

**Metropolitan Domestic Water Improvement District
Board of Directors Meeting**

June 14, 2021

**Approval of Consultant Selection and Authorizing the General Manager
to Negotiate a Professional Services Agreement for
Miscellaneous Geotechnical and Material Testing**

Synopsis

The Board of Directors is requested to approve the consultant selection and authorize the General Manager to negotiate a Professional Services Agreement for Miscellaneous Geotechnical and Material Testing with Ninyo & Moore Geotechnical and Environmental Sciences Consultants, (Ninyo & Moore) in the amount not-to-exceed \$25,000 for services anticipated within a five-year term for Fiscal Year (FY) 2022 through FY 2026.

Background

Miscellaneous contracts for professional services are an effective way to retain consultants to ensure that District projects and programs are delivered in a timely and cost-effective way. Services may include support for as-needed emergency and non-emergency work, staff support during periods of high demand, as well as support in delivering the District's Capital Improvement Program (CIP). The District has utilized the services of qualified consulting firms under miscellaneous contracts since 1993. Based on the anticipated and unknown design and construction activities that will occur during the next five-year period, the need for consultant assistance will continue.

In the past, such contracts have previously been renewed annually for up to a three-year contract. This would be a five-year contract without annual renewal by the Board. The District's standard contract allows for the contract to be terminated if for any reason the District Board of Directors does not appropriate funding, as well as in the event the consultant is found to be in default of any provision of the contract.

Award of this contract will not obligate the District to purchase any specific level of effort. Individual task orders will be authorized by the General Manager or brought to the Board of Directors for consideration in accordance with the District's Procurement Policy on an as-needed, project-by-project basis. Funding for any authorized project will be per the adopted annual budget.

Issues

The District solicited statements of qualifications (SOQs) in the Daily Territorial on May 4, 6 and 11, 2021. Five professional engineering firms expressed interest and were sent the proposal package. Two marketing firms also requested and were sent copies of the solicitation for the

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purposes of informing their subscribers of the solicitation. One Addendum was issued and sent to all interested parties. Four SOQs were submitted by the due date and time of June 1, 2021 at 4:00 p.m.

Evaluation of the SOQs was completed by a committee comprised of three in-house staff. Based on the resulting consolidated scores, the committee recommended award to Ninyo & Moore. The Committee ranked Western Technologies, Inc., as the next most qualified consultant.

Staff Recommendation

It is recommended the Board of Directors authorize the General Manager to negotiate and enter into a five-year contract with Ninyo & Moore for Miscellaneous Geotechnical and Material Testing in an amount not to exceed \$25,000. If staff is unable to negotiate an acceptable professional services agreement with Ninyo & Moore, or if Ninyo & Moore is unable or unwilling to perform, staff recommends the General Manager be authorized to negotiate a contract with Western Technologies, Inc.

Suggested Motion

I move to authorize the General Manager to negotiate and enter into a five-year contract with Ninyo & Moore Geotechnical and Environmental Sciences Consultants, for Miscellaneous Geotechnical and Material Testing in an amount not to exceed \$25,000 and to authorize the General Manager to negotiate and enter into a contract for these services with Western Technologies, Inc., in the event Ninyo & Moore Geotechnical and Environmental Sciences Consultants is unable or unwilling to perform.

Respectfully submitted,

Sheila M. Bowen, P.E.
District Engineer

I concur with the above recommendation.

Respectfully submitted,

Joseph Olsen, P.E.
General Manager