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- I. Purpose To provide additional guidance on Resource Management throughout the acquisition process.
- II. Scope These guidelines apply to all solicitations and contracts to assure Resource Management in Scope of Work Development, Source Selection, Contract Pre-Performance Conference and Contract Administration/Management.

III. Responsibility

The Purchasing Agent is responsible to assure the appropriate resource management from Scope of Work Development through Contract Administration/Management.

A. Scope of Work Development

The user department(s) are responsible for Scope of Work Development.

The Purchasing Agent assures that the appropriate resource personnel are invited to and participate in the Scope of Work Development to assure that the scope covers all requirements of the contract.

Less complex scopes and projects with one or a very few department or special resource personnel may be able to do their work via phone, fax, courier or email.

More complex scopes, which include many resource personnel are probably best handled by meeting(s).

The Purchasing Agent will assure that the proper personnel are included in the invitation and any efforts or meetings to develop the scope of work.

**Suggested Outline for the Scope of Work for Competitive Sealed Bidding**

- **Introduction and general information**  
Purpose or objective, history and background, contact persons, bidding method, pre-bid conferences, contractor qualifications, calendar of events
- **Task description**  
Work to be done by the contractor
- **Constraints on the contractor**  
Work site conditions, ordinances, security control
- **Contractor personnel requirements**  
Qualifications of key personnel, employee identification, additional personnel responsibilities
- **Contractor responsibilities**  
Quality control program, service complaints, emergency assistance, work schedule



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- **Local government responsibilities**  
What the government must do for or provide to the contractor
- **Evaluation of contractor performance**  
Performance standards, evaluation forms, incentives, liquidated damages
- **Reporting requirements and procedures**  
Contractors reporting schedule and responsibilities
- **Special conditions**  
Payment procedures, insurance bonds, alternative surety, contract extension and renewal
- **Special instructions**  
Evaluation of the responses
- **Ranking of "bidders"**  
The method of ranking "bidders" by price or other factors
- **Exhibits**  
Technical reports, maps, drawings, schedules, photographs

### **Scope of Work for Competitive Negotiation**

The Scope of Work for a competitive sealed bid is considered more difficult to prepare than that for competitive negotiation. In competitive sealed bidding, much more detail is required in the task description and in the price ranking method. The following suggestions are guidelines for preparing the Scope of work for competitive negotiation. Differences between this method and competitive sealed bidding are identified. Only the differences or deletions from the basic outline for competitive sealed bidding are identified. All other sections are the same.

### **Suggested Outline for the Scope of Work for (RFPs) Competitive Negotiation**

- **Introduction and general information**  
Purpose or objective, history and background, contact persons, bidding method, pre-bid conferences, contractor qualifications, calendar of events, response evaluation criteria.
- **Preproposal conference**  
In competitive negotiation, a preproposal conference is suggested for RFPs covering service contracts to be sure that all potential offerors receive the same information and to obtain as much information as possible from them to help refine the RFP.



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- **Contractor qualifications**  
Be specific when describing qualifications
- **Task description**  
Provide as much information about the service as is known at the time of preparation. If there are areas of service delivery that must be performed in a certain way, identify them as non-negotiable.
- **Contractor personnel requirements**  
Require detailed resumes for all management and key personnel. Include the minimum qualifications for personnel in the same manner as in the basic outline for competitive sealed bidding.
- **Contractor responsibilities**  
Include all duties or responsibilities that are known at the time the RFP is prepared. Contractor responsibilities can be a major negotiation item.
- **Local government responsibilities**  
Local government responsibilities are a negotiable item not required in the RFP unless the local government has identified areas of responsibility that it intends to retain or assume.
- **Response format**  
Require a specific format to be followed in the proposal to permit easier comparison of proposals during the evaluation process. A response format can be found in Operations Manual for Uniform Contract Volume I "Request for Proposal Uniform Contract Format"
- **Evaluation of contractor performance**  
The evaluation of contractor performance is the same as in the basic outline except that the specifics of the process should not be defined completely at this point; they can be addressed during negotiation.
- **Reporting requirements and procedure**  
Any reporting requirements of the local government that are known at the time the RFP is prepared should be included, although they are subject to negotiation. The local government may want to identify some requirements as non-negotiable.
- **Special instructions**  
The special instructions section must state clearly all the factors that the local government uses to evaluate responses; the factors that are not identified in the RFP cannot be used.

Solicitation, evaluation criteria shall be determined by this resource group with the assistance from the Purchasing Agent. This will assure a base line of criteria to evaluate the solicitation responses against the required Scope of Work.



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**General Evaluation Factors for RFP's/Negotiations**

<u>FACTOR</u>	<u>IMPORTANCE</u>
• Staff experience	Very important
• Proposed methodology	Critical
• Understanding of the project and local government objectives	Important
• The degree of responsiveness to specific requirements of the solicitation	Very important
• Firms experience in the service area	Critical
• Availability of personnel	Critical
• Cost of services	Important
• Financial stability	Very important
• Other criteria described or included by reference in the solicitation	Important

The relative importance of each factor varies with the service being produced. For example, the firms experience may be critical if the principles of the firms are hired to perform the work; however, if they seldom do the work but assign it to lower-level employees (as in Architectural or social services contracts), this factor may be rated as only important and staff experience may increase to a critical value. Similarly, the cost of services may become critical if the county has limited funds.

**B. Source Selection**

The Purchasing Agent is responsible to assure appropriately documented reasons and rationale for selecting particular provider(s) for all awards. PP-060 "Source Selection" should be the overall guide to the specific solicitation type and processes.

**1. Bids**

For bids the Purchasing Agent shall assure that department and special resource personnel confirm the recommendation for award via F0125 "Recommendation to Award Determination Checklist"

**2. Proposals**

In the case of Requests for Proposals, the Purchasing Agent should assure that appropriate department and special resource personnel are offered to the County Administrator for appointment consideration as committee members and advisors.

The Purchasing Agent is responsible for all meeting arrangements as outlined in OM-



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235 "Solicitation Evaluation/Committees, Public Committee Meetings, Submittals, Committee Minutes" and OM-335 "Negotiation Guidelines Professional Services Contracts" in guiding the committee through the process to accomplish their mission which is to develop a well researched recommendation for award. The committee may be further guided by use of OM-325 "Guidelines for Bid Evaluations, Proposal Review Committees, and Selection/Negotiation Committees" as well as OM-335 "Negotiations Guidelines Professional Services Contracts".

C. Contract Pre-Performance Conference

After-award of the Contract, before the start of the contract performance, the Purchasing Agent is responsible to schedule a pre-performance conference with the contractor and key County personnel. The purpose of this conference is to establish a common understanding of contract requirements and the responsibilities of both the County and the contractor under the contract.

\* NOTE: Engineering and Facilities Management pre-construction meetings with contractors are typical and sufficient for those contracts. Office of Purchasing involvement is not directly needed for these meetings.

The participants and the structure of the conference can vary considerably. Typical participants include contract administration/management team of staff from the departments involved, the contractor, and the contractors key personnel directly responsible for monitoring contract services.

An agenda should be prepared that includes topics such as: the identification of participants and a description of their authority, review of the contract documents, the County's responsibilities, the contractor's responsibilities, performance expectations and monitoring, quality assurance, resolution of service complaints, contract disputes, contract enforcement and payment procedures. When appropriate, combine this conference with a site tour to review field conditions that could affect performance.

D. Contract Administration/Management

Primary contract administration/management is done at the user department level with guidance from the Office of Purchasing.

The Purchasing Agent is responsible for assuring that the Contract Administration/Management team is briefed on their Contract Administration/Management responsibilities. The Purchasing Agent and the Contract Administrative team shall be guided by PP221 "Contract



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Administration" and the information contained in this procedure.

### 1. Start up

The first thirty days of the contract term influence the character of the long-term relationship between the Contract Administration/Management team and the Contractor. Being patient and working with the contractor to resolve start-up problems will help create a long-term relationship characterized by cooperation and mutual respect.

### 2. Monitoring

Performance monitoring focuses on two principal approaches: measuring output, for example, by asking how many clients were *served* - and analyzing outcome - by asking whether the clients were *helped*. Both outputs, and outcome monitoring are based on information that must be gathered and recorded.

Any monitoring method or combination of methods may be appropriate for a given contract. Part of successful contract administration is selecting the method that will provide the most timely and accurate information to the County at the least cost.

Remember, a single monitoring report provides only a snapshot view of performance; additional inspections and observations are required to create a comprehensive picture of average contract performance.

#### a. Output Monitoring

Output Monitoring may be conducted on a schedule or at random and gives the Contract Administration team several choices: direct monitoring, which occurs while the work is being performed; follow-up monitoring, which occurs after the work is completed; or monitoring by exceptions, which may incorporate either direct or follow-up monitoring but is triggered only by specific complaints about service.

#### b. Outcome Monitoring

Outcome monitoring is the analysis of the results of a service and is based on user-provided data on service quality. The criteria for measuring outcome is included in the contractor evaluation section of the original scope of work.

### 3. Documenting performance

Whatever the source of information, the goal of the contract administration team is to tie together all available information to create a comprehensive picture of a contractor's performance. Good record keeping procedures are essential to contract administration as they are to any other County function. Any written



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material (forms, diaries, surveys, etc.) relating to a contract must be stored in a master file for that contract.

#### 4. Reporting

Do not create a reporting requirement unless there is a valid reason for it. Establish an outline of the topics or areas that must be addressed in the report and the timetable for reporting (i.e., monthly, quarterly, etc.)

#### 5. Dealing with poor performance

Contracting is a responsible partnership of maintaining the performance standards established in the contract and is shared by the contractor and the contract administration team. The team should not try to assign blame when problems arise, but should seek their prompt and fair resolution.

If a performance problem occurs, the contract administration team should address the problem immediately; deal with it in a calm, rational, and orderly manner; and try to resolve it at the lowest management level possible.

Due process should be used if performance falls below an acceptable level. All due process procedures set forth in the contract or in applicable laws or regulations must be followed to the letter.

Dealing with poor performance usually involves five steps. In the first step, the department contract administrator/manager attempts to resolve the problem by working directly with the contractors on-site or day to day manager. If this is unsuccessful, the second step follows in which the department contract administrator/manager calls the contractor (higher management or owner). The third step is more formal, involving meetings of the contract administration team, the contractor (and perhaps purchasing and legal depending on the gravity of the problem). If the problem is not resolved the process moves to the fourth step, in which charge backs, liquidated damages or similar provisions of the contract are put into effect. If enforcement does not produce the desired result, the process moves to the fifth step; cancellation if all attempts to resolve the problem have failed.

#### 6. Poor County Performance

If the county fails to meet its contract obligations and that failure affects the quality of the contractors performance, the County is encouraging contract disputes. The County is obligated to provide correct information and specified support services to contractor and within the time promised.



Board of County Commissioners  
Office of Purchasing  
**Title: Resource Management in Scope of Work  
Development, Source Selection, Contract Pre-Performance  
Conference, and Contract Administration/Management**

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The issues most likely to lead to additional costs or actions against the County are slow payment, denial of access to the work site, delays in reviews or approvals, work schedule changes, and excessive conflict between the contract administration team and the contractor.

7. Follow on Resource Management

The Purchasing Agent is responsible to monitor the overall department contract administration/management of their specific contracts, as well as, any changes in those personnel and provide re-briefing or first time briefing of new personnel of the contract and their responsibilities.