



April 14, 2016

To: Board Members  
Superintendent White

Re: Work Session read-Ahead-- Policy 7.71, Professional Services Selection Committee – ad hoc Review Committee

As is required by Policy 7.71, every five (5) years an ad hoc committee of five (5) members shall review and make recommendations to the Board on potential changes to the policy. Beginning January 5, 2016 through February 24<sup>th</sup>, 2016, the committee met to review the policy, take input from the committee members and outside sources, and arrived at a number of recommended changes. The recommendations considered and recommended by the committee have also taken into consideration items that are concerns of the board. Included you will find a copy of the Policy 7.71 with all proposed changes in verbiage noted in red and existing language to be deleted noted with strike-throughs. Once the Board has had a chance to review and comment on these recommendations we will bring the policy back to the Board for formal approval.

The chairperson of the committee, Ms. Mary Dougherty-Siapp, will present the committee recommendations to the board. The committee consisted of five (5) members, three from within the district and two members at large. Since the policy restricts the committee membership to non-PSSC members, the Director of the Construction Services Department is acting in an advisory non-voting role.

We look forward to this discussion and your feedback.

Sincerely

A handwritten signature in blue ink, appearing to read "Mark D. Smith", is written over a light blue horizontal line.

Mark D. Smith  
Director  
Construction Services Department

## 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 1<sup>st</sup> each year, the Board shall solicit applicants to provide professional 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.

#### 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 (or Administrative Designee) – or –  
Executive Director of High School Education (or Administrative Designee)

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- 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 Committee member.
  - 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. Selection Procedures
- A. Major/Minor Projects and Continuing Contract Selection Procedures (excluding all Design/Build single projects under Section III.B.
    - 1. Definitions
      - a. A "major project" is a project where the basic construction cost is estimated to exceed the threshold amount provided in Florida Statute 287.017 for Category Five or for a planning or study activity where the fee for professional services

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exceeds the threshold amount provided in Florida Statute 287.017 for Category Two.

- b. A "minor project" is a project where the basic construction cost is estimated to not exceed the threshold amount provided in Florida Statute 287.017 for Category Five or for a planning or study activity where the fee for professional services does not exceed the threshold amount provided in Florida Statute 287.017 for Category Two.
  - c. A "continuing contract" is as defined in Florida Statute.
2. **Selection Criteria** - The Committee shall advertise, short-list, and as deemed necessary, conduct interviews on major projects and for all projects for which continuing contracts will be issued. With respect to minor projects, the Committee may assign projects to companies on the current certified list in an equitable manner without public advertisements.
  3. **Assignment (Minor Project only)** - The Committee will hear all pertinent information regarding the selection. A verbal selection will be reached and Committee members will sign the Minor Projects Assignment Sheet (substantially as in Appendix D). The company shall be submitted to the Superintendent or their Designee for Board approval.
  4. **Advertisement** - Each major project 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. For specialty projects, copies of such advertisement may be sent to companies which are not currently Board certified, but may have particular interests in such specialties.
  5. **Mandatory Pre-application Meeting** - A mandatory pre-application meeting will be held, at a designated location, to review the requirements of the Application. All companies interested in submitting an Application are required to attend this meeting and any company not attending will not be considered for selection.

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6. Application - Except as may otherwise be specified in the legal advertisement, the Committee shall use the Sarasota County School Board 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 Exhibit 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.
7. **Cone of Silence – To foster fair and open competition throughout the selection process, all firms who attend the mandatory pre-submission meeting shall communicate solely through the Director of the Construction Services Department or the designee noted in the mandatory pre-submission meeting. Such communication restrictions start at the mandatory pre-submission meeting 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 with appeal or administrative hearing.**
8. Short-listing - 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/Minor & 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/Minor & 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 average scores of columns A, B, C, D, and E shall be each company's

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official score for the purpose of short-listing the applicants. 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 or 1
B	Location	1 - 5
C	Team Qualifications	1 - 15
D	List of Projects	1 - 10
E	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 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 one million dollars (\$1,000,000.00) or design or consulting fees are under one hundred thousand dollars (\$100,000.00), 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

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the Committee elects not to interview, the three (3) highest ranked companies shall be submitted to the Superintendent or their 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 one million dollars (\$1,000,000.00) or when design or consulting fees are in excess of one hundred thousand dollars (\$100,000.00), the Committee must interview and shall vote to determine the number of highest ranked companies to interview.

9. Interview Criteria - The Chairperson shall advise 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.
10. 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).
11. Interview Format - 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), off/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).
12. Interview Scoring - Column(s) F-I of the Major/Minor & 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).

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

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Column F – Points obtained from evaluating the Timelines and Budget 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/Cost—Control Measures 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, and I and J for each company interviewed. 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 average scores of columns F, G, H, and I and J shall be each company's official score for the purpose of ranking the applicants.

13. 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 Construction Services shall determine the number one ranked firm.



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14. Submission of Ranking - For Major/Minor single projects, the top three (3) ranked companies shall be submitted to the Superintendent or their Designee on the Project Assignment Sheet (substantially as in Appendix H) for Board approval. For continuing contracts, the top ranked companies, the number of which is determined by the respective advertisement, shall be submitted to the Superintendent or their Designee on the Project Assignment Sheet (substantially as in Appendix H) for Board approval.
15. Dispute Resolution - If the Superintendent disputes the submitted rankings, the Superintendent or their Designee shall schedule a meeting with the Committee to review the Committee's rationale and the Superintendent's or their Designee's concerns. The Superintendent or their 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 their Designee shall schedule a session between the Committee, the complainant(s) and the Superintendent or their Designee to review the Committee's rationale and the complainant's concerns. The Superintendent or their Designee shall then make a recommendation to the Board, accompanied by the Committee's rankings and a summary of the complainant's concerns.

16. Contract Negotiation
  - a. For Major/Minor single projects, after Board approval of a Committee selection, the Chairperson, in the presence of at least one (1) additional Committee members, 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.
  - a. For continuing contracts, 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

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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.

### **B. Design/Build Single Project Selection Procedure**

1. **Selection Criteria** - The Committee shall advertise, short-list, and conduct interviews for the selection of Design/Build entities for single projects in accordance with the procedure set forth herein.
2. **Advertisement** - Each design/build single project 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.
3. **Mandatory Pre-submission meeting** - A mandatory pre-submission meeting will be held, at a designated location, to review the requirements of the Statement of Qualifications. All companies interested in submitting a Statement of Qualifications are required to attend this meeting and any company not attending will not be considered for selection.
4. **Statement of Qualifications** - All companies desiring to be considered by the Committee to provide design/build services for a single specific project shall submit a Statement of Qualifications in accordance with the advertisement for said project.
5. **Short-listing** - 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 Single Project Score Sheet (substantially as in Appendix C) shall be completed

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administratively. The Committee shall convene to review the submitted documents and score submissions on the Design/Build Single Project 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 or 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 Qualifications.

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

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

6. Pre-interview Orientation Session - The Chairperson shall arrange a mandatory pre-interview orientation session for all entities short-listed. All companies shall be indoctrinated about the project at the same time by the same person(s).
7. Price/Schedule Proposals - 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.
8. Interviews/Presentations - 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.
9. Selection - 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 F and G 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.

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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.

10. Submission of Ranking - For Design/Build single projects, the top three (3) ranked companies shall be submitted to the Superintendent or their Designee on the Project Assignment Sheet (substantially as in Appendix H) for Board approval.
11. Dispute Resolution - If the Superintendent or their Designee disputes the submitted rankings, the Superintendent or their Designee shall schedule a meeting with the Committee to review the Committee's rationale and the Superintendent's or their Designee's concerns. The Superintendent or their 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 their Designee shall schedule a session between the Committee, the complainant(s) and the Superintendent or their Designee to review the Committee's rationale and the complainant's concerns. The Superintendent or their Designee shall then make a recommendation to the Board, accompanied by the Committee's rankings and a summary of the complainant's concerns.

12. Contract Negotiation - Subsequently, the Chairperson and one (1) other member of the Professional Services Selection Committee and the Design Criteria Architect will meet with the selected 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 Entity 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

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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.

### IV. 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.

B. The Committee shall review the PQS annually.

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

#### STATUTORY AUTHORITY:

1001.41, FS

#### LAW(S) IMPLEMENTED:

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: 8/21/01

REVISION DATE(S): 10/7/2003, 5/6/2008, 4/7/09, 9/7/10

FORMERLY: 6.102

NOTES: See Procedures 7.71 – Procedures for Selection of Architects and Engineers Requires Review:  
Every 3 years

