

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: **Engineering Department**
AGENDA DATE: **November 29, 2005**
CONTACT PERSON/PHONE: **Pat Aauto, ext. 4853**
DISTRICT(S) AFFECTED: **All**

SUBJECT:

Discussion and Action on recommendations of the Planning & Development Services Legislative Review Committee regarding the Selection Procedures for Architects, Engineers and Land Surveyors as follows:

- A. Establishing an administrative process under the Office of the City Manager to oversee the process of selection of firms, and formally rescinding Chapter 2.88 (Selection Procedures for Architects, Engineers and Land Surveyors) of the El Paso Municipal Code.

- B. Adopting official public policy statements that will serve to define and guide the administrative process for selection of firms.

- C. Creating the administrative process for selection of firms under a formal Administrative Policies & Procedures directive of the City, to take effect on December 13, 2005.

BACKGROUND / DISCUSSION:

After two meetings involving the design community, the unanimous recommendation of the Planning and Development Legislative Review Committee is to rescind the existing ordinance that dictates a specific process for Architectural and Engineering selections, and in its place, develop an administrative set of procedures. The ordinance rescinding the existing ordinance and the resolution establishing a policy of procedures will be presented on this agenda as separate items. This non-action item is to provide the Council with a written outline of the specific proposed procedures themselves.

PRIOR COUNCIL ACTION:

The Council directed the staff to have the Legislative Review Committee analyze this process and make a recommendation to the full Council.

AMOUNT AND SOURCE OF FUNDING:

Not Applicable.

BOARD / COMMISSION ACTION:

Not Applicable.

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____
(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ADMINISTRATIVE POLICIES AND PROCEDURES

CONTROL NUMBER OMB_____

Origination Date 11/29/05

- TITLE** Architect and Engineer Selection
- DESCRIPTION** Administrative process for architect and engineer selection for contract(s) awards by the City Council.
- POLICY** Per policy guidelines adopted by City Council Resolution on November 29, 2005.
- PROCEDURE**
- 1. The City Manager will appoint a Selection Committee of at least five (5) members from City professional architects, engineers and high ranking members of other departments.**
 - a. The representative from the City Manger's Office shall preside and coordinate the selection process.**
 - b. Member terms shall be rotated at least annually.**
 - c. An external architect or engineer with public sector experience may be included.**

2. For project specific selections with construction budgets of \$1.5 million or less, the Selection Committee may make a selection directly from a list of pre-qualified firms.

- a. This may also include professional-services-only budgets of \$500,000 and less.**
- b. The selection will be based on a general application of the Evaluation Criteria and the unique qualities of the project or firm when applicable.**

3. For project specific selections with construction budgets above \$1.5 million or professional-services-only above \$ 500,000 a Request for Qualifications (RFQ) process shall be used.

- a. Project specific criteria may also be used provided such criteria are set forth in the RFQ.**
- b. The Selection Committee may make a selection from Statement of Qualifications (SOQ) responses or short list firms for further evaluation.**
- c. If firms are interviewed and make presentations, the content of the presentation shall be included in ranking the firms.**

4. In either process the Selection Committee may select a group of firms for multiple contracts, all of whom are generally equally qualified.

- a. These multiple contract lists shall be deemed Rotation Lists.**

b. Consulting work will be distributed among the firms for a period not to exceed three (3) years before creating new Rotation Lists.

5. Evaluation Criteria are as follows:

Technical Competency	20 pts
Project Understanding and Approach	20 pts
Experience	20 pts
Availability of Staff	15 pts
Experience with El Paso Issues	15 pts
Disadvantaged Business Enterprises	10 pts

Approved by:

**Joyce Wilson
City Manager**

Date

November 21, 2005

Architect and Engineer Selection
Public Policy Statement
City of El Paso

Public works improvements are essential to the well being and vitality of the City of El Paso. Through their development, the City also leverages it's largest tool for economic development. Proper planning, design, and project construction administration are entrusted to the professionals of the architectural and engineering community. They, in turn, are entitled to a selection process that is fair and equitable.

The State of Texas has enacted into law the Professional Services Procurement Act governing the architect and engineering selection process. It provides selections shall be made "on the basis of demonstrated competency and qualifications." To that end and within that context, the City Council may establish policy guidelines. A Legislative Review Committee has made a thorough review of the City's current policies and practices, and recommends the adoption of these policies and administrative processes to the City Council.

POLICIES

1. The A&E selection process should be removed from Ordinance form and adopted as an administrative process in order to provide more flexibility and greater fairness.
2. Criteria should be added giving consideration to competing firms availability of proposed staff and experience with El Paso issues.
3. Criteria should also be added giving consideration to Disadvantaged Business Enterprises (DBEs) including minorities and women.
4. The evaluation and selection process should give no undue advantage to large or out-of-town firms.
5. When firms are generally equal in qualifications and competency, a rotation scheme should be employed to distribute the work as evenly as possible.
6. The architect and engineering community's opinions and recommendations should be

sought and monitored to insure ethical conduct and fairness in the selection process.

7. Local consultants should be given every opportunity to compete for selection in a process that is fair to all.
8. City Representatives should be made fully informed of projects and their status in their respective districts.

A & E SELECTION OUTLINE OF ADMINISTRATIVE PROCESS

Committee Composition: The A & E Evaluation/Selection Committee shall consist of at least five (5) members representing the following:

1. City Manager
2. A City Engineer or Architect
3. User Department
4. Development Services
5. City's Project Manager (P.E.)
6. External Architect or Engineer with public sector experience

Members shall be chosen from senior members of the departments and serve at the pleasure of the City Manager. The external Architect or Engineer shall not be eligible for City A&E consulting work. The appointee representing the City Manager's office shall preside over the Committee and coordinate the selection process. Members' terms will be rotated at least annually. The City Manager may make temporary or interim appointments to ensure a minimum of five (5) members are making the selection(s).

The process begins when the Engineering Department receives a Project Directive authorizing the design of the project. It is the responsibility of the City Engineer to notify the respective City Council Representative of the commencement of the process and provide background information on the proposed project.

A brief pre-qualification questionnaire shall be submitted to and completed by all interested consultants. Upon completion of the project, the consultant shall receive a written evaluation of performance. Said evaluation may be appealed to the City Manager.

Project Specific \$ 1.5 million or less

If the project has a total construction budget of \$1.5 million or less, or a professional- services- only budget of \$ 500,000 or less, the Evaluation/ Selection Committee, hereinafter Selection Committee, may make the selection from a list of pre-qualified applicants. The Selection Committee shall establish minimum pre-qualification standards. The selection from the list shall be based on a general application of the Evaluation Criteria, unique qualities of the project or firm when applicable, and the firm's

current workload. The Engineering Department will then negotiate a contract with the selected firm for consideration by the City Council.

Project Specific more than \$ 1.5 million

For projects whose total **construction** budget exceeds **\$1.5** million, a Request for Qualifications (RFQ) shall be issued. The RFQ shall include a list of the Evaluation Criteria and any project specific criteria as determined by the Selection Committee to be used in the selection process.

The Selection Committee members shall independently rate the firms' Statement of Qualifications (SOQ) against the evaluation and project specific criteria. The Selection Committee may make a selection on this basis or develop a short list of firms (typically 3-5) to invite for interviews and presentation. The Selection Committee will then re-rate the firms based on the content of their presentations as it relates to the criteria and make a selection. A contract shall then be negotiated and presented to the City Council.

Rotation

Rotation lists are created for professional services of any dollar amount that are not issued as project specific RFQs, as determined by the Selection Committee. Instead the City Engineer will issue an RFQ for a) a genre of professional services, e.g. structural engineering or b) a category of services, e.g. environmental services. Based on the SOQs, and generally applying the Evaluation Criteria, the Selection Committee may select a group of firms for multiple contracts awards, all of whom are generally equally qualified. The Selection Committee may maintain such active Rotation Lists for a period up to three (3) years without reissuing a new RFQ. Work is then distributed among firms on a rotational basis.

El Paso A & E Evaluation Criteria

1. Technical Competency

20 pts

Describe the firm's technical competency to provide professional and technical services for the project, including the qualifications of the project team and proposed project manager.

2. Project Understanding and Approach 20 pts

What is the firm's understanding of the project?
Identify any significant issues and explain how they will be addressed. **How will the project be managed to complete it as planned, on time and within budget ?**

3. Experience 20 pts

Provide information on experiences with similar projects and/or other experience with City of El Paso projects.

4. Availability of Staff 15 pts

How will the staff be made readily available for the project and an El Paso presence achieved?

5. Experience with El Paso issues 15 pts

Describe the firm's project relevant familiarity and experience with El Paso's building, construction and development issues.

6. Disadvantaged Business Enterprises 10 pts

This is a generic category based on any government's certification as DBE, WBE, MBE, HUB, SBA 8(a) BD or similar valid government certification for consideration in minority status. **Only DBE consultants acting as the prime consultant will be eligible for the full 10 points.** Points will also be awarded to non-DBE firms partnering with said firms or providing significant participation in the project to the same.