



# Administrative Policy

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## I. Policy

District procurement of Professional Services shall be structured to encourage firms to maintain a local presence.

## II. Purpose

The District is a major purchaser of Professional Services. It is the District’s purpose to maximize the local economic impact of the District’s annual operating and capital spending for the benefit of the District’s taxpayers and to take advantage of increased levels of customer service provided by local firms.

## III. Definitions

“Joint Venture” means a joint venture of separate firms, one of which maintains a Local Office, which has been created to perform a specific contract and is evidenced by a written agreement which provides that the Local Office Firm is substantially included in all phases of the contract.

“Local Office” means the bona fide workspace of a business, academic or non-profit entity within the SSSA where employees report for work on a regular basis. Temporary offices established solely to accommodate out of town professionals shall not be considered a Local Office.

“Professional Services” includes but is not limited to engineering, architecture, scientific research, landscape architecture, writing and graphic design, legal services, real estate services, technical services, insurance brokerage, and education.

“Sanitary Sewer Service Area” or “SSSA” is the area served by the District’s wastewater treatment system.



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## IV. MMSD Local Office Preference

### A. Evaluation of Requests for Proposal

The majority of Professional Service contracts are awarded based on the outcome of the competitive Request for Proposals (RFP) process. Within this process, the District establishes evaluation criteria including, but not limited to, project methodology, staffing, and compensation. Points are awarded under each category reflecting the ranking of each responding firm in a given category. A firm’s local presence shall be one of the evaluation criteria, unless directed otherwise by the Executive Director or Procurement Supervisor. A firm may use a Joint Venture or sub-consultants to achieve a local presence.

Firms shall be scored based on the overall strength of their local presence. Factors to be considered will include whether the firm has one or more Local Offices, whether the firm’s headquarters is a Local Office, the percentage of work on the subject RFP to be performed from Local Offices, any Joint Ventures and the use of sub-consultants with Local Offices.

Firms responding to an RFP shall provide information detailing their local presence in the SSSA.

The local office preference shall be waived if it conflicts with federal or state financial assistance requirements. When possible, federal procurement requirements shall be harmonized with the local office preference criteria to protect the paramount interest of District taxpayers in the capture of federal funds.

### B. Evaluation of All Other Professional Service Procurements

From time to time the District procures Professional Services without the benefit of an RFP process. This may include but is not limited to procurement of Resident Engineer services, partnerships with non-profit agencies regarding-water related environmental initiatives, services with a low dollar value, specialized legal services, and services required on an emergency basis.

The District’s local office preference extends to these procurements and the District shall consider a firm’s local presence when undertaking such procurements. At a minimum, the District shall identify the headquarters of such Firms and their Local Offices, if any. Firms without a Local Office shall be encouraged to seek Joint Ventures where feasible. District staff shall document in a brief memo to the



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Procurement Supervisor the reason for any non-RFP Professional Services procurement from a firm without a Local Office (for example, an explanation of the unique expertise offered by such firm).

This Local Office Preference policy does not apply to expert witness services procured in support of the District’s litigation matters, or sole-source procurements meeting the requirements of District policies 2-78.10 and 3-78.10.

## V. Implementation

The Procurement Department is responsible for implementation of this Policy with the cooperation of all District staff. The Procurement Department shall be responsible for maintaining records relating to local presence. The Procurement Department may request to conduct onsite reviews of Local Offices to verify that such offices are not fraudulent. Such reviews shall be done in the least intrusive manner possible and at a mutually convenient time.