



# **Proposed Revisions to Orange County Transportation Authority's Procurement Policies and Procedures**



# Background

---

- Board approved policies and procedures
- Procurement Workshop – May 22, 2015
- Discussion focused on 3 major issues
- Reviewed potential solutions with industry groups

# Background

---

- Meetings held with:
  - American Council of Engineering Companies
  - American Society of Civil Engineers
  - Construction Management Association of America
  - Orange County Public Affairs Association

# **Issue: Strengthen Proposal Evaluation Procedures to Ensure Confidentiality and Fair and Unbiased Evaluations**

---

## Recommendations:

1. Define the evaluation period from date solicitation is released to date the contract is signed. Proposing firms and advocates are prohibited from contacting member of the evaluation committee during the evaluation period. If solicitation is cancelled after proposals are distributed, original evaluation committee would be included in prohibition unless new procurement is re-issued more than 90 days after cancellation. If solicitation is cancelled, CAMM will collect proposals from committee.
2. Retain the policy in which during an active solicitation, all procurement related conversations between staff and firms must go through the Contracts Administration and Materials Management department.

## **Issue: Strengthen Proposal Evaluation Procedures to Ensure Confidentiality and Fair and Unbiased Evaluations**

---

3. Evaluators who have a need to meet with proposing firms, on unrelated matters, must calendar meeting in their Outlook calendar with the reason for the meeting. Notice must also be sent to evaluator's supervisor and Director of CAMM. At conclusion, evaluator must prepare synopsis of meeting.
4. Include the above definition in all training and documentation used in the evaluation process, i.e. Confidentiality and Disclosure Form.
5. Firms must disclose in their proposal and throughout the course of the evaluation process if they have hired or retained an advocate to lobby on their behalf and complete campaign contribution forms if not included with original proposal.

5

# **Issue: Strengthen Proposal Evaluation Procedures to Ensure Confidentiality and Fair and Unbiased Evaluations**

6. Establish the policy that would prohibit firms that are hired to perform services for OCTA to also act concurrently as an advocate for another firm that is competing for a contract with OCTA, either as a prime or a subcontractor.
  
7. Board members and their staff will not distribute evaluation documents received before the Board takes final action to other proposing firms or advocates. This relates to information or documents other than information provided in the staff report.

# Issue: Require Adherence to OCTA's Contractual Requirements

---

## Recommendations:

1. Firms will be required to include in their proposal any exceptions or deviations to OCTA's terms and conditions. If no exceptions or deviations are noted in the original proposal, the firm will not be able to submit any during negotiations.
2. Establish a pass/fail evaluation of the exceptions or deviations. If exception is a non-negotiable item, the firm will be allowed to retract the exception and continue on the evaluation. If the firm does not retract the non-negotiable item, then the firm may be eliminated from further evaluation.

# Issue: Score Interview as a Separate Evaluation Criteria

---

## Recommendation:

1. Retain the current process of not scoring the interview as a separate criteria. Interview substantiates written proposal. Staff is focused on gaining an understanding of how firm proposes to perform the work rather than on assigning a score. If the rank order changes after the interview, the staff report will reflect the change.



# Next Steps

---

- If approved, staff will revise the OCTA Procurement Policies and Procedures Manual
- Conduct training on new procedures with staff and business community