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## **WMAA PROTOCOL FOR USE OF CONSULTANT SERVICES**

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### **Preamble**

The Waste Management Association of Australia, a non profit organisation, ABN 78 071 897 848 is a public company limited by guarantee with its registered office at Suite 4D, 5 Belmore Street, Burwood NSW.

WMAA recognizes that the use of consultants is, from time to time, a necessary and effective method of achieving the Association's goals and objectives for specific work or projects. The consulting industry can provide access to knowledgeable and experienced professionals and trained technicians for these projects without the commitment to permanent staffing.

It is important that the process of requesting proposals and, ultimately, selecting consultants be both efficient and equitable. The WMAA has adopted an open and transparent process to meet these criteria and has agreed that:

1. Work under the value of \$2 000 can be assigned to a consultant with appropriate expertise. The choice of consultant should be agreed to by a nominated group of more than two persons with knowledge of consultant's expertise and experience. The nominated consultant cannot be on this nominated group.
2. Work over the value of \$2 000 and below \$20 000 must have three written quotes and be advertised to the membership via the National Office database.
3. Projects of a value over \$20 000 must go through a public tender process as outlined below and advertised in a National newspaper. National Office can assist with this advertisement placement.
  - 3.1 Where the project is to be the result of Government or other outside funding, a consultant that prepares the initial submission, either paid or unpaid, is not precluded in any way from applying for the final project nor will preparation of the submission for funding in any way be assumed to give the preparer any advantage when tendering for the final project.

### **Terms of Reference**

The process will be greatly assisted if the terms of reference are written and contain the following:

- **Context and background:** a clear understanding of background to the project and other relevant matters.
- **Project purpose:** description of the objectives for the project, project results and their intended end use.
- **Resource requirements:** this will provide an assessment of resource requirements, and the consultant's potential role and position.
- **Process:** when the Association has decided on a process, it should describe the basic process requirements. If the Association wants the consultants to suggest appropriate processes, this should be stated.

- **Responsibilities:** This should include the day-to-day project administration, protocol; final acceptance of the project's results; the use of steering, technical advisory, public advisory, or other committees; the gathering of basic data; and responsibility for project direction.
- **Time line and budget:** the required start up and completion dates, and approximate project cost if appropriate.
- **Resources available** to the consultant: information available (i.e., previous reports, or survey data), and whether working space, clerical, research assistants or other resources are available.
- **Evaluation criteria:** the clear specification of proposal evaluation criteria (experience, costs, time to be spent on-site, innovative methodology, etc), and the weight placed on each, so the selection can be informed, fair and efficient.
- **General:** state the detail with which the process is to be specified, how much support documentation is required, how many copies of both the proposal and the final report are required, the type and number of formal meetings and presentations, whether there is flexibility in the terms of reference, required references, and other matters to elicit the best possible proposals.

### **Calling for Proposals**

Use of appropriate procedures for each situation, along with other key steps in the process, should ensure the selection of the right consultant with a minimum of wasted effort.

For all proposals a written Terms of Reference as outlined above must be prepared.

### **Insurance**

Potential contractors should advise the level of insurance cover they hold in their proposal. It is the responsibility of the Branch / Division / Working Group to determine if the cover is adequate for the project.

### **Estimated Project Value of More than \$2 000 and less than \$20 000**

Projects with an anticipated value of more than \$2 000 and less than \$20 000 should first be offered to all members of WMAA. Where required skills and knowledge are not thought to be within the WMAA membership, quotes may be sought outside the Association.

### **Specialised Projects**

When very specialised work is required applications to quote can be sought from a short list of at least three consultants with appropriate expertise, First options should be to consultants that are members of the WMAA.

The consultants should be approached about the general nature of the assignment, and whether they are interested and available.

The choice of consultants to tender should be agreed to by a nominated group of more than two persons with knowledge of consultant's expertise and experience. The consultant member cannot be part of the decision making group.

## **Estimated Project Value of More than \$20 000**

Projects with an anticipated value of more than \$20 000 should be publicly tendered through the WMAA Newsletter and the Australian (if national) or the appropriate metropolitan paper (if State based). The following two stage process should be adopted.

Initially the Association publicly advertises the request for consulting services, outlining the project and the skills required.

Interested consultants then submit a brief statement of qualifications and experience, indicating their suitability for the project. After an initial evaluation and screening, the Association objectively "short lists" a number of qualified consultants. It then proceeds to the second phase of the procurement process by requesting full written proposals from a limited number of qualified firms.

The Waste Management Association of Australia does not endorse a one-step advertised request for full written proposals. While this has the appearance of allowing wide opportunity to compete, it can be both inefficient and wasteful, given both the amount of consulting time required to prepare proposals and the Association's time in evaluating them.

### The Evaluation

The careful preparation of objectives prior to the proposal call will make evaluation easier, fairer and will enable selection of the best proposal. Evaluation should consider:

- The professional and technical competence of the consultant in meeting proposal objectives;
- The consultant's understanding of the project and the logic of the project methodology;
- The technical work program;
- The cost and time frames;
- The experience of the staff, and the application of staff resources to the task;
- The management and organization;
- The resources offered; and
- Innovative and imaginative approaches.

The primary emphasis should be on professional and technical merit. Providing all proposals are in a reasonable range, cost should play a relatively small role, since professional and technical competence may have far-reaching and major financial implications well beyond the consultant assignment itself. The evaluation process should never be a contest of experience or cost alone.

### **Single Interview Selection**

Single source procurement is justified where there may be only one consultant available with the specialist skills required; where time constraints make it impractical to have an extensive search process; where one consultant is familiar enough with the Association and its requirements to create substantial cost savings; or where, by the unique nature of the project, such as travel costs, a local consultant would be more cost effective. As well, it is wise to balance the size of a small contract and client in preparing and reviewing proposals. Except under these special circumstances, single source procurement should not be used. The choice of this consultant should be agreed to by a nominated group of more than two persons with knowledge of consultant's expertise and experience. The consultant member cannot be part of the decision making group.

### **A Fixed Fee Proposal Call**

This is the most appropriate process for easily defined problems, where selected firms are invited to submit designs or other conceptual solutions in return for a fixed fee. This fee must be realistic in terms of the amount of effort you are expected from each firm. The firm making the best submission would be retained to complete the project.

### **CONTRACTURAL OBLIGATIONS AND ADMINISTRATION PROCEDURES**

Only WMAA National Committee Members (Directors) or the CEO are authorised to execute contracts or make financial or legal commitments on behalf of the Association. Under some circumstances other WMAA staff may be authorised to execute contracts and make commitments under delegation from the CEO or the National Committee. Volunteer members are not authorised to execute contracts or make legal or financial commitments on behalf of the Association. This ensures the continuity of contractual arrangements should volunteer members in the Branch/Working Group/Division leave the industry or resign from the Association. It is also in keeping with appropriate governance and audit procedures which outline Directors' and Officers' liabilities.

The original contracts, quotes or agreements **must** be kept at the registered office so that is can be made available to the Association's auditor if requested. A copy should also be retained by the Division, Branch or Working Group for the purposes of managing the contract.

After the appropriate procedures have been followed and the preferred tenderer/supplier has been selected documentation should be forwarded to the CEO at the National Office for execution, filing and arrangements for payment of contract monies.