

March 10, 2015

SUBJECT:**ORIGINATING DEPARTMENT:**

**Request for Qualifications Procedures
Contracting for Professional Services
Consultant's Competitive Negotiation Act**

Management and Budget**Page 1 of 4****POLICY:**

- a. In procuring professional services involving architectural, engineering, landscape architecture, and surveying and mapping, the County shall comply fully with Section 287.055 of the Florida Statutes, also known as the "Consultant's Competitive Negotiation Act".
- b. For the procurement of architectural, engineering, landscape architecture, and surveying and mapping services where the basic construction cost is estimated to be less than \$2,000,000, or for the planning/study activity, where the fee for professional services is estimated to be less than \$200,000, qualified consultants currently under a "continuing contract" arrangement with the County should be utilized before exercising a formal solicitation process as outlined in this Administrative Regulation.
- c. More than one consultant can be evaluated and selected utilizing the procedures outlined in this Administrative Regulation for the purpose of engaging them under a "continuing contract" arrangement. If this is the purpose of the solicitation, it must be clearly stated in the Request for Qualifications. Refer to Administrative Regulation AR 9.09 (latest revision); Continuing Contracts for Professional Services for more information.
- d. This Administrative Regulation does not apply to design-build services.

PROCEDURE:

- a. "Staff" means Department/Division/Office.
- b. "DMB" means Department of Management & Budget/Purchasing.
- c. Staff shall submit a Procurement Authorization Form to DMB, to request the procurement of professional services. The Procurement Authorization Form shall include a description of the project or services required, criteria to be used for evaluating the consultant's qualifications (along with the respective weight of importance based on a scale of 0% - 100%), a list of proposed consultants, budget account and funding information, and justification for the procurement. The Form shall be signed by the Staff Directors and the Department of Management & Budget, verifying that funds have been approved for the procurement.
- d. The criteria for evaluating the consultant's qualifications shall focus on factors such as, but not limited to, the consultant's background (number of years in business, size and structure of the organization, and number of employees), the consultant's experience in providing similar services for other entities, the qualifications and experience of the consultant's staff, the consultant's proposed methodology for addressing the project, the consultant's understanding of the County's requirements, past performance, willingness to meet time and budget requirements, location, projected workloads, and volume of work previously awarded.
- e. Based on the information provided by Staff, DMB shall develop a Request for Qualifications

solicitation document and submit such to Staff for their review and approval. Once approved, DMB shall publicly advertise the Request for Qualifications.

- f. If the requirement for a consultant(s) is for a specific construction project or planning/study, or for a “continuing contract”, for one Department/Division/Office, a group of Individual Scorers shall be established by the County Administrator, or designee, and shall consist of at least three individuals who have the knowledge and/or expertise concerning the professional services being procured. For the purpose of diversification, no more than two of the individuals selected can be affiliated with Staff requesting the professional services.
- g. If the requirement for consultants is for a “continuing contract” for more than one Department/Division/Office, several Individual Scorers shall be established by the County Administrator, or designee; one Individual Scorer for each represented Department/Division/Office. Each Individual Scoring Group shall consist of at least three individuals from the respective Department/Division/Office who have the knowledge and/or expertise concerning the professional services being procured.
- h. If required, DMB shall conduct a pre-proposal conference with the involvement of Staff for the purpose of providing prospective consultants clarification concerning the scope of the services.
- i. Upon receipt of the proposals, DMB shall publicly open them. After the public opening, DMB shall analyze the proposals for responsiveness. Upon completion of the analysis, DMB shall distribute copies of the proposals, Scoring sheets, a synopsis of the proposal analysis, and Scoring instructions to the Individual Scoring Group(s).
- j. At the discretion of the member of the Individual Scoring Group(s), references provided by the Consultants may or may not be interviewed. If they are interviewed, the interviewing can be performed by one or more members of the Individual Scoring Group(s), or by an appointed designee. If interviews are conducted, the results of the reference interviews shall be communicated to the members of the Individual Scoring Group(s) for their use in evaluating the proposals. A copy of the interview questionnaires and responses shall be forwarded to DMB.
- k. Each member of the Individual Scoring Group(s) shall score the consultants’ proposals. Any questions that a Individual Scoring Group member may have pertaining to a specific proposal, during the Scoring process and through contract award, shall be directed only to DMB. **Under no circumstances shall any Individual Scoring Group(s) member contact any of the consultants for information or clarification concerning the proposals.**
- l. After scoring the proposals, the members of the Individual Scoring Group(s) shall complete a Scoring sheet for each consultant, sign and date the scoring sheets, and forward them to DMB in a sealed envelope. Once all the score sheets are received, DMB shall publically open, tabulate the scores and rank the consultants in a definite preference (first, second, third, etc.) based on their total score for the proposal submittal portion of the Scoring Sheet.
- m. At the discretion of the members of the Individual Scoring Group(s), three or more consultants who scored the highest, may be invited to make oral presentations and conduct discussions for the purpose of

scoring their qualifications in greater depth.

- n. For scoring the consultant's qualifications by way of discussions or oral presentations, the members of the Individual Scoring Group(s) shall develop questions to be asked of the consultants that are relevant in determining the final ranking of the three or more consultants who were invited for such. The discussion or oral presentation portion of the Scoring process shall be a separate evaluation from the proposal Scoring. In arriving at the "final" ranking of the consultants selected for discussions or oral presentations, the scores developed from the proposal evaluation shall be discarded and only the scores for the discussion or oral presentation evaluation shall be utilized.
- o. DMB shall contact the consultants and schedule and coordinate the discussions or oral presentations as a non-voting member. Upon completion of the discussions or oral presentations, the members of the Individual Scoring Group(s) shall score each consultant by completing a scoring sheet and forwarding such to DMB. **Under no circumstances is compensation to be discussed with any of the consultants, or used as criteria in scoring the consultants' qualifications during the discussions or oral presentations.** Price is not scored until Oral Presentations are completed, if applicable.
- p. DMB shall tabulate the scores from the discussions or oral presentations and rank the consultants (first, second, third, etc.) based on their respective scores and present such to Staff. Upon approval from Staff, DMB shall advise the highest ranking consultants of the outcome of the discussions or oral presentations. DMB shall request that the consultant(s) submit a proposal outlining their scope of services and fees, and shall schedule negotiations with the consultant(s). DMB shall assist Staff in the negotiations and development of the contract documents.
- q. Should Staff be unable to negotiate a satisfactory contract with any of the top ranked consultants, Staff shall select additional consultants in the order of their (ranking), should there be additional consultants to select, and continue negotiations in accordance with this Administrative Regulation until an agreement is reached with a consultant. If an agreement cannot be reached with any of the consultants, negotiations will be terminated, and the Request for Qualifications will be rejected.
- r. If selecting more than one consultant for the purpose of a "continuing contract". Staff shall commence negotiating a contract with the required number of consultants in accordance with their ranking, with the objective of arriving at a compensation determined to be fair, competitive, and reasonable. Should Staff be unable to negotiate a satisfactory contract with any of the selected consultants, negotiations with that consultant must be formally terminated. Staff shall continue negotiations with the remaining consultants in order of their ranking until the required number of consultants has been satisfied. If an agreement cannot be reached with any of the consultants, negotiations will be terminated, and the Request for Qualifications will be rejected.
- s. Once an award determination has been made, Staff shall submit a request to DMB to make an award to the selected consultant(s). DMB shall draft an Agreement for execution by the consultant(s) and prepare an Agenda Item for the Board to approve award and execution of the Agreement(s). Once the Agreement(s) has been executed, DMB shall issue an executed copy

of such, along with a Notice of Award, to the consultant(s) and forward copies to Staff.

- t. If one consultant was selected for a specific construction project or planning/study, once Staff is prepared to commence the project, they shall issue a Purchase Order and Notice to Proceed, if applicable, to the consultant authorizing them to commence performance of their services.
- u. If more than one consultant was selected for a “continuing contract” the procedures outlined in Administrative Regulation AR: 9.09 shall be followed.