

# Procurement of Professional Services

## How to Get Started

1. Decide if the council/commission will serve as the selection/interview committee or if a review team of three to five will be selected.
2. Determine specifically the scope of the job or type of professional service desired. The professional service desired would tell you the competitive negotiation method that will be used. For Example:
  - a. Engineer's require the Request for Qualifications (RFQ) method
  - b. Architect's will require the Request for Qualifications (RFQ) method
  - c. Administrators will require a Request for Proposals (RFP). Do you want someone to write the application and contract for administrator work if funded, or only administration? **Writing the application is not eligible to be reimbursed with CDBG funds.**
  - d. A Housing Inspector will require a Request for Proposals (RFP). Consider if you want the Inspector and Risk Assessor to be the same person or do you want to procure two separate individuals/firms?

## In this document contains the following:

1. Instructions
2. RFQ Addendum #1 – Sample Engineer/Architect Scope of Work
3. RFQ Addendum #3 – Sample Engineer/Architect letter
4. RFQ Addendum #4 – Sample Engineer/Architect notice to newspaper (optional)
5. RFP Addendum #5– Sample Administrator Scope of Work
6. RFP Addendum #6 – Sample Administrator letter
7. RFP Addendum #7 – Sample Housing Inspector/Risk Assessor Scope of Work
8. RFP Addendum #8 - Sample Housing Inspector/Risk Assessor letter
9. RFP Addendum #9 - Sample Housing Inspector/Risk Assessor notice to newspaper
10. Addendum #10 - List of Housing Inspectors willing to work on CDBG projects in Kansas
11. Addendum #2 – Completed Sample
12. Addendum #2 – Blank Sample

## Request for Qualifications (RFQ)

The Request for Qualifications (RFQ) is used when price is considered after selection. This applies to engineers and architects. The following are guidelines for drafting an RFQ:

1. Outline the scope of services the City/County is seeking. The scope of services includes a detailed description of the work to be performed. An example of the scope of services for an RFQ can be found as Addendum #1 but should be revised to outline appropriate scope of work.
2. Identify the City/County contact person to meet with engineers or an architect during a site visit if one is needed. Determine the timeframe for performance and completion of contract services.
3. Summarize what is already known about the project and specify materials or other services (maps, reports, surveys) to be provided.
4. Determine evaluation factors. An example can be found as Addendum #2.
  - a. Specialized experience or technical expertise of the firm and its personnel in connection with the type of services to be provided and complexity of the project.
  - b. Past record of performance on contracts within the locality and other clients, including quality of work, timeliness, and cost control
  - c. Capacity of firm to perform the work within the time limitations, taking into consideration the current and planned workload of the firm.

- d. Familiarity of the firm with the type of problem applicable to the project.
- e. Ability to work with council, and administrator
- f. Insurance and/or other professional certifications

### **Mailing out an RFQ**

1. Revise Addendum #1 to outline scope of work.
2. Complete Addendum #2 to identify criteria that will be used to rate firms.
3. Revise sample letter (Addendum #3).
4. Mail letter, Addendum #1, and Addendum #2 to all qualified firms, including MBE, WBE and DBE. It is best to mail to at least ten in an effort to receive three to five.
5. A newspaper publication is not required but may be used if an adequate number of service providers are available in the circulation area. In addition, a time and date for return must be included in the letter.

### **Initial Screening**

Each proposal is now reviewed and ranked according to established selection criteria. This review must be documented in writing, by use of the Addendum #2. Be prepared for proposals that vary widely in quality and content. You will need enough copies for all those who will participate in the screening. We suggest that screening be based on the following criteria:

1. Does the proposal follow the format you required?
2. Did a representative of the firm come for a site visit?
3. Did the proposal include:
  - a. Experience with similar projects?
  - b. Capacity of the firm to perform the work within the timeframes allowed.
  - c. Past record of performance and a list of references should be required.
  - d. The firm's proximity to and familiarity with the area may be something to consider.

The value of each of these factors should be determined up front and shared with all prospective firms. No criteria can be established which would eliminate specific vendors. Upon determination of the best qualifications from the top three firms, a request for interview is extended.

### **Checking References**

Be diligent and check out references seriously. Several questions, at a minimum should be asked:

- Did the professional complete the work on time?
- Were there problems with the design or management of the project?
- Did the professional respond quickly when there was a problem?
- How well did the professional communicate with the community?
- Did the professional suggest ways to save money by using local resources?
- Check to see if any complaints or litigation has been filed against the professional.

### **The Interview**

The review team should make a list of questions to be asked to all finalists. A couple of examples of questions to be asked include:

- How is the project viewed?
- What type of contract would be agreeable?

Send a written notice to all finalists that state the date, place, and time of the interview. Let them know how long they will be allowed for a presentation and how soon a decision will be made by the review committee. After the selection, an invitation is made to the top respondent to negotiate a price or fee.

### **Negotiating Contract (RFQ Only)**

Upon determination of the best-qualified firm, the community must negotiate a price or fee. Do not automatically accept the least expensive proposal. It has to make sense and be a responsible representation. You want to save money, but be sure you are getting the best value. You may need to go to the next best firm if you cannot negotiate a contract with your first choice. You should notify your first choice to document you cannot reach contract negotiations and are entering into contract negotiation with your second choice. When a final firm is agreed upon, written notification must be sent to the remaining candidates notifying them of your selection.

### **Contract**

If only one firm submitted an RFQ Commerce must approve prior to award. If more than one qualification was received the community may proceed with award. Once a firm is chosen and the basis of selection is documented along with the reasonability of cost, the preparation of a contract with the successful individual or firm may be completed. The contract must include the following general administrative provision:

1. Effective date of contract. Remember, the contract must contain the wording, "This contract is contingent upon receipt of CDBG funding for the specific project involved."
2. Names and addresses of the locality and firm.
3. Names of representatives of locality and firm who will act as liaison for administration of the contract.
4. Citation of the authority of the City/County under which the contract is entered into and source of funds.
5. Conditions and terms under which contract may be terminated by either party, both termination for cause and termination for convenience, and remedies for violation/breach of contract.
6. Scope of services, contract amount, method of compensation, and any time frames previously promised.
7. The state and general standards described in the "Applicable Laws and Regulations" section of the CDBG Program Guidelines. This guideline also requires a fixed price or not to exceed contract. Cost plus percentage of cost contracts must be specifically prohibited if CDBG funds are involved in a project.

### **Final step to complete RFQ**

Inform all firms in writing who submitted an RFQ of your selection.

### **Request for Proposals (Administration)**

A request for proposals (RFP) is used for the procurement of all professional service, except engineers or architects. Prices must be part of the selection criteria; however, you are not required to select the lowest priced. The RFP for administration does not require an advertisement in the local newspaper; however, you must mail an invitation to all administrators agreeing to work in your territory.

Steps to completing an RFP are listed below:

1. Revise Addendum #4 to outline scope of work.
2. Complete Addendum #2 to identify criteria that will be used to rate firms.
3. Revise letter found as Addendum #5
4. Mail letter, Addendum #4, and Addendum #5 to all certified administrators. MUST mail to all administrators willing to work in territory.
5. Initial Screening
6. Checking References – You may call Department of Commerce for review of past performance.
7. Interview/selection
8. If only one proposal received must get approval from Commerce before awarding contract.
9. Sign Contract
10. Inform all those that submitted RFP in writing of your selection.

### **Request for Proposals (Housing Inspectors/Risk Assessors or all other services)**

A request for proposals (RFP) is used for the procurement of housing inspectors/risk assessors. Prices must be part of the selection criteria; however, you are not required to select the lowest priced. The RFP for Inspectors/Risk Assessors and all other services, except administrators, requires an advertisement in the local newspaper. A sample advertisement can be found at Addendum #9.

Steps to completing an RFP are listed below:

1. Revise Addendum #6 to outline scope of work.
2. Complete Addendum #2 to identify criteria that will be used to rate firms.
3. Revise letter found as Addendum #7
4. Mail letter, Addendum #6, and Addendum #2 to all qualified firms. If using for other services try to find ten in an effort to receive three to five. A list of inspectors working in the state of Kansas can be found as Addendum #10.
5. Initial Screening
6. Checking References
7. Interview selection
8. If only one proposal received must get approval from Commerce before awarding contract.
9. Sign Contract
10. Inform all those that submitted RFP in writing of your selection.

These are the basic services required of the engineer/architect.

### Preliminary Phase

This phase involves those activities required for defining the scope of the project and establishing preliminary requirements. Some examples of activities within this phase of a project include:

1. Conferring with the City/County on project requirements, financing, schedules, early phases of the project, and other pertinent matters.
2. Planning, procuring, and/or preparing necessary surveys, field investigations, and engineering studies required for preliminary design considerations.
3. Developing design schematics, sketches, project recommendations and preliminary layouts and cost estimates.
4. Securing the owners approval of the preliminary plans and specifications.

### Design Phase

This phase includes all activities required to undertake and accomplish a full and completed project design. Examples include:

1. Collecting engineering data, undertaking field investigations, and surveys.
2. Preparing necessary working drawings and specifications.
3. Preparing detail cost estimates.
4. Printing and providing necessary copies of drawings and specifications.
5. Submitting final plans and specifications to the owner and all regulatory agencies for final approval.

### Bidding Phase

These activities are sometimes considered as part of the construction phase. They involve advertising and securing bids, analyzing bid results, furnishing recommendations on the award of contracts, and helping prepare contract documents.

### Construction Phase

The phase includes all basic services rendered after the award of a construction contract, including (but not limited to) the following activities:

1. Providing consultation and advice to the City/County during all phases of construction.
2. Scheduling and overseeing pre-construction conference.
3. Inspecting work in progress periodically and providing appropriate reports to the City/County.
4. Reviewing and approving drawings submitted by contractors for compliance with design concept.
5. Observing or reviewing performance tests required by specifications.
6. Making final inspection and submitting a report of the completed project to the City/County.

\_\_\_\_\_ (date)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RE: RFQ for Engineer/Architect

Dear Mr./Ms. \_\_\_\_\_:

The City/County of \_\_\_\_\_ is soliciting your interest in submitting a Request for Qualifications for engineer/architect services. The City/County wants to make application for a \_\_\_\_\_ project.

If you are interested, please respond to the \_\_\_\_\_, City/County Clerk, \_\_\_\_\_, \_\_\_\_\_ KS 67\_\_\_\_\_, by \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ a.m./p.m.

The response from your firm shall include the following:

1. *Specialized experience and technical competence.*
2. *History and capabilities of the firm.*
3. *Scope of work to be performed and time frame.*
4. *Firm's proximity to and familiarity to the area.*
5. *References.*
6. *Interview (if applicable)*
7. *Other pertinent information, including interest in project, does firm appear organized and professional*

The envelope should be clearly marked "Engineering/Architect Qualifications" on the outside. The City/County is requesting that \_\_\_\_ copies be mailed to \_\_\_\_\_, City/County Clerk, City/County of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, KS 67\_\_\_\_\_. A personal interview may be requested by the City/County to be held during the selection processes. The engineer will be selected at the City/County meeting on \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ a.m./ p.m. The council/commission will complete its rating that evening and select an engineer.

Firms not responding with a proposal on or before \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ a.m./p.m. will not be considered for the project. The City/County reserves the right to reject any or all proposals.

Sincerely,

City/County Clerk

REQUEST FOR QUALIFICATION

\_\_\_\_\_ City/County

Publication Date: \_\_\_\_\_

\_\_\_\_\_ City/County, organized and existing under the law of the State of Kansas,

invites engineering/architectural firms to submit qualifications for consideration by

\_\_\_\_\_ City/County with respect to the proposed Kansas Department of Commerce

Community Development Block Grant project. This proposed project would include:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Written qualifications should be submitted to \_\_\_\_\_ City/County Clerk,

\_\_\_\_\_, \_\_\_\_\_, Kansas prior to

\_\_\_\_\_ a.m./pm., \_\_\_\_\_, 20\_\_.

No qualifications received thereafter will be considered.

Qualifications will be reviewed by the \_\_\_\_\_ Council/Commission and final

selection of the engineer/architectural firm will occur at a meeting on \_\_\_\_\_, 20\_\_.

Additional information should be obtained from \_\_\_\_\_, City/County Clerk,

\_\_\_\_\_, Kansas, 67\_\_\_\_\_, (Phone #) \_\_\_\_\_.

Writing and submitting the application.

**NOTE: Writing the application is not eligible to be reimbursed with CDBG funds. So, costs associated with writing must be shown separately.**

Basic administration services required of the administrator:

- Provide assistance with the signing of the state contracts, meeting any contract conditions.
- Environmental review
- Citizen Participation
- Quarterly Report
- Conducting a Pre-Monitoring, attend the monitoring and resolve any monitoring deficiencies
- Assist the City/County with Record Keeping and setting up of the files
- Assist with the setting up a financial management system that complies with CDBG regulations
- Procurement of all other professional services as needed, including MBE and WBE
- Assist the engineer/architect in the procurement of construction activities
- Complete all URA activities in any land acquisition needs
- Labor Standards requirements
- Civil Rights activities and documentations
- Complete Close out packet
- Attendance to council/commission meeting as requested or deemed necessary by the council/commission to explain documents

This is not an all-inclusive list. The community should expect the hired administrator to complete paperwork and explain anything in the application guidelines or grantee handbook that is necessary for proper completion of a CDBG project.



\_\_\_\_\_ (date)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RE: RFP for Administrators

Dear Mr./Ms. \_\_\_\_\_:

The City/County of \_\_\_\_\_ is soliciting your interest in submitting a Request for Proposals for administrative services. The City/County will be making application for Community Development Block Grant funds for a \_\_\_\_\_ project. This project is estimated for completion on or before \_\_\_\_\_, 20\_\_\_\_. The City is requesting that the selected firm assist the City/County in preparation of the CDBG grant application as well as administration of the application, if funded. If submitting proposal for application and administration cost for each must be separated.

If you are interested, please respond to the \_\_\_\_\_, City/County Clerk, \_\_\_\_\_, \_\_\_\_\_ Kansas, 67\_\_\_\_ by \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ a.m./p.m.

The response from your firm shall include the following:

1. Verify the firm has qualified personnel who can be assigned to the project.
2. Experience with CDBG and capabilities of the firm.
3. Ability and willingness of firm to assist the City/County with this project.
4. Bid amount
5. Other pertinent information, including interest in project, does firm appear organized and professional

The envelope should be clearly marked "Administrative Proposals" on the outside. The City/County is requesting that \_\_\_\_ copies be mailed to \_\_\_\_\_, City/County Clerk, City/ County of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, KS 67\_\_\_\_. A personal interview may be requested by the City/County to be held during the selection processes. The administrator will be selected at the City/County meeting on \_\_\_\_\_, 20\_\_\_\_. The council/commission will complete its rating that evening and select an administrator.

Firms not responding with a proposal on or before \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ a.m./p.m. will not be considered for the project. The City/County reserves the right to reject any or all proposals.

The factors to be considered and the method to be utilized in the evaluation of the proposal and selection of the administrator are set forth in the Addendum #2 (enclosed).

Sincerely,

City/County Clerk

Below are the basic services required of the HQS Inspector:

- Provide Housing Quality Standard Inspection
- Write up scope of work for each housing rehabilitation/demolition
- Cost Estimating
- Knowledge for rehabilitation standards and approve building and electrical codes
- Building construction experience
- Lead Based Paint knowledge

Below are the basic services required of the Risk Assessor:

- Experience in writing risk assessment
- Knowledge of HUD 1012/1013 lead-based paint regulations
- Ability to submit reports in required time frames
- Use of an XRF lead-based paint analyzer

This is not an all-inclusive list.

Below are the detailed services required of the Risk Assessment:

- All work must be performed by firms certified to perform risk assessments and by individuals certified and/or licensed to perform risk assessments by the state. If x-ray fluorescence (XRF) instrument is used, the risk assessor must possess current training, certification, and licensing in the use of the XRF equipment under appropriate federal, state, or local authority.
- The inspector shall provide all necessary facilities, materials, supplies, equipment, supervision, personnel, and other items and services to perform the lead evaluation services as defined in this RFP. When more than one regulatory provision applies to a condition or activity, the most stringent shall be used. Applicable regulations are those that are in force when and where the lead evaluation is conducted, including the more restrictive of, but not limited to:
  - U.S. Department of Housing and Urban Development (HUD): 24 CFR 35
  - U.S. Occupational Safety and Health Administration: 29 CFR 1910, 1926
  - U.S. Environmental Protection Agency (EPA): 40 CFR 260-266, 745
  - U.S. Department of Transportation: 49 CFR 171-177
  - State regulations
  - Local regulations
- The purposes of the risk assessment are: 1) to identify conditions that may result in adverse human health effects from the following sources: deteriorated lead-based paint (LBP), interior/exterior dust-lead hazards, soil lead hazards, chewable surfaces, friction surfaces, and impact surfaces as defined by HUD and EPA; and, 2) to test paint on surfaces that will be disturbed during the renovation.
- The risk assessment shall include the following activities: occupant interviews, testing for lead content of all surfaces to be disturbed during the renovation, lead hazard identification of deteriorated paint, friction, impact and chewable surfaces, and dust and soil sampling. The risk assessment shall be completed within 20 days of being notified by City/County. The report must be submitted 15 days after completion of fieldwork. Invoices will not be paid until the complete report is received and accepted.

- The risk assessor shall be cautious and considerate when requesting any information, especially any information that may be considered confidential or personal.
- All laboratories selected for use in the lead-based paint hazards and evaluation reports shall hold all accreditations, certifications, and recognitions needed to conduct lead testing services as governed by regulatory agencies having jurisdiction over such work. At a minimum, the laboratory used by the contractor shall be recognized by the U.S. Environmental Protection Agency (EPA) National Lead Laboratory Accreditation Program (NLLAP) for the analyses performed under this contract, and shall, for work under this contract, use the same analytical method used for obtaining the most recent NLLAP recognition. Copies of certificates shall be provided with the bid submittal.
- The risk assessor shall sample all components/surfaces to be disturbed during the renovation as well as any surface that is deteriorated or hazardous. If a component is not to be disturbed and is not a hazard, it should not be sampled for lead content. Identification of LBP may be done by either XRF testing or by collecting samples of paint followed by laboratory analysis.
- The risk assessment report shall comply with the minimum requirements established by the state. The risk assessment report shall contain at least the following: Notice of Evaluation Results, Summary of Risk Assessment, an executive summary written in simple and easy-to-understand English describing the on-site investigation conducted and the results. The summary must be in the basic format found at 24 CFR Part 35, Appendix B and include the names of all risk assessors performing services, the date the site was visited, and samples collected. The summary must include all identified lead-based paint and/or lead-based paint hazards and their locations. In addition, it must include all treatment options for each hazard identified, clearly identified as being either interim control or abatement, list of all surfaces tested and/or sampled, identification of all lead-based paint and/or LBP hazards with sufficient detail to permit replication of sampling and/or testing effort, and sketches or drawings of property with floor plan detailing all sample locations.
- To be considered responsive, each bid must include technical and cost proposal data, as well as copies of the following documents:
  - a. Copies of firm's certification to perform risk assessments of this site.
  - b. Copies of individual's state/EPA certification/license to perform risk assessments.
  - c. Copies of and documentation of successful completion of XRF manufacturer's training for each individual performing risk assessment services.
  - d. Copy of analytical laboratory EPA accreditation, and licensing, if applicable.
  - e. Copy of risk assessment firm's radiation safety license or registration issued by the state where services are to be provided, or the U.S. Nuclear Regulatory Commission.
- Unit prices for at least the following services shall be provided and included in the proposal. When requested by the community, the risk assessor shall provide the additional services at the unit costs submitted:
  - a. Additional site visits, per visit;
  - b. Additional paint, soil, dust, or water samples, per sample type; and,
  - c. Additional XRF paint testing, per structure.

\_\_\_\_\_ (date)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RE: RFP for Housing Inspector/Risk Assessor

Dear Mr./Ms. \_\_\_\_\_:

The City/County of \_\_\_\_\_ is soliciting your interest in submitting a Request for Proposals for Housing Quality Standard (HQS) inspection/risk assessor services. The City/County will be making application for Community Development Block Grant funds for a housing project. This project is estimated for completion on or before \_\_\_\_\_, 20\_\_\_. The City is requesting the selected firm assist the City/County in complete the (HQS) inspections and all the necessary Risk Assessments, if project is funded.

If you are interested, please respond to the \_\_\_\_\_, City/County Clerk, \_\_\_\_\_, \_\_\_\_\_ Kansas, 67\_\_\_\_ by \_\_\_\_\_, 20\_\_\_, \_\_\_\_\_ a.m./p.m.

The response from your firm shall include the following:

1. Verify the firm has qualified personnel who can be assigned to the project.
2. Experience with CDBG and capabilities of the firm.
3. Ability and willingness of firm to assist the City/County with this project.
4. Bid amount
5. Other pertinent information.

The envelope should be clearly marked "Inspection Proposals" on the outside. The City/County is requesting that \_\_\_\_ copies be mailed to \_\_\_\_\_, City/County Clerk, City/ County of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, KS 67\_\_\_\_. A personal interview may be requested by the City/County to be held during the selection processes. The administrator will be selected at the City/County meeting on \_\_\_\_\_, 20\_\_\_. The council/commission will complete its rating that evening and select an administrator.

Firms not responding with a proposal on or before \_\_\_\_\_, 20\_\_\_, \_\_\_\_\_ a.m./p.m. will not be considered for the project. The City/County reserves the right to reject any or all proposals.

The factors to be considered and the method to be utilized in the evaluation of the proposal and selection of the inspector are set forth in the Addendum #2 (enclosed).

Sincerely,

City/County Clerk

\_\_\_\_\_ City/County

Publication Date: \_\_\_\_\_

\_\_\_\_\_ City/County, organized and existing under the law of the State of  
Kansas, invites housing inspectors/risk assessors to submit qualifications for consideration by  
\_\_\_\_\_ City/County with respect to the proposed Kansas Department of Commerce  
Community Development Block Grant project. This proposed project would include:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Written proposals should be submitted to \_\_\_\_\_ City/County Clerk,  
\_\_\_\_\_, \_\_\_\_\_, Kansas prior to  
\_\_\_\_\_ a.m./pm., \_\_\_\_\_, 20\_\_\_. No proposals received thereafter will  
be considered.

Proposals will be reviewed by the \_\_\_\_\_ Council/Commission and final  
selection of the housing inspectors/risk assessors will occur at a meeting on \_\_\_\_\_, 20\_\_\_.  
Additional information should be obtained from \_\_\_\_\_, City/County  
Clerk, \_\_\_\_\_, Kansas, 67\_\_\_\_\_, (phone) \_\_\_\_\_.

ADDENDUM #10  
Known Housing Inspectors/Risk Assessors  
This is not an inclusive list.

Emily Benedick  
North Central Regional Planning Commission  
PO Box 565  
Beloit, KS 67420

Bill Lampe  
SCKEDD  
9730 East 50<sup>th</sup> Street  
Bel Aire, KS 67726

You also may want to contact KDHE for a list of Risk Assessors or review:  
[http://www.kshealthyhomes.org/contact\\_lead\\_professionals.htm](http://www.kshealthyhomes.org/contact_lead_professionals.htm)