

CHAPTER 7.00 - BUSINESS SERVICES

SELECTION POLICY FOR PROFESSIONAL CONSTRUCTION RELATED SERVICES

7.71

I. Introduction

- A. Purpose - The Professional Services Selection Committee (Committee) is designated by The School Board of Sarasota County, Florida (Board) to select companies to provide professional construction related services. These services include, but are not limited to architectural, engineering, landscape architecture, land surveying, testing laboratories, construction management and design/build ~~which services will be provided either~~ for single specific projects or ~~based on~~ continuing contracts.
- B. Solicitation of Applicants – The Board encourages interested parties to apply for providing professional construction related services for Sarasota County School Board projects. Prior to January 1st each year, the Board shall solicit applicants to provide professional construction related services as per Section I.A. The Committee shall review the applicants' credentials and submit a list of acceptable applicants to the Superintendent of Schools (Superintendent) or his/her Designee for Board approval as certified to provide professional construction related services. Applicant companies may be added or deleted from this list at any time subject to Board ~~certification approval~~.

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II. Committee

- A. Membership - The membership of the Committee shall consist of the following:
- | | |
|--------|--|
| Seat 1 | Director - Construction Services (or Administrative Designee) |
| Seat 2 | Director - Facilities Services (or Assistant Director) |
| Seat 3 | Building Code Administrator - Construction Services (or Administrative Designee) |
| Seat 4 | Project Manager - Construction Services (or Facilities Services) |
| Seat 5 | Executive Director of Elementary Education (or Administrative Designee) - or - Executive Director of Middle School Education |

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(or Administrative Designee)– or–

Executive Director of High School Education (or
Administrative Designee) - or -
Director of Purchasing (or Administrative Designee)

- B. Orientation - The Chairperson shall meet separately with new Committee members to review the items on the Awareness Sheet (substantially as in Appendix A).
- C. Terms -All members shall have perpetual membership.
- D. Officers - The Director of Construction Services shall convene the meetings and serve as Chairperson (Chairperson), or in case of his absence, his administrative designee shall serve as Chairperson.
- E. Administrative Procedures - The Committee may adopt additional administrative policies and procedures. *Robert's Rules of Order* shall be the parliamentary authority for all matters of procedure not specifically covered by these policies.
- F. Quorum -A quorum constitutes five (5) Committee members.
- G. Meetings - Committee meetings shall be open to the public and are subject to the Florida government in the sunshine law. Notice of all Committee meetings shall be posted in the Construction Services Department office.
- H. A School Board employee shall be designated by the Chairperson to serve as Committee secretary and shall not be a voting Committeemember.
- I. Scoring and Voting - All eligible Committee members shall score and vote. The Committee shall score all sections on the Project Score Sheet (substantially as in Appendix B or Appendix C, whichever is applicable). The Committee shall score in full point increments only. All score sheets shall be collected by the Committee secretary for tabulation and announcement of the results.

III. Definitions

- A. A "Major Single project" is a single project involving either the construction of a single project, where the basic construction cost of the project is estimated to exceed the threshold amount provided in Florida Statute 287.055 for Category Five, or for a planning or study activity where the fee for professional services for the planning or study activity is estimated to exceed the threshold amount provided in Florida Statute 287.055 for Category Two. A "Major Single project" does not include any individual project

Commented [DJ3]: Added Director of Purchasing who has been an Administrative Designee and has experience with this process. This process can take up a lot of time and the ED's are extremely busy. Adding the Purchasing Director gives us more opportunity to schedule the meetings.

Commented [DJ4]: Added a couple of new statutes references relevant to this process.

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("sub-project") that is assigned under any continuing contract which has been entered into pursuant to the selection procedures herein applicable to continuing contracts, either for professional services or for design/build.

- B. A "Design/Build Single project" is a single construction project with a design build firm for the design and construction of a single construction project.
- C. A "Professional Services Continuing Contract" is a contract, or more than one contract, for professional services entered into between one or more professional services firms and the Board whereby the professional services firms each agree to be contractually available, on a non-exclusive basis, to provide professional service to the Board for projects in which the estimated construction cost of each individual project under the contract does not exceed the monetary threshold established in Florida Statutes for individual projects, or for study activity if the fee for professional services for each individual study does not exceed the monetary threshold established in Florida Statutes for study activity. The contracts will be for a fixed period of time and will specify the manner in which each individual sub-project will be assigned and how an individual contract, or purchase order, will be entered as to each individual sub-project after it is assigned.
- D. A "Design/Build Continuing Contract" is a contract, or more than one contract, for design/build services entered into between one or more design/build firms and the Board whereby the design/build firms each agree to be contractually available, on a non-exclusive basis, to provide design/build services to the Board for projects in which the estimated construction cost of each individual project under the contract does not exceed the monetary threshold established in Florida Statutes for individual projects, or for study activity if the fee for services for each individual study does not exceed the monetary threshold established in Florida Statutes for study activity. The contract will be for a fixed period of time and will specify the manner in which each individual sub-project will be assigned and how an individual contract will be entered as to each individual sub-project after it is assigned.

IV. Selection Procedures

- A. **Selection Criteria** - The Committee shall advertise, short-list, and as deemed necessary, conduct interviews on Major Single projects, Design/Build Single projects and for all instances in which Professional Services Continuing Contracts or Design/Build Continuing Contracts will be issued.

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B. Advertisement - Each Major Single project, each Design/Build Single project and each instance in which continuing contracts, either Professional Services or Design/Build, ~~shall~~ be issued, shall be identified by name in an advertisement, with an indication of either the probable cost or professional fee range, and the general scope of services. To advertise means to publicly announce at least one (1) time in at least one (1) designated newspaper for each project or group of projects and to send a copy of such advertisement to each company which has been Board certified. Copies of such advertisement may be sent to companies which are not currently Board certified but may have particular interests in the project being advertised.

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~~**C. Mandatory Pre-application/Pre-submission Meeting** - A mandatory pre-application/pre-submission meeting will be held, at a designated location, to review the requirements of the Application or the Statement of Qualifications, whichever may be applicable. All companies interested in submitting an Application or a Statement of Qualifications, whichever may be applicable, are required to attend this meeting and any company not attending will not be considered for selection.~~

Commented [DJ6]: Delete the mandatory pre-application meeting. The firms who submit to SCS must be pre-qualified by us. Part of that qualification is reviewing our forms, processes and policies and submitting relevant information about the firm such as licensing, bonding, etc.

~~**D.C. Application or Statement of Qualifications** - Except as may otherwise be specified in the legal advertisement, for Major Single projects and for instances in which Professional Services Continuing Contracts will be issued, the Committee shall use the Sarasota County School Board Policy 7.71a Professional Qualification Supplement (PQS) (substantially as in Appendix E for Architects/Consultants/Engineers or Appendix F for Construction Managers) to serve as a portion of the application package to be completed by each applicant company. The Chairperson may modify Exhibits E or F for each selection process as needed to solicit the information most appropriate for the evaluation of applications. Additional information and/or documentation as per the legal advertisement shall complete the application package. Requested data shall comply with Florida Statute. Because consultants can be a major factor in the selection process, an awarded company cannot change any consultant listed in the PQS and/or application package without first receiving the Committee's approval.~~

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Commented [DJ7]: Policy 7.71a has been revised and the forms have been updated or deleted.

For Design/Build Single projects, and for instances in which Design/Build Continuing Contracts will be issued, all firms desired to be considered by the Committee shall submit a Statement of Qualifications in accordance with the advertisement for said project.

Commented [DJ8]: Deleted reference to forms.

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E.D. Cone of Silence - To foster fair and open competition throughout the selection process, all firms ~~who attend the mandatory pre-application/pre-submission meeting~~ shall communicate solely through the Director of the Construction Services Department or the designee ~~noted in the mandatory pre-application/pre-submission meeting~~. Such communication restrictions start ~~at the mandatory pre-application/pre-submission meeting when the project is advertised~~ and terminates seventy-two (72) hours after notification of the rankings are posted. All communications regarding the solicitation will be via email. Violation(s) of the above mentioned paragraph may be cause for immediate disqualification of the responsible company or individual, subject to a right to appeal or administrative hearing.

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Commented [DJ9]: Delete reference to pre-application/pre-submission meeting which is recommended to be deleted.

F.E. Short-listing -

1. For all Major Single Projects, Professional Services Continuing Contracts, and Design/Build Continuing Service Contracts, applications received after the deadline cited in the public notice/advertisement will not be considered. Columns A-E are utilized by the Committee to construct a short-list. Companies will be ranked based on a total number of points gained from columns A-E. Prior to Short-listing, Columns A and B on the Major & Continuing Contract Project Score Sheet (substantially as in Appendix B) shall be completed administratively. The Committee shall convene to review the applications and score applications on the Major & Continuing Contract Project Score Sheet (substantially as in Appendix B). Information provided by companies to the Committee shall be translated into a scoring system as indicated herein. Committee members shall individually score Columns C, D and E for each applying company. All score sheets shall be collected by the Committee secretary for tabulation and announcement of the results. The average score is the official score. The total averagescores of columns A, B, C, D, and E shall be each company's official score for the purpose of short-listing the applicants. The following categories shall be used by the Committee to develop a short-list:

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<u>Column</u>	<u>Category</u>	<u>Score</u>
A	Minority Company	0 or 1
B	Location	1 - 5
C	Team Qualifications	1 - 15
D	List of Projects	1 - 10
E	Related Experience	1 - 20

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Column A - The applicant receives a "1" (one) point entry if the company is a certified Minority Business enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985. Any other applicant receives a "0" (zero) point entry.

Column B - Points obtained from the Location Rating Table in Appendix G.

Column C - Points obtained by evaluating information contained in the Team Qualifications section of the PQS.

Column D - Points obtained by evaluating information contained in the List of Projects section and/or from submitted references with similar projects, as cited on the PQS.

Column E - Points obtained by evaluating information contained in the Related Experience section of the PQS.

Those companies short-listed shall be deemed as acceptable to provide the professional construction related services required for the specific project, *i.e.*, should the Committee deem appropriate or the scope and/or estimated cost of the project require interviews, or a contract not be successfully negotiated, any of those companies short-listed would be acceptable to provide the professional construction related services required for the specific project.

For projects or continuing contracts with estimated construction costs under the threshold amount established by Florida Statutes for design or consulting fees under the threshold amount established by Florida Statutes, the Committee shall vote to interview. If the Committee elects to interview, the Committee shall vote to determine the number of highest ranked companies to interview. If the Committee elects not to interview, the three (3) highest ranked companies shall be submitted to the Superintendent or his/her Designee on the Project Assignment Sheet (substantially as in Appendix H) for Board approval. For projects or continuing contracts with estimated construction costs in excess of the threshold amount established by Florida Statutes or when design or consulting fees are in excess of the threshold amount established by Florida Statutes, the Committee must interview and shall vote to determine the number of highest ranked companies to interview.

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2. For Design/Build Single Projects, Statements of Qualifications received after the deadline cited in the public notice/advertisement will not be considered. Statements of Qualifications will be evaluated by the Design Criteria Architect and reviewed by the Professional Services Selection Committee. Columns A-F are utilized by the Committee to construct a short-list. Entities will be ranked based on a total number of points gained from Columns A-F. Prior to Short-listing, Columns A and B on the Design/Build Score Sheet (substantially as in Appendix C) shall be completed administratively. The Committee shall convene to review the submitted documents and score submissions on the Design/Build Score Sheet (substantially as in Appendix C). Information provided by companies to the Committee shall be translated into a scoring system as indicated herein. Committee members shall individually score Columns C, D, E, and F for each applying entity. All score sheets shall be collected by the Committee secretary for tabulation and announcement of the results. The average score is the official score. The total average scores of Columns A, B, C, D, E and F shall be each entity's official score for the purpose of ranking the applicants. The Professional Services Selection Committee will short-list a minimum of three (3) entities for further consideration. The following categories shall be used by the Committee to develop a short-list:

<u>Column</u>	<u>Category</u>	<u>Score Range</u>
A	Minority Company	0 - 1
B	Location	1 - 5
C	Layout	1 -10
D	Organization & Staff	1 - 20
E	Construction Ability	1 - 20
F	Related Experience	1 - 20

Column A - The applicant receives a "1" (one) point entry if the company is a certified Minority Business enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985. Any other applicant receives a "0" (zero) point entry.

Column B - Points obtained from the Location Rating Table in Appendix G.

Column C - Points obtained by evaluating the information contained in Layout section of the Statement of Qualifications.

Column D - Points obtained from evaluating information contained in the Organization Chart and Staff Resumes section of the Statement of

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Qualifications.

Column E - Points obtained from evaluating information contained in the Construction Ability section of the Statement of Qualifications.

Column F - Points obtained from evaluating information contained in the Related Experience section of the Statement of Qualifications.

G.F. Interview Criteria - The Chairperson shall advise, as may be applicable, the companies selected for interviews that the Committee will consider their understanding of the project, their philosophical approach to the resolution of the project's challenges and other pertinent considerations regarding the project.

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H.G. Pre-interview Orientation Session - The Chairperson shall arrange a mandatory pre-interview orientation session for all companies short-listed. All companies shall be indoctrinated about the project at the same time by the same person(s).

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H.H. Price/Schedule Proposals for Design/Build Single Projects - Short-listed entities will submit Price proposals. Price proposals will include proposed design, outline specifications, required alternative prices, unit prices and professional service fees. Information will also be required regarding the design/build entity's design/construction schedule.

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J.I. Interview Format for Major Single Projects and All Instances in Which Continuing Contracts are to be issued - The order of interviews shall be determined by random selection. The interview shall consist of a presentation period followed by a question and answer period. The length of the presentation period and the question and answer period shall be determined by the Chairperson. It shall be the Chairperson's responsibility to require attendance by only those representative(s), of/for the companies under consideration, who are qualified to participate in a technical presentation at the interview level (i.e., design team, lead architect/engineer, project manager).

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K.J. Interviews/Presentations for Design/Build Single Projects - Price and Schedule proposals will be evaluated by the Design Criteria Architect and reviewed by the Professional Services Selection Committee. Design/Build entities will be required to make presentations to the Committee. The Chairperson shall determine the format of the presentations. The order of presentations shall be determined by random selection. It shall be the Chairperson's responsibility to require attendance by only those representative(s) for the entities under consideration who are qualified to participate in a technical presentation at the interview level.

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Commented [DJ11]: Eliminated reference to Design Criteria Architect, which is an obsolete position.

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L.K. **Interview Scoring for Major Single Projects and all Instances in Which Continuing Contracts are to be issued** - Column(s) F-J of the Major Single Project & Continuing Contract Project Score Sheet are utilized by the Committee during the interview process. All companies begin equally for the interview process. Points from Columns A-E do not carry over to interview scoring and all scores are reduced to zero (0).

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<u>Column</u>	<u>Category</u>	<u>Score Range</u>
F	Timelines and Cost Control	1 - 20
G	Ability to Perform/Team Strength	1 - 20
H	Interview Rating	1 - 10
I	Problems and Solutions	1 - 20
J	Innovation/Creativity	1 -10

Column F - Points obtained from evaluating the Timelines and Cost Control portion of the interview/presentation. Timelines is defined as 'timeliness' in the execution of the work to meet the project schedule. Cost control is defined as estimating, project construction cost control and value engineering.

Column G - Points obtained from evaluating the Ability to Perform/Team Strength portion of the interview/presentation. Identify your proposed site staffing noting the strengths of each team member and their area of responsibility.

Column H - Points obtained from evaluating the overall interview and the entire presentation.

Column I - Points obtained from evaluating the Problems & Solutions portion of the interview/presentation. Discuss how your firm would approach the overall project, coordinate activities with the owner, design professional and departments such as education, transportation, technology and food service.

Column J - Points obtained from evaluating innovation and creativity portion of the interview/presentation. Present innovative and creative solutions to issues unique to the project such as new types of materials, methods, scheduling, working on an occupied campus, project access and other thoughtful solutions to project challenges.

A Committee member must be in attendance for the entire interview of all companies to be eligible to score and/or vote. Following Committee discussion, Committee members shall individually score columns F, G, H, I and J for each company interviewed. All score

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sheets shall be collected by the Committee secretary for tabulation and announcement of the results. The average score is the official score. The average scores of columns F, G, H, I and J shall be each company's official score for the purpose of ranking the applicants.

M.L. **Selection for Design/Build Single Projects** - Factors to be considered to evaluate the Presentations of Design/Build entities will be the proposed price and schedule (including alternate prices, unit prices and professional service fees and the proposed design). A Committee member must be in attendance for the entire presentation of all entities to be eligible to score and/or vote. Following Committee discussion, Committee members shall individually score Columns G and H for each entity interviewed.

<u>Column</u>	<u>Category</u>	<u>Score Range</u>
G	Design	1 -20
H	Price/Schedule	1 -30

Column G - Points obtained from evaluating the Design portion of the interview/presentation.

Column H - Points obtained from evaluating the Price/Schedule portion of the interview/presentation.

All score sheets shall be collected by the Committee secretary for tabulation and announcement of the results. The average score is the official score. The total average scores of Columns G and H shall be each company's official score for the purpose of ranking the applicants.

N.M. **Tie Score** - In the event of a tie score, the short list scores shall determine the number one ranked firm. If there is a tie in the short list scores, a coin flip conducted by the Director of Constructions Services shall determine the number one ranked firm.

N. **9. Submission of Ranking** - For Major Single Projects, the top three (3) ranked companies shall be submitted to the Superintendent or his/her Designee on the Project Assignment Sheet (substantially as in Appendix H) for Board approval. For instances in which any continuing contracts are to be issued, the top ranked companies, the number of which is determined by the respective advertisement, shall be submitted to the Superintendent or his/her Designee on the Project Assignment Sheet (substantially as in Appendix H) for Board approval. For Design/Build Single Projects, the top three (3) ranked

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firms shall be submitted to the

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Superintendent or his/her Designee on the Project Assignment Sheet (substantially as in Appendix H) for Board approval.

C.O. Dispute Resolution - If the Superintendent disputes the submitted rankings, the Superintendent or his/her Designee shall schedule a meeting with the Committee to review the Committee's rationale and the Superintendent's or Designee's concerns. The Superintendent or Designee shall then make a recommendation to the Board, accompanied by the Committee's rankings.

If a third party disputes the rankings, the Superintendent or Designee shall schedule a session between the Committee, the complainant(s) and the Superintendent or Designee to review the Committee's rationale and the complainant's concerns. The Superintendent or Designee shall then make a recommendation to the Board, accompanied by the Committee's rankings and a summary of the complainant's concerns.

D.P. Contract Negotiation

1. For Major Single Projects, after Board approval of a Committee selection, the Chairperson, in the presence of at least one (1) additional Committee member, shall commence negotiations as set forth in Florida Statute. Standards of professional services required and terms of agreement shall be developed and utilized as the basis for negotiation. The Board's attorney shall review the agreement as to its legal form. The Chairperson shall submit the negotiated agreement to the Board for approval.
2. For ~~all instances in which~~ Continuing Contracts ~~are to be issued,~~ the Chairperson shall commence negotiations in the presence of a least one (1) additional Committee member with all of the Board approved companies. If negotiations are successful with all of the Board approved companies, the Chairperson shall submit continuing contracts with all of those companies to the Board for approval. If negotiations are unsuccessful with any of the companies, the Chairperson shall continue negotiations with additional companies in the order of their competence and qualifications per the score sheet until such time as agreements are reached with the minimum number of companies as specified in the advertisement. The Board's attorney shall review all agreements as to their legal form. The Chairperson shall submit the negotiated agreements to the Board for approval.
3. For all Design/Build Single Projects, the Chairperson and one (1) other member of the Professional Services Selection Committee ~~and the Design Criteria Architect~~ will meet with the selected

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Design/Build Entity in order of ranking to negotiate a design/build agreement and compensation, which is determined to be fair, competitive, and reasonable. In making such determination, an analysis of the cost of the professional design/build services shall be conducted in conjunction with consideration of scope and complexity. If a satisfactory agreement with a Design/Build Entity considered to be the most qualified, at a price determined to be fair, competitive, and reasonable, is not achieved with that company, negotiations will be terminated and negotiations will be undertaken with the next ranked Design/Build Entity. Failing accord with the next Design/Build firm negotiations will be terminated and then negotiations with the next ranked Design/Build Entity will be undertaken, and so on. Should the School District be unable to negotiate a satisfactory contract with any of the ranked Design/Build Entities, the School District may select additional Design/Build Entities in the order of their competence and qualification and continue negotiations until an agreement is reached or the Board may discontinue all negotiations for the project. The Board's attorney shall review all agreements as to their legal form. The Chairperson shall submit the negotiated design/build agreement to the Board for approval.

E.Q. Project Assignments for All Continuing Contracts - Once an individual sub-project, which is within the scope of an existing continuing contract, is identified and approved for construction or for study activity, the individual sub-project will be submitted to the Director of Construction Services for assignment to one of firms with whom the Board has a continuing contract. The director will endeavor to balance the assigned workloads among the firms to the fairest extent possible. Assignments may be affected by firms past history on a campus, ongoing projects already in place on specific campuses or specialty work best suited to a specific firm.

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F.R. Board Approval of Contracts - All contracts issued for Major Single Projects, Design/Build Single Projects, Design/Build Continuing Contracts, Professional Service Continuing Contracts, and sub-projects, unless specifically exempted below, shall be submitted to the School Board for its approval. With respect to sub-projects, the School Board delegates to the Superintendent or his/her designee the right to enter contracts on behalf of the School Board in the following circumstances:

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- (1) Involving projects previously approved by the School Board in the Capital Improvement Budget that do not exceed \$~~24~~,000,000;
- (2) Renovation or new construction contracts not specifically listed in the Capital Improvement Budget that do not exceed \$~~325,500~~,000 at school sites or that do not exceed

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\$150,000 at non-school sites;

- (3) In the event of a bona fide emergency, any project that does not exceed \$24,000,000.

Any time the Superintendent or his/her designee enters into a contract pursuant to subparagraphs 1-3 above, the Superintendent or designee shall immediately notify the School Board.

Commented [DJ15]: Change to align with new Florida Statute 287.055

V. Review of Policies and Procedures

- A.** At least every five (5) years, the Board shall appoint an ad hoc committee to review these policies and procedures for the purpose of ensuring that the best qualified professional service is selected for all Board projects. ~~The ad hoc committee shall not include any current member(s) of the Professional Services Selection Committee.~~

Commented [DJ16]: Historically, the Director of Construction Services has participated in the meetings and is responsible for providing documentation, answering questions and coordinating meetings.

- ~~**B.** The Committee shall review the PQS annually.~~

Commented [DJ17]: This shall be done every 5 years. If additional changes are desired prior to the 5 year timeline, the ad hoc committee will schedule a review and make recommendations to the Board accordingly.

VI. Effective Date - These policies are effective upon adoption and supersede all previous policies.

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STATUTORY AUTHORITY: 1001.41, FS

LAW(S) IMPLEMENTED: 255.0525, 255.20, 287.055,
287.057, 1001.43, 1001.51,
1011.06, 1013.45, F.S.

STATE BOARD OF EDUCATION RULE(S):
6A-2.0010

HISTORY: ADOPTED: 08/21/01
REVISION DATE(S): 10/07/2003, 05/06/2008, 04/07/09, 09/07/10, 11/6/18,
new date 6/1/21
FORMERLY: 6.102

NOTES:

Requires Review: By ad hoc committee every 5 years per Section V. Item A.
Refer to: 7.71a-Procedures for Selection of Architects and Engineers

Commented [DJ18]: Added a couple of new statutes relevant to this process.

Commented [DJ19]: This item clears up inconsistency in the last policy, Section V. Item A. said every 5 years and the Notes at the end of the policy had every 3 years.