

SECTION 10

CONTRACTING FOR PROFESSIONAL SERVICES (CCNA)

10.0 INTRODUCTION

The purpose of the policy and procedure, established hereunder, is to ensure Pinellas County's compliance with Section 287.055 F.S. known as the "Consultant's Competitive Negotiation Act". The following is a summary:

When requiring services within the scope of practice of professional architectural, engineering, landscape architectural, or registered surveying and mapping as defined by the laws of the State of Florida, the County shall select such consultants in accordance with the Consultant's Competitive Negotiation Act (CCNA). This process shall involve appropriate administration of public announcement and qualification procedures, competitive selection, and competitive negotiation as further described below.

10.1 POLICY AND PROCEDURE

A. General Policies

1. The County shall encourage consultants desiring to do business with the County to establish a general qualification file with the County for the purpose of receiving direct notification when consulting services are required. The Department of Public Works Administration shall administer and maintain such files, database, and listing of firms certified to do business with the County. Certification requirements shall include:
 - a) Proof of the firm being licensed in the State of Florida:
 - 1) A copy of the firm's Florida Department of Business and Professional Regulation's license to practice.
 - 2) If a corporation, a copy of the Florida Secretary of State Corporation Registration.
 - b) If applicable, proof of the firm's certification as Minority Business Enterprise as provided by the Florida Small and Minority Business Assistance Act of 1985.
 - c) Proof of professional liability insurance.
 - d) A current SF-254 (federal standard form) with all sections completed.
 - e) Resumes of the firm's significant owners, officers or principals in charge.

10.1 POLICY AND PROCEDURE - Continued

A. General Policies - Continued

As a prerequisite to being placed on the qualified list, the consultant must submit the required information to demonstrate qualifications. After the consultant satisfies these requirements, the consultant will be certified by the Director of Public Works.

When certified, the name of the consultant and the area of professional expertise shall be added to the County's "Qualified List of Architectural, Engineering, and Surveying/Mapping Consultants." Certified firms will be asked to update their files on an annual basis to maintain certification with the County.

2. When professional services are considered necessary, and were not approved as part of the annual budget, the Board shall be requested to authorize those actions necessary to amend the professional services budget to acquire such services.
3. A Selection Advisory Committee (SAC) shall be appointed by the County Administrator and shall include an Assistant County Administrator, Director of Public Works, Director of Utilities, Director of Purchasing, Director of Engineering, Director of General Services and the Public Works Finance & Contracts Administrator. The Director of the Department requiring the services shall be added as necessary on an ad hoc basis. Other persons chosen to provide outside input and citizen involvement may be appointed to the committee at the Administrator's direction. The Public Works Finance & Contracts Administrator shall provide staff for secretarial or other services related to committee activities.

The SAC shall function as an oversight Selection Advisory Committee to review and make recommendations on all CCNA consultant hiring by departments under the Board. The objectives of the committee shall be to:

- a. Provide fair competition among all consultants competing for County work.
- b. Provide an equitable distribution of work among qualified firms across all County agencies.
- c. Provide that consultant performance issues within individual departments are considered on a countywide basis during consultant selection.
- d. Endeavor to meet the Minority Business Enterprise procurement goals set forth under Florida Statute §287.09451.

B. Competitive Selection Procedures

1. When consultant services meeting CCNA requirements are needed, the administering department shall request the Public Works Finance & Contracts Administrator to issue a Public Announcement. The request shall include a project title and a brief description of the project and services required. The Public Works Finance & Contracts Administrator shall check to insure funds are budgeted to support the professional services requested prior to an announcement being issued.

10.1 POLICY AND PROCEDURE - Continued

B. Competitive Selection Procedures - Continued

From the qualified list of consultants on file SAC staff will send all firms, which are qualified for the particular type of project or service, a public announcement of the proposed project.

In addition to such notification, the public announcement shall be placed in a legal newspaper describing the work required and the deadline for receipt of letters of interest and project specific qualification statements. Publications of statewide and national distribution may be utilized for such announcements when the magnitude of the project merits this effort.

2. Within one (1) business day, following the submittal deadline, the SAC staff shall distribute copies of all letters of interest/qualification statements received to the administering department for their review, rating, and comment at a subsequent Selection Advisory Committee meeting. All written summaries and ratings developed by departmental staff for presentation to the SAC shall be on forms and/or formats as approved by the SAC.
3. At a publicly scheduled meeting, the SAC shall review the qualifications of those firms having indicated written interest and select a short list of three (3) or more of the most qualified. In determining this short list, the SAC shall receive and weigh input from the administering department's professional staff as necessary. A summary of qualifications for each firm shall also be prepared by SAC staff for the Selection Advisory Committee's review. The criteria for short listing shall include:
 - The capabilities and adequacy of the consultant's proposed personnel and sub-consultants.
 - Past record of performance on similar projects.
 - Recent relevant experience on comparable projects.
 - The firm's size, financial resources, and business ability relative to the County Project's scope.
 - Location, recent, current and projected work loads.
 - Volume of work previously awarded to a firm by the County.
 - Whether a firm is certified Minority Business Enterprise.
4. Following the SAC's establishment of a short list, requests for proposals will be solicited from the short listed firms and/or the firms may be required to make public presentations and interview with members of the SAC and departmental professional staff. The information obtained shall be used to determine a final recommended ranking of the most qualified firms.
 - A. The SAC staff, with the assistance of the administering department for scope of service development, shall prepare a request for proposal and send it to the listed firms and/or schedule interviews as directed by the Selection Advisory Committee.

10.1 POLICY AND PROCEDURE - Continued

B. Competitive Selection Procedures - Continued

The request for proposals or interview presentations shall include:

- 1) A request that the firms provide a proposed scope of services for the project.
- 2) A request for specific and general information on how the firm will proceed with the project from a technical management approach, and the firm's understanding of County needs and project issues.
- 3) A final team organizational chart indicating all project personnel and sub-consultant relationships.
- 4) The firm's proposed schedule for the project.
- 5) A sample "Standard" contract indicating legal and contractual conditions with which the firm must comply if selected.
- 6) Specific instructions on how, when and where proposal shall be submitted. All proposals will be received by the County's Purchasing Department or as designated by the Purchasing Director.
- 7) The requirement that the proposal be submitted as a sealed package.

B. Following the receipt of proposals and/or interviews, the SAC shall review each firm's final qualifications based on:

- Team/Staff Quality & Overall Experience.
- Experience on Projects of Similar Scope/Magnitude.
- Technical Approach & Proposed Scope of Services.
- Understanding of the County's Needs and Project Issues.
- Firm's Proposed Schedule/Ability to Meet Deadlines.
- Proof of the firm's certification as a Minority Business Enterprise, if applicable.

The committee shall solicit evaluation comments and recommendations from the professional staff of the administering department during this step.

10.1 POLICY AND PROCEDURE - Continued

B. Competitive Selection Process - Continued

5. Minority Business Enterprise Consideration – Consistent with Florida Statute §287.055 (3)(d), if a firm consultant is on the Minority Business Advocacy and Assistance Offices' certified Minority Business Enterprise list and provides proof of certification, the Committee shall award a total of five (5) points toward evaluation criteria in selecting the firm/consultant.
6. The final recommended ranking of the three (3) best-qualified firms in numerical preference should be presented to the Board, through the County Administrator, for the Board's approval and authorization to negotiate with the top ranked firms in order of their numerical preference.

C. Competitive Negotiation Procedures

1. Negotiations for a contract shall be conducted by the administering Department Director and/or appropriate professional staff, and shall be carried to conclusion with the top ranked firm. If negotiations are unsuccessful, that firm shall be notified in writing; and negotiations shall be undertaken with the second ranked firm. Failing accord with the second firm, negotiations with the third firm shall be undertaken. If no proposed contract is agreed upon between the County staff and the three (3) ranked firms at a price the staff recommends as fair, competitive, and reasonable, the SAC shall make further recommendations to the Board on additional firms with which to negotiate.
2. Following the development of a successfully negotiated agreement, the County Administrator shall submit the proposed contract to the Board for approval, following necessary contract review by other County personnel, in keeping with the current contract review and administration policy.

10.2 PURCHASING PROFESSIONAL SERVICES CCNA - CATEGORY THRESHOLDS

(In accordance – Florida Statute § 287.017)

An originating department ***may*** solicit proposals for professional services not to exceed \$25,000 and submit the proposals, along with a requisition, to the Purchasing Department for processing. If the department determines competition is not feasible or desirable, a memorandum of justification setting forth the reasons for such determination must be submitted along with any support material. The Department or authorized designee is required to approve the request.