

**LNRA BOARD POLICY**  
**302 – USE OF PROFESSIONAL AND CONSULTING SERVICES**

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**302.10           PURPOSE**

The purpose of this policy is to provide guidance to the LNRA Board of Directors and employees regarding the selection and use of professional and consulting services.

**302.20           POLICY**

**302.201          NECESSITY**

LNRA may use professional and consulting services if there is a substantial need for such services and LNRA cannot adequately perform the service with its own employees.

**302.202          SELECTION**

LNRA shall conform to the applicable provisions of the Professional Services Procurement Act. Tex. Govt. Code § 2254.001 et seq.

- In selecting a provider of professional services and/or a consultant, LNRA shall base its choice on demonstrated competence, knowledge, and qualifications, and on the reasonableness of the proposed fee for the services.
- In the case of professional and consulting services performed for an amount less than \$15,000, the General Manager may select and retain the consultant.
- In the case of professional and consulting services performed for an amount in excess of \$15,000, but less than \$25,000, the General Manager shall submit a list of at least three qualified consultants to the Board, with his recommendation, for Board approval; however, in the case of a consultant that has previously performed the same or similar services satisfactorily, and that demonstrates competence and qualifications for the type of services to be performed at fair and reasonable prices, the General Manager may recommend engagement of the consultant without the necessity of considering alternate qualified consultants as long as the consultant's professional fees are consistent with and not higher than the published recommended practices and fees of the various applicable professional associations and do not exceed the maximum provided by any state law.
- In the case of any contract award for professional and consulting services involving a new project expected to exceed \$25,000, LNRA shall maintain a list of at least three qualified

persons or firms for each area of professional services and the Authority shall send a request for proposal to the pre-qualified persons or firms in accordance with 30 Texas Admin. Code § 292.13. The General Manager shall submit the reply proposals along with his selection recommendation for Board approval.

- The selection process for engineering services for new projects expected to exceed \$25,000 will be based on the experience and qualifications of the firms under consideration. Upon the recommendation of the General Manager and selection and approval by the Board, LNRA shall negotiate the professional services fee with the selected firm. Upon agreement of professional services fee, the General Manager shall submit the firm's final proposal to the Board for approval. If negotiations between LNRA and the selected firm cannot be accomplished, LNRA shall interview and negotiate with the next best-qualified firm.

### **302.203      PROFESSIONAL FEE EXPENSES**

Any professional fee expenses require approval by the Board in advance, unless an emergency or urgency exists, in which case the General Manager may make or approve the expense, with the verbal concurrence of the Executive Committee of the Board.

### **302.204      REVIEW AND EVALUATION**

The General Manager's annual report shall include a review and evaluation of the quality and cost effectiveness of professional services /consultants used by the LNRA during that reporting period.

### **302.30      RESPONSIBILITIES**

#### **302.301      GENERAL MANAGER**

The General Manager shall be responsible for the administration and coordination of this policy.

**Effective:** June 25, 2003.