

March 10, 2015

**Continuing Contracts For Professional Services****Management and Budget**

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**POLICY:**

- a. The County Administrator shall be responsible for ensuring that every effort is made to provide a "balanced" assignment of projects to consultants providing professional services under a Continuing Contract.
- b. In the utilization of continuing contracts for professional services under this Administrative Regulation, the County shall comply fully with Chapter 287.055 of the Florida Statutes, also known as the "Consultant's Competitive Negotiations Act".
- c. This Administrative Regulation applies to professional services involving architectural, engineering, landscape architecture, and surveying and mapping services that have been procured through the procedures outlined in Administrative Regulation AR: 9.08 (latest revision); Request for Qualifications Procedure/Contracting for Professional Services/Consultant's Competitive Negotiation Act, and can only be utilized for projects where the basic construction cost has been estimated to not exceed \$2,000,000, or for a planning/study activity, where the fee for professional services has been estimated to not exceed \$200,000, or for work of a specified nature as outlined in the contract required by the County, with no time limitation except that the continuing services contract must provide a termination clause.
- d. There shall be no limitation on the number of consultants that can be selected and contracted with; however, if more than one consultant is selected for a specific professional service discipline, the rankings that were assigned to the selected consultants during the process under AR: 9.08 (latest revision) shall be ignored so that all consultants are considered to possess the same qualifications and capabilities for that specific discipline of expertise under the continuing contract.
- e. Firms providing professional services under continuing contracts shall not be required to compete (bid) against one another.
- f. The consultants selected for a continuing contract shall be available for use by all County Staff.

**PROCEDURE:**

- a. "Staff" means Department/Division/Office.
- b. "DMB" means Department of Management & Budget/Purchasing.
- c. Staff shall make a good faith cost estimate or opinion as to whether the proposed construction project or planning/study meets the above threshold limits. If it is determined that the above threshold limits will be exceeded, then the required professional services shall be procured through the process outlined in Administrative Regulation AR: 9.08 (latest revision); Request for Qualifications Procedure/Contracting for Professional Services/Consultant's Competitive Negotiation Act.

- d. The Selection of which consultant to use to provide any particular professional service discipline for a construction project or planning/study shall be made by the Department/Division/Office requiring such services and the selection of a consultant shall be based on a number of factors such as, but not limited to, the estimated cost of the project or study, the complexity of the project or study, requirements for a specific expertise, qualifications of the consultants, current work load of the consultants, and past performance of the consultants.
- e. Staff shall schedule a meeting with the selected consultant to discuss and negotiate the scope of work/services and fees. The consultant shall submit to Staff a detailed proposal outlining their scope of services and fee for the construction project or planning/study. If requested by Staff, DMB shall assist Staff in such negotiations.
- f. If Staff is not successful at negotiating a satisfactory scope of services and fee with the selected consultant, negotiations with that consultant shall be terminated and Staff shall be permitted to select another consultant for the construction project or planning/study with which to negotiate scope of services and fees.
- g. Once the selected consultant's scope of services and fees have been accepted, Staff shall submit a Work Authorization Form to DMB. The Work Authorization Form shall include a description of the services required, the name of the consultant selected to perform the services, the budget account and funding information, and justification for the procurement. The consultant's scope of service and fee proposal shall be attached to the Work Authorization Form. The Form shall be signed by the Staff Directors and the DMB Director, verifying that funds have been approved for the project or planning/study under consideration.
- h. If the consultant's fees for the project or planning/study are less than \$25,000, the execution of the Work Authorization Form shall be in accordance with the authority levels and procedures outlined in Administrative Regulation AR: 9.01 (latest revision); Purchasing Policy.
- i. If the consultant's fees for the project or planning/study exceed \$25,000, DMB shall prepare an Agenda Item for the Board to approve the project or planning/study and authorize the execution of the Work Authorization Form. Upon approval and execution of the Work Authorization Form, DMB shall issue an executed copy of such to the consultant and submit a copy to Staff.
- j. Once Staff is prepared to commence the project or planning/study, they shall issue a Purchase Order and Notice to Proceed, if applicable, to the consultant, authorizing them to commence provision of their services.
- k. Upon completion of the project or planning/study, Staff shall provide DMB an evaluation of the consultant's performance, which shall be placed in the continuing contract file for future reference.