

Standard on Contracting for Assessment Services

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International Association of Assessing Officers

1. Scope

This standard describes and makes recommendations on the development, awarding, and monitoring of contracts for assessment services.

2. Overview

2.1 Assessment Contracts

Assessment contracts are developed to provide assessment services to government agencies by firms or private individuals. Throughout this standard the government agency awarding the contract will be referred to as the "assessment agency" and the firm or private individual to whom the contract is awarded as the "contractor."

2.2 Available Services

Assessment service contracts can cover any services relating to the discovery, listing, appraisal, and assessment of property, including data collection, mapping, development of construction cost or valuation manuals, complete or partial revaluations, specialized consulting services, tax policy matters, and system design

and implementation, including development of appraisal and assessment software.

2.3 Advantages and Disadvantages

Contracting for assessment services provides assessment agencies the opportunity to obtain a specified product at a known cost in a given period of time, thereby reducing the time and cost associated with internal development and implementation. In many cases the products and services represent years of research and development and have been tested and proven in other assessment agencies. Widespread implementation (or the possibility thereof) allows the contractor to amortize research, development, and other fixed costs among various clients and customers. In addition, most contractors maintain an experienced professional staff, whose skills and knowledge become immediately available to the assessment agency.

At the same time, however, contracting for assessment services may result in a dependence upon the contractor and its products or services. The assessment

This standard replaces the 1986 Standard on Contracting for Assessment Services. The IAAO's assessment standards represent a consensus in the assessing profession and have been adopted by the Executive Board of the International Association of Assessing Officers (IAAO). The objective of the IAAO's standards is to provide a systematic means by which concerned assessing officers can improve and standardize the operation of their offices. The standards presented here are advisory in nature and the use of, or compliance with, such standards is purely voluntary. If any portion of these standards is found to be in conflict with the Uniform Standards of Professional Appraisal Practice (USPAP) or state laws, USPAP and state laws shall govern.

At the time of the completion of this standard, the Technical Standards Subcommittee was composed of Nancy C. Tomberlin, chair; Sheldon Bluestein; Pamela M. Dubov, CAE; James L. Pence; Jan Vann; and Edward Crane, associate member.

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agency may be less likely to develop internal expertise, and the staff may remain small and not develop a thorough understanding of, or commitment to, the product. In addition, the contractor may not fully understand or be properly concerned with local needs and requirements. As a result, future product modifications required by statutory changes or procedural enhancements can be cumbersome and costly.

When contracting for assessment services, the assessment agency can minimize potential disadvantages through the development of thoughtful, detailed requests for proposals (RFPs), careful research of potential contractors and their work in other jurisdictions, development of strict quality control procedures, good planning and coordination with the successful bidder, and diligent monitoring and review of project results.

Some assessment services are more suited to contracting than others. In general, services or products that are relatively standardized can be provided most efficiently by contract. Complex tasks requiring specialized expertise not available internally can also be suitable for contracting or consultation services.

The assessment agency can minimize potential disadvantages when contracting for assessment services through

- Detailed and meaningful requests for proposals (RFPs)
- Careful research of potential contractors through in-depth past performance reviews
- Strict quality control procedures through diligent monitoring and reviews of the project
- Improved working relationships with the contractor through good planning and coordination
- Complete, thorough, and precise documentation from the contractor through the use of project management tools

3. Request for Proposal (RFP)

3.1 Purpose of the RFP

The request for proposal (RFP) is the document that sets forth the requirements of the project. It should clearly describe the desired products or services, performance standards, completion dates, and any continuing responsibilities of the successful contractor. It should also explain briefly the background of the project, relevant legal considerations, time and funding constraints, and project objectives. A clear, complete, and detailed RFP is the key to achieving desired project results.

3.2 Qualifications

3.2.1 Company Qualifications

The RFP should require the bidders (potential contractors) to demonstrate expertise, experience, and other qualities affecting the probable success of the project. The contractor should possess sufficient financial resources and personnel to ensure continuing commitment to the project and should be adequately insured. The agency should require and carefully review audited financial information on the contractor. References and the Federal Employee Identification Number or other required identification should be requested in the RFP.

The RFP should address the acceptability and potential role of subcontractors. The same performance standards that apply to the primary contractor should also apply to subcontractors. The primary contractor's proposal should identify the contemplated use of subcontractors and, ideally, name them and describe their qualifications and role in the project.

3.2.2 Personnel Qualifications

The RFP should require proposals to identify key individuals to be assigned to the project, along with their qualifications and specific roles. The RFP should specify qualifications of the individuals who will perform the work described, because the quality of project products and services will depend heavily on their expertise. The same qualifications should apply to subcontractor personnel. In some cases it may be appropriate to require testing or certification of individuals assigned to the project.

3.3 Definition of Requirements

The RFP should set forth the requirements of the project in sufficient detail to allow full understanding of the desired results. This will serve to clarify the expectations of the assessment agency and provide a good reference for the evaluation of submitted proposals.

The RFP should identify the agency's hardware, software, personnel, office space, equipment, and any operating constraints that should be taken into consideration by the contractor in developing its proposal.

3.3.1 Project Tasks

The RFP should identify and describe the various tasks and functions to be performed in the project. Each task should be clearly described with respect to content, method of operation, documentation, and expected results.

3.3.2 Project Products

The RFP should describe the content, significant features, and performance standards of all products or items to be provided. The more clearly the project products and output can be described in the RFP, the more likely the assessment agency is to obtain results that meet its needs and expectations. The RFP should specify the eventual ownership of project products, including all data generated.

3.3.3 Training and Education

The RFP should identify the responsibilities of the contractor with respect to training and education of agency personnel in use of the new system, products, or services. This should include a description of the numbers, content, and duration of any formal training sessions, as well as instructors, materials, and training aids to be provided to the agency.

3.3.4 Public Relations

The RFP should identify the responsibilities of the contractor with respect to public relations. This might include public hearings and meetings, media contact, Internet access, and the response to inquiries and information requests. Public relations are particularly important in data collection. See *Standard on Public Relations* (IAAO 2001).

3.3.5 Documentation and Maintenance

The RFP should describe required documentation and maintenance activities.

3.3.6 Compliance with Local and State Regulations

The RFP should include copies of state or local regulations under which the contract must be performed and should identify requirements that will be imposed upon the successful bidder. If the RFP concerns an appraisal project, it should include state and locally mandated appraisal standards. If the contractor will have access to confidential information, the RFP should identify the state or local regulations that require confidentiality and should inform bidders that they will be required to execute confidentiality agreements.

3.3.7 Defense of Appeals and Litigation

The RFP should identify any obligation of the successful bidder to support and defend appraisals, valuation manuals, or other project products during appeals and litigation proceedings. The RFP should include a description of the appeals period, the expected nature of the support or testimony, the duration of such obligations, and procedures for payment of the contractor for services provided during litigation and appeals. See *Standard on Assessment Appeals* (IAAO 2001).

3.3.8 Time Frame, Milestones, and Completion Dates

The RFP should identify the time frame, milestone dates, reports, and the final completion date of the project. Contractor responsibilities beyond the date of completion should also be specified in the RFP.

3.3.9 Equal Opportunity and Affirmative Action

The RFP should clearly specify if the assessment agency is an equal opportunity and affirmative action employer. If the contractor will be required to provide an affirmative action plan or related reports as proof of nondiscrimination, this should be stated in the RFP. Other jurisdictional provisions should be stated.

3.4 Evaluation Procedures

The RFP should explain the basis on which proposals will be evaluated and selected, including required submission dates, oral presentations, and other review and selection procedures. Some important dates include the date by which letters of intent to file a proposal must be received, the date by which proposals must be received, and the date on which proposals will be opened.

The RFP should also specify the method of packaging and labeling proposals, so that they are not inadvertently opened before the scheduled date.

3.5 Clarifications

The RFP must identify the issuing agency, the contract administrator, and procedures to be followed for receiving clarification or interpretation of the specified requirements. All questions should be directed to and handled by the contract administrator to ensure consistency in responses. It is good practice to prepare a written list of questions and answers concerning the RFP to be disseminated to potential contractors, so that they all have the same information and can respond on the same basis.

3.6 Advisory Committee

It may be helpful to form a project advisory committee, made up of key people involved in the project, to coordinate development of the RFP, the evaluation of bids, and awarding of the contract. The committee might later serve as the project review committee (see section 5.4).

4. Awarding of Contracts

4.1 Selection Criteria

Proposals submitted in response to an RFP should be evaluated on the basis of responsiveness, the bidder's qualifications, and cost. To receive serious consideration, a proposal should address all major points cov-

ered in the RFP. Proposals should describe the bidder's experience on similar projects and the qualifications of key personnel to be assigned to the project. Although cost is an important selection criterion, the successful bidder should not be chosen on the basis of cost alone. The assessment agency should expect to negotiate contracts when hiring vendors of professional, highly technical services and products. The assessment agency must be confident that the selected bidder can implement the program requirements in a timely manner. It is highly desirable that the chosen contractor be one who has successfully completed similar projects.

The evaluation of proposals must be objective. The assessment agency should prepare a checklist of required and desirable features with predetermined evaluation criteria when selecting a contractor. References should be fully verified by the agency.

4.2 Contract Provisions

The contract establishes the legal obligation of all parties with respect to the project. It should incorporate the salient features of the RFP and of the successful proposal.

- Detailed description of the work to be performed
- The time frame, delivery date, and other requirements of the project
- The amount and terms of the contract delineating all expenses (travel and other expenses), including all billable expenses
- Authorized signatures of the assessment agency and other parties
- Performance standards
- Testing standards and procedures
- Performance bonds and other insurance coverage, including indemnification and hold harmless clauses
- Required documentation
- Implementation, installation, and delivery dates
- Responsibility for maintenance and upgrades
- Payment provisions
- Termination rights and compensation or penalty payments to the agency in the event of failure to perform, unavailability of funds, liquidation, or other factors
- Arbitration of contractual and other disputes
- Confidentiality agreements
- Other relevant considerations

With respect to payment provisions, the assessment agency should be careful not to commit to paying

fully for a product or service until it has been satisfactorily delivered and tested. Two ways of doing this are through a "holdback" and a "performance bond." In a holdback provision, a specified percentage of the contract amount is withheld until final approval and sign-off on the project. In a performance bond, a third party, in effect, "insures" the contractor's performance. In some cases it may be appropriate to require a performance bond of up to 100 percent of the amount of the contract. Usually, one method will suffice.

All parties should carefully review the contract, obtain legal guidance, and sign only when fully satisfied that the contract adequately addresses all critical points and concerns. The contract must stand on its own; verbal agreements and understandings should be completely avoided.

If a contract is amended, the addendum should reference the original contract and clearly designate the new provisions or modifications (see section 5.3).

The agency should retain the right to approve the substitution of key individuals assigned to the project and to remove unsatisfactory contractor or subcontractor employees from the project.

4.3 Multiple Contracts

In large projects, such as a complete reevaluation, the assessment agency can consider issuing multiple RFPs for various functions or tasks. This can be advantageous when the tasks are large, unrelated, and require different expertise. Multiple contracts, however, require that the agency have special skills in project coordination and management. The contracts must be complementary, cover all requirements, and clearly delineate each contractor's specific responsibilities.

A special case of a multiple contract is a phase arrangement in which separate contracts are let for two or more phases of the project. A type of phase contract is a single contract that allows the agency to cancel the contract at various phases of the project. Although these arrangements provide added flexibility to the agency, they can also introduce added uncertainty as to the outcome and cost of the project.

4.4 Subcontracts

The successful bidder may let subcontracts with other parties for the provision of specified assistance or services. This can be beneficial to the project when the

subcontractor possesses specialized expertise and can offer a product or service not directly available from the primary contractor. The agency should retain the right of approval of any subcontractor.

The contract should formally establish the roles or potential roles of subcontractors. The contract, however, should always hold the primary contractor responsible for full and successful completion of the contract requirements.

5. Monitoring Contract Performance

5.1 General Requirements

Agency personnel must work closely with the contractor throughout the project to ensure full understanding and confidence in the system. They must be able to operate, maintain, and support the system once the contract is completed. Similarly, the assessment agency must possess, train, or acquire an internal staff that can use the contractor's products and services effectively.

5.2 Planning and Review

At the inception of the project, the assessment agency and successful bidder must establish a mutually agreeable master work plan for timely completion of the project. The work plan should establish required completion dates for all major tasks and subtasks involved in the project and should include review periods of adequate duration to permit the agency to evaluate and test project products and results thoroughly before signing off on them.

Both parties to the contract should continually monitor the progress of the project against the master work plan. Various project-planning aids, such as "Gantt" and "CPM" charts, can be helpful in this regard. The contracting parties should always strive to anticipate and plan for the resolution of problems rather than having to react to missed completion dates. Slippage in some target dates may not be critical in that their delay may not affect the start of other tasks. The missing of critical deadlines, however, requires special measures and extra resources to put the project back on track.

The key to a successful project is continual control by the assessment agency. The assessment agency must always know exactly what has been accomplished and what remains to be done. It should ensure that each project and all completed items meet required standards. All concerns of the assessment agency should be brought to the immediate attention of the contrac-

tor. Both parties will find it much easier and more satisfying to make required modifications as the project proceeds rather than to address unresolved issues after completion. Although the assessment agency should strive for a harmonious working relationship with the contractor, it is equally important that the agency ensure that its requirements have been satisfactorily met before accepting tasks as completed and disbursing payments.

5.3 Contract Modifications

During the course of a project, a change in requirements may be desired. If the change is agreeable to both parties, the assessment agency should prepare an addendum clearly specifying the revisions. Signature by authorized representatives of both parties make the addendum as binding as the original contract.

If a project falls far behind schedule, revisions to the master work plan can be considered. This is generally preferable to lowering project requirements or standards. The assessment agency should never let delays or failures to meet requirements develop to the point that a successful conclusion to the project is no longer feasible. If the contract or work plan cannot be amended by mutual agreement, then the assessment agency should seek legal advice to resolve the matter.

5.4 Project Review Committee

For projects that affect several departments or that have multiple objectives, a project review committee can provide the agency with an effective mechanism for internal coordination, monitoring, and review. The committee should include representatives from all departments or sections of the agency affected by the project. Ideally, this committee would develop the RFP, review the bids, and coordinate implementation of the project (see section 3.6).

The committee should meet regularly (at least monthly) to discuss the status of the project, review products and results, and coordinate implementation of manuals, procedures, software, or other items provided in the project. The committee should also meet regularly with the contractor to discuss current developments, provide direction and feedback, and discuss upcoming tasks and areas of concern. The committee should actively guide the project and review results to ensure successful completion of the project.

5.5 Contract Monitors

A contract monitor is generally a party hired by the agency to review the services and products provided

under the contract (the monitor may also be an independent third party). An effective monitor must be thoroughly familiar with the RFP and successful bid and may also have served as a consultant in the development of the RFP or selection of the successful bidder. The contract monitor must stay in close contact with the project and review major tasks in a timely manner.

A contract monitor can be valuable in providing the assessment agency with specialized expertise that will help ensure the success of the project. The monitor can also bring a useful, independent perspective to evaluation of the project's products and services. The contract monitor must be able to command the respect of the agency and contractor alike.

6. Considerations by Type of Service

6.1 Data Collection

Collection of property characteristics data may be part of a contract for implementation of a mass appraisal system or it may be the subject of a separate contract. The key to a successful data collection project is the establishment of clear and standard coding requirements and the careful monitoring of achievement of such requirements. The development and use of a data collection manual is essential in achieving uniformity in data collection.

The RFP should specify the types and approximate number of parcels involved in the project, the property characteristics to be examined and codified, standards for data capture and coding accuracy, and procedures for measuring achievement of accuracy standards. In general, field data collection should be at least 95 percent accurate, meaning that the last 95 percent of each check-off item (for example, square footage, land area, or number of bath fixtures) should be within 5 percent of the value. Data entry should be virtually 100 percent accurate.

In most cases, the assessment agency will have a current file of property characteristics, and the RFP should specify the extent to which the contractor should rely on this file. The RFP should specify whether the contractor is to use data collection forms, manuals, and coding procedures supplied by the assessment agency or if new ones are to be developed. The qualifications of data collectors should also be set forth in the RFP. The RFP should indicate whether interior inspections are required and, if so, what actions to take when property owners are away or refuse entry. The minimum number of properties to be entered should be stated.

The assessment agency and contractor should establish quality control procedures to ensure that accuracy standards are attained. The agency can address these in the RFP or request bidders to address them in their response to the RFP. In any case, the assessment agency should carefully monitor compliance with such standards and procedures. Good quality control procedures include sample audits (particularly at the start of the project), computerized edits for reasonableness and consistency of data, and pilot testing of mass appraisal models using the new data.

6.2 Cadastral Mapping

RFPs and contracts should specify geographic areas to be mapped; source and quality of control networks, process for constructing base maps and aerial images; specifics of digital deliverables such as file formats, map/data layers, annotation and attribution, metadata, and expected map accuracy; and for cadastral compilation, procedures to be followed in researching parcel boundary information and resolving gaps, overlaps, and closure errors. The assessment agency should review the initial maps and check samples as produced to ensure that these requirements have been met.

6.3 Manuals

RFPs for appraisal and assessment manuals should specify the required content and format of the manuals. The assessment agency should specifically identify all major features desired in the manual. A cost manual RFP, for example, should address such issues as types of properties and components to be included in the manual, sources and documentation of cost data, types of cost reported in the manual, development of cost models, provision of photographs, required time and location adjustments to reflect the legal assessment date and local market, source and format of depreciation schedules, and organization of the manual.

The RFP should specify the required number of copies and provisions for updating the manual. The contract should state procedures for reproduction and distribution of manuals.

An outline of the manual should be reviewed before the project begins to be sure that all required features have been included. Drafts of each chapter or section should be thoroughly reviewed as they are produced. Before publication, a complete draft of the manual should be reviewed and field tested to assure that it is supported by market experience.

6.4 Revaluations

An RFP for revaluation services should carefully set forth the scope of the project. A revaluation project can include such major tasks as data collection, development of forms, mapping and GIS development, valuation models, development of appraisal manuals, software development, training, public relations, and defense of assessment appeals. These tasks should be described in sufficient detail to make the agency's requirements and performance standards clear to potential bidders.

The quality of a revaluation is measured by a ratio study. The contractor and client should agree to the design for the ratio study. The design should specify the rules and procedures for sales confirmation, sales validation, adjustments to sales prices, time trending, trimming of outliers, and use of confidence levels. The design should also specify the nature of the sample used to test the revaluation. The sample should provide assurance of similar impact on sold and unsold properties. Jurisdictional requirements for the period from which the test sample will be drawn should be considered.

6.5. Specialized Consulting Services

An RFP or a contract for specialized consulting services (such as auditing, ratio studies, modeling, appeal assistance, including expert witness testimony, appraisal of special properties and tangible personal property, and management and performance reviews) should address the definition and scope of the task, statutory requirements, adherence to the *Uniform Standards of Professional Appraisal Practice (USPAP)*, the timeline, confidentiality requirements and agreements, performance standards, contract dispute resolution, ownership of the product, payment schedules, and contract start and termination dates.

6.6 System Design and Implementation

An RFP for system design and implementation will be concerned primarily with software specifications and should set forth performance requirements in reference to existing procedures and desired results. Items that need to be addressed include hardware constraints, report writing capability, legal requirements, program requirements, programming language, transferability, maintenance and updates, program support and documentation, license, copyright, and training. It is also highly important to clarify the ownership of the developed software, including the source code and data generated.

Documentation should be addressed. User documentation relates to manuals and other instructional materials that explain proper use and operation of the system, including such items as completion of forms, classification and grading of buildings, valuation procedures, interpretation of reports, and use of computer terminals. Programmer documentation relates to data processing manuals and instructions that are required by local systems analysts and programmers to understand, maintain, and modify any computer programs provided under the contract. The RFP should specify the type of programmer documentation (such as flow charts, data definitions, and formulas) required by the jurisdiction. The RFP should also require that the source code (computer programs) either be provided to the assessment agency, while giving appropriate copyright protection to the vendor, or be placed in escrow with a neutral third party in the event of a contract dispute or the inability of the vendor to service the software. The RFP should also describe all service contract obligations on the part of the contractor to maintain and modify the software once installed, including modifications to comply with statutory and legal changes. The contract should establish the criteria for deciding when such modifications are complex enough to warrant additional charges beyond the basic contractual service obligations. The contract should also specify who makes that decision and the timing of such modifications.

References

Note: For sample contracts and sample RFPs, consult the IAAO website (www.iaao.org) or the IAAO library.

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