

## Taney County Regional Sewer District Professional Consultant Selection Policy

It shall be the policy of the Taney County Regional Sewer District (the "District") to negotiate contracts for architectural, engineering and land surveying on the basis of demonstrated competence and qualifications at fair and reasonable prices. In order to implement this general policy, the following policies and procedures shall be applied:

1. **GENERAL QUALIFICATIONS** – Only persons, firms, partnerships, corporations or other legal entities providing architectural, engineering and land surveying services (referred to in this policy as "Consultants") that are licensed or registered with their respective governmental agencies and are in good standing shall be permitted to contract with the District. In addition, all Consultants that contract with the District for professional services shall be required to maintain professional liability insurance and other standard business insurance coverage customarily maintained by businesses offering these professional services in such amounts and with such coverage as the District may from time-to-time determine necessary to assure the responsible performance of work and to protect the District and Consultants.
2. **DISTRICT REGISTRY OF CONSULTANTS** – The District Administrator shall maintain a registry classified by category of Consultants interested in performing architectural, engineering and land surveying services for the District. Consultants may be listed in the District registry upon filing a statement of qualifications as prescribed in this policy.
3. **STATEMENT OF QUALIFICATIONS**– Each Consultant desiring to be registered with the District for consideration in contracting with the District for architectural, engineering and land surveying services shall file a new or updated statement of qualifications upon request by the District, at such time that there is a major change in the structure of the consultant's firm or no less often than every 3 years.
  - 3.1 **Content of Statement of Qualifications** – Each statement of qualifications shall contain the following:
    - 3.1.1 **Business Information** – Contain basic biographical information about the firm, including firm name and former firm names, address, date established, statement of business organization, names of all owners, principals, partners and professional employees.
    - 3.1.2 **Staff Information** – Contain resumes of each professional in the firm, including a description of experience, technical competence, and areas of expertise. The description should also include the number of ancillary staff available for assignment with job descriptions or titles and relevant experience.
    - 3.1.3 **Registration and Licensing** – Contain evidence of professional registration or licensing with the state of Missouri and, in the case of

business entities which must be registered with the Secretary of State, current copies of registration and statements of good standing.

- 3.1.4 Work History – Contain a listing of all government agencies for which work was performed within the preceding two years and nature of services. In the event the Consultant seeking registry has not performed professional services for governmental entities, then the Consultant shall provide a listing of institutional or business clients for whom work has been performed in the preceding two years. If references are unavailable, then the Consultant seeking registration shall provide a detailed explanation of why references are not available.
  - 3.1.5 Subcontractors – Contain a listing of subconsultants or subcontractors normally retained by Consultant to perform work not customarily performed by the Consultant. Relevant descriptions of expertise of subcontractors should be included when appropriate.
  - 3.1.6 Project Listing – Contain a listing of completed and pending projects in which the consultant was or is the primary provider of professional services or manager of the project.
  - 3.1.7 Insurance – Contain evidence of insurance coverage and amounts carried by the Consultant as required by the general qualifications for District Consultants.
  - 3.1.8 Quality Controls – Contain a description of internal quality control and assurance procedures used to verify accuracy and reliability of work product.
- 3.2 Registry Information – The Registry of Consultants shall be open to the public for inspection. Consultants which do not annually (or as often as requested by the District) update statements of qualifications may remain on the registry at the discretion of the District Administrator, but may not be considered nor have the right to make claim of entitlement to be considered for performing contract work with the District. It shall be the responsibility of each Consultant to maintain a current statement of qualifications; however this request will most likely be made by the District on an annual basis at the beginning of each year.
4. SELECTION OF CONSULTANTS – Consultants shall be selected for ongoing general consulting services on an “as needed” basis, for planning, feasibility studies, designs, surveys, cost estimating, construction administration and other related work. Consultants shall be selected for each category in the following manner:
- 4.1 Consulting Services (≤\$60,000 estimated professional fees) – The District Administrator shall select, contact and solicit written work requests or proposals from one or more pre-qualified Consultants listed on the District Registry of Consultants for projects estimated to be less than or equal to \$60,000 in professional fees. Written proposals from such consultants shall contain

information necessary to evaluate the Consultant's current ability to efficiently deliver required services in a timely manner. Proposals shall include the following information: a written proposal responsive to the District Administrator's request for services or proposal with the same or greater level of specificity required by the request for services or proposal. The Consultant shall specifically identify services which are included as basic services and those services which are excluded from basic services, time or schedule for completion, the cost of services including fees and reimbursable expenses, and the basis of billing. After evaluation on the basis of the foregoing criteria and any other information which the District Administrator has gathered, the District Administrator shall negotiate a contract for services and forward to the District Board of Trustees its recommendation for selection of a Consultant and the applicable contract for the specific work; unless the District Administrator has been authorized by the District Board of Trustees to execute such contract on behalf of the District.

- 4.2 Consulting Services (>\$60,000 estimated professional fees) – Professional services on specific projects for which the District Administrator estimates professional fees to exceed \$60,000 shall be selected in the following manner: the District Administrator shall contact a sufficient number of Consultants from the District Registry of Consultants in order to identify Consultants both qualified and available to perform needed work and to insure that three (3) or more written proposals will be received for the proposed project. The District Administrator shall send written requests for proposals (RFPs) to all of those Consultants who, in the opinion of the District Administrator, possess the necessary qualifications, capacity and ability to perform the professional services required by the District in an efficient and timely manner and who are available to perform such services. Consultant proposals to the District shall be returned to the District no later than the date and time stated in the RFP and shall include, at a minimum, the following information, to the extent not included in the Consultant's current statement of qualifications on file with the District:
- 4.2.1 Experience – The professional experience and technical competence with respect to the type of services required.
  - 4.2.2 Performance Ability – The ability and capacity to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project.
  - 4.2.3 Past Performance Record – The Consultant's past record of performance with respect to such factors of cost, quality of work, and ability to meet schedules.
  - 4.2.4 Proximity and Familiarity – The Consultant's proximity to and familiarity with the area in which the project is located.

- 4.2.5 Proposal – The Consultant’s proposal for doing the work, including description of included and excluded services, in accordance with the criteria established in the request for proposal.
  - 4.2.6 Insurance Coverage – Evidence of current professional liability insurance coverage and amounts of coverage unless specific insurance requirements are specified in the request for proposal, in which case evidence that these requirements are satisfied.
5. PROPOSAL EVALUATIONS – A selection committee consisting of the District Administrator and two other persons selected by the District Board of Trustees will review the proposals estimated to exceed \$60,000 in professional fees for the Capital Improvement Projects. The Committee shall investigate and evaluate the proposals received and may conduct screening interviews or conferences in person or by telephone to make a short list of Consultants with whom contract negotiations may be conducted. Preference may be given to Consultants who have previously performed work in connection with the proposed project. On the basis of the Committee’s investigation and evaluation of the proposals, the District Administrator will list the Consultants in order of qualifications and ability to perform the desired work at a fair and reasonable price in order to negotiate a mutually satisfactory contract for professional services.
6. CONTRACT NEGOTIATIONS – Regardless of the nature of services sought, the first selected Consultant may be requested to interview with the Committee and/or the entire District board to define the scope of services to be provided and to establish the compensation as well as other elements or requirements for the work. The Consultant’s fees and expenses for the work shall also be negotiated on the basis of what amounts are mutually agreed upon to be fair and reasonable. The committee will make its recommendation to the District Board of Trustees. A contract shall be prepared on the basis of these discussions and negotiations by either the District Administrator or District General Counsel which, once finalized, shall be submitted to the District Board of Trustees for award and final approval. If after reasonable effort, as determined by the District Administrator, a contract cannot be negotiated, the negotiations with the first designated Consultant shall be terminated and negotiations shall start with the next selected Consultant meeting the District’s requirements.
7. CONTRACT AWARDS – If the District Administrator is able to successfully negotiate the terms and conditions of a contract with the Consultant it shall recommend award of the contract to the Consultant by the District Board of Trustees which shall be the contracting party. In the event the District Board of Trustees declines award to the recommended Consultant, the District Administrator shall negotiate a contract and recommend award to the next succeeding qualified Consultant until contract is awarded.
8. WAIVER OF POLICY REQUIREMENTS – The District Administrator may in his sole discretion waive any of the procedural requirements set forth in this policy in cases of emergency, exigent circumstances or other circumstances warranting waiver as long as

the reasons for waiver are documented in writing; upon timely request of any party objecting to the waiver, the waiver shall be reviewed and approved by the District Board of Trustees.

9. CONSULTANT DISQUALIFICATION – Any Consultant which in the opinion of the District Administrator is not qualified to perform work for the District, or is not financially solvent or responsible, or which violates any term or condition of this policy or substantially or repeatedly fails to perform any term or condition of a contract with the District, deemed material by the District Administrator, may be disqualified from contracting with the District and will be notified of such disqualification in writing. Any Consultant aggrieved by any decision of the District Administrator disqualifying the Consultant from contracting with the District may appeal such decision to the District Board of Trustees within ten (10) days of the rendition of such decision.

The above policy is hereby passed and formally approved by the Taney County Regional Sewer District Board of Trustees this 7<sup>th</sup> day of January 2014.

  
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Nathan Easley, Chairman

Attest: I, Linda Todd, the Secretary of the Taney County Regional Sewer District, hereby attest that the above policy was executed by the Chairman of the Board of Trustees of the Taney County Regional Sewer District, pursuant to a duly passed motion of the Board of the District approving the policy.

  
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Linda Todd, Secretary