

SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION

CORPORATE POLICY 4.02

CONSULTANT SELECTION POLICY

Chapter: 4.0 – Purchasing & Contracting Policies

Section: 4.02 – Consultant Selection Policy

Effective Date: April 1, 2011

1.0 PURPOSE

1.1 To establish a policy for the selection of consultants or service providers for the CORPORATION and the CORPORATION on behalf of the AGENCY.

2.0 EFFECTIVE DATE AND AMENDMENTS

2.1 This Policy shall be effective upon the approval by the BOARD and AGENCY BOARD.

This Policy may only be amended by the approval of the BOARD and AGENCY BOARD.

3.0 PROCEDURES

3.1 The President or his/her designee is authorized to establish and disseminate administrative procedures to implement this BOARD POLICY, as applicable.

4.0 POLICY

4.1 The PRESIDENT or Chief Financial Officer shall be responsible for following all policies required by (1) the current best practices, including competitive bidding requirements under the California Public Contract Code, (2) the OPERATING AGREEMENT and BYLAWS, (3) APPROVED CORPORATION and PROJECT BUDGETS, and (4) other applicable California State and Redevelopment laws when contracting for consultant or service providers.

4.2 DETERMINATION OF NEED - The scope of the contract will be clearly defined after it has been determined that the best results will be achieved through the use of a consultant versus staff. Factors included in the analysis shall include, but are not limited to:

4.2.1 The expertise is not necessary on a full-time basis;

4.2.2 The expertise is not currently available on staff; or

4.2.3 It is time sensitive and current staffing levels would mean a delay in the work being completed.

4.3 SCOPE OF SERVICES - Where professional assistance is required, staff will provide a detailed scope of services, which provides the extent of the services that are required and

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the objective. The scope of services must be delineated in the form of a written document to be presented to prospective consultants.

4.4 SELECTION OF CONSULTANT

4.4.1 A minimum of three (3) qualified consultants shall be considered for selection, except in those cases where unique expertise is required and the number of available consultants is limited.

4.4.2 Selection of consultants will be made from as broad a base of qualified applicants as possible and the choice shall be based on a combination of demonstrated capabilities, quoted price(s) and specific expertise. Consultants will be evaluated on the basis of their experience in the specific area of expertise, understanding and approach to the problem, financial capability of the personnel to be assigned to or be subcontractors on the project, and the ability to complete the project within the required time frame and budget willingness to adhere to the CORPORATION'S Equal Opportunity Contracting Program (EOCP) requirements. The fee to be paid may be considered but shall not be the sole basis for selection.

4.4.3 In those instances when references are required and/or voluntarily submitted by the consultant, the CORPORATION shall contact them.

4.4.4 CORPORATION shall obtain a certification from the Office of the City Comptroller that the necessary funds are currently available and unrestricted before entering into any AGENCY Contracts for the expenditure of Project funds.

4.5 SOLE SOURCE - In an effort to procure a consultant or service provider for the CORPORATION, situations may arise, that require "Sole Source" procurement, where additional bids, although required by CORPORATION policy and state or local law, cannot be obtained. In an effort to reduce costs, adhere to audit requirements, and comply with state or local law, all Sole Source selections shall be in accordance with this Board Policy. Final determination as to what may be classified as "Sole Source" shall be in the discretion of the PRESIDENT. The selection of a consultant or service provider can be deemed "Sole Source" for any of the following reasons:

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- 4.5.1 Timing
- 4.5.2 Budget
- 4.5.3 Uniqueness
- 4.5.4 Resource constraints
- 4.6 Documentation and retention of sufficient information shall be kept in the file to ensure that each consultant selection can be justified and that evidence exists in the CORPORATION's files that the most qualified consultants were selected at a fair and reasonable price.