Hiring the Right Consultant

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Welcome to the Webinar

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During the webinar:

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• To expand or collapse your toolbar, click on the arrow.

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Contact MRSC at mrsc@mrsc.org or (206) 625-1300.

The recorded webinar will be posted on www.mrsc.org

OUTLINE

• Find Your Contracting Requirements Tool
• What are Professional Services?
• One Size Needn’t Fit All
• RFP’s That Rock!
• Interviews Can Be Fun
• QBS in Practice
• Contracts – What to Include
• Care and Feeding of Your Team
• Conclusion
• Questions
About MRSC

Research and consulting services for many Washington local governments at no cost.

- Legal and policy consultation
- Research support
- Training Opportunities
- Sample document library
- Online research tools
- Timely news and information

MRSC.org

Find Your Contracting Requirements tool

Find Your Contracting Requirements

This tool helps local government officials in Washington State identify and understand their state legal requirements for purchasing and contracting. Your jurisdiction may have established its own, more stringent policies, so always consult your local policies and legal counsel.

In order to determine your specific requirements, we ask up to three simple questions:

1. Your project type
2. Your agency type, if applicable
3. Your city/county name, if applicable

Based on your answers, we will provide you with an overview of your statutory requirements, as well as a wide variety of related resources and sample documents.

If you already know your competitive requirements, please visit our Purchasing and Contracting pages for more detailed information on almost every aspect of local government procurement in Washington State.
Find Your Contracting Requirements tool

Get Started!

1. What type of project is this?
   - Public works?
   - Purchase of goods, equipment, supplies, or materials not connected with a public works project?
   - Architecture, engineering, landscape architecture, or surveying services?
   - Personal services?
   - Purchased services?
   - NEXT

Find Your Contracting Requirements tool

MRSC created this tool in partnership with the State Auditor's Office to help local government employees in Washington State easily identify their legal contracting requirements for any kind of project.

2. What type of agency are you?
   - City or Town
   - County
   - Fire Protection District
   - Irrigation District
   - Port District
   - Public Hospital District
   - Public Utility District
   - Reclamation District
Find Your Contracting Requirements tool

Find Your Contracting Requirements tool

Find Your Contracting Requirements tool

Your Statutory Contracting Requirements

You Selected:
1. Project type: Public works
2. Agency type: City or Town
3. Jurisdiction: Ellensburg - Code city, population of 18,810

Day Labor Allowed
Your agency may use its own employees to perform public works projects with an estimated cost up to $40,000 (single craft) or $65,000 (multiple craft). For larger projects, you must contract with a responsible contractor.

Competitive Bidding Overview
If your estimated project cost is $40,000 or less (single craft) or $65,000 or less (multiple craft), you may use an informal public works process, a small public works roster, or formal competitive bidding.

If your estimated project cost is more than $40,000 (single craft) or $65,000 (multiple craft) but less than $300,000, you may use a small public works roster or formal competitive bidding.

If your estimated project cost is more than $300,000, you must use formal competitive bidding.
Find Your Contracting Requirements tool

Related Materials
- TOPICS
  - Purchasing and Contracting
- SAMPLE DOCUMENTS
  - Uniform Exemptions
  - Telecommunications Purchase and Installation
  - Before You Advertise
  - Bidding and Award
  - Contract Administration
  - Contract Closeout
  - Roster Contracts

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Purchasing and Contracting
This page lists MRSIC's topic pages related to purchasing, bidding, and contracting for local governments in Washington State.

Your Statutory Requirements
- Find Your Contracting Requirements

General Information
- Contracting and Competitive Bidding
- Procurement Policy Guidelines
- Competitive Bidding Exemptions

Services
- Architecture and Engineering Contracts
- Personal Services Contacts
- Purchased Services Contacts

Purchases
- Purchasing Goods, Equipment, Materials, and Supplies
- Intergovernmental Purchases and "Piggybacking"

Public Works
- Public Works Contracts
### Find Your Contracting Requirements tool

<table>
<thead>
<tr>
<th>Public Works</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Public Works Contracts</td>
</tr>
<tr>
<td>• Prevailing Wages</td>
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<td>• Sales and Use Taxes in Public Works</td>
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<tr>
<td>• Guarantees, Bonds, and Retainage</td>
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<td>• Small Public Works Rosters</td>
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<td>• Before You Advertise a Public Works Contract</td>
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<td>• Public Works Project Closeout</td>
</tr>
<tr>
<td>• Intergovernmental Cooperation in Public Works</td>
</tr>
</tbody>
</table>

### WHAT ARE PROFESSIONAL SERVICES?

Professional services rendered by a consultant or any person, other than as an employee of the agency to perform activities within the scope of the general definition of professional practice in RCW chapters:

- [18.08](#) (Architects)
- [18.43](#) (Engineers and Land Surveyors)
- [18.96](#) (Landscape Architects)
WHAT ARE PROFESSIONAL SERVICES?

• Services are procured using the qualifications based selection (QBS) requirements in Chapter 39.80 RCW.
• These services may reasonably be required in connection with a public works project meeting the definition in RCW 39.04.010(4).
• Licenses or certification by State agencies are required.

ONE SIZE NEEDN’T FIT ALL

• A request for qualifications (RFQ) asks only for a firm’s general capabilities, list of principals, previous projects, number of employees, licenses, etc. for either a services roster or, perhaps, an individual project.
• A request for proposals (RFP) asks proposers to submit qualifications (if not already on file) and a proposed scope of services in response to specific agency needs.
ONE SIZE NEEDN’T FIT ALL

• For A/E solicitations under chapter 39.80 RCW, advance notification is required for all contracts, either by:
  o publishing an announcement each time A/E professional services are solicited; or
  o publishing an announcement soliciting qualifications for a consultant roster for projected A/E professional service needs.

ONE SIZE NEEDN’T FIT ALL

• Local agencies can adopt differing levels of competitive solicitation to fit differing levels of project complexity, estimated fees; and type of project or work to be accomplished.

• Levels of competition are:
  o formal
  o informal
  o minimal

• Look at Table B on page 43 of MRSC’s Contracting for Services publication
ONE SIZE NEEDN’T FIT ALL

The desired end result of any A/E selection process is to select the most qualified firm to accomplish your design project.

- For “minimal” projects, you may wish to select the most qualified firm directly from your consultant roster, then ask for a cost proposal.
- For “informal” projects, you may wish to select 3-5 qualified firms directly from your consultant roster, then ask for non-cost proposals.
  - Interviews are optional.
- For “formal” projects, you could either select from the roster or advertise for RFQs. Then shortlist 3-5 qualified firms and ask for non-cost proposals.
  - Interviews are optional.

RFPS THAT ROCK!!
Owner’s Perspective

WHAT TO INCLUDE:
• Clear description
• Constraints
• Concerns to be addressed
• Proposed schedule
• Selection criteria
• Provide clear directions
  • Level the playing field
• Example contract
• Reference documents

WHAT TO ASK FOR:
• Proposed scope/approach
• Proposed schedule
• Team structure
• Example projects
• Qualifications of team
• References

Owner’s Perspective

WHAT WE ARE LOOKING FOR:
• Selection criteria – make them obvious!
• Show understanding of project
  • Point out challenges and how your team will address them
  • Contradiction is okay, as long as it is on purpose
• Formatting – needs to be readable!
• Follow directions - indicator
Consultant’s Perspective

• Information gained before the RFP is issued is critical
• Market your agency
• Clarity from you creates clarity from us
• Timing is everything
• Visual presentation of the RFP
• Format to reflect scoring

RFPS THAT ROCK, conclusion

<table>
<thead>
<tr>
<th>Basic Elements of RFP</th>
<th>Suggestions for Content</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statement of Need (Scope)</td>
<td>Clearly written with adequate level of detail describing project tasks and products; List availability of supporting documents and what is not available (if known)</td>
</tr>
<tr>
<td>Estimated Budget</td>
<td>Adequate and well-matched with the requested scope of services; a range is acceptable</td>
</tr>
<tr>
<td>Estimated Schedule</td>
<td>Realistic; Matched to the scope</td>
</tr>
<tr>
<td>Evaluation Criteria</td>
<td>Specifically defined and matched to the scope of services; Provide scoring criteria up front; Provide decision schedule, if available</td>
</tr>
<tr>
<td>Proposal Elements (information to be submitted)</td>
<td>Keep submittal requirements, page limitations and due date in same section of the RFP; Allow for flexibility in how information is presented; page limits should allow for full provision of information; Elements match evaluation criteria</td>
</tr>
<tr>
<td>Deadline for acceptance of the proposal</td>
<td>Allow adequate response time (3-4 weeks); Accept electronic submittals; Acknowledge receipt of proposal</td>
</tr>
<tr>
<td>Agency’s standard terms and conditions</td>
<td>Copy of contract terms and conditions attached to the RFP, if available</td>
</tr>
</tbody>
</table>
INTERVIEWS THAT ARE FUN!

Owner’s Perspective

• Why interview? It is about synergy
• Limit the numbers
• Provide room logistics
• Timing – keep it fair
• Keep interviews to one day
• Open questions
• Interview formats – what works best?
  • Open and creative vs. structure and timing
  • Face to face or virtual
  • Expand, not repeat proposal
Consultant’s Perspective

• Engineers and public speaking
• We appreciate getting the topics or questions ahead of time
• Limit who you interview
• Interactive interviews are great! We appreciate being able to “present” ourselves
• Communicate the structure of the interview ahead of time
• Questions ahead of time
• Panel members and other interviewees
• Timing

QBS IN PRACTICE
WHAT IS QBS?

• Initial selection based on qualifications only and not price
• Establish selection criteria
• Price negotiated with most qualified firm
• Negotiate with next most qualified if unable to successfully negotiate with the most qualified firm

DIFFERENT PERSPECTIVES ON QBS

Pros
• Focuses on qualifications
• You get what you pay for
• Negotiation = Ownership
• Experience is indicator

Cons
• Budgets aren’t always realistic
• Hard to predict costs
• Time consuming
• Negotiating skills needed
• Start over?
CONTRACTS: WHAT TO INCLUDE

Owner’s Perspective

- Clear scope of work
- Contract provided with RFP
- Work breakdown structure
- Change management

- Schedule – include milestones
- Identify deliverables
- Dispute resolution
- Risk management

Source: PMBOK Guide, Project Management Institute
Consultant’s Perspective

- Clear scope and expectations
- Define deliverables and what is and isn’t expected
- Types of contracts and payment methods
- Address issues of changes in personnel
- Invoice terms
- General and professional liability insurance
- Standard of care and indemnification
- Treat as a living document
**Owner’s Perspective**

- We are all on the team – it isn’t City/County vs. Consultant
- Communicate - Communicate - Communicate
- Allow for freedom and teamwork (don’t direct means and methods)

![Communication Tent](image)

**Consultant’s Perspective**

- Key Components:
  - Mission / Purpose
  - Process
  - Roles and Responsibilities
  - Trust and Commitment
- Keep us up to date with the general City happenings and stressors
- The client is a team member
- If you aren’t getting what you want, tell us!
- Communication styles are unique to client organizations and individuals
- We truly want our clients to succeed

*Everything gets worked out in communication!*
CONCLUSION

• MRSC Perspective
• Owner’s Perspective
• Consultant’s Perspective

SUCCESS
The road to success is still being built

MRSC Resources

22 sets of sample documents
MRSC Resources

Professional Services Topic Pages

QUESTIONS?

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