

Section 5.091 **ACQUISITION OF PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL, AND LAND SURVEYING SERVICES**

- A. Purpose. The purpose of this section and the procedures established hereunder is to ensure compliance with Section 287.055 Florida Statutes, known as the "Consultant's Competitive Negotiation Act" (CCNA). This act establishes parameters within which the County must select professional services from architects, engineers, landscape architects, surveyors, and mappers. The CCNA requires the County to select these services on a qualitative basis using prescribed criteria prior to any negotiations which may consider the cost of such services.
- BA. Public Announcement. It is the policy of the County to publicly announce all requirements for professional architectural, engineering, landscape architectural, and land surveying services, and mapping services and to negotiate such contracts on the basis of demonstrated competence and qualifications at fair and reasonable prices. In the procurement of such services, the Purchasing Director may require firms to submit a statement of qualifications, performance data and other related information related to for the performance of professional services.
1. Scope of Project Requirements. Prior to submission of the request for proposals for professional services as an agenda item for approval by the Board, the using agency or agencies for which The County office requesting the professional services are requested shall submit to the Purchasing Director written project requirements indicating the nature and scope of the professional services needed by the office using agency or agencies, including but not limited to the following:
 - a) the general purpose of the service or study;
 - b) the objectives of the study or service;
 - c) estimated period of time needed for the service or the study;
 - d) the estimated cost of the service or study (where permissible by law);
 - e) whether the proposed study or service would or would not duplicate any prior or existing study or service;
 - f) list of current contracts or prior services or studies which are related to the proposed study or service; and
 - g) the desired qualifications, listed in order of importance, of the person or firm applicable to the scope and nature of the services requested.
 2. Review of Project Requirements. The Purchasing Director or his/her designee shall review the scope of project requirements and prepare a draft request for proposals. ,if revisions of project requirements are warranted to best meet the needs of the County, copies of the revised project requirements The draft RFP shall be submitted to the requesting office user department for consideration and revision as may be needed prior to public distribution of the RFP project requirements.
 3. Distribution of RFP Project Requirements. The Purchasing Director shall distribute the RFP in accord with standard procedures including publication of legal notice, and the written project requirements to all persons on the mailing list who have indicated an interest in being considered for the performance of such professional services and to any other additional persons as the Purchasing Director or using agency deems desirable. The project requirements shall be accompanied by an invitation to such persons to submit an indication of interest in performing the required services, and by notification of the date and time when proposals such indications of interest are due. Public notice shall be as provided in Section 5.08 (C).
 4. Re-solicitation. If the County receives indications of interest from less than three persons, the Purchasing Director may re-solicit indications of interest from all persons previously solicited and from such additional persons as may seem advisable. However, if after reasonable efforts have determined that there exists little or no likelihood of additional responses, the Purchasing Director may proceed to consider those persons responding to the solicitation or re-solicitation.

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5. Modification Prohibition. After the publicized submission time and date, any proposal received indications of interest shall not be modified or allowed to be modified in any manner except for correction of clerical errors or other similar minor irregularities as may be allowed by the Selection Committee (defined in Section 5.091B) at any point in the process prior to contract negotiations, prior to making its selection of these best qualified to be formally interviewed.
6. Reuse of Existing Plans. There shall be no public notice requirements or utilization of the selection process as provided in this section for projects in which the County is able to reuse existing plans from a prior project. However, public notice of any plans which are intended to be reused at some future time shall contain a statement which provides that the plans are subject to reuse.
7. Local preference. When the County uses a request for proposals to procure goods or services, the request is developed with evaluation criteria by which a vendor is selected. As part of the evaluation criteria, a local preference of not more than five percent (5%) of the total score shall be assigned for a local preference for local businesses. (Reference Article IX, Section 2-400, Chapter 2 of the Code of Laws of Leon County, Florida)
8. Exemptions. This section shall not apply to a professional service contract for a project where the basic construction cost is estimated by the agency to be less than the threshold amount provided in s. 287.055, Florida Statutes, or for a planning or study activity when the fee for professional services is estimated by the agency to be less than the threshold amount provided in s. 287.055, Florida Statutes, or in cases of valid public emergency so certified by the County Administrator. This section shall not apply to any requirement for professional services if a continuing contract is in effect and a determination is made to utilize the continuing contract to obtain such services.

C. B. Selection CCNA Evaluation Committee Membership and Evaluation.

1. Depending on the expected complexity and expense of the professional services to be contracted, the County Administrator or his/her designee shall determine whether a three member or five member selection committee will best serve the needs of the County.
- ~~1. Three Member Committee Composition. Membership of a three member selection committee shall be appointed by the County Administrator or his/her designee.~~
2. ~~Five Member Committee Composition. Membership of a five member selection~~ all Evaluation Committees shall be appointed by the County Administrator or his/her designee.
3. Public Meetings. In accordance with Florida Statute 286.011, all ~~Selection~~ Evaluation Committee meetings subsequent to the opening of the solicitation are to be public meetings. The Chairperson shall be responsible to provide the Purchasing Division with all meeting information (date, time, location, and reason for meeting) no less than 96 hours in advance of any scheduled meeting, excluding holidays and weekends. The Purchasing Division will provide reasonable notice of all meetings, no less than seventy-two (72) hours notice in advance of such scheduled meeting, excluding holidays and weekends, by posting a Notice of Evaluation Committee Meeting on the public notice bulletin board in the Division offices and by giving notice of the meeting to the County Public Information Office and all respondents to the solicitation by facsimile, e-mail or telephone. The Purchasing Director shall develop and implement ~~Selection~~ Evaluation Committee procedures to ensure compliance with public meeting requirements.
4. Contact with the CCNA Evaluation Committee

Members of the CCNA Evaluation committee are prohibited from discussing a project with any professional or professional firm that may submit a proposal during the procurement process, except in formal committee meetings. The conduct of the business and discussions regarding the proposals before the CCNA Evaluation Committee must be done in the public meetings only.

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5. ~~Selection Committee Evaluation of Proposals.~~ Only written responses of statements of qualifications, performance data, and other data received in the purchasing office by the publicized submission time and date shall be evaluated. ~~Only those respondents who are determined to be best qualified based upon the evaluation of written responses and selected for formal interview may submit additional data. From among those persons evidencing, by timely submission of written responses, an interest in performing the services the Selection Committee shall:~~
- a) ~~prepare an alphabetical list of those persons determined by the Selection Committee to be qualified, interested and available; and The initial ranking of proposals is based upon the points given in the Weighted Scoring Sheet utilizing the Evaluation Criteria Matrix. The scores will be provided by the Purchasing and MWSBE Divisions for local preference and MWBE participation, respectively.~~
 - b) ~~5. Short listing. The best qualified respondents shall be based upon the CCNA Evaluation Selection Committee's ability to differentiate qualifications applicable to the scope and nature of the services to be performed as indicated by the ratings on the Weighted Scoring Sheet. Typically the top three firms will be considered as the shortlist unless the County Administrator, after input and discussion with the CCNA Evaluation Committee, approves additional firms may be added. The Selection Committee shall determine qualifications, interest and availability by reviewing the written responses that express an interest in performing the services, and by conducting formal interviews of no less than three selected respondents that are determined to be best qualified based upon the evaluation of written responses. The determinations may be based upon, but not limited to, the following considerations:~~
 - a) ~~competence, including technical education and training, experience in the kind of project to be undertaken, availability of adequate personnel, equipment and facilities, the extent of repeat business of the persons, and where applicable, the relationship of construction cost estimates by the person to actual costs on previous projects;~~
 - b) ~~current work load;~~
 - c) ~~financial responsibility;~~
 - d) ~~ability to observe and advise whether plans and specifications are being complied with, where applicable;~~
 - e) ~~record of professional accomplishments;~~
 - f) ~~proximity to the project involved, if applicable;~~
 - g) ~~record of performance;~~
 - h) ~~ability to design an approach and work plan to meet the project requirements, where applicable; and~~
6. ~~Presentations/Interviews and Final Ranking Board Approval.~~ After conducting formal presentations/interviews with not less than three shortlisted firms, the ~~CCNA Evaluation Committee Selection Committee shall utilize the Ordinal Process Rating System to rank the firms and shall list those respondents interviewed in order of preference based upon the considerations listed in subsection (4) above.~~ The respondents so listed shall be considered to be the most qualified and shall be listed in order of preference starting at the top of the list. The list of best qualified persons shall be forwarded to the ~~County Administrator or Board, as appropriate,~~ for approval prior to beginning contract negotiations. Negotiation sequence shall be based on the order of preference.
- D. C. Negotiation Staff. Contract negotiations shall be conducted by the Purchasing Director or designee(s) or by a Negotiation Committee.
1. Negotiation Committee Membership. Membership of the three member Negotiation Committee shall consist of:
 - a) the Purchasing Director, or the designee of the Purchasing Director who shall chair the committee,
 - b) the head of the primary using department or agency, or his/her designee,
 - c) the County Attorney or designee.

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2. Negotiation. The Negotiator(s) shall negotiate a contract with the firm considered to be the most qualified to provide the services at compensation and upon terms which the Negotiator(s) determines to be fair and reasonable to the County. In making this decision, the Negotiator(s) shall take into account the estimated value, the scope, the complexity, and the professional nature of the services to be rendered. Should the Negotiator(s) be unable to negotiate a satisfactory contract with the firm considered to be the most qualified, negotiations with that firm shall be formally terminated. The Negotiator(s) shall then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the Negotiator(s) shall formally terminate negotiations, and shall then undertake negotiations with the third most qualified firm. Should the Negotiator(s) be unable to negotiate a satisfactory contract with any of the selected firms, the Selection Committee shall select additional firms in order of their competence and qualifications, and the Negotiator(s) shall continue negotiations in accordance with this Section until an agreement is reached or until a determination has been made not to contract for such services.

3. Continuing Contracts. Nothing in this section (5.091) shall be construed to prohibit continuing contracts for professional services between a firm and the County.