



Acquisition of Professional Services

Compliance with CCNA
287.055 F.S.



Acquisition Process



- ▶ Advertisement
- ▶ Longlist
- ▶ Shortlist
- ▶ Request for Proposal
- ▶ Scope of Services Meeting
- ▶ Technical Proposal Review
- ▶ Final Ranking
- ▶ Negotiations
- ▶ The Agreement
- ▶ Federal Requirements



Advertisement

Statutory Requirements



- ▶ Required if:
 - Construction cost exceeds Category Five (\$325,000)
 - Consultant fee exceeds Category Two (\$35,000)
- ▶ Projects must be advertised in a uniform and consistent manner.
- ▶ Minimum of 10 calendar days.
- ▶ Good faith cost estimate



Advertisement



- ▶ Description
- ▶ County
- ▶ Major Work Types
- ▶ Minor Work Types
- ▶ Est. Construction Cost
- ▶ Response Procedure
- ▶ Due Date for Response
- ▶ Selection Procedure
- ▶ Shortlist Date
- ▶ Selection Date
- ▶ Major or Minor Project



Longlist/ Shortlist

Statutory Requirements



Competitive Selection

- ▶ Evaluate statements of qualifications
 - Performance data
 - Public presentations
 - Approach to project
 - Ability to furnish required services
- ▶ Select in order of preference 3 firms
 - Ability
 - Past performance
 - Time and budget requirements
 - Location relative to project needs
 - Current and projected workloads
 - Volume of work previously awarded
 - Equitable distribution of work



Longlist



- ▶ Review all submitted letters for qualifications
- ▶ Firms with an application for qualification on file may be considered.
- ▶ All qualified firms are considered for longlisting.
- ▶ Longlist at least 10 pre-qualified consultants or all if fewer than 10.
- ▶ If fewer than 3, contact additional qualified consultants to consider at least 10.



Longlist



- ▶ Consideration Factors
 - Performance Grades on Department Projects
 - Other performance data provided by consultant
 - Location of consultant relative to project requirement
 - Pre-qualification restrictions
 - Volume of work previously awarded
 - Consideration of new consultants
 - Preference to DBE/MBE when applicable
 - Information provided in Letter of Interest



Shortlist



- ▶ Shortlist no fewer than 3 firms.
- ▶ Any consultant who developed the project scope is not eligible for shortlisting.
- ▶ See Topic 375-030-006-b for restrictions on consultant eligibility to compete for Department contracts.



Shortlist



Consideration Factors

- ▶ Performance Grades
 - ▶ Volume of Work
 - ▶ Distribution of work among competing consultants
 - ▶ Workload of each consultant
 - Similar projects shortlisted
 - Residual fees
 - ▶ Balancing needs
- ▶ Working relationship with consultant
 - ▶ Other Information
 - Pre-qualification restrictions
 - Location
 - Subconsultant relationships
 - ▶ Utilization of DBE/MBE when applicable (only if all factors are equal)



Shortlist



Notification/ Documentation

- ▶ Contact each shortlisted firm to advise of their inclusion on the shortlist
- ▶ Results published
 - Project name
 - Description
 - Project Number
 - Shortlisted Consultants



Request for Proposal



Type of Proposal: (Oral, Written, or Interview)

- ▶ < \$2 million
 - Oral Presentations or
 - Written Proposals
- ▶ Minor/ CEI projects
 - Consider Interviews
- ▶ Major complex projects
 - Written Proposals



Request for Proposal



- ▶ Proposal due date
 - ▶ Scope of services meeting
 - ▶ Project manager
 - ▶ Insurance requirements
 - ▶ Agreement terms
 - ▶ Schedule of events
 - ▶ Qualification requirements for subs
- ▶ Instructions on format
 - Written technical
 - Oral presentation
 - Interviews
 - ▶ Scope of services
 - ▶ Method of compensation
 - ▶ Technical review criteria
 - ▶ Staff hour estimate (if appropriate)



Request for Proposal



Required State Forms

- ▶ DBE Participation Statement
- ▶ MBE Utilization Certificate
- ▶ Bid Opportunity List
- ▶ Truth in Negotiation Certificate

Required Federal Forms

- ▶ Debarment, Suspension Certification
- ▶ Certification for Disclosure of Lobbying Activities

* Conflict of Interest Certification for PD&E Projects



Scope of Services Meeting



- ▶ Optional
- ▶ Discuss RFP & project requirements
- ▶ Answer questions about the project
- ▶ All consultants must receive the same information
- ▶ Communications must be documented



Review of Technical Proposals



Consideration factors:

- ▶ Awareness of project issues
- ▶ Proposed approach to the project
- ▶ Proposed project staffing
- ▶ Other factors as appropriate

Evaluations should be objective and from a technical standpoint. Comments from the review committee should be documented.

Evaluations should be done independently.



Final Selection



- ▶ Procurement office collects individual scores and comments.
- ▶ Averages scores
- ▶ Prepares summary for Selection Committee
- ▶ Reasons for ranking are recorded
 - Any deviation from the scores should be explained
- ▶ Shortlisted consultants are notified of results
- ▶ Results posted in accordance with Florida Law



Negotiations

Statutory Requirements



Competitive Negotiations

- ▶ Negotiate with the most qualified firm
- ▶ Fair, competitive and reasonable compensation
 - Analysis of cost considering scope complexity
- ▶ Truth in Negotiations
- ▶ Wage rate certifications
- ▶ Federal Certifications if Federally funded



Negotiations



- ▶ Request submittal from number one ranked firm.
 - Fee Proposal
 - Audit Package
 - Staff Hour Estimate
 - Appropriate certifications

NEGOTIATION HANDBOOK
PROFESSIONAL SERVICES CONTRACTS
FLORIDA DEPARTMENT OF TRANSPORTATION





Negotiations



- ▶ Review the proposed cost to ensure they are reasonable, accurate and allowable.
 - Staff hours/ Work effort
 - Wage rates
 - Overhead and fringe benefits
 - Operating margin
 - Basis for loaded rates
 - Expenses
 - Sub-consultant costs

A record of the negotiations must be kept in the project file.



Negotiations



Method of Compensation

- ▶ Lump Sum
 - Paid on percent complete, monthly installments, etc.
- ▶ Cost Reimbursement
 - Paid by contract rates, unit rate, billing rate, etc. with established limiting amount
- ▶ Combination

Federally funded projects require a fixed fee.



The Agreement



Components

- ▶ Terms of the agreement
- ▶ Scope of services
- ▶ Method of compensation

Execution by

- ▶ General Counsel
- ▶ Office of Comptroller
- ▶ Procurement Office
- ▶ Consultant
- ▶ Agency Head or designee



Federal Requirements



- ▶ Oversight classification
 - Interstate system projects with project costs of \$1M
 - Bridge inspection/ scour projects on national bridge inventory system
 - FHWA funded task assignment contracts
 - FHWA funded multiple project contracts
- ▶ Submittal of draft scope
 - Must be submitted at the time of advertisement
- ▶ Submit final scope and funding request after scope of services meeting.
- ▶ Submit copy of executed agreement at the time of execution.



Public Meetings



The following meetings are public meetings and must be noticed appropriately

- ▶ Longlist meeting if by committee
- ▶ Shortlist meeting
- ▶ Scope of services meeting
- ▶ Oral presentations or interviews
- ▶ Technical review committee if discussions held
- ▶ Final selection meeting
- ▶ Negotiation meeting if by more than one person



Acquisition of Professional Services



Questions?