

MANUAL OF PROCEDURE

PROCEDURE NUMBER: 5005

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PROCEDURE TITLE: Criteria and Process for Selection of Professional Services

STATUTORY REFERENCE: §§ 287.055 and 1013.45, Florida Statutes: §§ 4.1 and 4.2, State Requirements for Educational Facilities

BASED ON POLICY: V-1 Guidelines for Selection of Professional Services

EFFECTIVE DATE: September 15, 1969

LAST REVISION DATE: April 30, 2019

LAST REVIEW DATE: April 30, 2019

This Procedure shall apply to the acquisition of professional services as defined by Florida Statute and Board Rule and to such other services as the College may in its sole discretion determine to be appropriately acquired through this Procedure.

I. PRE AWARD

A. Evaluation Committee

The Evaluation Committee shall be appointed by the College President or designee based on recommendations from the Campus President and Facilities Management. Each Evaluation Committee should be comprised of no less than 3 members, including at a minimum, two (2) representatives from Facilities Management, and one (1) representative from the campus or area for which the services will be performed.

All Evaluation Committee meetings shall be publicly advertised to comply with Florida Sunshine Law.

B. Evaluation Criteria

Representatives from Facilities Management, the Purchasing Department, and the Office of Legal Affairs shall determine criteria for evaluation and assign weights to each criterion.

C. Cone of Silence Requirement

Any solicitation under this Procedure shall be subject to the College's Procedure 6600 – Cone of Silence.

D. Public Announcement

Purchasing Department shall publicly announce, in a uniform and consistent manner, each occasion when professional services are sought by the College. The public notice must include a general description of the project and must indicate how interested consultants may apply for consideration (“Response”).

The public announcement shall, at a minimum, include posting on the Purchasing Department website and advertisement in accordance with Florida Statutes and other applicable rules. The public announcement shall include the date, time, and location for submitting a Response.

E. Request for Qualification Requirements related to Architectural and Engineering (A/E) Services

The Request for Qualifications (RFQ) for A/E related services should request, at minimum, the following information:

1. **Letter of Intent and Summary** – Introductory letter of submittal identifying the Proposers’ interest in the project and highlighting Proposers’ qualifications, legal nature of the organization, and proposed organizational chart for the contract.
2. **Federal Government Standard Form 330** - Listing not more than ten (10) projects of a similar type, scale, and complexity completed by the Proposer including key personnel assigned.
3. **Small Local Business Enterprise (SLBE) Incentive** – Depending on the type of service; A/E, CM or other type of related service, an SLBE incentive may be utilized in the solicitation. This may include preference points, require mandatory subcontracting or sheltered market contracts. Small and Local Business Enterprise Subcontracting Certification Form is to be submitted with the Response.
4. **Joint Venture** – If the Proposer is a joint venture, a copy of the joint venture agreement.
5. **Claims History** – Description of litigation, major disputes, defaults, and liens for the past ten (10) years.
6. **Location** – The location of the Proposers main office and, if different, nearest established fully staffed office. Affidavit of Principal Place of Business is to be submitted with the Response confirming principal place of business for the Proposer.
7. **Identification of Management Systems and Willingness to meet Time and Budget** – Describe and identify the systems and methods to be used in management of the project, scheduling, value engineering, and cost control.
8. **Financial Information** – Balance sheet and statement of operations or equivalent information.
9. **Projects Awarded by Miami Dade College** – Identify by project name and contract value any work awarded by Miami Dade College in the last ten (10) years.
10. **Proposer’s Questionnaire** – Proposer to complete a questionnaire specifically related to its qualifications and past projects provided to the College and other clients.
11. **Past Performance** – Include four (4) references by former and/or current clients including a brief description of the project, name, address, phone number, and representative of the client. References by current or former College employees will not be accepted in connection with College projects.
12. **Work Load** – Identify recent, current, and projected work load including phases of work in

progress, anticipated duration, manpower allocation and staffing plans for this project if applicant is the successful proposer.

13. **Public Entity Crimes Form** – An executed Public Entity Crimes form.
14. **Proposal Cover Sheet** – Cover sheet outlining the Proposer’s address, contact and signature authority of its principal or president.
15. **Statement of No Response** – Form is requested from those Proposers that have opted not to respond to the request for qualifications solicitation.
16. **Non-Discrimination in Employment Form** – Form requested to be submitted by Proposers acknowledging their compliance with the requirements of the Equal Opportunity Clause (41 CFR 60-1.4(a)), the Vietnam Era Veterans Readjustment Assistance Act (VEVRAA) (41 CFR 60-300.5(a)), and Section 503 of the Rehabilitation Act (41 CFR 60-741.5). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, sex, sexual orientation, gender identity or national origin.

F. Request for Qualification Requirements related to Construction Management at Risk (CM) Services

In addition to all the requisites outlined under the RFQ for A/E services requirements, the RFQ for CM at Risk Services should request, at minimum, the following additional information:

1. **Bond Capacity Letter** - 100% Payment and Performance Bond on the basis of the Guaranteed Maximum Price must be furnished pursuant to Section 255.055, Florida Statutes for the project. Proposers must provide proof of its financial capability and bonding capacity by submitting a Bonding Capacity Letter from a State approved Surety Agency.
2. **Office and On-Site Staff** – Provide specific qualification information for all proposed staff in the project.
3. **Capabilities of the Staff in Providing Pre-Construction Services** – Specific staff experience in Pre-Construction Phase Services.
4. **Capabilities of the Staff Providing Construction Services** - Specific staff experience in Construction Phase Services.
5. **Capabilities of the Staff Providing Post-Construction Services** – Specific staff experience in Post-construction Phase Services.
6. **LEED Project experience** – Proposer to provide information regarding its capability and experiences with projects where LEED concepts have been implemented.

G. Request for Proposal Requirements Related to other Professional Support Services

In addition to all the requisites outlined under the RFQ for A/E and CM services requirements listed above, the Request for Proposal related to other professional services should request, at minimum, the following additional information:

1. **Related Experience** – Proposer to outline specific experience in the scope of services being procured.
2. **Proposed Staff** – Proposer to provide information related to the staff being proposed including qualifications, education, and experience.
3. **Proposed Services** – Proposer to provide their specific explanation of all proposed services being offered.

4. **Local Preference** – As per College Procedure 6560, Proposers who have a qualified presence in Miami-Dade County or immediately surrounding areas may be preferred.
5. **Added Value** – Proposer to provide explanation as to additional added value offer to their proposal.

H. Competitive Selection Process

1. Receipt of Responses

All Responses must be received by the College at the time, date, and location noted in the solicitation advertisement. Responses received after the published deadline will not be evaluated, but will remain unopened with an annotation reflecting the time and date received. Persons or entities submitting a Response (“Proposers”) are responsible for the method of delivery and transmittal of a Response to the College.

The Purchasing Department shall open and review for completeness each timely received Response. There will be no evaluation of any Response at the opening of Responses. The Purchasing Department will only confirm whether each timely received Response includes all required documentation. Any Response which does not include all required documentation shall be deemed non-responsive, retained by the Purchasing Department and not forwarded to the Evaluation Committee for evaluation. Responses confirmed to have included all required documentation will be forwarded to the Evaluation Committee.

2. Evaluation of Responses

Purchasing Department shall then contact the Evaluation Committee and schedule a meeting to evaluate the Responses. Purchasing Department will provide each member of the Evaluation Committee a complete set of Responses.

The Evaluation Committee shall meet and each Evaluation Committee member shall mark their score on the screening forms for each Proposer. A score must be given for each evaluation criteria as designated by the Purchasing Department. The Evaluation Committee shall short list Proposers based on the criteria evaluation scores. A minimum of three (3) short listed Proposers will be invited to make presentations to the Interview Committee. Scores from the Evaluation Committee shall not carry over or be calculated further.

3. Interview of Proposers

The Interview Committee shall remain the same members as the original Evaluation Committee. The College reserves the right, in its sole discretion, to substitute a prior Evaluation Committee member with another person for participation on the Interview Committee. The Interview Committee may conduct interviews with and request presentations from the short-listed Proposers. The Purchasing Department will schedule interviews and presentations with each short listed Proposer. Each presentation will be scheduled for an equal amount of time.

At the conclusion of the interviews, each Interview Committee member shall mark their score on the supplied screening forms for each presenting Proposer. A score must be given for

each interview evaluation category as designated by the Purchasing Department. Scores from the Evaluation Committee will not be used or consulted by the Interview Committee.

4. Recommendation of Proposers; Ratification

Purchasing Department shall collect the interview screening forms from the Interview Committee members and tally the results after applying any applicable weight factors. The short listed Proposers will then be ranked based on their weighted total score. The Purchasing Department shall then prepare and transmit to the College President a list of finalists, Responses of the shortlisted Proposers, evaluation scores, and interview scores.

The College President will review the documentation provided by the Purchasing Department and will provide the College's Board of Trustees a recommendation of Proposers, in ranked order, and requesting approval to negotiate with the first ranked Proposer (or Proposers, if the solicitation documents advertised the selection of more than one Proposer) and to proceed to the next ranked Proposer should negotiations prove unsuccessful until a final contract is negotiated.

The College's Board of Trustees will consider the College President's recommendation at a publicly noticed meeting and either approve or reject the recommendation. The College will proceed as determined by the College's Board of Trustees.

II. POST AWARD

A. Competitive Negotiations

After the College Board of Trustees approves the College President's recommendation, College representatives shall begin negotiations for a contract for services in accordance with Florida Statutes, and the rules of the State Board of Education and the College.

The negotiations shall be conducted by the Vice Provost of Facilities Management or designee. Approval of the negotiation by the Vice Provost of Facilities Management shall constitute agreement on behalf of the College and the resulting contract processed for signature to the College President or designee.

Should the Vice Provost of Facilities Management or designee be unable to negotiate a satisfactory contract with the Proposer or Proposers considered to be the most qualified at a price and terms the College determines to be fair, competitive and reasonable; negotiations with that Proposer shall be formally terminated. The Vice Provost of Facilities Management or designee shall then undertake negotiations with the next most qualified Proposer or Proposers in ranked order until a successful negotiation is concluded or until the Vice Provost of Facilities Management determines not to proceed, to re-advertise, and begin the process again, or take such action as deemed to be in the best interest of the College.

B. Standard Professional Services Authorized

1. **PROCUREMENT:** The procedure for selection of professional services does not apply to a professional services contract for a project of which the basic construction value is reasonably estimated to be less than two hundred fifty thousand dollars (\$250,000.00) and/or for planning or study activities less than twenty-five thousand dollars (\$25,000.00). If, when using another procurement process, the majority of compensation proposed by firms exceeds the appropriate threshold amounts, all proposals shall be rejected and this Procedure will be followed.
2. **CONTINUING CONTRACTS:** The College is authorized to acquire and maintain one or more firms on term contracts for architectural, engineering, and construction services. Such continuing service contracts shall be for a term of one (1) or two (2) years and may be renewed at the Board's option for no more than three (3) additional one-year terms.
 - a) The authorization to utilize the term contract(s) for projects with construction costs of less than one million dollars (\$1,000,000.00) for SLBE Certified firms and two million dollars (\$2,000,000.00) for all other Proposers, or as otherwise provided for in the solicitation documents, ("Continuing Contract Threshold") is based on the reasonable estimate of construction cost at time of assignment. Utilization of the project specific selection process is to be utilized when the \$2,000,000.00 threshold is to be exceeded.
 - b) Individual project authorizations are to be assigned and negotiated by Facilities Management and authorized by the Vice Provost for Facilities Management or designee.
 - c) If the final construction cost obtained by GMP, bid, or other delivery method exceeds the Continuing Contract Threshold, the construction proposal shall be rejected and, the Vice Provost for Facilities Management, in their sole discretion, may solicit a proposal from another continuing contract firm, use the project specific professional selection process, or the project may be competitively bid.
3. **PROJECT SPECIFIC:** Projects where the construction value is reasonably estimated to exceed two million dollars (\$2,000,000.00) shall select design services utilizing the procedure for selection of professional services. The selected term contract firm(s) may be assigned projects for which the estimated construction value does not exceed one million dollars (\$1,000,000.00) (or for amounts approved in the continuing contract solicitation, the greater of the two) and/or the planning or study value does not exceed fifty thousand dollars (\$50,000.00) in fees. Such individual projects are to be assigned and negotiated by Facilities Management and authorized by the Vice Provost for Facilities Management or designee.
4. **ARCHITECTURAL/ENGINEERING SERVICES:** Architectural and Engineering services must be selected in accordance with this Procedure. Except as otherwise provided in § 481.229 and § 1013.45(4), Florida Statutes, the services of a registered architect (whether on staff, under continuing contract, or under a specific contract) is required for the development of plans for the erection, enlargement, or alteration of any educational facility for which the construction cost is fifty thousand dollars (\$50,000.00) or more.

5. **CONSTRUCTION MANAGEMENT SERVICES:** Construction Management at Risk Services may be selected using this Procedure. In accordance with § 1013.45 (4), Florida Statutes, the College may not modify any rules established in § 287.055, Florida Statutes.
6. **DAY LABOR:** Day Labor may be selected using this Procedure. In accordance with § 1013.45 (4), Florida Statutes, the College may not modify any rules established in § 287.055, Florida Statutes.
7. **DESIGN BUILD SERVICES:** Design Build Services may be selected using this Procedure. In accordance with § 1013.45 (4), Florida Statutes, the College may not modify any rules established in § 287.055, Florida Statutes.

The Design Criteria Package must be prepared and sealed by a Design Criteria Professional. The Design Criteria Professional shall be selected in accordance with this Procedure.

The Design Criteria Professional shall assist the College in the evaluation of the bids submitted by the design build firms, provide supervision and/or approval of the detail working drawings, and evaluate the project construction against the design criteria package. The Design Criteria Professional is not eligible to render services under a design build contract executed pursuant to the design criteria package.

a) The Design Criteria Package

The Design Criteria Package shall include, but not be limited to, performance oriented drawings and/or specifications incorporating the legal description of the site, site survey, interior space requirements, material quality standards, schematic layout, conceptual design criteria, cost or budget estimates, design and construction schedules, site development requirements, storm water retention, parking, and a statement of required compliance with the State requirements. The Design Criteria Package shall also include but not be limited to Design Build firm selection criteria procedures and standards, provisions for the competitive proposal to reach the short list, and bid form for submitting bids, insurance requirements, general and special conditions, description of utility plan and other services needed to construct a facility, description of responsibilities for permits for connections to utilities, storm waters, roads, environmental regulations, growth management requirements, testing and soil borings.

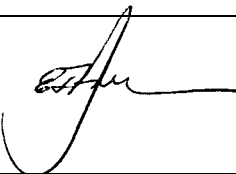
b) Design Build Professionals

Design Build Professionals submitting in response to advertisements under this Procedure shall be properly licensed to do business in Florida as contractors, engineers, and/or architects.

This Procedure shall be utilized to select at least three Design Build firms which will be allowed to submit bids on the Design Criteria Package.

c) Competitive Bids

The College shall receive, at a pre-appointed time and place, sealed bids from the selected (short-listed) Design Build firms. The sealed bids shall be opened and read publicly at the appointed time and place. The lowest responsible and responsive Design Build firm shall be awarded the contract.

	4/30/2019
PRESIDENT	DATE