

**CITY OF NEW ORLEANS**  
**CHIEF ADMINISTRATIVE OFFICE**

**POLICY MEMORANDUM NO. 118(R)**

**January 14, 2010**

**To:** All Departments, Boards, Agencies, Commissions and Corporations

**From:** Brenda G. Hatfield, Ph.D., Chief Administrative Officer

**Subject: PROFESSIONAL SERVICE CONTRACTS FUNDED BY THE COMMUNITY DEVELOPMENT BLOCK GRANT “CDBG” PROGRAM: PROTOCOL FOR SELECTION OF A VENDOR (S) AS PROVIDED FOR IN 24 C.F.R. 85.36**

**I. PURPOSE**

In an effort to further promote transparency and continue to provide effective and efficient administrative guidance, this policy memorandum is created for the purpose of designating the highest ranked proposal and implementing a protocol for providing supporting information on the selection of a vendor during the evaluation of proposals received in response to a Request for Proposals (“RFP”)

The CDBG program is a flexible program that provides communities (such as the City of New Orleans) with resources to address a wide range of unique community development needs. Additionally, the U.S. Office of Housing and Urban Development (HUD) provides flexible grants to help cities, counties, and States recovering from Presidentially declared disasters, especially in low-income areas, subject to availability of supplemental appropriations.

The City of New Orleans continues to be afforded the opportunity to utilize these funds during its recovery from Hurricane Katrina and is an important tool for helping the City tackle challenges facing its communities.

**II. GOVERNING AUTHORITY**

- A.** Section 4-302(5) authorizes the Chief Administrative Officer to “prescribe accepted standards of administrative practice to be followed by all offices, departments, and boards.”
- B.** Section 6-308(5)(b) of the Home Rule Charter of the City of New Orleans (Charter) requires that the Mayor establish, by executive order, a competitive selection process for the procurement of professional services, and allows a threshold amount for use of the competitive selection process to be set by ordinance.
- C.** In accordance with the Charter, the Mayor has the authority to select contractors for professional services for the City except those administered by the City Council. Mayoral Executive Order CRN 09-01 (CRN 09-01) establishes the competitive

selection process for procuring professional services as directed by the Charter. Pursuant to Section 2 of CRN 09-01, the City may deviate from the executive order to address the procurement of professional services funded by grants which include specific and clearly mandated conditions for award, such as the CDBG. This Policy Memorandum is established to address the policies and procedures to be utilized when awarding contracts funded with CDBG dollars.

- D.** In accordance with CRN 09-01, the Chief Administration Officer is ordered to design and formulate rules and regulations to effectuate the spirit, intent, and purpose of said order.

**III. DESCRIPTIVE OF PROCESS**

**A. Advertising an RFP**

CRN 09-01 states that the procedure for preparing and advertising an RFP as well as the final selection is outlined below:

- i.) A City department, board or other agency identifies a professional need;
- ii.) A City department, board or other agency prepares the RFP and submits it to the Chief Administrative Officer and City Attorney, respectively, for approval and the RFP is advertised;
- iii.) The proposals are evaluated by the Executive (Chief Administrative Officer, City Attorney or Executive Director of ORDA, OCD and/or its successor) under which the RFP was advertised. Note: RFPs proposed by all departments/units except the City Attorney and ORDA, OCD and/or its successor will be evaluated by the Chief Administrative Officer; and
- iv.) The Mayor makes the final selection of a vendor(s) to perform the needed services.

**B. Evaluating Proposals**

The Executive considers various factors when evaluating proposals received in response to an RFP. The following are standard weighting criteria included in each RFP:

- i.) Specialized experience and technical competence;
- ii.) Performance history, including, without limitation, competency, responsiveness, cost control, work quality and the ability to meet schedules and deadlines
- iii.) Willingness to promote full and equal business opportunities in accordance with the City's Disadvantage Business Enterprise Program; and
- iv.) Cost.

**C. Protocol for Final Selection of a Vendor (s)**

In accordance with Section 8 of CRN 09-01 the Executive may submit his or her respective written or oral comments to the Mayor regarding the proposals received in response to the RFPs. An evaluation form for each RFP will be completed based upon the selection criteria and weighting factors stated in the RFP.

Pursuant to 24 C.F.R. 85.36, the Mayor shall select the highest ranking, eligible and responsive respondent from the proposals submitted to provide the needed services. He may: (a) make a selection from the proposals submitted; (b) make multiple selections for awards from the proposals submitted; or (c) reject all proposals, in his sole discretion.

The Executive frequently submits his or her comments to the Mayor in the form of a memorandum. This memorandum confirms that the procedure established in CRN 09-01 with respect to obtaining professional services was followed, verifies DBE goal compliance and presents the ranked respondents.

The Executive shall prepare a memorandum to the file which details the following:

- a) A brief description of the needed services;
- b) The number of respondents;
- c) The weighted criteria;
- d) Why the respondent satisfies said criteria in more superior manner than the other ranked respondents. Emphasis should be placed on the selected respondent's specialized experience and performance history (i.e., lawsuit against the City); and
- e) An overall statement as to why the respondent was selected.

This memorandum shall be initialed by the Executive as well as the department head, board, agency or commission (depending under which Executive the RFP is advertised) and submitted with the final contract to be executed by the Mayor.

**D. Required Contract Provisions**

All CDBG funded contracts shall include the provisions Exhibit "A" which is attached hereto and made part of this policy memorandum.

**IV. INQUIRIES**

Questions regarding this memorandum should be forwarded to the Chief Administration Officer at (504) 658-8911.