

**Attachment D**  
**Municipal Code**  
**§2.28.280**

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## **2.28.280 Award of consultant/professional services contracts based upon competence.**

- (a) *Factors to consider.* In contracting for those consultant/professional services as defined in subsection 2.28.050(4), such contracts should only be awarded to firms or persons who have demonstrated an adequate level of experience, competence, staffing and other professional qualifications necessary for above satisfactory performance of the services required. Once the department requesting the service has determined that a firm has an adequate level of competence, the cost of the service may be considered, however, the lowest cost may not be the sole factor in deciding which firm or who shall be awarded the contract. It may be in the city's best interest to award the contract to a firm based on the scope of services available, unique skills, staffing levels, timing, prior experience, past working relationship or other factors required by the requesting department or proposed by that firm, and as such factors are set forth in the city's purchasing policies and guidelines. The information needed to determine that level of competence, other qualification's and the procedure for selecting such services shall be determined by the department requesting the service.
- (b) *Request for proposal/qualification.* The acquiring of professional services shall be procured through Negotiated Contract and may include requests for proposals/qualifications. Contracting for professional services is centralized through the purchasing division unless prior approval to decentralize is given by the city manager. Decentralized contracting for professional services shall be the responsibility of the department head requesting the service. The city manager may be contacted to assist in the formal request for proposal/qualification ("RFP/Q") process.
- (c) *Contracts—Informal process.* The department head may recommend professional service or consulting contracts with qualified consultants/firms on file with the city. The requesting department is required to contact a minimum of three consultants/firms, unless the city manager authorized the entering into or the award of a specific service contract. The department head shall recommend to the city manager the firm or person to be awarded the contract before awarding any professional service contract. Written justification shall be provided by the department head setting forth the reasons for recommending such firm or person awarded the contract. Professional service contracts should be on the city's standard form and shall be reviewed and approved as to form by the office of the city attorney.
- (d) *Contracts—Formal RFP/Q solicitation process.* As an alternative to the procedures described in subsection (c) of this section, departments may utilize a sealed request for proposal process, administered by the city manager and subject to the following requirements:
  - (1) *RFP/Q solicitation process.* The city shall adopt a resolution describing the procedures for the formal RFP/Q solicitation process.
  - (2) *Advertisement.* The city manager shall advertise in appropriate publications and/or use the professional services listings, as available, during the solicitation process.
  - (3) *Fourteen-day notice.* Notice inviting RFP/Q's should be advertised at least fourteen calendar days before the due date of submission of the RFP/Q.
  - (4) *Notice contents.* The notice shall, at a minimum, describe the general type of service needed, how the RFP/Q minimum scope of work can be obtained, the requirement of a written sealed proposal, and state the closing date, place, and time for submission of the RFP/Q.
  - (5) *Solicitation procedure.* Sealed request for proposals/qualifications should be submitted to the city manager. RFP/Q's need not be opened publicly. All proposals shall be analyzed by the city manager and the requesting department for compliance with RFP/Q requirements, value of total scope of services and a recommendation made to city council for selection, or for follow up interviews of those submitting a proposal.

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(e) *Award.* Professional service contracts with an estimated cost of more than fifty thousand dollars require the approval of the city council.

(Ord. No. 2381 , § 2, 9-18-18)