CITY OF DUBLIN

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ADMINISTRATIVE ORDERS
OF THE CITY MANAGER

ADMINISTRATIVE ORDER 4.2
TO: All Department/Division Heads & Assistants
FROM: Timothy C. Hansley, City Manager
SUBJECT: Standard Professional Services Contract
DATE: November 1, 1993 **(Review Date: By:)**
Supersedes and Replaces Administrative Order 1.35 dated 1/25/93 Regarding Same Subject.

I. PURPOSE & INTENT

The purpose of this Administrative Order is to establish a standard Professional Services Contract and a process/procedure for initiating & processing professional service contracts for the City. The intent of this Administrative Order is to require the usage of the attached standard Professional Services Contract when consultants are engaged to perform professional services for the City. This Contract is not to be used for construction, land acquisition, or the purchase of any commodities.

II. PROCESS & PROCEDURE

A. Always try to take competitive proposals for Professional Service Contracts. Although not required by law, it is a good procurement practice and is clearly in the best interest of the City. These proposals can be obtained through a formal Request for Proposal (RFP) process or a less formal verbal RFP directed to selected consultants. Larger projects such as bridges or major buildings should always use a more formalized RFP process for selecting consulting or design services. In soliciting proposals, it is desirable to provide the consultants with a copy of our standard Professional Services Contract in advance so that they are aware of the type of contract they will be expected to sign.

B. After you have selected a consultant, have that consultant complete the standard Professional Services Contract and provide a clearly defined, specific Scope of Services of the work to be performed. This Scope of Services should be attached to the Contract and be identified as "Exhibit A". It is important to note that the contractor must provide a guaranteed not-to-exceed amount for both the Scope of

Services and the Reimbursable Expenses. You should inform the consultant that the contract requires that the invoicing be very detailed, providing specific hours spent performing clearly identified tasks.

C. Once the signed contract is returned to you by the consultant, complete a requisition form for the contract and make sure you identify the budget account number to which the contract is to be charged. The requisition should also clearly identify the project (i.e., the building, the road, the park) for which the consulting services are being proposed. Please note that there is a place for Division and Department Head signatures on the contract. The signature indicates your approval of the Scope of Services, dollar amounts provided, and identifies the person responsible for managing this consultant.

D. Once the Department/Division Head has signed the contract, forward it, along with requisition, to the Director of Finance for processing. Finance will assign the Contract Number and certify the availability of funds, and then forward the contract and requisition to the City Manager for signature. No contract is valid without the City Manager's signature. The City Manager will return the signed contract to the Director of Finance. A Purchase Order Number will then be assigned and the requisition processed. Once the Purchase Order has been processed, the Department of Finance will return a copy of the consultant along with the appropriate copies of the Purchase Order (i.e., green & blue copies). The Department of Finance will maintain the original contract. The Department/Division Head will forward a copy of the approved contract to the consultant.

E. Any major substantive modification to the standard contract form should be reviewed by the City Law Director. Any change to the insurance provisions described under Article X should be reviewed by the Division of Personnel & Purchasing prior to execution of the contract.

F. Also note that the standard Professional Services Contract requires that all invoices be sent by the consultant to Finance. Finance will circulate the invoices to the Department/Division Head responsible for managing the consultant for review and approval. Review the invoices carefully. Your approval for payment indicates that all the billed work is in fact complete and satisfactory and that the billing is in accordance with the original terms of the Professional Service Contract. After an invoice is approved, the invoice along with the green copy of the Purchase Order, or copy of the Purchase Order if only a partial payment, is to be returned to Finance for processing the payment.

G. If the original Scope of Service changes and requires an amendment to the contract,

the amendment must go through the same review and approval authority as the original contract. A standard form will be developed for use as a Professional Services Contract amendment and will be distributed in the near future.

III. EFFECTIVE DATE

This Administrative Order shall be effective immediately upon distribution.

Attachment