Overview

Contracting and Procurement

- Policies
- Procedures
  - Contract Procurement Process
    - Contracted Service Categories
    - Contract Equity Programs
  - Amendment Evaluation Process
Contracting and Procurement Policies

Alameda CTC Contracting and Procurement Policies (October 2013)

- Executive Director contracting authority up to and including $75,000 (for non-construction contracts);
- Executive Director authority to authorize contract time extension amendments;
- Renewal timeframe for administrative and professional services agreements;
- Application of the ACTIA Local Business Contract Equity Program (LBCE) to all locally funded contracts;
- Adoption of local participation preference on federally funded non-construction contracts; and
- Annual presentation of contract equity goal attainment.

Contracting and Procurement Procedures

Purpose

- Allows for impartial, open, and meaningful competition
- Clarifies process and instills public confidence
- Process is cost effective, efficient and in accordance with Alameda CTC policy and state and federal statutes
- Ensures that Alameda CTC spends money wisely and eliminates waste and abuse of taxpayer dollars
- Aims to expand local business participation where applicable
# Contracted Service Categories

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<th>Category</th>
<th>Examples of Services</th>
<th>Solicitation Types</th>
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<td><strong>Construction</strong></td>
<td>• Highway Construction &lt;br&gt;• Building Construction &lt;br&gt;• Landscaping &lt;br&gt;(Dredging, Electric, Asphalt, Concrete, Ironwork, Trucking, Heavy equipment operations, Fencing, etc.)</td>
<td>Invitation for Bids &lt;br&gt;Select: Low bid</td>
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<tr>
<td><strong>Professional Services</strong></td>
<td>• Legal counsel &lt;br&gt;• Public relations and communications &lt;br&gt;• Accounting and auditing &lt;br&gt;• Financial services &lt;br&gt;• Contract equity &lt;br&gt;• Project management and project controls</td>
<td>Informal Procurement &lt;br&gt;(contracts up to $75,000) &lt;br&gt;Request for Qualifications (RFQ) &lt;br&gt;Request for Proposals (RFP) &lt;br&gt;Selection: Qualifications &lt;br&gt;(Fair and reasonable price)</td>
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<tr>
<td><strong>Professional Services</strong></td>
<td>• Scoping and planning &lt;br&gt;• Environmental &lt;br&gt;• Design &lt;br&gt;• Construction management &lt;br&gt;• Right-of-way</td>
<td>Selection: Low bid &lt;br&gt;Selection: Qualifications &lt;br&gt;(Fair and reasonable price)</td>
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## Contract Procurement Process

1. **Contract Initiation**<br>   - Establish contract parameters<br>     - Scope<br>     - Cost<br>     - Schedule<br>     - Equity Program<br>     - Type<br>   - Determine the method of consultant selection<br>     - RFP<br>     - RFQ<br>2. **Consultant Selection**<br>   - Prepare to Advertise<br>     - Develop selection schedule<br>     - Develop bid documents<br>     - Form Selection Committee<br>     - Obtain Commission approval<br>   - Advertise<br>     - Proposer’s Conference<br>   - Review/Evaluate/Rank<br>     - Technical Proposal<br>     - Interview<br>   - Negotiate<br>     - Initiate pre-award audit<br>     - Obtain Commission Approval<br>3. **Execute Contact**<br>   - Develop final contract documents
Contract Procurement Process

**Contract Initiation**
- Establish contract parameters:
  - Scope
  - Cost
  - Schedule
  - Equity Program
  - Payment Method
- Determine the method of consultant selection:
  - RFP
  - RFQ

**Independent Cost Estimate**

**Federal Funds: Disadvantaged Business Enterprise (DBE) Program (project specific)**

**Local Funds: Local Business Contract Equity (LBCE) Program (70% LBE, 30% SLBE)**

**Technical Proposal**

**Statement of Qualifications**

**Consultant Selection**
- Prepare to Advertise
  - Develop selection schedule
  - Develop advertisement package
  - Form Consultant Selection Committee
  - Obtain Commission approval to Advertise
- Advertise
  - Proposer’s Conference
- Review/Evaluate/Rank
  - Technical Proposal
  - Interview
- Negotiate
  - Obtain Commission Approval to Award
  - Intiate pre-award audit

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**Agency and external partners**
(Relevant expertise/experience/knowledge)
Contract Procurement Process

**Consultant Selection**
- Prepare to Advertise
  - Develop selection schedule
  - Develop bid documents
  - Form Consultant Selection Committee
  - Obtain Commission approval to Advertise

- Advertise
  - Proposer’s Conference

- Review/Evaluate/Rank
  - Technical Proposal
  - Interview

- Negotiate
  - Obtain Commission Approval to Award
  - Initiate pre-award audit

Addresses questions, achieve equity goals and increase submittals

- Responsiveness
- Reference Checks
- Evaluate and Rank

Sample Consultant Proposal Criteria:
- Knowledge and Understanding
- Management Approach and Staffing Plan
- Qualifications of the Proposer Firm
- Schedule
- Local Business Contract Equity Goals **

**applicable to locally funded contracts only**

Professional Services

**The Levine Act statement** precludes an officer of a local government agency from participating in the award of a contract if he or she receives any political contributions totaling more than $250 in the 12 months preceding the pendency of the contract award, and for three months following the final decision, from the person or company awarded the contract.
**Contract Procurement Process**

1. **Execute Contract**
   - Develop final contract documents

   **Last steps:**
   - Verify and confirm insurance documents
   - Confirm certifications
   - Completion of the pre-award process
   - Circulate for signatures

2. **Contract Administration**

**Contract Amendment Process**

- **TIME**
- **SCOPE**
- **BUDGET**

**Program Schedule**

- **Sub-project – 1 Schedule**
  - Year 1: T01, T02, T03
  - Year 2: T04, T05
  - Year 3: T06

- **Sub-project – 2 Schedule**
  - Year 1: T01, T02, T03
  - Year 2: T04
  - Year 3: T05, T06
**Time Amendment Considerations**

- Will deliverables be compromised?
- Will funding be compromised?
- Are related costs within contract contingency?

**Scope Amendment Considerations**

- Funding source process constraints
  - Scope included in initial procurement process
  - Ancillary in nature
  - Utilization impacts
- Contract contingency implications
Budget Amendment Considerations

- “Do Nothing” evaluation
- Component reduction
- Use of other resources
  - In-house staff
  - Other existing contracts, coops, MOU, etc.
  - Pursue a new contract

Amendment Implementation

- Commission approval
  - Levine Act Statements

Tasks
- Negotiations
- Approval from funding agencies
- Amendment preparation and execution
Questions

Deliver voter expectations
Enhance delivery excellence
Support local and small local businesses