

To: Scott Heidner  
From: J. Messer

785-233-2206

## POLICY MANUAL

RESOLUTION NO. 06-093-B

CITY OF MANHATTAN, KANSAS		
Subject	Policy Number	Effective Date
Selection of Engineering and Architectural Consultants		

## A. BACKGROUND:

Technical aspects of City Government are more complex than ever with accountability as a primary consideration measuring the complex relationships between Architectural/Engineering (A/E) firms and the City. More and more, A/E firms are competing strongly for any professional design work that is available. Therefore, it has become increasingly necessary to establish specific guidelines for the procurement of A/E Services.

From a practical standpoint, the selection of an A/E firm should not be compared to a "bidding" process, because a set of specifications cannot be written for a design. A design is not a commodity, but rather a creation developed in concert with client input. It depends on the designer's experience, imagination, and research into alternative approaches which most effectively address the requirements of each particular project. When professional services are chosen on the basis of price alone, it limits the flexibility for exploring innovative ideas which might reduce construction, maintenance and life cycle costs. It should be recognized, however, that when the client is a municipality the design parameters of many projects are rather straight forward and predetermined by established standards.

## B. PURPOSE:

The purpose of this policy is to outline the procedures for hiring A/E firms to perform services for the City of Manhattan so that:

1. A consistent and equitable set of procedures is developed to solicit, identify, and secure the most competent, cost effective and professional services available to the City;
2. A/E firms interested in work with the City of Manhattan can understand the selection process;
3. The Governing Body and City Staff can have a definite set of guidelines to follow when it becomes necessary to hire an A/E firm.

## C. POLICY:

1. The City Staff shall have responsibility for the design of all improvements that become the obligation of the City to maintain.

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2. Under circumstances where the magnitude or complexity of a project, or work load of City Staff, are such that the City Manager requests that an A/E firm be hired to do the design, an outside firm may be selected following the appropriate steps outlined in this policy statement.
3. It shall be the policy of the City of Manhattan to obtain necessary A/E services on the basis of demonstrated competence and qualifications for the type of service needed at fair and reasonable prices.
4. Prices shall not be the principal factor on which A/E services are selected.
5. Preference shall be given to qualified A/E firms having a principal office within the Manhattan City limits, recognizing the benefits to our local economy realized through spending local dollars locally.
6. In the case where the City and/or a private developer have invested time and money in a project for which an A/E firm has already been involved in preliminary work, the City Commission may select that firm on the basis of City Staff's recommendation or a developer's request, assuming a reasonable fee can be negotiated.
7. All contracts for A/E services which exceed \$7,500 shall be approved by the Manhattan City Commission. Those for \$7,500 or less may be executed by the City Manager. The Manager shall report to the Governing Body at any time such a contract is executed.

D. PROCEDURE:

In order to carry out the foregoing policy statement, an outline describing the selection process for each project will be presented to the City Commission at the time City Staff requests authorization to solicit design services. The outline will include items such as:

1. Title of project.
2. Abbreviated Scope of Services.
3. Method of solicitation including publications in which an advertisement will appear, and names and addresses of firms to be personally contacted.
4. Timetable allowed for selection process.
5. Interview process. (e.g. Composition of Selection Committee, and anticipated time to be allowed each firm that is interviewed.)
6. Criteria for recommendation.

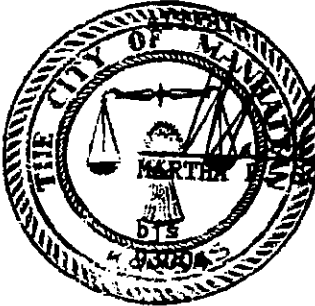
Any items proposed in the outline may be modified by the City Commission before the actual selection process begins.

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E. REPEAL:

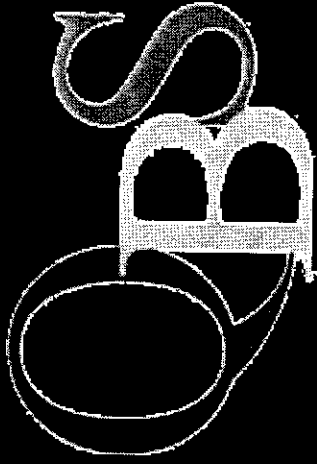
Resolution No. 30784-E of the City of Manhattan, Kansas be and the same is hereby repealed.

PASSED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS, ON THIS  
1<sup>st</sup> DAY OF June, 1993.



*M. P. Scott*  
MARTHA P. SCOTT, CITY CLERK

*Roger E. Maugher*  
ROGER E. MAUGHER, MAYOR



## APWA POLICY STATEMENT

*The American Public Works Association believes that the public interest is best served when governmental agencies select architects, engineers, and related professional services and technical consultants for projects and studies through Qualifications Based Selection (QBS) procedures. Basing selections on qualifications and competence, rather than price, fosters greater creativity and flexibility, and minimizes the potential for disputes and litigation.*

# Picking a low-price engineer can have disastrous results

A few years ago, a Kansas City-area developer needed to build a bridge.

He asked engineer Steven Hileman of Bucher Willis & Ratliff Corp. in Kansas City for a design bid, then shopped the business around to other firms when Hileman's price came back higher than he wanted to pay.

Problem was, he needed city approval for his plans, and the low-budget engineer he selected didn't know how to get city approval.

A year later, the developer called Hileman for another design bid on the same bridge.

"That time when I put my fee together, he didn't ask why the work would cost that much," Hileman said. "That time, he asked, 'Can you get it approved by the city?'"

Hiring a low-bid consulting engineer is a hazardous strategy, said Hileman, president-elect of the Kansas Consulting Engineers.

Affiliated with the American Council of Engineering Companies, KCE endorses the national body's advocacy for "qualifications-based selection" of engineers, Hileman said.

Required in the law for federally financed projects, qualifications-based selection emphasizes the engineering capabilities of firms. Some local governments, including Johnson County, use a qualifications-based selection process.

"The process works, we believe, pretty well," said Johnson County Purchasing Manager John Mahin.

After advertising a project and receiving proposals from engineers, the county's selection committee first identifies the most-qualified bidders before asking them for a price, he said.

Even so, many local governments require selection of the lowest bidder, Hileman said.

"That can be disastrous," said Albert Gray, executive director of the National Society of Professional Engineers. "There are no shortcuts in the selection process."

His advice is to interview two or three candidates, looking for more than just the lowest bid.

First, the owner needs to determine the specific needs of the project to focus the search on engineers who work in that particular field. Engineers typically are trained and licensed to work in specific areas, including electrical, civil and environmental, to name a few.

Once the owner has determined what kind of engineer he or she needs, the owner should look for one who is licensed as a professional.

"If you have work that needs to be approved by a governmental agency, most state laws require that the work be done by a licensed professional engineer," Gray said.

Gray said state licensing boards provide lists of licensed engineers, as well as professional societies such as the NSPE. Engineers also can be found through telephone directories and other advertising sources, though owners still should verify that those engineers are licensed.

Engineers do a lot of networking, he said, and word of mouth is frequently a good way to find one. Getting references from another company that has hired the engineer to do similar work also is important, experts said.

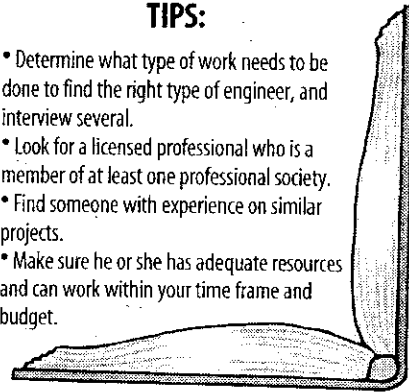
Some components of the federal qualifications-based selection system may be useful in hiring engineers on private projects. Among other things, the federal process requires:

- Submission by the engineer of a statement of qualifications and statements of ability to design specific projects.
- Review of the statements and the selection of a shortlist of at least three firms.



### TIPS:

- Determine what type of work needs to be done to find the right type of engineer, and interview several.
- Look for a licensed professional who is a member of at least one professional society.
- Find someone with experience on similar projects.
- Make sure he or she has adequate resources and can work within your time frame and budget.



- Interviews with the firms.
- Ranking of at least three of the most-qualified firms.
- Negotiation with the top-ranked firm.

The lowest-cost engineer may have a hard time avoiding losses, Hileman said, and if the firm starts cutting costs in its work to avoid losing money, the quality of the work probably will suffer.

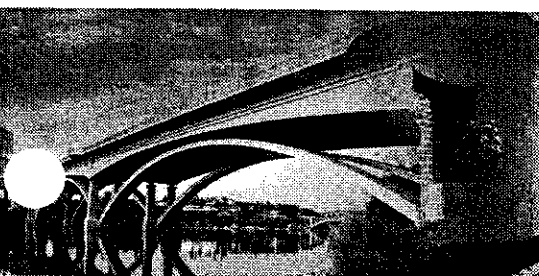
Hileman said Bucher Willis & Ratliff double-checks every calculation and every number before sending its plans out on a job or to a government review office. A low-cost firm might eliminate the extra review, he said.

"What usually happens is that quality is what goes first," he said. "They've got to cut out man-hours somewhere."

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