

Resolution 2010-3

A Guide to Policy and Procedures for Consultant Selection

The following procedures have been adopted by Downtown West Newton, Inc. (hereinafter called DWNI) and West Newton Borough as authorized by action of the DWNI President on April 20, 2010 and West Newton Borough Council on May 10, 2010. These procedures shall be used for the orderly determination of the need to use consulting engineering firms, qualification and selection of firms, and general administration and monitoring of the engineering agreements.

A detailed scope of work, describing the project, its location, and services required, will be prepared by DWNI and reviewed by the a member of the consulting committee. The request for letters of interest from consulting firms interested in performing the required engineering services will be advertised in newspapers of local daily circulation. At the same time the advertisement will be forwarded to the newspaper for publication, a copy will be sent to:

American Council of Engineering Companies of Pennsylvania
2040 Linglestown Road, Suite 200
Harrisburg, Pennsylvania 17110

The advertisement will include the following information:

- (1) Location and brief description of the required engineering services.
- (2) A statement that DWNI and West Newton Borough encourages responses from small firms, minority firms, and firms who have not previously performed work for DWNI and West Newton Borough.
- (3) The Disadvantaged Business Enterprise Goal, if any.
- (4) A statement that indicates whether the modified or standard selection method will be used.
- (5) A list, in order of importance, of the selection criteria against which the letters of interest will be reviewed.
- (6) Cut-off time for response to the advertisement (minimum of two weeks).
- (7) A request for special requirements Forms 254 and 255.

Three consultants will be selected from those consultants who submit letters of interest. A qualification committee, consisting of

- a. Ben Markle or designee,
- b. George Sam or designee and
- c. Chris Luikart or designee,

shall review the qualifications of consultants who submit letters of interest as well as their responsiveness to the requirements of the advertisement. Documentation of consultants considered and the committee's recommendation shall be maintained in the project file. The committee shall document the reasons for their recommendation.

For bridge inspection and construction inspection Agreements a modified process will be used, and a ranking will be determined based on a review of the statements of interest.

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For all other Agreements the standard selection method will be used. The DWNI Board of Directors and West Newton Borough Council shall review the recommendations of the qualification committee and select three firms to be recommended to the Pennsylvania Department of Transportation (hereinafter called the Department) as the consultants to prepare a proposal. Upon receipt of the approval of the consultants from the Department, a technical proposal shall be requested from the consultants.

The request for technical proposals shall include a brief written scope of work. The consultants will be invited to a scope of work meeting at which time the project will be explained in detail. Representatives from the Department will be invited to the meeting. The consultants will be advised of the applicable Federal regulations, review procedures, contract format, and administration. A copy of the Department's Form 442 will be supplied to the Consultants with the understanding that the specifications will be made a part of the contract. DWNI and West Newton Borough limitations of profit, wages, overhead factors, etc., will be explained. The consultants will be given a name and phone number to contact in case they would have any questions during the preparation of their proposal.

Upon receipt of the technical proposals from the consultants, the qualification committee shall review the technical proposals and make a recommendation for the ranking of the short listed consultants for the purpose of negotiating an engineering agreement. The committee shall document the reasons for their recommendation.

For both modified and standard methods of selection, the DWNI Board of Directors and West Newton Borough Council shall review the recommendation of the qualification committee and rank, in order of preference, the firms. The ranking will be recommended to the Department for approval. Documentation supporting the ranking of the consultants shall be forwarded to the Department when requesting approval of the consultant's ranking. The Department shall approve and/or comment on the municipalities recommended ranking.

The municipality will request a cost proposal from the approved first ranked firm and submit the appropriate number of copies to the Department.

The Department will conduct the pre-award evaluation and schedule and hold negotiations, if necessary.

The agreement will be prepared by the Department and circulated for signatures.

It is understood that the consultant cannot begin work until the Federal authorization has been obtained, and both the engineering Agreement and the Reimbursement Agreement have been fully executed, and notification of this fact has been received by DWNI and West Newton Borough.

The DWNI Board of Directors and West Newton Borough Council will designate a person to perform liaison activities between DWNI, West Newton Borough, the Department, and the consultant.

DWNI and West Newton Borough will enter into a reimbursement agreement with the Department setting forth the methods for reimbursing the federal funds to DWNI and West Newton Borough. The reimbursement agreement will be prepared by the Department.

During the life of the engineering agreement, monthly (or at other appropriate times) meetings will be held with the consultant and the designated liaison person. The Department will be invited to attend these meetings. Documentation of these meetings will be included in the project file.

Partial payment invoices for work performed will be processed as provided by Division 1, Form 442. After review of the invoices by the DWNI Treasurer and West Newton Borough, it will be paid. The invoice will in turn be forwarded to the Department with recommendation for reimbursement of the Federal and/or State share.

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Prior to termination of services and payment of the final invoice, a joint review will be made by the DWNI and West Newton Borough to insure the propriety of claims and that all terms and conditions of the contract have been satisfied. Documentation of these findings will be submitted to the Department with the final invoice.

DWNI and West Newton Borough designated liaison person will complete copies of the Department's Form D-429, "Past Performance Report Consultant Engineers" and Form D-388, "Confidential Design Evaluation Report", and submit them to the Department.

It is understood and made part of these procedures that the employees of DWNI and West Newton Borough will neither solicit nor accept gratuities, favors, or anything of monetary value from consultants or contractors or potential consultants or contractors. Violators of said standards will be subject to dismissal from their employment with DWNI and West Newton Borough, by order of the (Mayor, Council, Board of Supervisors, etc.)

Now, Therefore Be It Resolved that the DWNI Board of Directors and West Newton Borough Council have adopted these policies and procedures for engineering by consultants and will adhere to the rules and regulations of the Department.

NOW, THEREFORE BE IT FURTHER RESOLVED that the DWNI Board of Directors and West Newton Borough Council, this 10th day of MAY, 2010, on behalf of Downtown West Newton, Inc. (DWNI) and West Newton Borough hereby accept the aforesaid policies and procedures.

UPON MOTION DULY MADE and seconded, the above resolution as adopted the day and year set forth above.

ATTEST:

(Downtown West Newton, Inc.)

BY _____

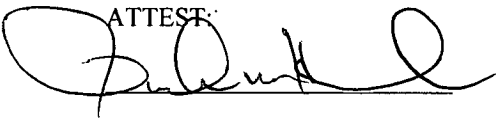
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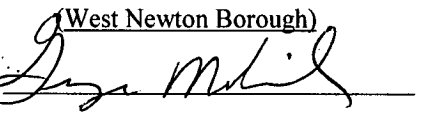
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ATTEST:

(West Newton Borough)

BY _____





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President

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Title