



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

Consider action authorizing the City Manager to issue a Request for Qualifications for engineering and surveying services for infrastructure projects including (but not limited to) the American Rescue Plan grant and Community Development Block Grants.

AGENDA ITEM SUBMITTED BY:

Submitted by: Sylvia Carrillo, ICMA-CM, CPM, City Manager

BACKGROUND/HISTORY:

Many of the city's projects are past due and over budget. In an attempt to streamline some processes for services, it is necessary to issue a new Request for Qualifications that would allow the City Manager and staff to best select those firms who best fit the needs of the City of Bastrop.

The process is mandated by state law.

Professional or Personal Services.

- (a) **Selection of Professional.** Services within the scope of practice, as defined by state law, of accounting, architecture, landscape architecture, land surveying, medicine, optometry, professional engineering, or real estate appraising professional must be selected in accordance with the Professional Services Procurement Act, Tex. Gov't Code §2254.001 et seq. The municipality must select the professional of its choice based on demonstrated competence and qualifications. Then a contract must be negotiated at a fair and reasonable price. The contract fees may not be higher than the recommended practices and fees published by the applicable professional association, nor may they be higher than any maximum provided by law. Tex. Gov't Code §2254.003. If any service is provided by a person licensed or registered to practice one of these professions, the Professional Services Procurement Act may apply.
- (b) **Engineers, Surveyors, and Architects.** Contracts for engineering, land surveying, and architectural services have additional requirements. To procure architectural, engineering services, or land surveying, a municipality must first select the most highly qualified provider on the basis of demonstrated competence and qualifications; and then attempt to negotiate a contract for a fair and reasonable price. Tex. Gov't Code §2254.004.
- (c) **(c) Negotiations.** If negotiations for the first-choice candidate fail, the municipality must formally end negotiations and begin negotiating with its next choice. The process continues until a contract is entered into. Tex. Gov't Code §2254.004.

FISCAL IMPACT:

Unknown at this time. Professional services cannot be scored on price, and must be scored on qualifications first.

RECOMMENDATION:

Authorize the City Manager to work with legal to release an RFP for engineering and surveying services within the next 7 days.

ATTACHMENTS:

1. None