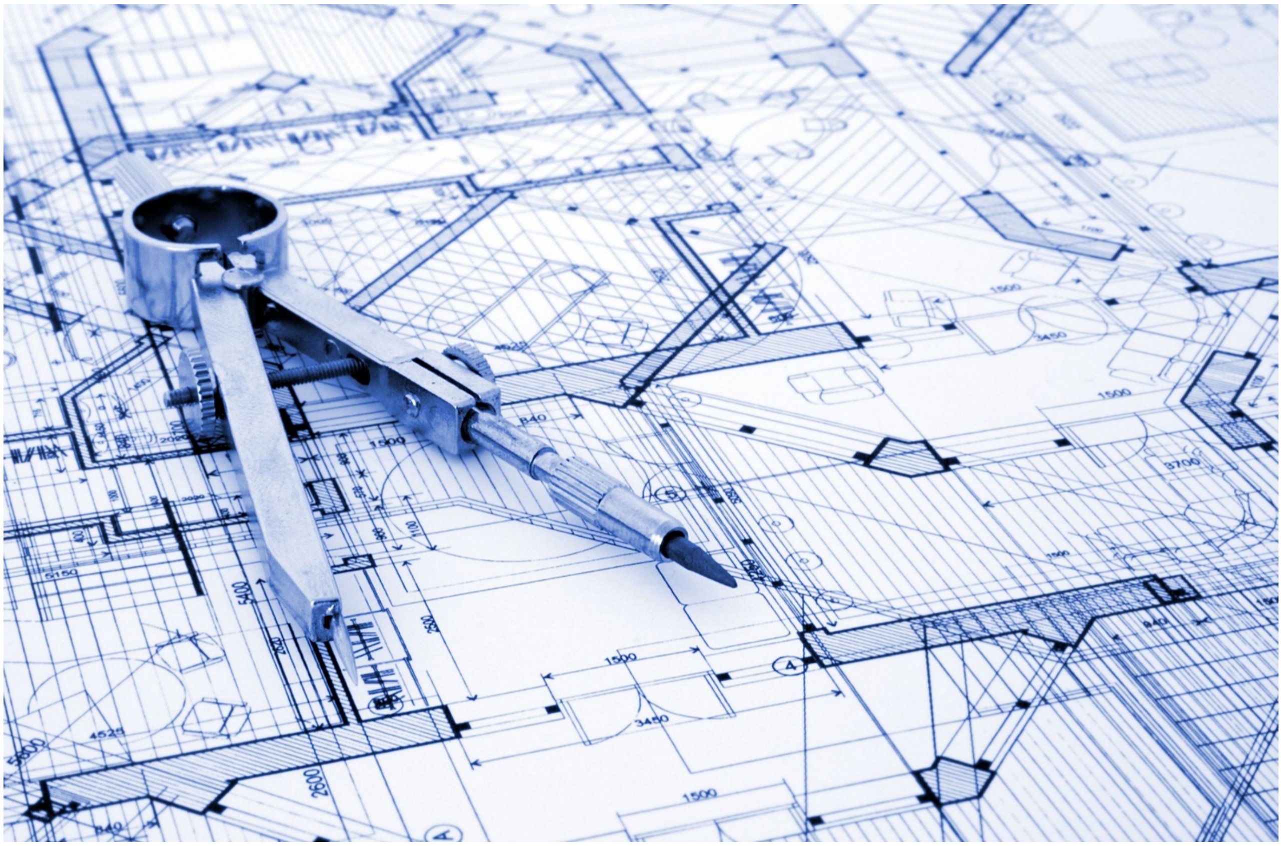

AEP Procurement Guide

A Resource for King County Agencies

Department of Executive Services
Procurement & Payables

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Overview

The purpose of this manual is to provide step by step instructions to Implementing Agencies (IA) on the procurement process for architecture, engineering and professional (AEP) services contracts. It includes best practices, standard practices, and links to the required templates to complete an AEP capital project procurement.

The manual is organized by procurement phase. Each phase includes an overview followed by step by step instructions and links to the required resources.

Action Items

IA Implementing Agency (IA) action items throughout this document are denoted by this symbol.

PP Procurement & Payables (P&P) action items throughout this document are denoted by this symbol.

Central Procurement Authority

Chapter 2.93 (Procurement) of the King County Code establishes Procurement & Payables (P&P) (formerly known as Procurement & Contract Services Section) as the County's central procurement authority to:

- ensure open, fair, and competitive procurement processes;
- establish a procurement system of quality and integrity;
- maximize the purchasing value of public funds; and
- administer the County's procurements to maximize economies of scale, consistency in County practices, and accountability procedures.

P&P's procurement authority applies to the procurement of tangible personal property, services, professional services, technical services, and public work. Except where exempt by state law, county ordinance or executive policy, county procurement shall be administered through the Procurement and Payables section.

Chapter 2.93.020 (Authorization) authorizes the Chief Procurement Officer to:

- take all actions necessary and appropriate to implement the policies and provisions in chapter 2.93, and to promulgate such rules, regulations and guidelines as the Chief Procurement Officer deems necessary to carry out the purposes or provisions of chapter 2.93.

In order to carry out the duties enumerated above, P&P established standard templates, guidelines, and boilerplate to efficiently and consistently administer the procurement process. Implementing Agencies are required to use the resources provided by P&P and comply with P&P's standard processes when procuring capital project contracts. Internally, P&P developed standard work to guide Contract Specialists in order to provide consistent and efficient customer service to Implementing Agencies and establish a baseline of performance standards.

P&P posts guidelines and templates to SharePoint for Agencies:

- ✓ AEP Collaboration
- ✓ Construction Collaboration
- ✓ Project Control Office

To see how we're organized, view the P&P Organization Chart

Upcoming Capital Projects – P&P posts an updated list of Upcoming Capital Projects to the P&P website for the consultant and contractor communities to help them plan for our work and to increase competition on County contracts. Every quarter, P&P emails a request to Implementing Agencies to provide their list of upcoming capital projects by the 15th of the month following the end of each quarter via SharePoint.

IA Step 1 – Update the Upcoming Capital Projects List on SharePoint

In lieu of emailing their response, agencies can update the Upcoming Capital Projects List posted to SharePoint.

What are Professional Services?

King County Code defines professional services as those services provided by licensed or certified individuals or consulting firms associated with either the development, design or construction, or any combination thereof, of a public works or real property project.

More broadly, they are defined as services rendered by any person, other than an employee of the agency, within the scope of the general definition of professional practices in the following chapters of the Revised Code of Washington: RCW 18.08 (architecture), RCW 18.43 (engineers and land surveyors), and RCW 18.96 (landscape architects). State licenses and certifications are required in these professions.

How are Professional Services Procured?

RCW 39.80.010 mandates that government agencies use a qualifications-based selection method when procuring architectural and engineering services (architects, engineers, land surveyors); the federal counterpart is the Brooks Act. However, when procuring professional services where the provision of those services are not provided by those defined in RCW 18.08, 18.43, 18.96, price may be used as an evaluation criterion. P&P establishes and administers the procurement process for professional services including guidelines, templates, and best practices for Implementing Agencies to follow.

Procurement Methods

Request for Proposals - The County advertises Requests for Proposals for professional services pursuant to RCW 39.80.030. The County's official newspaper is the Seattle Times; the County also advertises in the Daily Journal of Commerce, the Seattle Medium, and the Minority to outreach to small businesses. Procurement & Payables posts all advertised professional services contracting opportunities to the County's E-Procurement Solicitations Abstract website. The County may award multiple work order contracts from a single RFP as long as the RFP specifies the County's intent to do so. If an IA requests to award multiple contracts from one solicitation the County must specify in the RFP how work orders will be assigned to selected consultants.

Consultant Roster – Professional services contracts estimated to cost $500,000 or less may be solicited using the King County Consultant Roster. Consultant Roster Request for Proposals (RFPs) are not advertised to the public, rather, approved Consultant Roster firms are invited to propose. Implementing Agencies may award multiple work order contracts from a single RFP so long as the RFP specifies the County's intent to do so. Consultant Roster parameters:

- ✓ Estimated to cost $500,000 or less
- ✓ King County funded
- ✓ Each invitation must include at least one SCS firm, if an SCS firm is approved in the solicited NAICS code

Declaration of Emergency - If the County Executive proclaims an emergency in accordance with Chapter 12.52 (Emergency Powers), the Executive may waive the requirements of Chapter 2.93 (Procurement) in order to procure architecture and engineering services as expeditiously as possible to address the emergency conditions. The signed Declaration of Emergency shall be provided to P&P and retained in the IA project file.

King County Policies Applicable to AEP Contracts

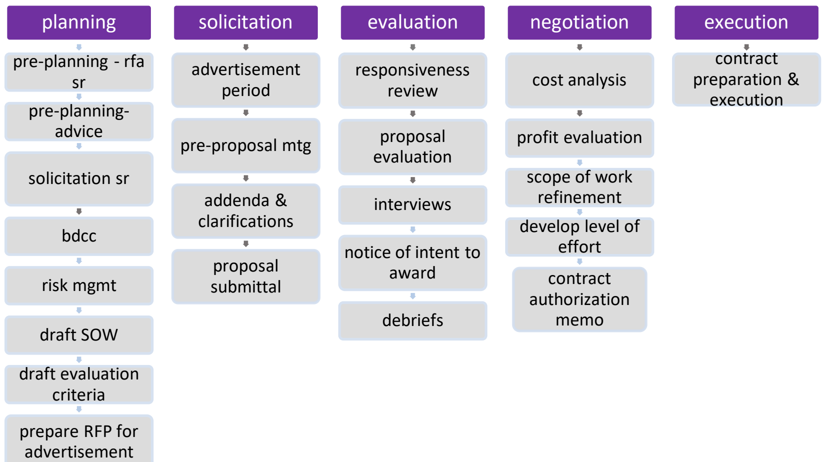
CON 7-27 (General Procurement) establishes uniform guidance, encourages competition through open and transparent procurement, and ensures consistency, efficiency, and transparency of conducting business with third-party vendors.

CON 7-25 (AEP Contracts) establishes the policies for the procurement and administration of architecture, engineering, and professional services contracts. In addition, it establishes the requirement for performing a Cost Analysis for all professional services contracts with a value greater than $500,000 (other than lump sum) by Procurement & Payables to ensure the proposed costs are fair and reasonable. The following cost elements are evaluated as part of the Cost Analysis:

1. Direct Rates
2. Billing Rates
3. Overhead Rates
4. Other Direct Costs
5. Profit

Pre-Planning Phase - Procurement Strategy

Procurement Process at a Glance



Purpose: The purpose of the pre-planning phase is to develop a procurement strategy, select the contract type, procurement method, and may include addressing the following issues:

- ✓ **Equity and Social Justice** – Are there specific equity and social justice goals you are trying to achieve with this contract? Is this work an opportunity to use the Consultant Roster and target SCS firms?
- ✓ **Contract Phasing** – Should this be a single or multi-phased contract?
- ✓ **Conflict of Interest** – Have other consultants performed work on this project? Do they have an unfair competitive advantage? Have studies or Technical Memoranda been produced by other consultants?
- ✓ **Competition** – Are you concerned with receiving only a few proposals for this work? Does the scope of work likely entail higher insurance requirements? Will these insurance requirements limit proposers' ability to obtain insurance and discourage them from proposing? Does the site or project have a long history of working with only a few prime consultants?
- ✓ **Schedule** – Does the funding source impose scheduling constraints? Does the contract need to be coordinated with a construction contract or other stakeholders?
- ✓ **Sustainability** – What is the best way to incorporate the sustainability requirements the Green Building Ordinance mandates?
- ✓ **Funding** – Does this contract include external funding sources that impose additional requirements?

AEP Contract Types

Consultant Roster Contract - A Consultant Roster contract may be a project-specific or work order contract, as defined below.

Project-Specific Contract - A project-specific contract is defined as a contract to complete a defined Scope of Work for a maximum Total Price specified in the signed Agreement, that contains a maximum Not-to-Exceed (NTE) Total Price provision, which shall be on a cost-plus-fixed-fee basis (unless using the King County Consultant Roster lump sum option) but not to exceed a total price. Project-specific contracts may be single or multi-phased as specified in the RFP. Project-specific contracts shall include a Project Schedule and specify a completion date for services provided.

Work Order Contract - A work order contract is defined as a master agreement to complete multiple, small, discrete work elements, for a limited duration when the details of the actual work cannot be clearly defined prior to the execution of the master agreement. The work is implemented via execution of individual work orders. Work Order contracts shall contain a maximum Not-to-Exceed Total Price up to $1,000,000 with no guaranteed minimum work issued to the Consultant. A work order contract may exceed $1,000,000 at the request of an IA if they provide written justification and the P&P Supervisor approves the exception. Individual work orders shall not exceed $150,000. Individual work orders may exceed the $150,000 threshold if the IA obtains written approval from their Director and the P&P Supervisor. The Period of Performance for Work Order contracts is two years or until the funds are expended. Contracts may be extended for one additional one-year option or until the funds are expended - whichever occurs first. The Work Order Agreement boilerplate includes options for cost plus fixed fee work orders or lump sum work orders.

EXCEPTION: CON 7-3 allows for exceptions to work order contract types. If an IA is requesting an exception, the IA shall submit the reasons for the exception in writing to the Procurement & Payables Supervisor. If an exception is granted, the IA shall retain the agreement in the contract file.

Individual Work Orders

1. **Negotiations** – IAs shall prepare an independent cost estimate *before* entering into negotiations with the Consultant. The IA shall negotiate each individual Work Order to define the scope, schedule, and price. IAs shall document negotiations in a Record of Negotiations document and retain in the work order file.
2. **Scope of Work** – Work Orders shall only include scope task items from the executed contract documents.
3. **Work Order Period of Performance** – Work Orders shall include a completion date or schedule (with specific dates) to complete the work. The level of detail for the schedule is determined by the Project Manager or IAs policies or procedures.
4. **Work Order Price** – Work Orders shall contain a Not to Exceed limit.

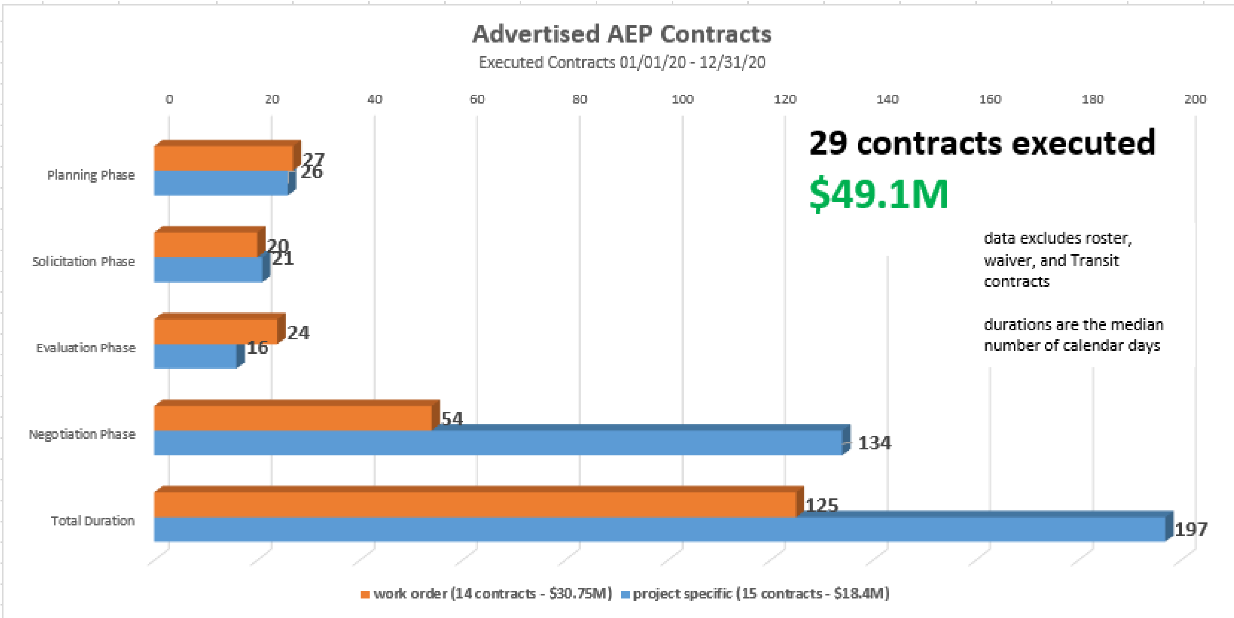
   EXCEPTION: IAs may enter into a Work Order without an Independent Cost Estimate (ICE) for urgent or unplanned events that require immediate action, with Division Director (or designee) approval. The ICE or critical estimate review shall be provided a maximum of seven days after the work begins.

5. **Payment Schedule** – Lump Sum Work Orders shall include a payment schedule based on deliverables.
6. **Thresholds** –
   a. An individual work order that exceeds $150,000 is required to be reviewed by the P&P Supervisor or FIN PCO (or designee) for approval prior to finalizing the work order.

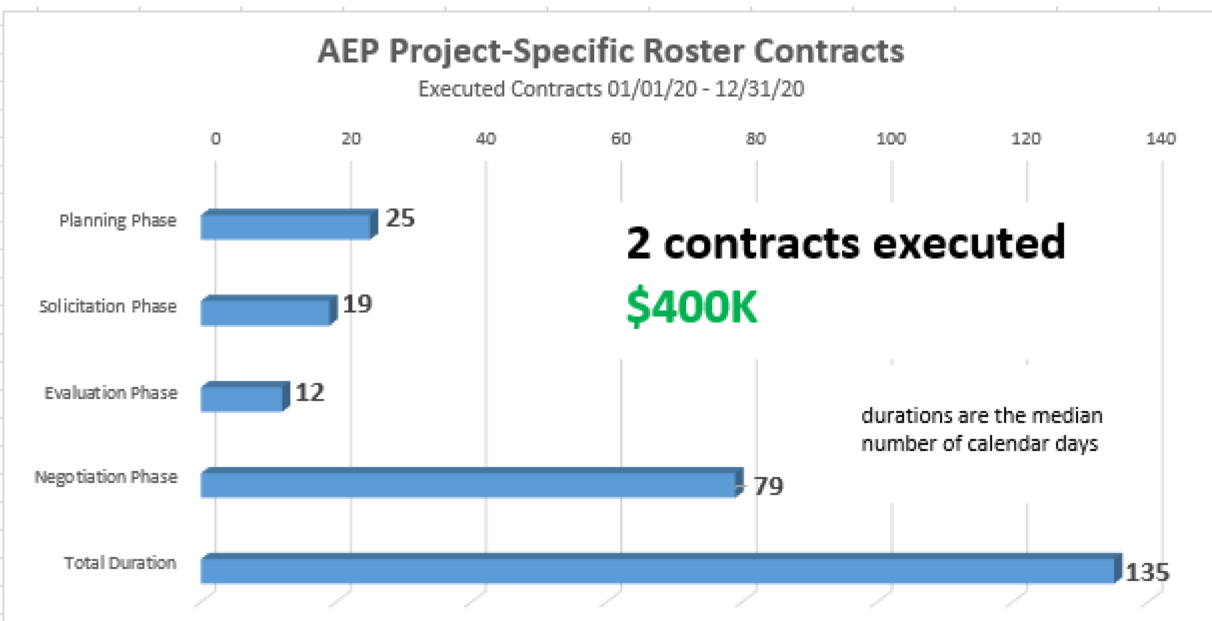
b. For Individual WOs estimated to cost $100,000 or more, the IA shall complete an ***Individual Work Order*** Service Request in E-Procurement *prior* to entering into negotiations with the Consultant. BDCC will review the Scope of Work and establish the Small Contractor and Supplier (SCS) minimum utilization applicable to the work order.

Estimated Timeline to Procure AEP services

Advertised Contracts



Consultant Roster Contracts



Planning Phase Overview

plan | solicit | evaluate | negotiate | execute

The purpose of the planning phase is for the IA and P&P Contract Specialist to identify the procurement method, contract type, and develop a preliminary schedule. Additionally, the CS and IA will work together to develop an achievable procurement schedule, collaborate with Risk Management and BDCC, and prepare a Request for Proposals for publication that includes a clear scope of work and equitable evaluation criteria that aligns with the contract's risk in order to maximize competition. The planning phase is a collaborative effort between the P&P Contract Specialist and the IA point of contact.

See the historical durations for A&E procurements by phase and contract type: Estimated Timeline to procure AEP Services

Planning Phase Task Overview:

#	Task	document	cs	ia
1	submit Service Request – Request for Advice			x
	Discuss RFA w/Contract Specialist		x	x
2	CS initiates Service Request – Solicitation		x	
	SOW template		x	x
	Evaluation Criteria template		X	x
	BDCC interface – small business requirements		X	x
	RM interface – insurance requirements		X	x
3	Post RFP to E-Procurement	RFP and draft Agreement	x	

AEP Resources:

Visit AEP Collaboration SharePoint site for AEP contracting resources

Planning Phase → Step by Step

IA

Step 1 – Submit Request for Advice (RFA) Service Request

Login to E-Procurement and submit an RFA Service Request.

Engage with P&P early to discuss options to procure the needed services. The P&P Lead Contract Specialist will review the RFA for completeness and assign the RFA to a Contract Specialist.

IAs shall specify the source of contract funding for all contracts in accordance with P&P procedures. Prior to initiating a procurement request, the requesting IA shall ensure that adequate funds have been appropriated.

P&P Contract Specialist will review the RFA and discuss procurement options with the IA.

PP

Next Steps:

Once the procurement method and contract type are determined, the P&P Contract Specialist will create a Solicitation Service Request for the IA to complete. The P&P Contract Specialist will update the status to "Pending Agency Action", which will trigger a bell notification and email to inform the IA to complete all fields in the Service Request.

IA

Step 2 – Complete Solicitation Service Request

Once the procurement method and contract type are determined, the P&P Contract Specialist will create a Solicitation Service Request for the IA to complete, which includes:

1. Complete Solicitation SR
2. BDCC small business requirements
3. Insurance requirements
4. Draft Scope of Work
5. Draft Evaluation Criteria
6. Reference Documents if applicable

Best Practice: In order to prevent a consultant from possessing an unfair competitive advantage for the advertised contract, all documents produced during the planning contracts should be published with the RFP as Reference Documents and made available to all prospective proposers.

Federal Funding: If the procurement includes any federal funding, attach the grant documents to the Solicitation SR. Plan extra time during the planning phase when procuring contracts that include federal funds. The P&P Contract Specialist must incorporate required contract clauses, forms, and add language to comply with grant terms, which can take extra time. In addition, the federal funding agency may require additional reviews and approval, the IA should account for these reviews in their schedule.

IA Step 2 – Complete Work Items for BDCC review

The Business Development and Contract Compliance (BDCC) group establishes the small business requirements (SCS, SBE, DBE, MBE, WBE, etc.) for advertised AEP contracts based on the scope of work and funding source; this requirement does not apply to the Consultant Roster.

Estimated Duration: 3 business days

1. Go to the child Service Request and complete the Work Items
2. Update the status to Pending Review to complete this step

BDCC Next Steps:

- ✓ BDCC will review the scope of work and establish the small business requirements applicable to the contract via the Service Request module. The P&P Contract Specialist will be copied on the completed Service Request and incorporate the small business requirements into the RFP and draft Agreement.

IA Step 3 – Complete the Insurance Requirements

Risk Management sets the insurance requirements for all AEP contracts based on the scope of work relative to project risks, industry standards, and the agency's appetite for risk.

Estimated Duration: 3 business days

1. Go to the child Service Request and complete the Insurance Requirements section
2. Update the status to Pending Review to complete this step.

Risk Management Next Steps:

- ✓ Risk Management will set insurance requirements and update the SR status.

Best Practice: High insurance limits may limit competition and discourage some proposers from pursuing the contract. If the IA point of contact has concerns regarding the insurance limits set for the contract, contact Risk Management to discuss; copy the P&P Contract Specialist on all emails so the Contract Specialist is aware of these concerns and any potential revisions.

Option: Once you have discussed your concerns regarding higher insurance limits with Risk Management, the Implementing Agency may opt to pay for the insurance premiums for the additional insurance. If this is the case, the P&P Contract Specialist will include language in the RFP to inform proposers of this option.

IA Step 4 – Edit Scope of Work and Evaluation Criteria

Editing and finalizing the Scope of Work and Evaluation Criteria is a collaborative effort between the P&P Contract Specialist and the IA point of contact. Proposed edits must be made in Track Changes to the files posted to SharePoint to retain versioning control and minimize rework. Once the Scope of Work and Evaluation Criteria have been finalized, the P&P Contract Specialist will prepare the final Request for Proposals and draft Agreement.

Standard Practice: The P&P Contract Specialist will set up a folder in the Solicitations library for your specific procurement, post the Scope of Work and Evaluation Criteria, and share the link. The IA point of contact and P&P Contract Specialist will collaboratively edit the Scope of Work and Evaluation Criteria on SharePoint. The IA point of contact should post any Reference Documents to this SharePoint folder.

PP **Next Steps:**

1. Compile RFP and draft Agreement for final review and publication

   Standard Practice: The final RFP will undergo a concurrent review by the IA point of contact and a P&P Contract Specialist peer review. The P&P team lead will conduct a final review prior to publication.

   Note: The Seattle Times has a two-day turnaround time to advertise RFPs.

2. Prepare Reference Documents for posting to the E-Procurement portal

   Best Practice: In order to prevent a consultant from possessing an unfair competitive advantage for the advertised contract, all documents produced during the planning contracts should be published with the RFP as Reference Documents and made available to all prospective proposers.

3. Post RFP to E-Procurement and publish the ad in Seattle Times

   Standard Practice: The P&P Contract Specialist will email the final RFP to the IA point of contact.

4. Schedule the following meetings:
   a. Pre-proposal meeting - one-hour meeting
   b. Proposal distribution meeting - 30-minute meeting
   c. Proposal evaluation meeting - all day meeting
   d. Interviews - all day meeting

   Standard Practice: The P&P Contract Specialist will schedule the proposal evaluation and interview meetings for all day and may adjust the durations based on the number of proposals received or interviews to be conducted.

Solicitation Phase Overview

The purpose of the solicitation phase is to engage the consultant community, encourage competition, field consultant questions, provide an opportunity for teaming, and host a pre-proposal meeting so proposers can learn more about the contract.

See the historical durations for A&E procurements by phase and contract type: Estimated Timeline to procure AEP Services

Solicitation Phase Task Overview:

#	task	document	cs	ia
1	attend pre-proposal meeting	pre-proposal meeting guidelines	x	x
2	post attendees list to P&P website, if applicable		x	
3	prepare responses to questions, if applicable		x	x
4	post Addenda to E-Procurement if applicable		x	
5	message Clarifications to proposers if applicable		x	

AEP Resources:

Visit AEP Collaboration SharePoint site for AEP contracting resources

Solicitation Phase → Step by Step

IA

Step 1 – Prepare for and attend the Pre-Proposal Meeting

Review the Pre-Proposal Meeting Guidelines

Best Practice: Pre-proposal meetings are a best practice for all advertised RFPs to provide transparent access to contract-specific information, ensure proposers' understanding of the work, review subconsulting opportunities and requirements, provide opportunity for proposers' input, review RFP submittal requirements, insurance requirements, small business requirements, and encourage competition. Pre-proposal meetings are not conducted for Consultant Roster RFPs.

Pre-proposal meeting attendance

Roles and responsibilities are defined in the Pre-Proposal Meeting Guidelines. The following County staff attend the pre-proposal meeting:

- ✓ Implementing Agency point of contact
- ✓ Procurement & Payables Contract Specialist
- ✓ Business Development & Contract Compliance Specialist

Standard Practice: The P&P Contract Specialist will schedule and facilitate the pre-proposal meeting, circulate a sign-in sheet, and post the attendees list to the P&P Solicitation Resources website 24 hours after the meeting.

IA

Step 2 – Respond to Proposer Questions

If questions are received from proposers, the P&P Contract Specialist will forward questions to the IA point of contact for responses, as applicable.

PP

Next Steps:

To ensure transparency, the P&P Contract Specialist will issue addenda and/or clarifications in response to proposers' questions, so all prospective proposers receive the same information at the same time.

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tip **Addenda** revise the Request for Proposals.

Clarifications do not revise the Request for Proposals, but clarify existing information.

IA

Step 3 – Prepare Independent Cost Estimate (ICE)

For project-specific contracts, IAs shall prepare and transmit an Independent Cost Estimate (ICE) at the task level prior to the issuance of the Notice of Intent to Award to the P&P Contract Specialist; the required elements shall include:

1. Scope of Work tasks

2. Staff
3. Hours assigned
4. Hourly rates
5. Overhead rates
6. Profit rates
7. Other direct costs
8. Total Price

Evaluation Phase Overview

The purpose of the evaluation phase is to evaluate proposals received and select the most qualified Consultant to perform the work. The evaluation phase may include interviews with proposers, responding to protests, and debriefs with proposers.

See the historical durations for A&E procurements by phase and contract type: Estimated Timeline to procure AEP Services

Evaluation Phase Goals:

1. Evaluate proposals
2. Determine if interviews are necessary
3. Conduct interviews, if applicable
4. Select the most qualified Consultant and issue the Notice of Intent to Award
5. Participate in debriefs, if requested

Evaluation Phase Task Overview:

#	Task	document	cs	ia
1	schedule and facilitate meetings		x	
2	attend proposal distribution meeting		x	x
3	Respond to protest(s), if applicable		x	x
4	evaluate proposals individually	proposal evaluation instructions		x
5	attend proposal evaluation meeting		x	x
6	determine if interviews are necessary		x	x
7	develop interview questions, if applicable		x	x
8	participate in interviews, if applicable	interview evaluation instructions	x	x
9	participate in debriefs, if applicable	debrief guidelines	x	x

AEP Resources:

Visit AEP Collaboration SharePoint site for AEP contracting resources

Evaluation Phase → Step-by-Step

The P&P Contract Specialist will receive proposals, conduct a responsiveness review, and release proposals in E-Procurement for the Scoring Team and BDCC to review (if applicable). The P&P Contract Specialist will facilitate the proposal evaluation meeting and interview (if applicable).

IA Step 1 – Attend proposal distribution meeting

The Scoring Team must attend the proposal distribution meeting to receive proposals, review Proposal Evaluation Instructions, and submit the Confidentiality and Non-Disclosure Agreements.

Estimated duration: 30 minutes

IA Step 2 – Evaluate proposals individually

Each Scoring Team member will review proposals and assign a word score to each criterion in accordance with the Proposal Evaluation Instructions. Team members should draft concise notes that support their word score to facilitate discussion during the meeting.

Estimated duration: 1-3 hours per proposal

IA Step 3 – Attend proposal evaluation meeting → consensus scoring

The proposal evaluation process utilizes a consensus scoring methodology. Each Scoring Team member will share their word score and reasoning during the meeting. Team members must agree on the word score assigned to each criterion and each member will assign a numerical score within the range of each word score.

The P&P Contract Specialist will record the Scoring Team member's comments in a scorecard that will be provided to each proposer. At the end of the meeting proposals will be ranked and the Scoring Team, in conjunction with the P&P Contract Specialist, will determine if interviews are necessary. If the evaluation moves on to interviews, the Scoring Team will agree on:

1. Interview format
2. Key Personnel to be invited

Estimated duration: 2-8 hours, depending on the number of the proposals received

IA Step 4 – Develop interview format and questions

The Scoring Team lead will work with the Scoring Team to develop interview questions, scoring criteria, and points assigned.

PP **Next Steps**

The P&P Contract Specialist will review the draft interview questions and work with the Scoring Team lead to ensure questions are reasonable, clear, and do not provide a competitive advantage to firms that have previously worked with the County.

IA Step 5 – Participate in interviews

All Scoring Team members that reviewed proposals must participate in interviews. Typically, each consultant is allotted a one-hour interview, with short breaks between each interview for the Scoring Team to assign a draft word score. The P&P Contract Specialist will record word scores, comments, and numerical scores. At the end of the day, the scores will be finalized, and the most highly qualified consultant will be selected.

PP **Next Steps**

Once the most highly qualified consultant is selected, the P&P Contract Specialist will email a Notice of Intent to Award to the winning firm(s) and include the Scoring Team comments, interview score (if applicable), and final rank. The P&P Contract Specialist will forward the Notice Intent to Award email to the IA point of contact and include instructions for next steps. The email will request the following information from the selected consultant:

1. Proposed Costs including:
    a. Labor Rates
    b. Other Direct Costs
    c. Profit

    → due from the Consultant in 10 business days

2. Insurance Certificates, Responsibility Detail Attestation, W-9

    → due from the consultant 7 business after the proposed costs are due

3. The P&P Contract Specialist will email all unsuccessful firms and attach the Scorecard (evaluation comments, proposal score, interview score, and final rank of all proposals).

4. The P&P Contract Specialist will draft a Selection Summary and email to the IA point of contact.

IA Step 6 – Participate in requested debriefs

The County offers debriefs to interested proposers so they can learn how to submit more competitive proposals in the future. If a consultant requests a debrief, the Scoring Team lead must participate. The P&P Contract Specialist will schedule and facilitate the meeting. The Scoring Team lead should review the Proposal Debrief Guidelines prior to the meeting.

Protests

Protests may be received from proposers. The protest process is outlined in the Request for Proposals. In the event of a protest, the P&P Contract Specialist will coordinate the response with the IA point of contact, Chief Procurement Officer, Prosecuting Attorneys' Office (PAO), Procurement Supervisor, A&E team lead, and other stakeholders as appropriate in accordance with the RFP and P&P standard work.

Negotiation Phase Overview

For project-specific contracts, the purpose of the negotiation phase is to refine the Scope of Work, develop the Level of Effort, finalize the project schedule, establish contract rates, negotiate profit, and establish the Total Price to complete the work.

For work order contracts, the purpose of the negotiation phase is to establish contract rates and negotiate profit that will be applicable to work orders issued under the master agreement.

See the historical durations for A&E procurements by phase and contract type: Estimated Timeline to procure AEP Services

Negotiation Phase Task Overview:

#	task	document	cs	ia
1	conduct cost analysis of proposed rates		x	
2	issue draft contract rates		x	
3	develop profit range		x	x
4	negotiate profit			x
5	insurance approval		x	
6	refine Scope of Work (project-specific)	scope of work refinement guidelines		x
7	develop Level of Effort (project-specific)	level of effort checklist		x
8	finalize project schedule (project-specific)	project schedule template		x
9	obtain FIN-PCO review, if applicable (project-specific)		x	
10	draft contract authorization memo			x

AEP Resources:

Visit AEP Collaboration SharePoint site for AEP contracting resources

Negotiation Phase (project-specific) → Step by Step

IA Step 1 – Refine the Scope of Work with the Consultant

Immediately following the issuance of the Notice of Intent to Award, the IA point of contact should begin refining the Scope of Work advertised in the RFP with the consultant and developing the Level of Effort.

IA Step 2 – Develop the Level of Effort

The consultant and IA point of contact should insert the proposed rates (labor, overhead, profit, and other direct costs) into the Level of Effort; rate adjustments can be made during the final review.

Prior to negotiations commencing, the PR shall provide a detailed Level of Effort to the P&P Contract Specialist as a baseline for entering into contract negotiations.

PP Next Steps – FIN PCO Review

If a contract is estimated to cost more than two million dollars (including estimated phased work), FIN PCO must review the Scope of Work, Project Schedule, and Level of Effort prior to the final round of negotiations. Email the Scope of Work, Project Schedule, and Level of Effort to the P&P Contract Specialist to coordinate the review with FIN PCO.

Estimated duration: 5 business days

IA Step 3 – Develop Project Schedule

The final negotiated Project Schedule will be incorporated into the Agreement as an Exhibit.

PP Next Steps – Conduct Cost Analysis of Unit Rates

Upon receipt of the consultant's financial documentation (10 business days from issuance of the Notice to Proceed), the P&P Contract Specialist will conduct a Cost Analysis to ascertain if proposed costs are fair and reasonable. The P&P Contract Specialist will compile the proposed costs (labor rates, overhead rates, other direct costs) into spreadsheets and email the Draft Contract Rates to the consultant and the IA point of contact for review and concurrence, requesting revisions or additions to the proposed rates. Once all rates have been agreed to, the final rates will be incorporated into Exhibit B Cost Summary of the Agreement. The P&P Contract Specialist will issue a Cost Analysis Memo to the IA point of contact that documents the cost analysis and any exceptions that may apply.

Estimated Duration: within 3-5 business days of receipt of all required financial documents from consultant

The P&P CS evaluates the following cost elements:

1. **Direct Rate** - Direct rates are the actual hourly wage paid to each consultant or subconsultant employee, exclusive of overhead and profit.
2. **Billing Rate** - Billing rates are a fully burdened rate inclusive of all costs associated with labor, overhead, and profit.
3. **Overhead** - Overhead rates may be reviewed every 12 months. There are three types of overhead rates:
    a. **Comprehensive Overhead** - Comprehensive overhead rates are rates that have taken into consideration field and home office work.
    b. **Home Office Overhead** - Home office overhead rates shall apply when work is performed solely at the home office location.
    c. **Field Overhead** - Field overhead rates shall apply when work is performed at a field location.
4. **Other Direct Costs (ODCs)** - ODCs are costs for goods and services pre-approved by the County that may be incurred by the consultant performing services. Markup is not allowed on Other Direct Costs. ODCs shall be billed at cost, without markup and shall include the following categories:
    a. **Invoiced ODCs** - Itemized actual cost incurred and billed by the consultant as evidenced by such documentation as the County may require.
    b. **Lump Sum ODCs** - A total fixed cost to be reimbursed by the County based on pre-approved unit rates for goods and services multiplied by negotiated quantities and shall include:
        1) Copies and miscellaneous reproduction, which may include, but is not limited to documents copied, printed, or reproduced in any medium in black and white and/or color that is not performed by an independent copy service.
        2) Delivery services, which include but are not limited to shipping, mailing, and courier services.
        3) Mileage, parking, and related costs for local travel, according to federal travel regulations. See GSA https://www.gsa.gov/policy-regulations/regulations/federal-travel-regulation-ftr

IA Step 4 – Conduct Profit Analysis

The P&P Contract Specialist will schedule a profit analysis meeting (via MS Teams) with the IA point of contact to review the Scope of Work and establish a profit range prior to the IA point of contact engaging in profit negotiations to establish a fair and reasonable profit. Following that meeting, the P&P Contract Specialist will email the IA point of contact the established profit range. The email will include an email template for the IA point of contact to send to the consultant to initiate profit negotiations.

As a baseline for starting negotiations, the Level of Effort completed by the PR during planning will be used to evaluate the Consultant's proposed LOE.

The IA may negotiate a profit rate outside of the established range if it is in the best interests of the IA. The IA shall provide written justification to P&P documenting the reasons for exceeding the recommended profit range and save the documentation in the contract file.

PP

Next Steps – Review insurance and Responsibility Detail and Attestation Form

The P&P Contract Specialist will work with the consultant and Risk Management to ensure the insurance documentation submitted complies with the Agreement. Final approved insurance certificates will be incorporated into the Agreement as Exhibit C.

The P&P Contract Specialist will review the Responsibility Detail and Attestation Form submitted by the consultant to ensure the consultant is responsible.

IA

Step 5 – Review final Scope of Work, Level of Effort, and Project Schedule

The IA point of contact shall conduct a final quality control review prior to submitting the Scope of Work, LOE, and Project Schedule to the P&P Contract Specialist using the Scope of Work Guidelines and LOE Checklist.

PP

Next Steps – Review Scope of Work, Level of Effort, and Project Schedule

The P&P Contract Specialist will review the Scope of Work, Level of Effort, and Project Schedule using the Scope of Work Guidelines and LOE Checklist as a guide. The purpose of the review is to ensure that the final Scope of Work is representative of the advertised Scope of Work and the final rates comply with rates established by the cost analysis.

Estimated duration: 5 business days

FIN PCO Review: If a contract is estimated to cost more than two million dollars (including estimated phased work), FIN PCO must review the final Scope of Work prior to the final round of negotiations.

Estimated duration: 5 business days

IA

Step 6 – Prepare draft Contract Authorization Memo (CAM)

Once the final Scope of Work, Level of Effort, and Project Schedule have been submitted to the P&P Contract Specialist for review, the IA point of contact should prepare the draft Contract Authorization Memo and submit to the P&P Contract Specialist for review. Typically, the final review of the Level of Effort results in minor rate adjustments to overhead rate, labor rates, or other direct costs that affect the final Total Price, which impacts the Contract Authorization Memo. Once the P&P Contract Specialist completes the final review of the Scope of Work, Level of Effort, and Project Schedule, the IA point of contact can update the Contract Authorization Memo, route for internal signature, and submit the final CAM to the P&P Contract Specialist.

PP

Next Steps – Confirm DocuSign Workflow

Upon receipt of the draft Contract Authorization Memo, the P&P Contract Specialist will email the IA point of contact the Implementing Agency's DocuSign workflow to confirm the reviewers and signer. If the designated signatories or reviewers are no longer applicable or will be out of the office, the P&P Contract Specialist will update the workflow. At this time, the P&P Contract Specialist will email the consultant to identify reviewers and the signer.

Step 7 – Route final Contract Authorization Memo for signature

Once the draft Contract Authorization Memo has been revised incorporating edits from the P&P Contract Specialist, the IA point of contact should route the final Contract Authorization Memo for signature and submit final signed Contract Authorization Memo to the P&P Contract Specialist.

Next Steps – Issue Agreement for electronic signature

Upon receipt of the final Contract Authorization Memo, the P&P Contract Specialist will issue the final Agreement via DocuSign.

Negotiation Phase (work order) → Step-by-Step

Consultant Step 1 – Submit requested documentation

The consultant's first steps after receiving the Notice of Intent to Award is to submit the requested financial documentation.

Next Steps – Conduct Cost Analysis

Upon receipt of the consultant's financial documentation, the P&P Contract Specialist will conduct a Cost Analysis. The P&P Contract Specialist will compile the proposed costs from the consultant (labor rates, overhead rates, other direct costs) into spreadsheets and email the draft contract rates to the consultant and IA point of contact for review and concurrence, requesting revisions or additions to the proposed rates from the consultant and IA point of contact.

Step 2 – Conduct Profit Analysis

The P&P Contract Specialist will schedule a profit analysis meeting, via MS Teams, to review the Scope of Work and establish a profit range. Following that meeting, the P&P Contract Specialist will email the established profit range to the IA point of contact. This email will include an email template for the IA point of contact to send to the consultant to initiate profit negotiations.

Next Steps – Review insurance and Responsibility Detail and Attestation Form

The P&P Contract Specialist will work with the consultant and Risk Management to ensure the insurance documentation submitted complies with the Agreement. Final approved insurance certificates will be incorporated into the Agreement as Exhibit C.

Standard Practice: A Work Order Scope of Work may include tasks that require specialty insurance coverages such as US Longshore & Harborworkers', Marine Employer's Liability, Aviation Liability, etc. In order to expedite contract execution, P&P may execute a contract without obtaining evidence of the specialized coverage. In this case, the P&P Contract Specialist will issue a memo to the IA point of contact (and cc Risk Management) informing them that the contract does not have all required coverages and advise them to obtain those coverages prior to issuing a Work Order that requires such coverages.

The P&P Contract Specialist will review the Responsibility Detail and Attestation Form submitted by the consultant to ensure the consultant is responsible.

Step 3 – Prepare draft Contract Authorization Memo

Once the contract rates have been reviewed and accepted by the consultant and IA point of contact, and profit rates have been negotiated, the IA point of contact should prepare the draft Contract Authorization Memo and submit to the P&P Contract Specialist for review. Upon receipt of any final edits from the P&P Contract Specialist, the IA point of contact should update the Contract Authorization Memo and route the final Contract Authorization Memo for signature.

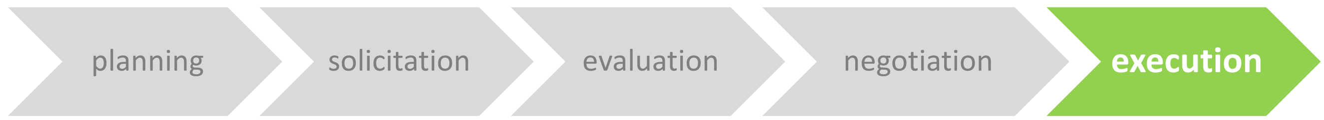
PP Nest Steps – Confirm DocuSign Workflow

Upon receipt of the draft Contract Authorization Memo, the P&P Contract Specialist will email the IA point of contact the agency's DocuSign workflow to confirm the reviewers and signer. If the designated signatories or reviewers are no longer applicable or will be out of the office, the P&P Contract Specialist will update the workflow. At this time, the P&P Contract Specialist will email the consultant to identify reviewers and the signer.

IA Step 4 – Route final Contract Authorization Memo for signature

Once any edits have been made to the draft Contract Authorization Memo, the IA point of contact should route the final Contract Authorization Memo for signature and submit final signed Contract Authorization Memo to the P&P Contract Specialist.

Execution Phase Overview



The purpose of the execution phase is to issue the final Agreement for signature via DocuSign.

See the historical durations for A&E procurements by phase and contract type: Estimated Timeline to procure AEP Services

Execution Phase Task Overview:

#	task	document	cs	ia
1	compile Agreement		x	
2	issue Agreement via DocuSign		x	
3	sign Agreement			x

AEP Resources:

Visit AEP Collaboration SharePoint site for AEP contracting resources

Execution Phase → Step-by-Step

PP

Next Steps – Compile and issue the Agreement

Once the P&P Contract Specialist compiles the final Agreement, the A&E Team Lead conducts a final quality control review prior to issuance via DocuSign.

The final Agreement consists of the following documents:

Project Specific Agreements	Work Order Agreements
Agreement	Agreement
Exhibit A - Scope of Work	Exhibit A - Scope of Work
Exhibit B - Cost Summary	Exhibit B - Cost Summary
Exhibit C - Insurance	Exhibit C - Insurance
Exhibit D - Key Personnel List	Exhibit D - Key Personnel List
Exhibit E - Project Schedule	Exhibit E - federal terms if applicable
Exhibit F - Budget Crosswalk	
Exhibit G - federal terms if applicable	

IA

IA and Consultant Step 1 – Review and approve or sign the Agreement

All DocuSign reviewers will receive an email from DocuSign asking them to approve or decline the Agreement. Once all reviewers have approved the Agreement, DocuSign will email the Consultant signer to review and sign or decline. Once the consultant has signed the Agreement, DocuSign will email the County signer instructing them to review and sign or decline.

Department Director signs contract after determining compliance with all applicable contracting requirements and maintains executed contract according to department procedures.

Exception: Federal agencies must provide a letter of concurrence, as required by federal regulations.

Standard Practice: If revisions need to be made to the Agreement, the P&P Contract Specialist will void the DocuSign envelope and re-issue a revised Agreement. The P&P Contract Specialist will email all reviewers and signers specifying the updates that were made.

IA

Step 2 – Download signed Agreement

Once the consultant and County have signed the Agreement, the IA point of contact should download the signed Agreement for their records. P&P does not provide hard copies of the final signed Agreement.

IA

Step 3 – Issue Notice to Proceed

Once the Agreement is signed by the consultant and County, the IA point of contact may issue the Notice to Proceed (applicable to project-specific contracts).

Consultant Roster Overview

The Consultant Roster is a contracting tool that may be used on projects that fit the parameters outlined below. To determine if the Consultant Roster is a good fit for your project, evaluate the following:

1. Project funding – Consultant Roster is limited to King County funded projects only.
2. Independent Cost Estimate (ICE) – Only projects estimated to cost less than $500,000 may be solicited using the Roster.
3. Risk Profile – Projects with low risk and low complexity are a good fit for the Roster. Typically, projects that include in-water work, geotechnical engineering or drilling require specialized insurance coverages and are not a good fit for the roster.
4. Potential Consultants – Are there consultants approved to the roster in the NAICS code you are considering soliciting?

See the historical durations for A&E procurements by phase and contract type: Estimated Timeline to procure AEP Services

Roster Contract Types:

1. Project-specific – single or multi-phased contracts; cost plus fixed fee or lump sum
2. Work orders

Constraints:

1. Non-SCS firms – Each agency may award one $500K contract to a non-SCS firm per calendar year; this restriction does not apply to SCS firms

How do Consultant Roster procurements differ from standard advertised contracts?

1. Pre-proposal meeting – A pre-proposal meeting is not conducted on roster solicitations
2. Roster invitations – Roster opportunities are not advertised in the Seattle Times; firms are invited to propose, and only invited firms may propose.
3. Interviews – The selection process does not include interviews.

SharePoint Consultant Roster resources - https://kc1.sharepoint.com/teams/FBOD/CC/aep/Consultant%20Roster/Home.aspx