

Ordinance No. 119651

(116)

Council Bill No. 112874

The City of Seattle  
Council Bill/Ordinance

AN ORDINANCE related to the Consultant Contracting Ordinance; adding, amending, and repealing various provisions of Seattle Municipal Code Ch. 3.114 to allow an expanded City-wide Consultant Roster Program and to clarify the process to be used for the program; and making other amendments thereto.

*MacKenzie*

*7-0 allowed: c*

CF No. \_\_\_\_\_

Date introduced: <u>AUG 30 1999</u>	
Date 1st Referred: <u>AUG 30 1999</u>	To: (committee) <u>Finance &amp; Budget Committee</u>
Date Re - Referred:	To: (committee)
Date Re - Referred:	To: (committee)
Date of Final Passage: <u>9/7/99</u>	Full Council Vote: <u>7-0</u>
Date Presented to Mayor: <u>9/8/99</u>	Date Approved: <u>SEP 08 1999</u>
Date Returned to City Clerk: <u>SEP 09 1999</u>	Date Published: T.O. <u>ET. <u>1</u></u> <i>9 pages</i>
Date Vetoes by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

This file is complete and ready

*Law Department*

Law Dept. Review

R

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: \_\_\_\_\_

**CHOE**  
Councilmember

## Committee Action:

*Matthew Choe*

passed 3-0  
as amended (P.B Section 7)

7-0 amend: choe, wago

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_

(Initial/Date)

**Law Department**

*mc*

**ES**  
D.C.  
Approved  
for committee  
field 7/24/11

Law Dept. Review

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Review

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ORDINANCE 119651

1  
2 AN ORDINANCE related to the Consultant Contracting Ordinance; adding, amending, and repealing  
3 various provisions of Seattle Municipal Code Ch. 3.114 to allow an expanded City-wide  
4 Consultant Roster Program and to clarify the process to be used for the program; and making  
5 other amendments thereto.

6 WHEREAS, the City of Seattle is conducting a City-wide study to identify improvements to its  
7 procurement processes under the Copernicus Project, and one objective of the Copernicus  
8 Project is to review and modify, as appropriate, the process used to select and hire consultants to  
9 perform professional services for the City; and

10 WHEREAS, the Consultant Roster Program, originally established in 1986, is a useful tool in the  
11 consultant selection and hiring processes; and

12 WHEREAS, the current Consultant Rosters were to expire in October, 1998, but were extended until  
13 December 31, 1999 in order to provide time for the Copernicus Project to recommend changes to  
14 the City-wide Consultant Roster Program; and

15 WHEREAS, small businesses represent a majority of the businesses in the state, provide nearly one-half  
16 of all jobs in the state, and are very important to the city's economy and vibrance; and

17 WHEREAS, promoting the use of small businesses can strengthen the city and particularly economically  
18 distressed areas; and

19 WHEREAS, the intent of the City-wide Consultant Roster is to make contracting methods clear; balance  
20 competing goals; be accountable to budget constraints and social goals; be flexible, while  
21 maintaining enforceable guidelines; and be as cost-effective as possible for departments, the City  
22 as a whole, and the City's business partners; and

23 WHEREAS, the City looked at best practices in agencies around the country and used this information  
24 to redesign the City's Consultant Roster Program; Now, therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

**Section 1.** Seattle Municipal Code Section 3.114.030 is amended to read as follows:

SMC 3.114.030 Advertising need for consultant services.

A. Any proposed contract for consultant services estimated to cost Twenty (~~Fifteen~~)  
Thousand Dollars (\$20 (~~15~~),000.00) or more as adjusted pursuant to Section 3.114.140, other than  
contracts to consultants on a (~~certified~~) consultant roster (~~or contracts to consultants on an EIS~~

1 roster)), shall be advertised in the City's official newspaper for at least two (2) days (which need not be  
2 consecutive). Such advertisements shall include in general terms at least a description of the services  
3 sought; the name of the concerned department; the name and telephone number of a representative of the  
4 department from whom additional information may be obtained; and an indication that the selection of  
5 the consultant is subject to applicable laws and ordinances regarding equal employment opportunity; and  
6 if established or known, the range of fees the department will consider paying the consultant for the  
7 services to be provided, the time within which such services are to be provided, and the anticipated  
8 beginning date of the work.

9 B. Advertisements soliciting consultants for placement on a ((~~certified~~)) consultant roster ((  
10 ~~or an EIS roster~~)) shall be advertised in the same manner and with as much of the information described  
11 in subsection A of this section as practical. The Executive Services Director shall determine the  
12 frequency of the solicitation advertisements for placement on a consultant roster.

13 **Section 2.** Seattle Municipal Code Section 3.114.040 is amended to read as follows:  
14 SMC 3.114.040 Consultant selection criteria.

15 A. The Executive Services Director is hereby authorized and directed to adopt rules and  
16 regulations regarding the procedures by which City departments or Executive Department offices seek  
17 out qualified applicants and contract with consultants for work; provided, that under such rules and  
18 regulations, consultants shall be selected on the basis of, among other factors, their competence and  
19 qualifications for the type of services to be provided, the cost, price, compensation, or consideration to  
20 be paid by the City for such services, and the affirmative action/equal opportunity record of the  
21 consultant. Until such time as the Executive Services Director adopts such rules and regulations, all  
22 rules and regulations of the Board of Public Works shall remain in full force and effect, notwithstanding  
23  
24



1 the abolition of such board, and all references in such rules and regulations to the "Board of Public  
2 Works" shall be treated as references to the Executive Services Director.

3 B. The selection of every consultant responsible for providing to the City services estimated to  
4 cost Twenty Thousand Dollars (\$20,000.00) or more, as adjusted pursuant to SMC Section 3.114.140, or  
5 for placement on a ~~((certified))~~ consultant roster under SMC Sections 3.114.150 and 3.114.160, shall be  
6 based upon specific written evaluation criteria relevant to the services to be provided. Every request for  
7 proposals (RFP), request for qualifications (RFQ) or other material in which consultants are given  
8 detailed information about consultant services sought by a department or Executive Department office  
9 shall include a detailed description of ~~((such))~~ the evaluation criteria ~~((together with the maximum score  
10 or weighing to be given to each listed criterion))~~ to be used.

11 **Section 3.** Seattle Municipal Code Section 3.114.050 is amended to read as follows:

12 SMC 3.114.050 Consultant evaluation committee.

13 Whenever a City department, City Commissions, or Executive Department office desires  
14 consultant services estimated to cost Twenty Thousand Dollars (\$20,000.00) or more, as adjusted  
15 pursuant to SMC Section 3.114.140, the head of the concerned department or Executive Department  
16 office shall appoint and utilize a consultant evaluation committee of not less than three (3) members and  
17 representative, where practical, of women and minorities. Each consultant evaluation committee shall  
18 review the proposals, applications, questionnaires, and related materials submitted by consultants  
19 interested in providing the particular service(s) sought by the concerned department or Executive  
20 Department office, and on the basis of the specific written evaluation criteria announced with respect to  
21 such consultant selection, report in writing, to the head of the concerned department or Executive  
22 Department office its recommendations including, where possible, the ranking of the top five (5)  
23 consultants evaluated, ~~((or such greater number as deemed appropriate for a certified consultant roster~~

1 pursuant to ~~SMC Sections 3.114.150 and 3.114.160~~) The written report, ((and)) where appropriate,  
2 shall describe the lack of measurable differences among consultants evaluated, together with such  
3 explanation of evaluation processes used as is necessary to fully advise such official of the committee's  
4 evaluation results. Thereafter, such evaluation report shall be filed with the Executive Services  
5 Department by the evaluating department or Executive Department office and made available for public  
6 inspection consistent with the provisions of RCW Chapter 42.17. In lieu of the process set forth herein,  
7 for contracts meeting the criteria of SMC Section 3.114.150, a department may elect to use the  
8 Consultant Roster Program provided for in SMC Sections 3.114.150 and 3.114.160.

9 **Section 4.** Seattle Municipal Code Section 3.114.140 is amended to read as follows:

10 SMC 3.114.140 Escalation of dollar limitations.

11 All monetary amounts specified in Sections ~~((3.114.020))~~ 3.114.030 through 3.114.060,  
12 3.114.080, and 3.114.160 ~~((, 3.114.150 and 3.114.160))~~ shall be annually adjusted hereafter by the  
13 Executive Services Director, immediately following publication of the preceding year's Consumer Price  
14 Index for all urban consumers in the Seattle-Tacoma metropolitan area, All Items, (1982-84 = 100), as  
15 determined by the U.S. Department of Labor, Bureau of Labor Statistics, to eliminate the effects of  
16 inflation or deflation on purchasing power and the authority granted by this chapter, and all such  
17 monetary amounts, as adjusted, shall be rounded upwards to the nearest Thousand Dollars (\$1,000.00).

18 **Section 5.** Seattle Municipal Code Section 3.114.150 is amended to read as follows:

19 3.114.150 ~~((Certified))~~ ~~((e))~~ Consultant ~~((s'))~~ rosters.

20 ~~((Through the competitive process contemplated by SMC Sections 3.114.020 through~~  
21 3.114.070, the)) Through the process set forth in SMC Section 3.114.160, the Executive Services  
22 Department, in conjunction with interested City departments or offices ~~((participating departments)),~~  
23 may establish consultant rosters of qualified consultants for the use by any City department or Executive  
24

1 Department office, hereinafter referred to as "participating department," for skills or services in  
2 specialized areas of knowledge or experience including, among other specialties, architectural and  
3 engineering services. (~~and without soliciting proposals on such assignments or projects individually,~~  
4 ~~each such~~)) A participating department may contract with a consultant on the appropriate roster ((as the  
5 City's needs arise)) for assignments or projects within the described specialty without soliciting  
6 proposals as set forth in SMC Sections 3.114.030 through 3.114.060 as long as: (1) each contract is  
7 estimated to cost no more than the amount established pursuant to SMC Section 3.114.160; and (2) the  
8 participating department has determined that its needs can be fully met without soliciting proposals as  
9 set forth in SMC Sections 3.114.030 through 3.114.060((an adjusted amount established pursuant to  
10 SMC Section 3.114.140 by using Eighty Thousand Dollars (\$80,000.00) as a base amount, as  
11 established by Ordinance No. 113797 § 2, 1987)).

12 **Section 6.** Seattle Municipal Code Section 3.114.160 is repealed and replaced with the  
13 following new Section 3.114.160:

14 SMC 3.114.160 Establishment and operation of rosters.

15 These provisions apply to the establishment, maintenance and use of consultant rosters:

16 A. Establishment and Duration.

17 1. The Executive Service Department, in conjunction with participating departments,  
18 shall determine the number of consultant rosters to be established based on the different consultant skills  
19 or services that the City is likely to need during the time that the consultant rosters are expected to be in  
20 effect. An evaluation committee for the Consultant Roster Program will be created to perform the  
21 evaluation process.

22 2. Requests for Qualifications (RFQ) for placement on a consultant roster. The  
23 Executive Services Department, in conjunction with participating departments, shall issue RFQ(s) to  
24



1 establish consultant rosters for use by any City department or office. At a minimum, the RFQ shall  
2 describe the skills or services needed by the City; the minimum qualifications to be placed on the  
3 particular consultant roster; the roster contract dollar limits; the expected duration of the roster, if  
4 known; standard contract terms and conditions, if any; and a description of the process to be used for  
5 selecting consultants off of the roster.

6 3. A consultant roster shall remain in effect until such time as the Executive Services  
7 Director determines it is in the best interests of the City to disestablish the roster. City departments may  
8 petition for the establishment or disestablishment of a roster, or a roster category where the existing  
9 rosters or roster categories do not meet the needs of the department.

10 B. Opportunities for Small Business.

11 Whenever fifteen (15) or more consultants qualify as "small business concerns" in a single roster  
12 category, the category shall consist only of those consultants who are eligible to be classified as a "small  
13 business concern." If fourteen (14) or fewer such consultants are qualified, consultants for that roster  
14 category shall be selected without regard to their eligibility under the small business criteria. A  
15 consultant may evidence its qualification as a "small business concern" by:

16 1. Showing its acceptance by the Small Business Administration under the Small  
17 Business Act of the United States, 15 USC Section 632, and its implementing regulations, 13 CFR Part  
18 121; or,

19 2. Showing certification as defined in any City program designed to encourage the  
20 utilization of small businesses.

21 C. Limitations.

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1           1.     A participating department may contract with the consultants on the roster for  
2 projects estimated to cost no more than \$200,000 (except as may be adjusted in Section 3.114.160 (C)  
3 (2).

4           2.     A participating department may amend any roster contract for additional work  
5 related to the original roster contract up to a maximum of twenty five percent (25%) of the original  
6 contract amount. In no case shall the total Consultant Roster Program contract amount, including all  
7 amendments, exceed \$250,000.

8           3.     Each participating department may only use a certified roster consultant annually  
9 up to a maximum amount of \$400,000 per roster category. Any consultant that reaches this limit within  
10 any calendar year shall not be selected from that certified roster category for use by that participating  
11 department for the remainder of the calendar year, however, other participating departments shall not be  
12 prevented from using that consultant.

13           D.     Deletion From a Roster/Limits on Eligibility.

14           1.     A consultant may be deleted from the City's certified roster program at the City's  
15 sole discretion. Without limiting the generality of the foregoing, common examples of reasons that a  
16 consultant may be removed from a roster include, but are not limited to:

17                 a.     The consultant requests deletion (the deletion shall take effect ten (10)  
18 business days after notice to the Executive Services Department);

19                 b.     The consultant is found to be in default in the performance of a City  
20 contract; is disqualified from City contracting; has failed to file applicable business and occupation tax  
21 reports; or does not possess a valid City business license, or other state licenses or certifications  
22 necessary to practice the particular profession; or  
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1 c. The consultant has made a material misrepresentation in its response to a  
2 solicitation. A misrepresentation is material if the consultant would have been ineligible for placement  
3 on a roster if the facts were fully known.

4 d. For any other reason that the City deems to be in its interests to do so.

5 E. Adding Consultants to a Roster.

6 During the existence of a roster, the Executive Services Department in conjunction with  
7 participating departments will perform ongoing evaluations of any new consultant response to an  
8 RFQ(s). All consultants found to be qualified for a consultant roster category will be added to that  
9 roster, except as a roster category may be limited by SMC Section 3.114.160 (B) and except as a  
10 consultant may be ineligible in accordance with SMC Section 3.114.160 (D).

11 F. Disclaimer.

12 Placement on a consultant roster makes a consultant eligible for consideration and possible  
13 selection by a participating department for providing services, all as more fully described or limited in  
14 the City's RFQ. Placement on a roster does not guarantee any consultant any contract for any amount.  
15 In addition, the City reserves the power to amend or repeal this chapter and to change or discontinue the  
16 roster system at any time.

17 G. Evaluation Criteria.

18 Consultants shall be evaluated for placement on a roster on the basis of the ability of the  
19 consultant to perform the work or service that the roster category was created for and to meet the  
20 minimum qualifications set forth in the request for qualifications.

21 **Section 7. Repealer.** SMC Sections 3.114.<sup>020</sup>~~120~~, 3.114.145 and 3.114.170 of the Seattle  
22 Municipal Code are repealed in their entirety.







# City of Seattle

Paul Schell, Mayor

## Executive Services Department

Dwight D. Dively, Director

### MEMORANDUM

**DATE:** August 24, 1999

**TO:** Honorable Sue Donaldson, President  
Seattle City Council

**FROM:** Dwight Dively, Director *DD*  
Executive Services Department

**SUBJECT:** AN ORDINANCE amending Seattle Municipal Code Chapter 3.114 relating to Consultant Services to allow an expanded City-wide Consultant Roster Program

I am pleased to submit the attached ordinance, which will revise the Seattle Municipal Code (SMC) to incorporate recommendations that were developed as part of the City's Copernicus Project. As you know, the Copernicus Project staff is in the process of redesigning existing procurement policies and procedures to more closely align them with the City's business objectives. The attached ordinance, which is one part of that effort, expands the Citywide Consultant Roster Program and clarifies the process to be used by departments to obtain consultant services.

The City established the Consultant Roster Program in 1986 as a tool to help departments select and hire qualified consultants for a wide variety of projects. The current Roster was due to expire in October 1998, but was extended until December 31, 1999 to allow time for us to analyze best practices nationwide, and develop recommendations to improve the Roster Program. This analysis was completed as part of the larger citywide Copernicus business processes redesign, with input from key City staff and representatives from the private sector. Two critical objectives were to streamline the certification process both for consultants and departments, and to promote the use of small businesses, particularly those located in economically distressed areas.

Highlights of the new Consultant Roster program include:

- ◆ Changing from a closed to an open roster; allowing firms to certify year-round; and not placing any limit on the number of consultants per category.
- ◆ Allowing vendors who are participants in the proposed City "Boost" program for economically disadvantaged small businesses to be part of the Consultant Roster program as well.
- ◆ Emphasizing the use of small consulting businesses.



**Dively/Donaldson**  
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- ◆ Ensuring that, in the future, the Consultant Roster Program will be available on the Inweb for on-line research by departments, and on PAN to allow businesses to access information on contracting opportunities and awards.
- ◆ Increasing project dollar limits per consultant from \$115,000 to \$200,000.
- ◆ Increasing category dollar limits per consultant to \$400,000 per year for each category, per department.
- ◆ Having Consultant Roster firms that are awarded City contracts participate in the Copernicus Vendor Performance Evaluation Program, which is now in development

I would like to thank Rich Richmire of the Copernicus Project staff, City staff on the Consultant Roster Advisory Group, and the Consulting Engineering Council of Washington for their invaluable advice and assistance in developing this ordinance. If you have any questions, or would like to schedule a briefing on this matter, please feel free to call me at 684-5212, or Melody Mociulski, Copernicus Program Manager, at 684-5022.

Thank you.

cc: Maud Daudon  
Melody Mociulski  
Rod Brandon  
Rich Richmire



**From:** Lisa Peyer  
**To:** Carter, Margaret  
**Date:** 8/25/99 8:42am  
**Subject:** TITLE ONLY #1:

Margaret - For intro on 8/30 with Martha Choe sponsoring. I hope to have the jacket to you by this afternoon. If you have any questions, please call me at 40503. Thanks. Lisa

AN ORDINANCE related to the Consultant Contracting Ordinance; adding, amending, and repealing various provisions of Seattle Municipal Code Ch. 3.114 to allow an expanded City-wide Consultant Roster Program and to clarify the process to be used for the program; and making other amendments thereto.

CB 112874

By: Cwoe

put on Referral cal.

TIME AND DATE STAMP

**SPONSORSHIP**

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

*Martha Chan*

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

**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



\_\_\_\_\_  
**PRESIDENT'S SIGNATURE**



**STATE OF WASHINGTON - KING COUNTY**

110534  
City of Seattle, City Clerk

—ss.

No. **ORDINANCE IN**

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

**CT:119651/ORD FULL**

was published on

**10/04/99**

The amount of the fee charged for the foregoing publication is the sum of \$ \_\_\_\_\_, which amount has been paid in full.

*R. Patterson*  
Subscribed and sworn to before me on  
10/04/99  
*McQuinn*  
Notary Public for the State of Washington,  
residing in Seattle

# City of Seattle

## ORDINANCE 119951

AN ORDINANCE related to the Consultant Contracting Ordinance, adding, amending, and repealing various provisions of Seattle Municipal Code Ch. 3.114 to allow an expanded City-wide Consultant Roster Program and to clarify the process to be used for the program; and making other amendments thereto.

WHEREAS, the City of Seattle is conducting a City-wide study to identify improvements to its procurement processes under the Cooperative Project, and one objective of the Cooperative Project is to review and modify, as appropriate, the process used to select and hire consultants to perform professional services for the City;

WHEREAS, the Consultant Roster Program, originally established in 1986, is a useful tool in the consultant selection and hiring processes; and

WHEREAS, the current Consultant Roster was to expire in October, 1993, but was extended until December 31, 1993 in order to provide time for the Cooperative Project to recommend changes to the City-wide Consultant Roster Program; and

WHEREAS, small businesses represent a majority of the businesses in the state, provide nearly one-half of all jobs in the state, and are very important to the city's economy and vibrance; and

WHEREAS, promoting the use of small businesses can strengthen the city and particularly economically distressed areas;

WHEREAS, the intent of the City-wide Consultant Roster is to make contracting methods clear; balance competing goals; be accountable to budget constraints and other goals; be flexible, while maintaining enforceable guidelines; and be as cost-effective as possible for departments, the City as a whole, and the City's business partners; and

WHEREAS, the City looked at best practices in agencies around the country and used this information to redesign the City's Consultant Roster Program; Now, therefore,

### BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

SECTION 1. Seattle Municipal Code Section 3.114.030 is amended to read as follows:

SMC 3.114.030 Advertising need for consultant services.

A. Any proposed contract for consultant services, estimated to cost Twenty (20) Thousand Dollars (\$20,000) or more as adjusted pursuant to Section 3.114.140, other than contracts to consultants on a (certified) consultant roster (or contracts to consultants on an EIS roster), shall be advertised in the City's official newspaper for at least two (2) days (which need not be consecutive). Such advertisements shall include in general terms at least a description of the services sought; the name of the concerned department; the name and telephone number of a representative of the department from whom additional information may be obtained; and an indication that the selection of the consultant is subject to applicable laws and ordinances regarding equal employment opportunity; and if established or known, the range of fees the department will consider paying the consultant for the services to be provided, the time within which such services are to be provided, and the anticipated beginning date of the work.

B. Advertisements soliciting consultants for placement on a (certified) consultant roster (or an EIS roster) shall be advertised in the same manner and with as much of the information described in subsection A of this section as practical. The Executive Services Director shall determine the frequency of the solicitation advertisements for placement on a consultant roster.

SECTION 2. Seattle Municipal Code Section 3.114.040 is amended to read as follows:

SMC 3.114.040 Consultant selection criteria.

A. The Executive Services Director is hereby authorized and directed to adopt rules and regulations regarding the procedures by which City departments or Executive Department offices seek out qualified applicants and contract with consultants for work; provided, that under such rules and regulations, consultants shall be selected on the basis of, among other factors, their competence and qualifications for the type of services to be provided, the cost, price, compensation, or consideration to be paid by the City for such services, and the affirmative action/equal opportunity record of the consultant. Until such time as the Executive Services Director adopts such rules and regulations, all rules and regulations of the Board of Public Works

shall apply to each such consultant. A participating department may contract with a consultant on the appropriate roster (as the City's needs arise) for assignments or projects within the described specialty without soliciting proposals as set forth in Sections 3.114.030 through 3.114.035 as long as: (1) such contract is estimated to cost no more than the amount established pursuant to SMC Section 3.114.160; and (2) the participating department has determined that its needs can be fully met without soliciting proposals as set forth in SMC Sections 3.114.030 through 3.114.035 (an adjusted amount established pursuant to SMC Section 3.114.140 by using Eighty Thousand Dollars (\$80,000.00) as a base amount, as established by Ordinance No. 113797 § 2, 1987).

SECTION 6. Seattle Municipal Code Section 3.114.160 is repealed and replaced with the following new Section 3.114.160:

SMC 3.114.160 Establishment and operation of rosters.

These provisions apply to the establishment, maintenance and use of consultant rosters.

A. Establishment and Duration.

1. The Executive Services Department, in conjunction with participating departments, shall determine the number of consultant rosters to be established based on the different consultant skills or services that the City is likely to need during the time that the consultant rosters are expected to be in effect. An evaluation committee for the Consultant Roster Program will be created to perform the evaluation process.

2. Requests for Qualifications (RFQ) for placement on a consultant roster. The Executive Services Department, in conjunction with participating departments, shall issue RFQ(s) to establish consultant rosters for use by any City department or office. At a minimum, the RFQ shall describe the skills or services needed by the City; the minimum qualifications to be placed on the particular consultant roster; the roster contract dollar limits; the expected duration of the roster, if known; standard contract terms and conditions, if any; and a description of the process to be used for selecting consultants off of the roster.

3. A consultant roster shall remain in effect until such time as the Executive Services Director determines it is in the best interests of the City to disestablish the roster. City departments may petition for the establishment or disestablishment of a roster, or a roster category where the existing rosters or roster categories do not meet the needs of the department.

B. Opportunities for Small Business.

Whenever fifteen (15) or more consultants qualify as "small business concerns" in a single roster category, the category shall consist only of those consultants who are eligible to be classified as a "small business concern." If fourteen (14) or fewer such consultants are qualified, consultants for that roster category shall be selected without regard to their eligibility under the small business criteria. A consultant may evidence its qualification as a "small business concern" by:

1. Showing its acceptance by the Small Business Administration under the Small Business Act of the United States, 15 USC Section 632, and its implementing regulations, 13 CFR Part 121; or

2. Showing certification as defined in any City program designed to encourage the utilization of small businesses.

C. Limitations.

1. A participating department may contract with the consultants on the roster for projects estimated to cost no more than \$200,000 (except as may be adjusted in Section 3.114.150 (C) (2)).

2. A participating department may amend any roster contract for additional work related to the original roster contract up to a maximum of twenty five percent (25%) of the original contract amount. In no case shall the total Consultant Roster Program contract amount, including all amendments, exceed \$250,000.

3. Each participating department may only use a certified roster consultant annually up to a maximum amount of \$400,000 per roster category. Any consultant that reaches this limit within any calendar year shall not be selected from that certified roster category for use by that participating department for the remainder of the calendar year; however, other participating departments shall not be prevented from using that consultant.

D. Deletion From a Roster/Limits on Eligibility.

1. A consultant may be deleted from the City's certified roster Program at the City's sole discretion. Without limiting the generality of the foregoing, a consultant may be deleted from the roster if the consultant: