

**Minutes of the
PUBLIC WORKS COMMITTEE**

Meeting held: Wednesday, November 6, 2019
Leawood City Hall- Main Conference Room, 7:30 AM

COMMITTEE MEMBERS PRESENT:

Andrew Osman, Chair, Councilmember Ward 1
Julie Cain, Vice Chair, Councilmember Ward 4
Lori Ames
Abbas Haideri
Todd Harris
Marsha Monica
Jim Rawlings, Councilmember Ward 2
Chuck Sipple, Councilmember Ward 3
Chris White

ABSENT:

Ken Conrad

STAFF PRESENT:

David Ley, P.E., Director of Public Works
Brian Scovill, P.E., City Engineer
Julie Stasi, Public Works Admin. Services Manager, Sr.

Chair Osman called the meeting to order at 7:33 AM.

Chair Osman called the meeting to order. Staff and committee members introduced themselves.

FIRST ITEM OF BUSINESS (OLD BUSINESS): Review/approve the previous meeting Minutes.

ACTION: Marsha Monica- Motioned to approve the Minutes of the Public Works Meeting held October 2, 2019. Chuck Sipple-Seconded the motion to approve the Minutes. All present members were in favor. Motion passed. Minutes Approved.

SECOND ITEM OF BUSINESS (OLD BUSINESS): Request from Public Works regarding the Design Consultant Selection Process for the 2022 Mission Road (133rd to 143rd) Project.

David Ley-Advised that staff had met with the consultants and had an average of about 45 minutes with each firm to go over the project and request for the proposals. Today the committee is to review and select packet Requests for Qualifications (RFQ) from four (4) consultants interested in the Design Project of Mission Road, 133 to 143. Six (6) firms were sent RFQ requests. Two firms (HNTB and Walter P. Moore) respectfully declined the consideration for this project. The Committee received the packets last week to review and graded the firms of Burns & McDonnell, HDR, Olsson & Associates and TREKK. Six criteria headings were scored out of the packets with a concern for: project understanding, project approach, similar experience, key personnel & availability, project schedule, and customer service.

Marsha Monica-Commented that she liked having the letter in the packet that was sent to the consultants. She also liked the new score sheet with 60 points instead of the 100 and liked how staff put some of the items the Committee should look for in their review. Kudos to the staff.

David Ley-Also said this group will be ranking another firm in six (6) months. So whatever improvements we want to make, we can discuss that after we make today's selection.

Discussion/questions or comments before we hand in score sheets:

Andrew Osman-Wondered how many engineering firms there were in Kansas City. There comes a point in which RFP's are sent out all the time. And the same people respond over and over again. There comes a point in which you go through the motions and if it's a smaller or medium sized company, they may think they are just wasting their time. They spend many hours putting these packages together and how does it work with Leawood and other municipalities of diversifying the engineering group? Are there six major firms? Twenty? Forty?

David Ley-Even in Johnson County there are probably between 30 to 40 really good firms that do that type of work.

Brian Scovill-and a lot of them have more experience than others with municipal work. Some focus more on private development. So it depends on what their expertise is. Maybe send it to 10 firms and some say they do not have the number of qualified staff to perform the scope we need them to do, and they specialize in other areas. Others have said they appreciate the letter but they are not interested in submitted again because they submitted on past projects and did not get selected. They felt like they were spinning their wheels. So that is something to be considered or thought about, if it is worth their time.

Todd Harris-Thinks the size and the project matters. In my experience, right now it's the KCI Project in Kansas City. And we have a very narrow part of that. Although in this case it is millions of dollars. You see consortium firms come in to do large amounts of work. One thing I picked up on in these packets is there is a consortium idea of bringing in other firms. Also there is a lot of consideration in big projects like that to the minority type firms as well to give them a shot at it. I think the general contractors that are thinking that way with proposals that show they are trying to bring in the best of the best firms. It is up to them to demonstrate that. But that is a talking point that could be made. When our staff meets with them to consider all the different possibilities and you may cover that because in this case (and I'm not going to be specific about it), I noticed that a prior bidder that didn't get work that I graded on another project for this Committee, was part of a consortium here that has done some other work in the City too.

Abbas Haideri-Perhaps if we brought in the top 2 or so firms to present in person? That would allow them to interact with the Committee. Maybe get a better understanding of what the questions are and have a chance to defend themselves. Instead of us grading their glossy paperwork.

David Ley-We have talked about doing that, interviews if there are two firms that are fairly close to each other in rankings. We did that on 143rd Street, Phase 2. On the Phase 1 portion, we actually brought in four firms and brought them all in here for interviews. That's really up to the Committee to decide if they want to do that.

Jim Rawlings-Many many years ago we used to do that. We would bring them in and they all would be lined up in the lobby. We would rotate them in and give them thirty minutes to talk. Basically all they were doing was paraphrasing what was written. I liked the idea but I do not know if it was helpful. They become very identical.

Chris White-This goes back to the evaluation process. What is important and what are we really after? Because as we said earlier, looking at RFPs could be grading their Marketing Department. Bringing them in, you are grading their personalities. So they are going to send in their good people for that. If there was a cost element to bring in to look at these things, to me as what a City might be looking for is a quality job, a schedule for the work and cost overall of the project. But right now that cost element does not get into the evaluation at all. The schedule we get at this stage is ...As long as we are getting good quality work for our residents, but if we want to bring other people in, we would need to go back to that evaluation process and see if there is something somehow we are missing the less experienced firms and what they are doing.

Marsha Monica-All the time tables were pretty much alike. You told them it has to start on a specific date.

Chair Osman-Projects are very diverse and it can be hard to pin point a number. Is it possible to incorporate cost or general approximations as part of the ranking system?

David Ley-As far as (and we've discussed this in the past) but as far as the selection of professional consultants you are not supposed to use money as one of the selection criteria. If we were to do a Design/Build Project, then you do rank money or cost of the project as part of the ranking sheets. And it is pretty hard as there is a lot of detail. When we meet with the consultant afterwards and we go through all their scopes and fees to figure out what that bottom dollar is. There is a lot of going back and forth between us and the consultant to get it.

Brian Scovill. We look at how many hours and their rates per hour on each item of work. For example, how many hours they have for survey, how many hours for ownership and encumbrance reports, and if they are using a title company. We rarely accept their first blush of the proposed cost because we know the scope will change. They may think they need 40 hours on an item when our expectation is for a 5 hour item. We really review their fee.

Chuck Sipple-Should we include that in these estimates as the number of hours per task? I kind of thought that was missing, where they are going to focus their professional staff, where the managers are going to spend their time. They have percentage of time available, but they do not say they are going to spend 113 hours or 110 or 60. I would like to know where their focus is going to be. I thought that was missing in these things.

Brian Scovill-Usually before they develop that, we have a scoping meeting after they have been selected. It could be an hour or two hour long meeting where we go through and provide examples and details and we walk through the process. Overland Park might do a project differently than Leawood or Leawood might do it different than Mission. These firms have a lot of municipal experience and they will do it the way they have done it in the past. So when we sit down with them, we want to make sure it is the Leawood way and it meets our expectations for our citizens.

Chuck Sipple-As long as you guys do that in Public Works; that is fine. I just thought as an evaluator of the bids I'd like to see where the focus was and where their high powered time and staff time was going.

David Ley-We could probably request that going forward. Have them give us an estimated number of hours that they feel would be placed on the project. Maybe you would rather see something like that verses the schedule.

Brian Scovill-Maybe have major items of work and approximately the number hours associated with each item.

Julie Cain-And that is what can be totally blown, the schedule. Like Mission Road. What is the consequence of them not sticking to the schedule? Similar to the stone wall on Roe. That should not be failing already, we paid a lot of money for that to be installed. With Parks and Recreation Dept, we still have the consultants come in and present. It is the razzle dazzle of the report and marketing. We do still have committees that bring in the people (like when we are designing a park) it is important to see some of that artistic design and what we want. Why can't we have the price component in the review?

Brian Scovill-There are State Statutes where municipal/government agencies (County and State) using federal funds are supposed to base an award of Professional Services on qualifications.

Chris White-What about rate sheets? One of the advantages to some of the smaller firms might be that their hourly rates are lower.

Brian Scovill-To back up on State Statues, if the municipal agency has a policy in place, you can require or request additional information such as prices, but it cannot be used in the selection. And there are professional organizations that have lobbyists in place to insure that the requirement for qualifications does not change. For example Kansas Department of Transportation had to be approved at the State Level before they were allowed to do their first design/build project (which considered prices in the selection process). We can be more flexible with local funding because we have a council that can approve or pass a policy.

Andrew Osman-Not to deviate, but how do we select the firms?

David Ley-For the design consultants, the City Engineer and I work together on this. We talk with the surrounding municipalities to see who all they are using on their projects. It is also who we have had luck with in the past and who the other cities have had luck with recently those are typically the firms we short list. Construction is bid out.

Brian Scovill-For instance this project is going to require a traffic study that needs to be performed. So there are several firms that do not actually have a traffic engineer on staff and they out-source that. We did not send it to anyone who does not have a traffic engineer on staff.

Andrew Osman- For the state of Kansas, anyone can sign up and get RFP's and you can get emails. They may not apply to you or you may not decide to do it, but it is a push system where they push everything out towards many people and then they can take however they want. Is it just sending out emails, or listed on the Leawood web site?

David Ley-No. Usually the consultants will come in and meet with staff. There are several that keep on top of our Capital Improvement Programs. They know when a project is coming down the line. They will approach us and say they are interested in the types of jobs they want. As I said before, it is going of past references from other Cities and our own. We do not advertise saying we are looking for engineers for a project.

Marsha Monica-Do you ever have somebody call and say I'm a company, and I'd like to get involved in some of the Leawood projects and come to meet with you?

David Ley-Yes, frequently we meet with people and then we review their qualifications. And if we are going to add them to an RFP we want to make sure we have matched a project with what we are comfortable and what they are comfortable with too. They do not want to come in and fail either. They want success.

Jim Rawlings-Is there something that we are missing in our scoring? Or in all your talking with other municipalities is the way we do it pretty standard?

David Ley-I think it's pretty standard.

Brian Scovill-When I came to Leawood, I noticed these are nearly the exact forms that I had been using at Overland Park. Also our Legal Department works very closely with Overland Park's attorney and so forms and practices are often similar. The contracts even look very similar. There is always opportunity for improvement

and if the selection committee sees something. Although they really all look the same, they are all qualified and I would be comfortable with any of the firms presented here today.

Chuck Sipple-Two additional comments.

It would be helpful for me as an evaluator if I could get a listing of the jobs that these guys have done in the past and whether you were happy with their services. On a scale of 1 to 10 did you give them a 7 or a 9.5? The listings of the jobs that they have done in the last 5 or 10 year or something like that.

The other thing is how many hours do these companies put into responding to an RFP like this? Because when I was writing proposals a lot of times it was a manager or a partner and a couple of grunts that were not assigned to a job and they were the ones that were doing the work.

Abbas Haideri-One is to say they worked on a project, but the other is to say, they worked on the project and they did it in "x" amount of time and here is what it cost. At least it would still tell us how much time and expense.

Julie Cain-Yes, as in: How close were you to the schedule? And then they can elaborate.

Marsha Monica-But don't you think they are just going to list their good projects that came in fine or within budget? They are not going to put the bad ones.

Brian Scovill-We could ask for their reference.

Todd Harris-One of the improvements I saw with this process this time, was that I saw more connections to past work. Who did it and I saw the same names on some of these. Not all of them. But to me, that is what Ken Conrad was making a point that they can say somebody did it in the past but either way you have no idea if these same people will be there. What percent, but at least they tried to address their availability. Some of them had the connections of these projects, they actually had listed the names of who were on those. We could ask for more data about those projects, but I did see connections to again the people that they are saying will be assigned to the project. That was helpful to me to see that this person who did this work and it's relative to what we are about to do will be assigned to this project. That to me is a big deal.

David Ley-Wanted to add as far as staff providing information on each firm, if we would have done that on this project, we do not do that many projects. And we have an Arterial Reconstruction every four years. So that is one reason we talk with other cities is to see who they have worked with recently and who has been doing a good job. Who was on that job from that company so we can verify and if a firm has not done any job in the past for us and we are unhappy with them, we do not ask them to submit.

Marsha Monica- Everybody that we get to review, staff is already comfortable with using. Staff has already researched and is good with us picking any one of these firms and we're fine, we can work with them.

Committee Members handed in their score sheets. Score summary rankings were calculated and are attached.

ACTION: Marsha Monica Motioned for a recommendation the Committee select Burns & McDonnell and request approval for Staff to enter into negotiations with them for the Design Project of Mission Road Improvements, 133rd to 143rd Street.

Todd Harris seconded the Motion to approve Burns & McDonnell. All present members were in favor. Motion Passed.

Chair Osman adjourned the meeting at 8:25 A.M.

Minutes transcribed by: Julie Stasi, Administrative Services Manager, Sr.
attachment (1)