If the firm satisfies these minimums, then the RFP should be rated on a numerical scale for staff qualifications, experience, approach, performance/availability, proposal quality, and historical budget/schedule adherence. Preference should be given for local firms where two firms are otherwise equally qualified.

D. RECOMMENDATION: Following closure of the submittal period, staff shall evaluate all proposals based on the criteria approved by the Board for this selection and compile a ranked listing of submitters. For the top three qualified consultants, staff shall open the attached budgets and compare budgets. Staff will then negotiate a proposed scope of work and cost with the top ranked consultant or consultants; including any options staff requests be included.

E. SELECTION: Staff will present a summary of the submittal results and the recommended scope of work/budget to the Board for approval or rejection. Should the Board approve the scope of work, staff will negotiate an agreement for subsequent Board ratification.

Rule 67.03. SELECTION OF OTHER CONSULTANTS FOR MAJOR PROJECTS - MCSD shall use the process set forth in this rule to govern selection of all other consultants where the services are expected to cost more than \$15,000 and for selection of professional consultants where the proposed services are technical services requiring little professional judgement and the services are expected to cost more than \$15,000.

A. PREPARE DRAFT REQUEST FOR PROPOSAL: Staff shall prepare a Draft Request for Proposal (RFP) that provides:
(1.) an overview of the assignment, (2.) requests that the consultant submit a Proposal detailing their qualifications and approach and an estimated budget.

(1.) The RFP overview describes the nature of the project; details the services required including a timeline for each task and workproduct; explains the criteria for selection; sets the due date/time for submittal; sets the submittal requirements (#copies, size, etc), and identifies a contact person for additional information. The RFP shall reserve the right to reject proposals.

(2.) Based on the overview's description of the project, the consultant will next be asked to submit a proposal detailing the firm's qualifications and approach to the assignment. This proposal must identify the experience of the firm and the project manager in relation to the project. This proposal must also document the firm's credentials and insurance capability. This proposal must include a project budget. The budget submittal shall break out the proposed fee and hours by staff type for each task. The consultant may include costs for optional services not detailed in the RFP.

B. BOARD AUTHORIZATION TO PROCEED: Staff shall present the draft RFP along with a listing of known firms with similar expertise for Board edit. If the Board authorizes the process, then staff will mail an RFP to each identified consultant and post notice of the RFP at the MCSD office.

C. EVALUATION OF PROPOSALS: It is not possible to foresee the specific criteria for ranking proposals until the assignment is specified. However, the following general categories will be common to any screening -- (1.) minimum qualifications and (2.) comparison rankings.

(1.) MINIMUM QUALIFICATIONS: RFPs must demonstrate that the firm has the appropriate credentials to perform the service; has appropriate insurance and can satisfy the requested project timeline.

(2.) COMPARISON RANKINGS: If the firm satisfies these minimums, then the RFP should be rated on a numerical scale for staff qualifications, experience, approach, performance/availability, proposal quality, and historical budget/schedule adherence and price. Preference should be given for local firms where two firms are otherwise equally qualified.

D. RECOMMENDATION: Following closure of the submittal period, staff shall evaluate all proposals based on the criteria approved by the Board for this selection and compile a ranked listing of submitters. Staff will recommend selection of one firm and specify any options requested for inclusion.

E. SELECTION: Staff will present a summary of the submittal results and the recommended scope of work/budget to the Board for approval or rejection. Should the Board approve the scope of work, staff will negotiate an agreement for subsequent Board ratification.

Rule 67.04. SELECTION OF CONSULTANTS FOR SMALL CONTRACTS. Staff may retain consultants to perform budgeted services where the expected value of the service is less than \$15,000. Where the service is expected to cost more than \$5,000 staff shall secure informal proposals from firms known to have the required expertise. Where the service is expected to cost less than \$5,000 staff shall negotiate an agreement with the apparent best qualified consultant.