

THE PROCUREMENT OF PROFESSIONAL SERVICES

I. PURPOSE

To adopt Purchasing Procedures for Rockdale County to set forth the general policy of the Board of Commissioners of Rockdale County governing the procurement of professional services for Rockdale County and to repeal those Purchasing Procedures adopted by the Board of Commissioners on March 28, 1998.

II. STATEMENT OF POLICY

Competitive negotiations are the selection process of choice, which places emphasis almost exclusively on qualitative factors of qualification and competence, not price, as the primary criteria for procurement of professional services. The purpose of this policy is to establish procedures to provide the citizens of Rockdale County, in the procurement of professional services, the most advantageous quality product based upon qualifications and competence followed by an acceptable fee negotiation process.

The Board of Commissioners, in adopting this policy, reserves the right to modify the procedures set forth herein, on appropriate notice, so as to adapt these procedures to unusual or other circumstances as the Board of Commissioners deems appropriate.

III. DEFINITIONS

Definitions will be provided.

Firm; RFP; RFQ; Scope of Services; Selection Committee; Short List; Prequalification List; Professional Services; Prequalification

IV. METHODS OF SELECTION

A. **Generally.** The provisions of paragraphs B, C, and D of this Section IV shall not be applicable in the following circumstances:

1. The County Attorney shall select and recommend to the Board of Commissioners the procurement of such legal services as are necessary beyond the scope of the services provided by the office of the County Attorney. Legal services for the purpose of this procurement policy shall not include the criminal defense of indigent defendants for any of the courts of Rockdale County.

2. Given the unique circumstances related to the procurement of professional services of financial advisors, auditors, and certain types of insurance providers (including but not limited to health and related services), the Director of Finance is authorized to utilize and recommend the procurement of such services as will, in his/her discretion, best serve the citizens and employees of Rockdale County.

B. **Professional Services Not Exceeding \$25,000.** For the procurement of professional services that, due to a limited dollar amount of not more than \$25,000, do not justify the administrative time and expenses for procurement by competitive proposals or otherwise, the

Director of Finance is authorized to utilize informal methods and procedures for acquisition of such services. Generally, procurement of such services will be obtained through telephone quotation or informal written solicitation.

C. **Professional Services Not Exceeding \$100,000.**

1. Develop a Scope of Services and determine necessary qualifications.
2. Select a Firm from a prequalified list for the services required and solicit a proposal from such Firm, which proposal may serve as the basis for negotiation of a contract.
3. If an acceptable agreement cannot be negotiated with the selected prequalified Firm, negotiations shall cease and the Director of Finance may select another Firm from a prequalified list and follow the same procedures. In the alternative the Director of Finance may elect not to proceed with the Scope of Services and conclude the process. In the event an agreement can be reached the agreement shall be presented to the Board of Commissioners for review. All professional services agreements must be approved and authorized by the Board of Commissioners.
4. The Director of Finance may utilize the procedures set forth below in Section IV.D.

D. **Professional Services Exceeding \$100,000 - Acquisition by Competitive Sealed Proposals**

1. **Policy.** Any professional services exceeding \$100,000 in amount or which involves procurement by competitive sealed proposals pursuant to State law, shall utilize the procedures set forth in this section.

2. Process Generally.

a. **Prequalification.** When the Director of Finance has determined that prequalification of potential Firms is appropriate, the applicable prequalification procedures shall be utilized.

b. **Request for Proposals.** Proposals for providing the professional services sought shall be solicited by the issuance of a Request for Proposals. If there is a prequalification process applicable to the procurement, dissemination of the Request for Proposals may be limited to the prequalified Firms. If no prequalification process is applicable to the procurement, public notice of the Request for Proposals shall be advertised

c. **Requirement of Sealed Proposals.**

i. No written proposal shall be eligible for consideration unless it is placed in a sealed envelope or package. All proposals submitted by a proposing Firm shall have separately sealed submissions for the non-price proposal and the price proposal.

ii. The contents of any submitted proposal shall not be publicly disclosed until after the Board of Commissioners has approved the award of a contract.

3. **Evaluation Process and Rankings**

a. The Selection Committee shall evaluate the proposals and prepare a ranking of the proposals. In its discretion, the Selection Committee may prepare a list of the highest ranked Firms which list shall be called the Short List.

b. The rankings determined by the Selection Committee shall be based on the evaluation criteria, excluding price, unless directed otherwise by the Board of Commissioners. The Selection Committee shall submit its rankings to the Board of Commissioners.

c. The Board of Commissioners may either (1) award the contract or (2) authorize negotiations of a contract including negotiation of a price.

d. In its sole discretion, the Board of Commissioners may direct that the sealed price proposals of each Firm on the list submitted by the Firms to the Board of Commissioners be opened for review by the Board of Commissioners, but without public disclosure.

4. **Negotiations**

a. If the Board of Commissioners authorizes negotiations, such negotiations may be held with the Firm or Firms designated by the Board of Commissioners.

b. If the Board of Commissioners authorizes negotiations with more than one Firm, then negotiations with the designated Firms shall follow the procedures relating to best and final offer set forth in O.C.G.A. 36-91-21(c)(2) as enacted as of the date of the adoption of this policy.

c. Upon the successful completion of the negotiations, the Board of Commissioners may award the contract.

d. If it is determined that negotiations cannot be successfully completed with any of the Firms designated by the Board of Commissioners, then the competitive negotiations efforts may be terminated. At any time, the Board of Commissioners may in its discretion terminate negotiations.

V. **PREQUALIFICATION PROCESS**

A. The Director of Finance is authorized to determine that a process for mandatory prequalification is appropriate for the procurement for a particular professional service, subject to these requirements:

1. Criteria for prequalification shall be reasonably related to the project to the service, which criteria for prequalification shall be available to any prospective offerer or requesting such information.

2. The Director of Finance shall notify the Firm applying for prequalification as to whether the Firm shall be included on the list of prequalified Firms to be eligible to perform the specified type of professional services.

3. If a Firm is determined not to be prequalified, a Firm may appeal the decision in writing, to the Director of Finance, detailing the basis for the appeal. The decision of the Director of Finance is final.

4. As determined by the Director of Finance, in his/her discretion, a requirement that Firms seeking prequalification must maintain an office in the Metropolitan Atlanta region may be established for either a list of prequalified Firms or as part of a Request for Qualification for a specific project. The Metropolitan Atlanta region is defined as including the following counties: those counties which make up the Atlanta Regional Commission effective as of the date of the commencement of the procurement process by the County. If such a requirement has been established for a particular procurement, the Board of Commissioners may, in its discretion, waive that requirement.

B. Prequalification


1. **Lists Maintained by Rockdale County.** The Director of Finance is authorized to establish a standing list of Firms prequalified for a type of service whose professional services are sought on a regular and standardized basis. If such a list is established and maintained, a Firm desiring to qualify may submit an application for prequalification on prescribed forms. If deemed appropriate, additional information may be requested of the applicant in order to make a determination, based on the ability and experience of the applicant, to perform the service.

2. **Lists Maintained by the State of Georgia.** The Director of Finance is authorized to utilize a prequalification list for a professional service, which is maintained by an agency of the State of Georgia.

3. **Prequalification Through a Request for Qualification.** The prequalification process for a specific project may be initiated by the issuance of a Request for Qualification. Notice of the RFQ shall be advertised.

The effective date of this policy shall be the date of adoption. Approved this 22nd Day of November 2005.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

By: _____
ROY MIDDLEBROOKS, Chairman

ATTEST:

_____
Jennifer Rutledge, County Clerk