

## College Operating Procedures (COP)



**Procedure Title:** Architectural & Engineering Services Procurement  
**Procedure Number:** 04-1006  
**Originating Department:** Office of Financial Services

**Specific Authority:**

State Requirement for Educational Facility SREF 2014, Chapter 4, Section 4.1  
Board Policy 6Hx6:1.01; 6Hx6:1.02  
Florida Statute 287.055; 1004.67  
Florida Administrative Code

**Procedure Actions:** Adopted: 01/10; 4/16/12; 06/23/17

**Purpose Statement:** This procedure describes the process for the acquisition of professional architectural, engineering, landscape architectural or surveying and mapping services.

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### **Guidelines:**

The evaluation of current statements of qualification to procure professional architectural, engineering, landscape architectural, or surveying and mapping services known as "Consultants' Competitive Negotiation Act" or CCNA for approved one time construction projects and for continuing contracts of minor projects with a cost of \$2,000,000 or less.

In the solicitation and selection of vendors for the procurement of goods and services, there shall not be taken into consideration any past, present or future monetary or non-monetary support or contributions and volunteer or partnership activity with the College or the College's direct support organizations. This prohibition of such consideration applies to the solicitation, evaluation process and recommendation to award a contract, and any other portion of the solicitation and selection process.

### **Procedures:**

- I. Advertising
  - A. Procurement Services will issue a Request for Qualification (RFQ) to be publicly advertised in a uniform and consistent manner, except in cases of valid public emergencies.
  - B. The advertisement at a minimum will describe in general terms the project name, name of board, location of project, brief statement describing the work, date, time and place of RFQ opening and from whom and when the RFQ is available.
- II. Evaluation Team
  - A. The Office of Procurement Services along with the Facilities Department shall establish an Evaluation Team of at least four members. The Evaluation Team may consist of representatives from Facilities, Information Technology Services, Finance, as well as representatives from the campus and/or program affected by the project. The Procurement Services representative or designee is required to attend every RFQ opening and all Evaluation Team meetings serving as the facilitator to the selection process, and not as a voting member.

- B. An Evaluation Team chairperson may be selected and will serve as the liaison between the Evaluation Team members, the Office of Procurement Services and the Facilities Department. The Evaluation Team shall evaluate each responding firm's written submittal, attend scheduled finalist interviews and public evaluation meetings and review any other relevant information. The Evaluation Team in the scheduled public evaluation meeting will discuss the strengths and weaknesses of each submittal and assign/score the submittals to develop a ranking. The Evaluation Team shall recommend no fewer than three firms deemed to be the most highly qualified firms for the project to the Director of Facilities and the Vice President, Administrative Services who will approve the firms to be shortlisted and invited to make a presentation to the Evaluation Team.
  - C. In determining whether a firm is qualified, the Evaluation Team shall evaluate professional services, including capabilities, adequacy of personnel, past record, experience and other factors determined to be applicable to particular requirements like volume of work previously awarded to each firm by the College with the object of effecting an equitable distribution of contracts among qualified firms, provided such distribution does not violate the principle of selection of the most highly qualified firm(s).
  - D. Procurement Services will notify the firms who have been "short-listed" and have been selected to present to the Evaluation Team at a designated time and location.
  - E. The short-listed firms will present before the Evaluation Team allowing the Team to ask questions and evaluate a pre-determined set of criteria to include, but not be limited to, ability of professional personnel, past performance, willingness to meet time and budget requirements, location, recent, current and projected workloads, and volume of work previously awarded to each firm, with the object of effecting an equitable distribution of contracts among qualified firms, provided such distribution does not violate the principles of selection of the most highly qualified firms.
  - F. The Evaluation Team in a scheduled public evaluation meeting shall evaluate each responding firm's interview/presentation and any other relevant information resulting in scoring and ranking. The Evaluation Team shall recommend to the Director of Facilities and the Vice President, Administrative Services the recommended rank order.
  - G. The District President or designee recommends to the District Board of Trustees the recommended firms for selection of the specified project in ranking order.
- III. Posting
- A. The final official intent to award is then posted on the scheduled date to the Florida SouthWestern State College website for 72 hours (or 3 business days). After the 72 hour period, the posting is removed. The posting shall include specific protest language as defined in Florida Statue 120.
- IV. Board Approval
- A. The final rank order will be submitted as a District Board of Trustees agenda item recommending that the Florida SouthWestern State College District Board of Trustees approve the College Administration to begin negotiations with the top ranked firm.
  - B. The Florida SouthWestern State College District Board of Trustees will authorize College Administration to formally terminate negotiations with the top ranked firm if a satisfactory contract cannot be negotiated and to continue negotiations with the next ranked firm until a satisfactory contract can be negotiated
  - C. District Board of Trustees' approval is required prior to commencing any contract negotiations.
- V. Contract/Contract Negotiations

The Facilities Office will begin contract preparation/contract negotiations with the top ranked firm after District Board of Trustees' approval has been obtained using the Florida SouthWestern State College standard preapproved contract document attached to the RFQ solicitation. All contracts will be reviewed/approved by the appropriate College official prior to submitting to the A/E for execution.

- A. The Facilities Office will conduct negotiations using the Florida SouthWestern State College standard contract that is attached to the RFQ solicitation on items to include, but not be limited to, clarifying and providing resolution on open items such as refining the design team, scheduling a commencement date, reimbursable rates and general conditions and fee as well as including the requirement the A/E firm submit all 100% CD's to DOE OEF for code review, and that the A/E firm will provide additional professional services at no cost to Florida SouthWestern State College if the bids come in over the established design budget. Negotiations must be formally terminated if the College is unable to negotiate a satisfactory contract with:
- 1) The most qualified firm; and/or
  - 2) The second most qualified firm; and/or
  - 3) The third most qualified firm.
  - 4) Should the College be unable to negotiate a satisfactory contract with any of the selected firms (initial three most qualified), the College shall select additional firms in order of competence and qualifications and continue negotiations.
  - 5) At any time, the College, at its discretion, may stop negotiations with all firms and cancel the RFQ.

NOTE: Once negotiations have been terminated with a firm, and begun with the next firm, negotiations may not be reopened with said firm.

- B. The final negotiated compensation must be fair, competitive and reasonable.