



Administrative Regulation 3323

PROFESSIONAL SERVICES

Responsible Office: Office of Business and Finance

PURPOSE

This Administrative Regulation describes the process by which professional services are procured in the Washoe County School District (District).

DEFINITIONS

1. "Bid" is a complete sealed solicitation (submitted in competition with other bidders in response to a Request for Bid) to execute specified job(s) within prescribed time that usually includes labor, equipment, services, and/or materials. The bid-receiving party may reject or accept the bid. Once accepted, the bid may turn into a binding contract.
2. "Contract" is a voluntary, deliberate, and legally binding agreement between two or more competent parties. Contracts are usually written but may be spoken or implied, and generally have to do with employment, sale or lease, or tenancy. Contracts include Memorandums of Understanding (MOUs), terms of services, terms of use, or any other binding agreement.
3. "Professional Services" is work performed by an independent contractor, either of a consultative nature or associated with specialized expertise in the service sector, rather than a manufactured product, to augment the District's professional capabilities or serve in an advisory capacity. Examples of professional services include, but are not limited to, architectural services, engineering services, investment management services, banking services, training and development and consulting services.
4. "Proposal" is a complete sealed solicitation (submitted in competition with other proposers in response to a Request for Proposal or Request for Qualifications) to execute specified job(s) within prescribed time that usually includes labor, equipment, services, and/or materials. The proposal-receiving party may reject or accept the proposal. Once accepted, the proposal may turn into a binding contract.
5. "Quotation" is a formal statement of promise (submitted usually in response to a request for quotation) by potential supplier to supply the goods or services required by a buyer, at specified prices, and within a specified period. A quotation may also contain terms of sale and payment, and warranties.

6. "Solicitation" is the general process of employing competition through any approved solicitation type for a specified product, service, or project. A solicitation can include, but is not limited to: Request for Bid, Request for Proposal, Request for Qualifications, and Request for Quotation.

REGULATION

1. Professional services are widely used by schools and departments within the District. While these services are exempt from the bidding requirements under NRS 332, the District desires to employ a competitive process for these services when required and whenever practicable and beneficial to do so. Schools and departments should consult with the Purchasing Department to determine which type of solicitation is most appropriate.
2. The Superintendent, Chief Financial Officer, and Director of Procurement and Contracts are authorized to enter into contracts for supplies, equipment, materials, labor, and services.
3. Professional Services Utilizing Federal Funding.

Any time a procurement of professional services utilizing federal funding reaches \$10,000 or more, a competitive process **must** be employed. The District is required to follow the stricter of state laws and federal laws and guidelines. Please consult with the Purchasing Department to determine which laws are stricter for a particular service.

- a. For services between \$10,000 and \$249,999, the department or school should solicit at least three quotes from companies that can perform the work and must award to the lowest quoted vendor meeting specifications. The department or school should consult with the Purchasing Department to ensure all federal guidelines are adhered to properly. Alternatively, the department or school can use the process described below in Section 3(b) for an informal request for a letter proposal.
- b. In lieu of obtaining three quotes in accordance with the preceding Section 3(a), for professional services between \$10,000 and \$249,999, an informal request for a letter proposal is acceptable unless otherwise directed by the Purchasing Department. The request for a letter proposal should include a detailed scope of work and the criteria to be evaluated. The weights for the criteria should be determined prior to sending out the request for letter proposals. The department or school should solicit proposals from a minimum of three companies that can perform the work. The criteria upon which to evaluate proposals should include, but not be limited to, the vendor's qualifications and relevant experience, proposed project approach, proposed personnel, and the firm's proposed

compensation structure/quote. An evaluation of each of these areas, and any others identified by the school or department in the scope of work, should be performed by the department or school and a recommendation for award to the vendor receiving the highest score should be made by the department or school, subject to review and approval by the Purchasing Department. The Department or school conducting the request for letter proposals must submit the scope of work and scoresheets for each firm evaluated for each person that participated in the evaluation to the Purchasing Department for approval prior to notifying the winning vendor.

c. For services totaling \$250,000 or more, a sealed Request for Proposal (RFP) Request for Bid (RFB), or Request for Qualifications (RFQS) must be conducted by the Purchasing Department and awarded by the Board of Trustees before taking receipt of services.

d. When procuring goods or services with federal funds, end-users should use the stricter of the processes outlined in this section or the process outlined in section 4 below, NRS 332.

4. Professional Services Not Utilizing Federal Funding

- a. The department or school should consult with the Purchasing Department to determine the most appropriate type of competition to be employed.
- b. For services between \$10,000 and \$24,999, unless otherwise directed by the Purchasing Department, the department or school should solicit at least three quotes from companies that can perform the work. If only quotes are requested, the department or school must award to the lowest quoted vendor meeting specifications, unless there is a compelling reason why the lowest quoted vendor is not satisfactory. Alternatively, the department or school can use the process described below in Section 4(c) for an informal request for a letter proposal.
- c. For services between \$25,000 and \$99,999, an informal request for a letter proposal should be used unless otherwise directed by the Purchasing Department. The request for a letter proposal should include a detailed scope of work and the criteria to be evaluated. The weights for the criteria should be determined prior to sending out the request for letter proposals. The department or school should solicit proposals from a minimum of three companies that can perform the work. The criteria upon which to evaluate proposals should include, but not be limited to, the vendor's qualifications and relevant experience, proposed project approach, proposed personnel, and the firm's proposed compensation structure/quote. An evaluation of each of these areas, and any others

or Director of Procurement and Contracts only once the completed ICA has been submitted with the requisition for services.

- b. The vendor may also require their contract be signed. This requires review by the Purchasing Department and the Office of the General Counsel through the contract review process. This review should occur prior to the requisition being entered. The approved contract review form and vendor contract should be attached to the requisition along with the ICA.
- c. On rare occasions, the vendor contract only, without an accompanying ICA, may be authorized if the vendor contract contains the provisions that are in the District's standard ICA. Please consult with the Purchasing Department to determine when/if this can occur.
- d. Services may not be rendered unless the following are met. Accepting services without the following is considered an unauthorized purchase.
 - i. A fully executed vendor contract signed by an authorized District person is obtained, when applicable, and a copy is provided to the school or department by the Purchasing Department;
 - ii. A fully executed ICA signed by an authorized District person is obtained and a copy is provided to the school or department by the Purchasing Department; and
 - iii. A fully executed Purchase Order signed by an authorized District person is obtained and a copy provided to the school or department.

LEGAL REQUIREMENTS AND ASSOCIATED DOCUMENTS

- 1. This Administrative Regulation reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
 - a. Board Policy 3321, Contract Review and Approval; and
 - b. Board Policy 3320, Procurement.
- 2. This Administrative Regulation complies with federal laws and regulations, Nevada Revised Statutes (NRS), and Nevada Administrative Code (NAC) to include:
 - a. 2 C.F.R. § 200.0, et seq.
 - b. NRS Chapter 332, Purchasing: Local Governments.

REVISION HISTORY

Date	Revision	Modification
03/15/2022	1.0	Adopted
7/19/2023	2.0	Revised: to add language re proposals for professional services utilizing federal funding between \$10,000 - \$249,999 and letter proposals for services not utilizing federal funding between \$10,000 and \$99,999