

**SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST (SLFPAE)
PROFESSIONAL SERVICES CONTRACTING POLICIES & PROCEDURESⁱ**

1. PURPOSE

To prescribe the policy of the Southeast Louisiana Flood Protection Authority-East (“the Authority”) applicable to the retaining of consultants for professional services required for Board or levee district operation and administration. When projects for which State or Federal funds are desired or anticipated, this policy is to be compatible with appropriate policies of the applicable agencies of the State of Louisiana and the United States of America, as required.

2. BACKGROUND

It is the responsibility of the Authority to select the professional consulting firm(s) best qualified to meet the needs for the operation and administration of the Authority and its levee districts – the Orleans Levee District, the East Jefferson Levee District and the Lake Borgne Basin Levee District.

The Authority’s Board of Commissioners (“the Board”) has adopted the procedures contained herein to ensure that the Board’s selection procedures conform to best practices and meet the requirements of the State and Federal governments. In addition, the Board has elected to follow similar qualification based selection procedures for all of its professional service consultants, including but not limited to accounting, financial, legal, architectural, engineering design, and related services.

3. POLICY

A. Authorization for Retaining Consultants

There are generally three conditions that make it desirable and/or necessary for the Board to retain the services of consultants:

- 1) **Magnitude.** The magnitude of the work involved in a particular project may so tax the available agency staff that it would be necessary to defer other essential work if the work were performed by the staff.
- 2) **Complexity.** The work required in a project may be of such a specialized nature that the Authority must look to outside firms for experts in the appropriate fields to accomplish the work.
- 3) **Time.** The time frame within which the work must be accomplished must be such that the Authority cannot undertake the work and simultaneously execute its ordinary work.

B. Contractual Limits for Request for Qualification (RFQ)/Request for Proposals (RFP)

1. Contracts for less than \$50,000, without an RFQ/RFP, the following procedures shall apply:

a. Contracts for less than \$50,000 shall be approved by the SLFPA-E Regional Director and may be executed by the SLFPA-E Regional Director or the Executive Director for his/her respective levee district. All contracts awarded for less than \$50,000 shall be included in the SLFPAE Regional Director's monthly report to the Board.

2. Contracts for \$50,000 or above

a. Contracts for \$50,000 or above must comply with the RFQ/RFP process as set forth in Section 4 below. However, the Board may waive the requirement of an RFQ/RFP for contracts of \$50,000, but less than \$150,000, if the Board determines that the Regional Director or Executive Director of the respective levee district has a valid reason for doing so.

b. Contracts for \$150,000 or greater shall be awarded via the RFQ/RFP process as set in Section 4 below.

4. RFQ/RFP PROCESS

A. Advertising.

1. When a Regional Director, Executive Director, or Commissioner determines that professional consulting or contracting services will be required, he/she shall cause such matters to be placed on the agenda for Board approval to advertise.

2. A RFQ/RFP for the required services will be prepared by the appropriate Director.

3. The RFQ/RFP will be advertised in the Official Journal of the Authority, and any other publication that may be deemed appropriate, and shall run a minimum of three (3) times over four (4) consecutive weeks, but not more than once a week for projects greater than \$50,000. It must also be posted on the Authority website.

4. The RFQ/RFP will be provided to all respondents to the advertisement, and shall outline the selection criteria, as well as the timeline for determining the shortlist and interview dates, if applicable, and the selection date.

B. Receipt of Submittal Documents

1. A SLFPAE staff member will be assigned to each specific project so that communication with all bidders is insured and consistent.
2. Within three (3) days of the deadline for receipt of submittal documents, the assigned SLFPAE staff member shall send, via email, notification to all applicants that their documents were received, indicate the date and time of the receipt, and advise the parties of the deadline for determining the short list of firms, the criteria to determine the short list of firms, the anticipated date that interviews may occur, and when a final selection will be made.

C. Selection Committee

1. The President of the Board shall appoint the appropriate Standing or Special Committee to act as the Selection Committee. That Committee shall consist of at least one (1) Commissioner, plus others as deemed appropriate by the President.
2. The Selection Committee may, on the basis of predetermined criteria, select a "short list" of firms to be considered by the Board for this work. However, there is no requirement that a "short list" of firms be prepared.
3. Within two (2) days of determining the short list of firms, the SLFAPE staff member shall notify, via email, the firms who were not chosen for the short list, the SLFPAE or Levee District Staffer will also notify the finalists selected for consideration and advise them of potential interview dates, if the selection committee determines that there is a need for interviews, and the date that the full Board will consider the final applicants.

D. Criteria for Selection Committee's recommendation to Board

The Selection Committee will review the qualifications of prospective consultants as submitted through response to the Board's advertisement, and will carefully consider the information collected for each prospective consultant as it applies to the requirements of the projects under consideration. In the evaluation of a prospective consultant's qualifications, and determination that a consultant has a sufficiently skilled organization to perform the contemplated work in a reasonable period of time, the following criteria shall be applied by the Selection Committee:

1. Experience, both firm and individual personnel, as related to the project under consideration;

2. Principals and Other Responsible Members;
3. The firms under consideration shall have at least one of their principals professionally competent in the field or fields of expertise required for the project;
4. At least one principal or responsible member shall have had a minimum of five (5) years' experience in responsible charge of the field or fields involved;
5. Firms under consideration for projects requiring a licensed professional, shall have at least one of its principals licensed or registered by the appropriate Louisiana licensing or professional board;
6. Firm size and current workload as related to project magnitude;
7. Location of principal office where work will be performed. Companies with principal office locations in Orleans, Jefferson and St. Bernard Parishes will receive 10 points for contracts to be awarded for those specific levee districts. Companies with principal office locations in adjacent parishes will receive 5 points;
8. Small and Minority/Women-Owned Business Participation - The Board shall encourage application for providing required services by Small and Minority/Women Owned Businesses as prime contractors and participants as sub-consultants on projects under the jurisdiction of the SLFPAE. The Authority will rely upon the Louisiana Department of Transportation's list of DBE firm in determining whether a firm meets DBE requirements;
9. Project-Specific Criteria - Firms must demonstrate any special knowledge and capabilities required by the RFQ/RFP. Failure to adequately describe such capability will disqualify the firm from consideration; and
10. Interviews of Prospective Firms - If deemed necessary by the Selection Committee, interviews of firms applying for the work shall be conducted by the Selection Committee. If interviews are required, the SLFPAE or Levee District staffer assigned to the process, shall provide the checklist to the Selection Committee, attend the interviews to take minutes that will be retained for a minimum of three (3) years, and calculate the final scores for each applicant.

E. Board Contract Selection

1. Upon presentation of the short list, applicable scores, and recommendation of the Selection Committee, the Board will select a firm, which in its opinion, represents the best responsible choice.
2. In making its determination, significant evaluation factors will be those described in Section D of this policy, including qualifications and experience in all of the required disciplines and the proposed time to complete the work.
3. Upon final Board action all other responding firms will be notified of the firm(s) selected. The SLFPAE staff person will notify those firms via email within five (5) days of the Board's selection.

F. Debrief

1. Debriefing is the act of informing suppliers, contractors or service providers that they were not selected during a particular procurement process and the reasons why they were not selected. Debriefing can be done orally or in writing.
2. The purpose of debriefing is to inform unsuccessful applicants of the strengths and weaknesses of their qualifications or proposal and the reasons why they were not selected. Upon receipt of a debriefing request, the SLFPAE staff person shall confirm receipt of same. The debriefing shall occur within ten (10) days of a debrief requests.
3. The Selection Committee will determine who will perform the debriefing.
4. A debriefing should include, at a minimum, the following:
 - a. the selection criteria
 - b. the score of the losing bidder being debriefed
 - c. the reasons for the losing bidder's score
 - d. the score of the selected bidder

5. CONTRACTING PROCEDURES

1. Once the firm has been approved by the full Board, the appropriate District Director or Regional Director will negotiate the fee required to complete the needed work, within the pre-approved budget, and develop a contract, in a timely manner.
2. Board approval of the negotiated fee and authorization by the Board of the President, or other signatory, to execute the contract shall be required.

3. Executive Counsel must review and approve all contracts prior to the contract being executed.
4. All selection and contracting provisions are subject to applicable federal and state requirements.

6. PERFORMANCE EVALUATION:

After completion of the project, a performance evaluation shall be performed by the Regional Director or Executive Director of the respective Levee District. It shall include the following:

- a. Agency/Levee District Name
- b. Contract Number:
- c. Contractor Name:
- d. Subcontractor Name(s)
- e. Contract Amount:
- f. Actual Amount Paid:
- e. Contract Cost Basis:
- h. Contract begin and end date:
- l. Actual begin and end date:
- j. Contract Modifications:
 - 1) Number of modification
 - 2) Reason for modification
- k. Description of Services provided
- l. Problems encountered
- m. Overall Performance (check one): Satisfactory Unsatisfactory
- n. Weak points:
- o. Strong points:
- p. Would you hire this contractor again?
- q. Name and Phone Number of employee responsible for monitoring project and final acceptance.

¹ This Policy shall be attached to each RFQ/RFP.

On the motion of Mr. Wittie,
Seconded by Mr. Estopinal, the following resolution was offered:

RESOLUTION NO. 08-27-15-04 – TO APPROVE THE SLFPA-E POLICIES AND PROCEDURES FOR PROFESSIONAL SERVICES CONTRACTS

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (“SLFPA-E”) is the governing authority of the Orleans Levee District (“OLD”), the East Jefferson Levee District (“EJLD”) and the Lake Borgne Basin Levee District (“LBBLD”); and

WHEREAS, the SLFPA-E Board desires to have a transparent and consistent process in regard to the issuance of Requests for Proposals/Requests for Qualifications, the selection process for professional services provided to the SLFPA-E, OLD, EJLD and LBBLD, and the award of professional service contracts; and

WHEREAS, the SLFPA-E Regional Director and Executive Counsel have reviewed the SLFPA-E’s original policy and researched best practices, and recommends a revised policy as set forth in the revised Policies and Procedures.

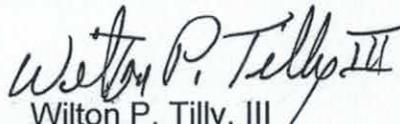
BE IT HEREBY RESOLVED, that the SLFPA-E, OLD, EJLD and LBBLD levee districts are to immediately implement the revised Policies and Procedures for Professional Services Contracts.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Angers, Mr. Ben, Mr. Estopinal, Mr. Kemp, Mr. Luetlich,
Mr. Tilly and Mr. Wittie
NAYS: None
ABSENT: Mr. McHugh

This resolution was declared adopted this 27th day of August, 2015.

I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting on August 27, 2015, held in New Orleans, LA, at which a quorum was present.


Wilton P. Tilly, III
Secretary