

PROCEDURES FOR SELECTION OF CONSULTANTS  
ON  
CONTRACTS INVOLVING FEDERAL PARTICIPATION

I. Purpose

To prescribe the procedures of the Board of Commissioners of the County of Floyd, hereinafter called the Commissioners, applicable to the retaining of consultants on contracts involving federal participation so that these procedures are compatible with appropriate regulations and guidelines of the U.S. Department of Transportation.

II. Necessity for Use of Consultant

The services of a consultant may be requested for a project where:

- (a) The in-house capabilities of the Commissioners are insufficient to accomplish the project within the desirable time; or
- (b) the complexity or nature of the project requires specialized expertise; or
- (c) it is more economical to engage such services; or
- (d) it is otherwise in the public interest.

III. Authorization for Employment of a Consultant

When determined at a regular meeting of the Commissioners that consulting services be used, the minutes shall show that the Commissioners have decided to use the services of a consultant.

IV. Record of Consultants

The Clerk-Bookkeeper of the Board of Commissioners will maintain files and records of consultants who have expressed interest in providing professional services and who have submitted information as to the qualifications of their firm.

The record of consultants will be based upon information provided by each consultant in a manner which may be prescribed, supplemented with such other information as is considered necessary to provide current data about the firm. The information shall include the name, address, list of principals, list of professional-technical-supportive staff, the qualifications and experience of individuals, the history and experience of the firm, the extent of involvement in noteworthy projects, and technical and financial references. From time to time supplemental information may be submitted by the consultant to keep their file current.

The record or listing of consultants will include the firms previously and currently satisfactorily employed by the County, and all MBE/WBE firms known to the ISHC. The tabulation should produce a listing of four to eight firms for each type of work.

V. Selection of Consultants

The selection of consultants for specific projects will be made by majority decision of the Commissioners.

VI. Request for Proposals

Prior to the consultant selection the Commissioners will prepare a notice of projects for which consultant proposals are being requested. The listing is to provide the necessary project data for preparation of consultant proposals.

The notice is to provide for a period of time, not to be less than thirty days from date of posting of the notice, during which consultant proposals will be accepted for the various proposed agreements described in the notice.

The listing is to be posted in the Office of the Commissioners in the City County Building, New Albany, Indiana.

Also by regular mail the notice will be sent to all firms that have met the requirements outlined in Section IV of these procedures, and which have requested in writing that notices covering specific types of projects be sent to them with the firm's request being renewed annually.

VII. Submittal of Proposals

Any consultant having on file in the Commissioner's Office or submitted with their proposal current information on the firm's qualifications may submit proposal(s) for items noted in the notice of request for proposals during the period of time specified in the notice. The proposal must include:

- (a) description of the proposed project; and
- (b) description of anticipated work elements; and
- (c) proposed staffing for the work including designation of project manager; and
- (d) proposed schedule of work; and
- (e) information concerning current overhead rate as prepared by a C.P.A. or registered accountant or as approved by the ISHC.

VIII. Selection of Consultant

The Commissioners after a review of the proposals received for a project will decide which firm the Commissioners in its opinion has found most suitable for employment for that project. In keeping with the intent of Indiana's MBE Affirmative Action Plan and Federal Regulations concerning employment of minority business enterprises, the greatest possible consideration for use of minority-owned firms will be given during the selection process.

The minutes of the Commissioner's meeting will note the reasons for selection of the recommended consultant.

Upon the Board's approval, the proposal received from the selected consultant together with any necessary added information of breakdown of scope, schedule, and proposed compensation with man-hour estimates-overhead rate - direct costs - etc., will undergo a further technical review by the Board. As required, preliminary discussions between the consultant and Board will take place during these assessments.

In those instances where FHPM 1-7-2 requires preaward audit evaluation on selected consultants which are expected to exceed \$50,000.00, said financial review will be made by the Board of Commissioners in conjunction with the Indiana State Highway Commission Division of Accounting and Control.

IX. Negotiations for Contract

When the assessment of the Consultant's proposal has been completed, negotiations of the contract for the work will take place with the Board of County Commissioners in banc negotiating the contract with documentation of the use of the evaluations during negotiations and a preliminary agreement developed and submitted for any necessary reviews and approvals. Upon receipt of needed approvals including local, county, ISHC and FHWA approvals, a final contract will be executed.

If agreement cannot be reached during negotiations of a contract with reasonable efforts to reach an agreement, either the Board of Commissioners or Consultant may terminate the discussions. In such event, the selection and negotiations with an alternate firm may then be undertaken.

X. Exceptions to Procedure

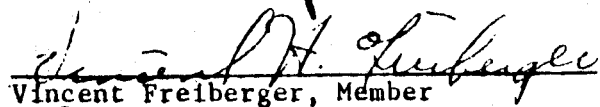
Where a project is considered of any emergency nature, or where the scope of work is relatively small, or where consultant's fees for the work will be less than \$10,000.00, or when the specialized qualifications of a particular consultant appear needed for accomplishment of the work or when non-competitive negotiations are authorized by the Federal Highway Administration, a consultant may be selected with any necessary concurrence by the Indiana State Highway Commission and the Federal Highway Administration's Division Office, and only that firm requested to immediately submit a Consultant proposal for the project.

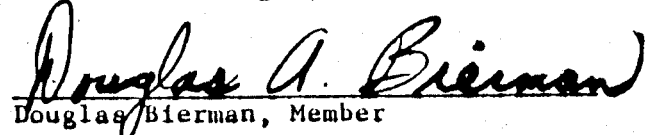
XI. Notice to Proceed with Work

When federal and state approvals have been received on the contract along with "authorization to proceed", a written notice to proceed with the work will be given to the Consultant by the County. No compensation will be made for work undertaken prior to such notice to proceed.

BOARD OF COMMISSIONERS  
OF THE COUNTY OF FLOYD

  
\_\_\_\_\_  
Gary Loftus, President

  
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Vincent Freiberger, Member

  
\_\_\_\_\_  
Douglas Bierman, Member

15 AUGUST 1981  
DATE