Use of Pre-Qualified On-Call Consultant Lists (PQOC List) Procedures

I Get Preliminary Approval of the Program Manager or Project Manager

A) Initiator must discuss the need for the use of the PQOC list with the Program or Project Manager. Program or Project Manager must give preliminary approval before proceeding.

II Prepare Draft Task Order Solicitation (TOS)

A) Initiator must determine what distribution rules govern this TOS.

1) Make a copy of the most current PQOC List to be used for the Task Order. The lists are available on the BOE's website at http://eng2.lacity.org/docs/dpw/bids/ir_PrimeRotate.pdf and are maintained in a current state by the Project Award and Control Division (PACD).
2) TOS is to be issued to the consultants on the list based upon the criteria listed in the following table:

Task Order Value	First Consultant on List	Top 3 Consultants on List	Entire List
< $50,000	OK	OK	OK
> or = to $50,000, but < $100,000		OK	OK
> or = $100,000			OK

3) Based on the value of the Task Order, decide whether the TOS will be sent to only the first firm on the list, the top three firms, or all the firms.
4) Allow for a contingency if there is a possibility of a scope change or remediation work required for the Task Order. Based upon the Scope of Work and this contingency, follow the procedures for the combined total of the TOS. Combined totals exceeding $100,000 must comply with the MBE/WBE/SBE/EBE/DVBE/DBE/OBE subconsulting requirements, along with submitting a Board Report.
5) If the list is a rotational list, generally the selected consultant will be rotated to the bottom of the list after they are assigned the Task Order. The lists will be automatically updated after the assigned Task Order information is input into the Personal Services Contract System (PSCS). Therefore, it is important that this information is entered into PSCS prior to issuing the Notice to Proceed to the selected consultant.
6) In certain circumstances, these distribution rules may be overridden only with the written approval of the City Engineer.

B) Initiator prepares the TOS. It should contain the following nine items:

1) Project Description
2) Scope of Work
3) Schedule of the Work
4) Submittal Requirements

5) Selection or Evaluation Criteria if three or more firms are being solicited
   (a) Qualifications to perform the needed services
   (b) Record of past performance
   (c) Value to the City considering pricing proposal
   (d) Overall Company Resources
   (e) Knowledge of City policies, procedures, and practices
6) Description of the Selection Process
   (a) If TOS goes to the Top Three Firms
      1) Solicit
      2) Review and rate in accordance with criteria issued in the Solicitation
      3) Interview (optional) (if performed, rating sheets should be included in the project file)
   (b) If TOS goes to All Firms
      1) Solicit
      2) Review and rate in accordance with criteria issued in the Solicitation
      3) Short list (optional) (if used, define and document justification)
      4) Interview (optional) (if used, document criteria used and include rating sheets in project file)
   (c) Select the best firm and negotiate the Task Order (a list of all firms submitting proposals, all proposals submitted, and a record of the negotiations should be included in the project file)
   (d) If the TOS is only going to the top firm, simply send the TOS, review the consultant's submittal, and negotiate the Task Order (any supporting documentation should be included in the project file).
7) Insurance Requirements
   (a) Include the insurance requirements in the TOS, especially if the limits have changed from the original RFQ.
   (b) Include a statement that insurance policies must be current and on file with the City Administrative Officer (CAO)-Risk Management when the Task Order is issued to the selected PQOC Consultant. Work cannot commence or continue if the proper “proof of insurance” forms are not on file with the CAO. Also, invoices will not be paid if the proper “proof of insurance” forms are not on file with the CAO. Insurance documents from the consultant should be forwarded to the CAO-Risk Management.
8) Anticipated MBE/WBE/SBE/EBE/DVBE/OBE participation levels for Task Orders > $100,000 and DBE levels for Task Orders of any dollar amount will be the same as the levels approved by the Board on the RFQ/RFP.
   (a) After proposals are returned, if there are no subconsultant opportunities, the initiator prepares a waiver request for approval by the Mayor’s Office. Send the request to the Executive Director of the Mayor’s Office of Housing and Economic Development, Minority Business Opportunity Center (MBOC), fax number (213) 978-0690. The approved waiver should be included as a transmittal to the Board Report to issue the Task.
   (b) If proposals come in at lower participation levels, consultants should be encouraged to sub out more work. For the Board Report to issue the Task Order, wording should be included to describe why participation levels could not be met and how the consultant expects to meet the anticipated participation levels for the contract on future Task Orders.

(c) The BPW must approve a permanent change to the MBE/WBE/SBE/EBE/DVBE/DBE/OBE anticipated participation levels.

9) Non-Collusion Affidavit must be included in the TOS, signed by the consultant, and returned prior to the Task Order being issued.

III Initiator Prepares TOS Approval / Revision Form and Gets Approval Signatures

A) Provide information as required on the Form, including:
   1) Which PQOC List will be used
   2) Whether it is a new solicitation or a revision of an existing Task. If it is a revision, indicate the revision number.
   3) Solicitation Method (top firm, top three firms or all firms)
   4) Scope of Work
   5) Estimated Date of Completion of the Task Order
   6) Justification for using the PQOC List
   7) Staff availability and explanation
   8) Anticipated MBE/WBE/SBE/EBE/DVBE/DBE/OBE participation
   9) Funding Information (including Fund #, Department, Account #, and W.O. #)

B) Initiator then routes the TOS Approval / Revision Form and draft TOS for signature approvals to:
   1) Project Manager: This is the BOE Project Manager for whom the work is being performed for.
   2) Contract Division Manager: This is the person designated in Article 6 of the contract.
   3) Program Manager: This is the BOE Program Manager for whom the work is being performed.
   4) Administrative Services Division (Finance and Administrative approval of funding information)
   5) Deputy City Engineer: This is the Deputy over the BOE Contract Division Manager.
   6) City Engineer
   7) Recreation & Parks Department, if applicable

C) If the PQOC List is borrowed by another City Department or Bureau, the TOS Approval / Revision Form requires the following signatures:
   1) Project Manager: This is the other Department's or Bureau's Project Manager for whom the work is being performed.
   2) BOE Contract Division Manager: This is the person designated in Article 6 of the contract.
   3) Program Manager: This is the other Department's or Bureau's Program Manager for whom the work is being performed.
   4) Finance & Administrative Division and General Manager: The other Department's or Bureau's management must sign off on the TOS Approval / Revision Form as they are responsible for the funding.
   5) Deputy City Engineer: This is the Deputy over the BOE Contract Division Manager.
   6) City Engineer

IV Briefing the BPW's Lead Commissioner for Emergency Task Orders over $100,000

A) For emergency situations where the estimated cost of the Task Order > $100,000, the BOE's Lead Commissioner on the BPW should be briefed on the planned usage of the PQOC List. Provide the TOS Approval / Revision Form with the appropriate signatures.

V Solicit the PQOC List; Evaluate Submittals; Select Consultant; Negotiate Task Order

A) Use the Record of Selection and Negotiations package to document the consultant selection and negotiations process

B) Be sure that the Non-Collusion Affidavit is submitted prior to the issuance of the Task Order. The Affidavit from the selected firm must be included in the project file

C) Evaluation Panel should consist of:
   1) Initiator or initiating Division Engineer
   2) Contract Manager (Optional)
   3) Program Manager (Optional)
   4) If the TOS was initiated by another Department or Bureau, they should provide an evaluation panel (or panel members, as appropriate)
   5) Others, as deemed necessary

D) Select a consultant and negotiate the terms of the Task Order

E) Procedure: Issuing another TOS before a final selection is made on one or more previous TOSs
   1) Situation: A final selection has not been made on a TOS previously sent to the top three firms. A <u>new</u> task has been identified and proposals need to be solicited from the top firms on the PQOC List.

      Procedure: Send the new TOS to the top three firms on the list, plus the next firm. When the final selection has been made on the first TOS, the selected firm will be rotated to the bottom of the list and will not be eligible to propose or be selected on the second TOS. If there is another task identified and final selections have not been made on the first two TOSs, solicit the top three firms on the list, plus the next two firms. When a firm is selected for one of the three tasks, the firm is rotated to the bottom of the list and will not be eligible to propose on the other TOS.

VI Issuing the Task, Notice to Proceed and Selection Documentation

A) For Task Orders less than or equal to $100,000, initiator is to prepare a memo to file with the Record of Selection and Negotiations package (see Section C below)

B) For Task Orders greater than $100,000, prepare a Board Report
   1) Request BPW approval for the City Engineer to issue the Task Order to the selected PQOC Consultant.
   2) Transmittals to include:
      (a) Copy of the PQOC List at the time of TOS distribution and a list of the firms who submitted Task Order Proposals
      (b) Task Order Solicitation
      (c) (if applicable….MBE/WBE/SBE/EBE/DVBE waiver from the Mayor's Office)

3) There is no need for OCC to sign off on the Board Report.
4) If the selected consultant has not met their MBE/WBE/SBE/EBE/DVBE/DBE/OBE pledged participation levels on previous Tasks, the Board Report must provide an explanation. Also, a statement as to how the consultant plans to make up the deviation on future Task Orders should be included.
5) Subconsultant expenditure plans are required in most on-call contracts. As a result, for informational purposes, a completed MBE/WBE/SBE/EBE/DVBE/DBE/OBE Subconsultant Utilization Profile must be included in the Board Report package. The Subconsultant Utilization Profile is <u>not</u> a Transmittal to the Board Report. The blank profile form can be found in the Record of Selection and Negotiations package and is also located in the Bureau's Forms Library. The profile will show the planned subconsultant utilization, by month, whether the consultant meets, does not meet, or exceeds the anticipated participation levels.
6) The PACD Division Engineer shall review all Board Reports before the Report is sent on to the appropriate Deputy City Engineer.

C) In all cases, a Record of Selection and Negotiations is to be prepared, uploaded onto PSCS, and kept in the project files. The Record of Selection and Negotiations shall include:
1) BOE Estimate of Consultant Fees
2) TOS Approval / Revision Form
3) Task Order Solicitation (TOS)
4) Proposal Selection Criteria
5) Proposal Scoring Sheet
6) Proposal Scoring Summary
7) Interview Selection Criteria
8) Interview Scoring Sheet
9) Interview Scoring Summary
10) Record of Negotiations
11) Board Report (for Task Orders > $100K)
12) MBE/WBE/SBE/EBE/DVBE/DBE/OBE Utilization Profile

D) Encumber funds for the Task Order. A Notice to Proceed (NTP) <u>cannot</u> be issued until proper funding is in place.

E) Ensure that the insurance documents are in place with the CAO.

F) For new on-call contracts executed or existing on-call contracts amended after July 2010, the First Source Hiring Ordinance will apply. To comply, Task Orders > $100K will require the collection of the First Source Hiring Ordinance forms from each of the subconsultants pledged on the Task. The completed forms should be submitted to the Office of Contract Compliance.

G) Forward the Record of Selection and Negotiations checklist, the TOS Documents Report, and the NTP to PACD for review.
1) Once all the documents on the checklist have been reviewed for completion, the PACD Division Engineer will sign the NTP.
2) The signed NTP will be sent back to the initiator for issuance to the consultant.

H) BOE's Contract Manager or PSCS Coordinator enters the required information about the Task Order into the PSCS. The PQOC List will be automatically updated and rotated, as appropriate.

VII Managing the Contract

A) Once the Notice to Proceed is issued, the selected consultant must complete the work as specified in the Task Order. However, if there is a physical, unanticipated, change of conditions in the field causing a change of scope to the original Task Order, the Bureau's Board of Public Works Liaison Commissioner must be briefed when the Task Order is expected to exceed $100,000. A Board Report is required for all Task Orders that are revised to exceed $100,000. Although MBE/WBE/SBE/EBE/DVBE/DBE/OBE anticipated participation levels were not being tracked in PSCS for the Task Order when it was below $100,000, the system will track subconsultant usage once the budget authority exceeds $100,000, unless a waiver is received from the Mayor’s Office and it is so noted in PSCS. For Tasks that are issued near the $100,000 mark, the consultant should be encouraged to utilize subconsultants and track their usage in the event the Task is later revised to exceed $100,000.

B) Invoices must be submitted by the consultant to the BOE’s Contract Manager who is identified in the contract. The Contract Manager or PSCS Coordinator reviews the invoices and forwards them to the Office of Accounting, Department of Public Works. If the Contract is being borrowed by another City Department or Bureau, the invoices must be reviewed and signed off by the office for which the work is being performed before the Contract Manager or PSCS Coordinator sends the invoices to the Office of Accounting. Invoices shall include, but not be limited to, the following:
   1) Reference to the Task Order being invoiced
   2) Invoice Date
   3) Total Invoice Amount
   4) Subconsultant Invoiced amounts (Subconsultant Utilization Invoice attachment)
   5) Total Invoiced to Date on the Task Order

C) BOE’s Contract Manager or PSCS Coordinator inputs the invoice and MBE/WBE/SBE/EBE/DVBE/DBE/OBE information into PSCS.

D) Consultants are to use the subconsultants that were listed in the Schedule A of their RFQ proposal’s MBE/WBE/SBE/EBE/DVBE/OBE Outreach Program documentation. If there are specific business reasons for adding subconsultants for certain Task Orders, the request from the firm, including the justification, and documentation supporting the PM’s approval should be kept in the project file. Added subconsultants must be entered into the PSCS. Subconsultant substitution requires the approval of the BPW.

E) Encourage and work with the consultant to meet the pledged MBE/WBE/SBE/EBE/DVBE/DBE/OBE percentages. Actual subconsultant utilization will be measured by the deviation of actual invoices input into PSCS and the percentages pledged by the consultant.

F) Do not issue any new TOS as the expiration date of the PQOC contract nears. All work and/or services conducted under a TOS must be completed <u>before</u> the expiration date of the contract.

G) Submit a Contractor Performance Evaluation to the BCA, Special Research & Investigation Section upon termination of the Contract.

VIII Start RFQ for new contracts 18-24 months before the date of expiration of the current contracts. New contracts should have just under 5-year terms.