



# Professional Service Subcontractor Approval Policy and Procedures

**EFFECTIVE DATE:** March 1, 2016

City Manager

A handwritten signature in blue ink that reads "H Black".

Harry Black

Chief Procurement Officer

A handwritten signature in blue ink that reads "Patrick A. Duhaney".

Patrick A. Duhaney

# Professional Service Subcontractor Approval

## Policy and Procedures

### Purpose

The purpose of this Policy is to state the policies and practices which all City departments must follow to obtain the written City Manager consent required, per Administrative Regulation No. 62, for a City contractor to add a subcontractor, or to substitute one subcontractor for another subcontractor, under a City professional or nonstandard services contract.

### Definition of Professional and Nonstandard Services

Professional services are those personal services which involve extended analysis, expression of opinion, exercise of discretion and independent judgment in their performance, and an advanced specialized type of knowledge, expertise or training customarily acquired by either a prolonged course of study or equivalent experience in the field. The performance of professional services may require a license, official certification or authorization by the state.

Nonstandard services are those personal services which involve unique or unusual circumstances, requiring a procurement and oversight process different from competitive bidding. Depending on the circumstances, examples of nonstandard services may include concession or revenue-generating agreements, services subject to the managed competition process, and certain on-going social services.

### Policy and Procedure

Each subcontractor proposed for a City professional or nonstandard services contract must be approved by the City Manager prior to the commencement of work and or services by the subcontractor. Subcontractor approval will be considered by the City Manager upon recommendation of the department Director.

**Note:** The City assumes no obligation to pay, and will not pay, a contractor for any work and or services performed by a subcontractor on the contract prior to the City Manager's approval of that subcontractor.

Except in emergency situations, as described and approved in accordance to Administrative Regulation No. 34, requiring immediate use of a subcontractor, the prime contractor is responsible for submitting all required supporting documentation to the City's contracting department, through the designated

project manager or point of contact for the contract no less than 3 (three) weeks in advance of the date the additional or substitute subcontractor is needed on the project, to allow time for internal and City Manager approvals without delay or interruption of the project.

**Note:** The City will not grant any City contractor additional time to meet project deadlines, and will not authorize or pay additional compensation or delay damages of any kind arising from the contractor's inability to add or substitute a subcontractor because the contractor failed to submit the approval request and supporting documentation at least 3 (three) weeks in advance of the date the additional or substitute subcontractor is needed.

The contracting department's project manager shall serve as the primary contact for the prime contractor. The contracting department is responsible for assessing the completeness and sufficiency of the supporting documentation received from the prime contractor and subcontractor and preparing the Professional Service Subcontractor Approval Form (attached), for timely processing of the form through the appropriate internal department review(s) and approval(s) prior to submitting to the Chief Procurement Officer for approval and placement on the City Manager's Procurement Review Meeting agenda for City Manager consideration and approval.

***Substitution of a Certified Subcontractor.*** A contractor must provide the contracting department, through the project manager, written justification for any proposed substitution of a City certified subcontractor. When obtaining one or more substitutes for a certified subcontractor, a contractor shall make every effort to fulfill or exceed its original certified subcontractor utilization commitment or the contract goal(s) for the contract.

**Note:** The Department of Economic Inclusion (DEI) shall evaluate each subcontractor addition and substitution for M/WBE and/or SBE participation even if the original contract had no certified subcontractor participation goal.

***Monitoring and Enforcement.*** The contracting department's project manager shall verify that the contractor's subcontractor utilization complies with the City Manager's subcontractor approval(s) by reviewing the contractor's documentation and by worksite visits, if appropriate. The use of any subcontractor not previously approved or for scope of services not approved by the City Manager shall be immediately reported to the department Director and Chief Procurement Officer for action.

The department's project manager shall maintain copies of all verification records in the contracting department.

***Penalties for Non-Compliance.*** The department project manager will document and report any findings of non-compliance with this Policy by a contractor to the contracting department Director and the Chief Procurement Officer. Contractors found to be in violation of this policy may be subject to debarment from contracting with the City, termination of contract, and other penalties and sanctions.



CITY OF CINCINNATI  
PROFESSIONAL SERVICES

SUBCONTRACTOR APPROVAL & SUBSTITUTION REQUEST FORM

PLEASE PRINT

Project/Program Name Agreement # Work Order #

REQUESTING CONTRACTOR

Requesting Contractor

Address

City

State

Zip

Contact Person

Phone No.

Email Address

SUBCONTRACTOR

New

Substitution

Subcontractor

Address

SBE \_\_\_ MBE \_\_\_ WBE \_\_\_

City

State

Zip

Contact Person

Phone No.

Email Address

Dollar amount for work to be performed by the subcontractor: \$ \_\_\_\_\_

Scope of work (attach sheet if additional space needed): \_\_\_\_\_

Estimated Starting Date: \_\_\_/\_\_\_/\_\_\_ Estimated Completion Date: \_\_\_/\_\_\_/\_\_\_

SIGNATURES

Requesting Contractor

Date

Federal Tax ID Number

Subcontractor

Date

Federal Tax ID Number

Subcontractor at time of original award (if substitution)

Date

Federal Tax ID Number

Department Director

Date

Director of Economic Inclusion

Date

Chief Procurement Officer

Date

City Manager

Date



METROPOLITAN SEWER DISTRICT OF GREATER CINCINNATI (MSDGC)
PROFESSIONAL SERVICES
SUBCONTRACTOR APPROVAL & SUBSTITUTION REQUEST FORM

PLEASE PRINT

Project/Program Name Agreement # Work Order #

REQUESTING CONTRACTOR

Requesting Contractor

Address

City

State

Zip

Contact Person

Phone No.

Email Address

SUBCONTRACTOR

New

Substitution

Subcontractor

Address

MSDGC SBE

City

State

Zip

Contact Person

Phone No.

Email Address

Dollar amount for work to be performed by the subcontractor: \$

Scope of work (attach sheet if additional space needed):

Estimated Starting Date: / / Estimated Completion Date: / /

SIGNATURES

Requesting Contractor

Date

Federal Tax ID Number

Subcontractor

Date

Federal Tax ID Number

Subcontractor at time of original award (if substitution)

Date

Federal Tax ID Number

MSDGC SBE Manager

Date

Director of Sewers

Date

Chief Procurement Officer

Date

City Manager

Date