

Pittsburgh Land Bank Procurement Policy

Purpose: To define the policy for the Pittsburgh Land Bank (PLB) to procure goods and services from outside vendors.

Definitions

Competitive Process – method of competitively selecting contractors/consultants based on qualifications and negotiations rather than a sole competitive price bid.

Contract Modification – Any written alteration in the scope of work, compensation, period of performance, or any other provision of any personal or professional services contract that is agreed to by both parties in a written contract amendment.

COOP – Cooperative agreements between government agencies providing for a service to be performed or a good procured under a set of terms with consideration.

Emergency Professional Services contract – a personal or professional services contract required where there exist unforeseen circumstances beyond the city's control that either (a) present a real and identifiable threat to the proper performance of essential functions or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

Professional Services Agreement (PSA) – a contract involving services of members of the medical or legal profession, registered architects, appraisers, auditors, engineers, certified public accountants or other personal services that involve quality as the paramount concern and require a recognized professional and special expertise. For purposes of this policy, this term shall also encompass "personal service contracts."

Request for Proposals (RFP) – an announcement by the PLB of a willingness to consider proposals for the performance of a specified project or program. The factor that distinguishes a request for proposal from an invitation for bid is that other criteria besides "lowest price which meets the specifications" would be used to determine a successful bidder. The RFP should contain all relevant criteria the PLB will consider when evaluating proposals for award.

Request for Information (RFI) – an announcement by the PLB seeking to collect written information about the capabilities of various suppliers for comparative purposes, usually to aid in the creation of specifications for an RFP.

Request for Qualifications (RFQ) – an announcement by the PLB seeking qualifications of potential contractors to perform a particular scope of work / service for the PLB.

Sole Source Professional Services contract – a contract involving unique professional services that are documented to be available from one source only.

Exemptions

The following professional services contracts are exempt from this policy requiring a competitive selection process, contingent upon documentation that the exemption provision duly applies, based on inclusion in one or more of the following categories:

1. Emergency Professional Service contracts as defined herein.

2. Sole Source Professional Service contracts as defined herein.
3. Contracts requiring compliance with terms and conditions of a court order, government grant or governmental order.
4. Contracts for expert witnesses or consultants associated with anticipated or pending litigation.
5. Intergovernmental agreements.

Applicable Competitive Process

The following chart specifies the competitive process required for the applicable agreement based on the proposed budget and/or “not to exceed” total amount of the contract based on entire term.

Estimated value of Contract is up to \$20,000	Estimated value of Contract is over \$20,000
PLB will solicit informal proposals from at least three qualified providers and/or issue a public advertisement on the internet and in at least one newspaper of general circulation.	A Formal RFP/RFQ must be issued by PLB. Public advertisement of RFP/RFQ is required on the internet and in at least one newspaper of general circulation or relevant trade magazine.

Once a need is identified, the PLB will determine scope, timeline and process. PLB staff will lead the process with assistance from the board, ultimately making a recommendation to the PLB board for contract approval

RFP/RFI/RFQ Development

- A. All projects must identify the funding source for the project, which will be verified by the appropriate Finance representative prior to development of a solicitation document.
- B. A standard template has been developed by PLB. This template should be used unless otherwise approved by PLB.

All formal RFP's must contain the following:

1. General Terms & Conditions
 2. Administrative Information
 3. Scope of Work Clearly Defined
 4. Evaluation Criteria
 5. Vendor Response Format
- C. Unless decided otherwise by PLB, the primary point of contact for all vendor inquiries will be the assigned RFP Coordinator. To the extent possible, this person should have subject matter expertise.
 - D. RFP's should allow a minimum of 14 calendar days for vendor response. This may be adjusted up or down, in coordination with PLB, based on the nature of the project.

RFP Distribution

- A. All RFP's will be distributed to the vendor community by PLB by posting to the PLB's website, advertising in at least one local publication or trade magazine, as well as sending directly to any known suppliers, and other government agencies for additional distribution.
- B. If a vendor pre-proposal conference is to be held, it should be done within 7-10 business days after the RFP has been distributed.

RFP Evaluation & Selection

- A. All evaluation criteria must be pre-defined and related to the specifications and requirements contained in the RFP document. If weighted, the criteria must be weighted to reflect their importance to the PLB without giving undue advantage to any particular bidder. Weight factors shall be kept confidential unless determined by PLB to be in the best interest of the PLB to include them in the RFP.
- B. All responses will be received by PLB. The RFP Coordinator will distribute copies to the evaluation team.
- C. PLB staff will chair all RFP evaluation committees to ensure the evaluation process is conducted in accordance with the RFP and PLB policies and procedures.
- D. The RFP evaluation committee will review all eligible proposals and make any recommendation(s) to the PLB Board of Directors regarding which vendor(s) should receive a contract award.

Contract Origination

- A. The PLB shall provide its legal counsel with all documentation needed to begin the contracting process.
- B. No work should commence with the awarded vendor until a contract has been fully executed.
- C. It is important to remember that any modification related to the authorized amount or contract term must be first approved by the PLB Board.
- D. All contract modifications should be reviewed by the Law Department prior to executing any written amendment to an existing contract to ensure how such amendment is affected by this policy.

Cooperation Agreements

If a government agency can be used to directly provide a service, or can assist in obtaining lower prices from suppliers/vendors, the PLB may pursue entering into cooperation agreements with said entity.

Sole-Sourcing

In certain instances, there may be an exception to the standard procurement bidding process when items or services are only available from a sole source vendor and not available through other vendors.

To waive the competitive process (sole source) one or more of the following conditions must be met:

- Only one known source
- No alternate items that meet requirements
- A public utility
- Compatibility issues
- Safety risks