

**PROFESSIONAL
SERVICES
PROCUREMENT POLICY**

**COASTAL WATER AUTHORITY
ADOPTED: NOVEMBER 12, 2025**

PROFESSIONAL SERVICES PROCUREMENT POLICY

I. PURPOSE

The purpose of this Policy is to outline the process by which the Coastal Water Authority (“CWA”) will evaluate and select firms to provide professional services in accordance with Sections 49.057(d) and 49.067(b), Texas Water Code, as amended, and the Professional Services Procurement Act (the “Act”), Texas Government Code Chapter 2254, as amended.¹

II. SCOPE

CWA’s selection process for providers of professional services involves an initial review and recommendation by an Evaluation Committee (as defined below) and a two-step approval by the CWA Board of Directors (the “Board”), who will first consider approval of a selected firm, and then, following CWA’s negotiation of a contract, including pricing, with the selected firm, will consider approval of the negotiated scope and fee at a subsequent meeting. If the Executive Director determines that it is in CWA’s best interest to proceed with a formal request for qualifications (“RFQ”) process, CWA will prepare and publish RFQs that describe the scope of services and the process to submit letters of interest and qualification statements. In the alternative, if the Executive Director determines that it is in CWA’s best interest to proceed with an informal RFQ process, CWA will prepare an RFQ that describes the scope of services and contact two or more firms with relevant experience to request that each firm submit letters of interest and qualification statements.

III. EVALUATION COMMITTEE MEMBERSHIP

- A. Letters of interest and qualification statements will be reviewed by an Evaluation Committee consisting of the Executive Director, Chief Engineer, Operations Manager, Contracts Administrator and such other CWA employees as the Executive Director may determine from time to time. For evaluations involving the selection of firms to provide legal, financial, accounting or auditing services, the Finance Manager also will be included on the Evaluation Committee. The Evaluation Committee will determine technical competency and ranking.

IV. CONFIDENTIALITY

- A. The deliberations of the Evaluation Committee are confidential. Evaluation Committee members should not discuss or otherwise reveal any of their findings to anyone outside of the Evaluation Committee and the Board.
- B. The RFQ will note that no communication may occur between the Evaluation Committee and outside parties regarding the selection process. Evaluation Committee members must immediately report any outside contacts regarding the evaluation proceedings to the Executive Director.

¹ As of the date of approval of this Policy, Section 49.067(d) of the Texas Water Code requires CWA to follow the procedures provided in Subchapter A, Chapter 2254 of the Texas Government Code, as amended.

C. Following issuance of an RFQ, any questions from respondents about the RFQ must be submitted in writing to the Executive Director, and all communications with respondents will be handled by the Executive Director. CWA is not obligated to provide responses to questions, but any responses that CWA provides will be made available to all known respondents.

V. EVALUATION CRITERIA

A. The Evaluation Committee will develop criteria to identify fully-qualified firms with relative weighting factors appropriate for the particular solicitation that is communicated via the RFQ. The evaluation criteria may include the following:

1. Specialized experience as a firm and technical competence of proposed key members in the type of work required;
2. Capacity to accomplish the work in the required time from resources within the individual firm or through a subcontract relationship (including an assessment of current and previous workloads);
3. Potential conflicts with current CWA work by either the firm or its subcontractors and subconsultants on a case-by-case basis;
4. Good faith efforts to achieve CWA's Minority, Women and Small Business Enterprise subcontracting goals, which are the same as those for the City of Houston for similar contracts, by utilizing firms certified by the City of Houston's Office of Business Opportunity as a Minority Business Enterprise, a Disadvantaged Business Enterprise or a Women Business Enterprise;
5. Past experience and satisfactory performance on contracts with CWA and/or other public agencies, approval authorities, and private industry in terms of cost control, quality of work, and compliance with performance schedules;
6. Knowledge of local conditions in the locality of the project as evidenced by local presence;
7. Level of effort, fiscal capacity and revenue considerations; and
8. Acceptability under other appropriate project-specific evaluation criteria.

B. This general list of evaluation criteria may be modified, as appropriate, to reflect the requirements of the specific professional service being procured.²

² If the procurement is for a contingent fee contract for legal services, the Executive Director will consult with CWA's general counsel to ensure that the procurement complies with the provisions of Section 2254.1032 of the Act.

C. A pre-submittal briefing with respondents may be conducted to review the evaluation criteria and to clarify submittal requirements, if requested by the Evaluation Committee Chair.

VI. EVALUATION OF SUBMITTALS

A. Evaluation Procedures.

1. After the deadline for submission required by the RFQ, the Evaluation Committee Chair will provide copies of all letters of interest and qualification statements in response to the RFQ to the Evaluation Committee for its review. The Evaluation Committee's review will be limited to those firms that have submitted letters of interest and qualifications statements in response to the RFQ. Without approval from the Board, the Evaluation Committee will exclude from evaluation any firm of which a director or a director's spouse is an employee or owner; and
2. Prior to beginning the evaluations, the Evaluation Committee Chair will call a meeting of the Evaluation Committee and brief them on the evaluation criteria, the scoring parameters, and distribute blank score sheets. At this meeting, any member of the Evaluation Committee may present any information or personal knowledge they have about any of the submissions.

B. Scoring Procedures.

1. Scores will normally be based on a 100-point system or other similar system as determined by the Evaluation Committee;
2. Each voting member of the Evaluation Committee will evaluate the firms, individually, in accordance with the established evaluation criteria published in the solicitation and score the firms in accordance with the scoring parameters. The evaluators shall also provide any narrative comments they feel are pertinent to support their evaluations and, ultimately, submit their evaluation results to the Evaluation Committee Chair. Written scoring for each evaluator will be retained by the Evaluation Committee Chair;
3. The Evaluation Committee Chair will compile the scores and comments from the Evaluation Committee and perform a preliminary analysis of the scoring. Once the Evaluation Committee Chair has completed the analysis, the Evaluation Committee Chair will call a meeting of the Evaluation Committee to discuss the results. During the meeting, any obvious scoring anomalies will be discussed in an attempt to resolve any disparities; and
4. Before the meeting adjourns, the Evaluation Committee Chair and the Evaluation Committee will finalize the compilation of the scoring.

C. Recommendation.

1. The Evaluation Committee will schedule a meeting with the applicable Board committee to present the final results of the scoring and decide whether to recommend a firm selection or establish a short list of qualified firms to be invited for oral interviews to determine the final ranking.
2. If the Board committee recommends conducting oral interviews, the CWA Interview Team will consist of both Evaluation Committee members and the members of the applicable Board committee. The Evaluation Committee Chair will schedule oral interviews at a time convenient for the CWA Interview Team. Oral interviews will be scored by the CWA Interview Team and will be used as the basis for its recommendation of a firm to the Board for consideration.
3. If the applicable Board committee does not recommend conducting oral interviews, the Evaluation Committee will bring forward the recommended firm for Board consideration.

VII. NEGOTIATION AND AWARD

- A. Unless the Executive Director determines it is in the best interest of CWA to augment the procedure, contract awards will be presented to the Board as two separate actions. The Board will first consider approval of a selected firm and then at a subsequent meeting will review and consider approval of a negotiated scope and fee.³
- B. The Executive Director will negotiate a contract with the most qualified offeror for the required services at compensation determined in writing to be fair and reasonable. The results of the negotiations will be presented to the applicable Board committee, who will ultimately make a recommendation for approval to the Board.

Contract negotiations will be directed towards:

1. Making certain that the offeror has a clear understanding of the scope of the work, specifically the essential requirements involved in providing the required services;
2. Determining that the offeror will make available the necessary personnel and facilities to perform the services within the required time;

³ If the Board is considering approval of a contingent fee contract for legal services, the Executive Director will consult with CWA's general counsel prior to presenting the contract to the Board for consideration to ensure compliance with the requirements of Subchapter C of the Act. As of the date of this Policy, these requirements include (i) providing notice to the public, (ii) ensuring that any approval actions taken by the Board with respect to the contract include specific findings, (iii) creating a written statement with specific findings after the Board has approved the contract, and (iii) filing the contract, notice and findings with the attorney general for review and approval.

3. Agreeing upon compensation which is fair and reasonable, taking into account the estimated value of the required services and the scope, complexity, and nature of such services;
4. If compensation, contract requirements, and contract documents can be agreed upon with the most qualified offeror, the contract shall be recommended to the Board for approval;
5. If compensation, contract requirements, or contract documents cannot be agreed upon with the most qualified offeror, a written record stating the reasons therefor shall be placed in the file and the Executive Director will advise such offeror of the termination of negotiations, which shall be confirmed by written notice prior to commencement of negotiations with the next most qualified offeror;
6. Upon failure to negotiate a contract with the most qualified offeror, the Executive Director may enter into negotiations with the next most qualified offeror. If compensation, contract requirements, and contract documents can be agreed upon, then contract award will be recommended to that offeror. If negotiations again fail, negotiations shall be terminated as provided above; and
7. If this effort proves unsuccessful, proposals may be re-solicited.

VIII. DOCUMENTATION

- A. A documentation package consisting of the selection process, final scores and final rankings will be prepared by the Executive Director for the Board's review upon request.
- B. All back-up documentation necessary to substantiate the evaluation and recommendation will be retained as a part of the official files.

IX. DEBRIEFING OF UNSUCCESSFUL OFFERORS

Any debriefings for requirements will be conducted by the Executive Director and may include other Evaluation Committee members. The Evaluation Committee's comments (and/or the CWA Interview Team's comments) will be the basis for the debriefing discussion. Individual scores of responding firms will not be disclosed during debriefings.