

Procurement of Consultant Services by MPO

Description

The purpose of this procedure is to document the process for a Metropolitan Planning Organization (MPO) to procure a Private Engineering Firm (PEF) to provide transportation planning services for the MPO, or one of its member agencies, and to define the TPB MPO Coordinator's role in the process. The process results in a Consultant Contract between the Lead Planning Agency (LPA) of the MPO, or one of its partner agencies, and the PEF.

Responsibility

MPO Staff – follow NCDOT requirements for procuring a PEF; develop and advertise the Request for Qualifications/Proposals (RFQ/RFP); receive proposals and schedule any necessary meetings to acquire the services of a PEF. If one of the MPO's member agencies is carrying out the work, it is the responsibility of the LPA to ensure this process is followed.

TPB MPO Coordinator – review and provide comments on the RFQ/RFP; participate in the selection of the PEF; approve the PEF selection; review the scope of work; review the final contract including man-hour estimates; coordinate review of the scope of work and final contract with NCDOT's Office of Inspector General, Consultant Audit Unit.

Scheduling and Time Constraints

All reviews and comments of the RFQ/RFP by the TPB MPO Coordinator shall be made prior to the LPA advertising the work. The review of the scope of work, man-hours and final contract shall be completed prior to the final contract for planning services being executed by the LPA or one of its member agencies.

Procedures

| Step | Action |
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| 1 | The MPO Staff notifies the TPB MPO Coordinator of the MPO's intent to acquire a PEF for planning services. |
| 2 | <p>The TPB MPO Coordinator meets (may be via telephone) with the MPO Staff to review the service that needs to be contracted out, including review of draft scope of work and the selection process. Additionally, the following items should be discussed:</p> <ul style="list-style-type: none"> • The MPO is required to adhere to the NCDOT consultant selection process when seeking a PEF for professional services which exceed \$50,000. If equal to or less than \$50,000, follow the note in Step 5. • All fiscal responsibility will remain with the LPA. • The TPB MPO Coordinator requests to be placed on the PEF selection team. • The TPB MPO Coordinator reviews the Work Program to make sure the work is included and adequate funds are programmed. <p>Following this meeting, and after consulting with the Group Supervisor and Unit Head, the TPB MPO Coordinator will either approve or deny the LPA's request to acquire a PEF.</p> |

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| | <p>Note: The planning service may include contracting out the entire MPO operations and administrative duties, or specific tasks necessary to meet federal planning requirements.</p> |
| 3 | The LPA submits a copy of the draft RFQ/RFP to the TPB MPO Coordinator. |
| 4 | The TPB MPO Coordinator coordinates the review of the RFQ/RFP with the TPB Group Supervisor to ensure that the scope of services solicited meets MPO operational requirements. |
| 5 | <p>Once reviews are complete and all comments, if any, are submitted, the TPB MPO Coordinator gives approval for the MPO Staff to advertise the work.</p> <p>Note: If the expected cost of the PEF contract is equal to or less than \$50,000, then the LPA does not need to formally advertise the proposed work; instead, the LPA should target a pool of 5 – 6 pre-qualified firms and request letters of interest.</p> |
| 6 | The MPO Staff receives and submits copies of all proposals by interested firms to the TPB MPO Coordinator and other selection team members for review prior to the selection team meeting. |
| 7 | <p>Prior to the PEF selection meeting, the TPB MPO Coordinator verifies that all PEFs who have submitted proposals are properly licensed in North Carolina and are registered vendors in NCDOT's fiscal system. To check vendor registration, follow the steps below:</p> <ul style="list-style-type: none"> • Log into SAP (<i>username and active password required</i>) • Enter transaction code ZXKR3 in the Command field on the SAP Easy Access screen. • Click the green check mark next to the Command field or press Enter. • The FI: AP Vendor Search Reports screen pops up. In the Name 1 field, enter <i>*PEF Name*</i>. Click the Execute icon (Clock with green check mark). <p>Note: You may need to enter a portion of the name preceded and followed by an asterisk. For example, entering <i>*Kimley*</i> will bring up all firms with Kimley in the name. You can then select the appropriate firm.</p> <ul style="list-style-type: none"> • The Vendor Search Reports screen pops up with a listing of firms matching the inputted search criteria. • If the PEF is listed, check the Status (column 2) for the current registration status of the PEF. If the status is listed as: <ul style="list-style-type: none"> “A – Active”, the PEF may be approved for use; “B – Blocked”, the PEF shall not be approved for use; “I – Incomplete”, the PEF should follow-up with the NCDOT Commercial Accounts Office to complete the vendor registration process if selected to provide services. <p>Note: A PEF does not have to be prequalified by NCDOT, but if selected, will need to have a Vendor Registration Form (Substitute W-9 Form) on file in NCDOT's Commercial Accounts Office to become a registered vendor. In addition, all sub-consultants will also be required to have a W-9 on file and be a registered vendor.</p> |
| 8 | The MPO Staff schedules and holds PEF selection meetings. |
| 9 | <p>Once a preliminary decision is made to accept a proposal:</p> <p>If the service is for contracting out the MPO operations:</p> |

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| | <p>The TPB MPO Coordinator schedules a meeting with the TPB Branch Manager and/or Unit Head, the LPA, FHWA, and the selected PEF. The agenda should reflect discussions that ensure the firm's familiarity with federal regulations, quarterly financial reporting requirements, and NCDOT expectations.</p> <p>Note: The agreement <u>shall not</u> exceed a two-year contractual period. A RFQ/RFP must be solicited every two years.</p> <p>If the service is for a specific task that the MPO or member agency is unable to carry out due to staff resources:</p> <p>The TPB MPO coordinator reviews the selected proposal with the TPB Group Supervisor and Unit Head.</p> |
| 10 | <p>The TPB MPO Coordinator shall provide written approval (MPO Consultant Approval Memo via email) of the selected firm and the scope of work to the MPO prior to the execution of an agreement between the MPO and the PEF.</p> <ul style="list-style-type: none"> • The MPO Staff submits a draft copy of the contract, scope of work, man-hours and other material shown on the Fiscal Checklist to the TPB MPO Coordinator for review. • The TPB MPO Coordinator will review the man-hours and scope of work to ensure the scope of work and deliverables match the man-hours and work effort. • The TPB MPO Coordinator will forward the package (OIG Review Request via email) to the Office of Inspector General, Consultant Audit Unit for review. Items to be reviewed include pay rates, overheads and other non-salary costs. • After review by the OIG and the TPB MPO Coordinator, the TPB MPO Coordinator will write a MPO Consultant Approval Memo to the MPO providing the findings of NCDOT's review. Based on the review, the TPB MPO Coordinator may approve the work, approve with comments or not approve the work. The memo shall provide details regarding the TPB MPO Coordinator's and/or the OIG reviews. |
| 11 | <p>Following approval of the contract, the MPO Staff submits a copy of the executed contract to the TPB MPO Coordinator.</p> |
| 12 | <p>The TPB MPO Coordinator submits an electronic copy of the contract to the TPB Unit Head and files the hard copy of the contract in the MPO main file in the TPB CTP Files (located in Room 447).</p> |
| 13 | <p>The TPB Unit Head enters the MPO Consultant Approval Memo, the OIG review memo and the final PEF contract and into SAP as backup documentation for the fiscal year contract.</p> |

Policy, Regulatory, and Legal Requirements

- [NCDOT's Policy and Procedures for Major Professional or Specialized Services Contracts](#)
- [FHWA Program Administration – Consultant Services](#)
- [Although procurement under North Carolina General Statute 143-64.31 allows local governments to exempt themselves from qualifications-based selection process for any](#)

[project in their discretion, federal regulations and NCDOT policy do not allow this. As such, LGAs must procure these services on a qualification-based selection process.](#)

Resources

- [MPO Consultant Approval Memo](#)
- [Office of Inspector General Fiscal Checklist](#)
- [OIG Review Request \(sample email\)](#)

Background

A MPO may opt to secure PEF services if the LPA lacks sufficient staff resources or specialized capabilities to operate the MPO or to carry out specific planning tasks necessary to meet federal planning requirements. Whenever a MPO or one of its member agencies secures a PEF to perform transportation planning services, all funding must be administered by the LPA.

Flowchart

None

Record of Revision

The information contained in this procedure is deemed accurate and complete when posted. Content may change at any time without notice. We cannot guarantee the accuracy or completeness of printed copies. Please refer to the online procedure for the most current version.

| Version | Section Affected | Description | Effective Date |
|----------------|---|---|-----------------------|
| 2 | Procedures | Procedure's template was modified. | 1/15/2013 |
| 3 | Procedures | Internal review by the OIG incorporated into the process. | 8/26/2013 |
| 3.1 | Resources | Updated link to the Fiscal Checklist form | 3/19/2015 |
| 3.2 | Procedures/ Resources | Updated links | 3/7/2016 |
| 4 | <ul style="list-style-type: none"> • Procedures • Policy, Regulatory, and Legal Requirements • Resources | <ul style="list-style-type: none"> • Updated PEF contract thresholds and associated advertisement requirements • Added additional information on OIG review and a sample email request • Added steps to upload contract into SAP as supporting documentation | 5/27/16 |