



Finance and Administrative Services Department  
**PURCHASING DIVISION**

115 S. Andrews Avenue, Room 212 • Fort Lauderdale, Florida 33301 • 954-357-6066 • FAX 954-357-8535

Certified Mail No. 7003 1010 0003 0948 2415

March 25, 2014

George I. Platt, Esq.  
LSN Government Affairs  
333 N. New River Drive East, Suite 3100  
Fort Lauderdale, FL 33301

Re: Request for Proposals (RFP) X1159616P1, Port Everglades Architectural/Engineering Services for the Seaport Engineering and Construction Division

Dear Mr. Platt:

I am in receipt of your objection letter dated March 7, 2014 submitted on behalf of your client, Bermello Ajamil & Partners, Inc. (B&A), in which you indicate that you are raising "issues regarding the RFP and the Proposed Recommendation of Ranking" focusing "on what B&A believes is unfair and/or incorrect information, and other new information that should be considered by the Commission in the course of its deliberations and discussions of the Proposed Ranking".

Your letter does not contain any new information and I did not find any incorrect information that was presented to the Evaluation Committee. Therefore, there is no need to reconvene the Evaluation Committee. The following will address your specific objection assertions:

**Assertion No. 1:**

"CCNA was not utilized in this RFP. Attached as Exhibit 2 is a sheet from the RFP. The CCNA box is not checked. Thus, notwithstanding, the mandate of state law and the Broward County Procurement Code, CCNA was not used."

**Response No. 1:**

Your statement that "CCNA was not utilized in this RFP" is **not correct**. The solicitation's utilization and compliance with the Consultants' Competitive Negotiation Act (CCNA) (Section 287.055, Florida Statutes) are evidenced by being referenced on the "Procurement Authority" page of the solicitation document. This page reflects (based upon checked boxes) that a Continuing Contract was to be awarded for "Professional services needed for projects in which construction costs do not exceed \$2 million". This language is in compliance with the requirements of the CCNA statute as shown in the attached copy of the statute (Attachment 1). Furthermore, the CCNA statute was specifically cited in both the solicitation "Scope of Service" and Exhibit 1, "Detailed Scope of Work" (Attachments 2 & 3).

George I. Platt, Esq., LSN Government Affairs  
RFP No. X1159616P1, Port Everglades Architectural/Engineering Services for the Seaport  
Engineering and Construction Division  
March 25, 2014  
Page 2 of 5

Additionally, if there had been any question about whether CCNA requirements applied to this solicitation, the RFP's Evaluation Criteria (Attachment 4 for your reference) includes all of the multiple statutory required criteria in compliance with CCNA, and specifically states that Price will not be considered in the final evaluation and rating of qualified firms, which is consistent with Section 287.055, Florida Statutes (CCNA). If your client had any questions whether or not CCNA requirements applied, they could have inquired with the County prior to the opening date of this procurement. They did not. Instead, they submitted a proposal in an effort to fully participate in the procurement to provide comprehensive professional architectural and/or engineer consulting services. The Project Manager and the Purchasing Agent contact information was listed on the solicitation document (page 8 of 49).

Finally, once again, the County made it abundantly clear that CCNA applied to this solicitation process at the Evaluation Committee meeting, as the Purchasing Agent reminded the Committee in the Introductory remarks that the RFP was subject to the requirements of the Consultants' Competitive Negotiation Act (CCNA) 287.055, and the intent is to award a Continuing Contract for Professional services for projects in which construction costs do not to exceed \$2 million.

Assertion No. 2:

"This RFP departed from the County method for CCNA selections where historically the Selection Committee uses a numerical ranking, e.g. #1 for top firm, #2 for second ranked firm, etc. Under this traditional selection process, the lowest total wins."

Response No. 2:

Again, your assertion is **not correct**. At the Public Hearing on March 8, 2011 (Item #4), the Board of County Commissioners approved the Request for Proposal (RFP) procurement method as an acceptable process for procuring Professional Services. The RFP procurement method has been and is currently being used successfully by the County for projects that must be procured pursuant to Section 287.055, Florida Statutes.

Assertion No. 3:

"When this RFP was approved without discussion by the Commission as Item #35 on the November 5, 2013 Consent Agenda (see attached Exhibit 4 to this letter), the Summary Explanation/Background stated: "The RFP method provides for predefined evaluation criteria for ranking firms based upon the required specialized technical expertise." In point of fact, the two non-subjective criteria dealt with matters having nothing whatsoever to do with "specialized technical expertise". The two questionable categories were as follows: #8 – Distance from company office dedicated to this contract to the Port (0-5 points); #9 – Volume of Work on Projects in the last 5 years (0-10 points)".

George I. Platt, Esq., LSN Government Affairs  
RFP No. X1159616P1, Port Everglades Architectural/Engineering Services for the Seaport  
Engineering and Construction Division  
March 25, 2014  
Page 3 of 5

**Response No. 3:**

At the November 5, 2013 Board meeting, there were no issues raised by the Public regarding this matter when this procurement was presented to the Board for approval. The Summary Explanation referenced in the Board Agenda Item No. 35, on November 5, 2013, for RFP X1159616P1 referenced evaluation criteria for required specialized technical expertise. Evaluation Criteria 2, 3, 4, 5 and 6 (of the subject RFP), all involve requirements for technical expertise, and are worth a potential 55 points of 100 total points. Evaluation Criteria 1 requires information about the experience of the Project Manager and all key personnel, apart from the firm. It is worth 20 points of 100 total points. Since this information is a reflection of the technical experience which must be defined in Evaluation Criteria 2, 3, 4, 5 and 6, the sum of all experience and capability-related evaluation criteria is 75 points of 100 total points.

Furthermore, the CCNA statute states that in determining whether a firm is **qualified**, the County shall consider location and volume of previous work. Therefore, the state legislature, and not the County staff, made the determination to evaluate "Location" and "Volume of Previous Work" in considering the qualifications of a firm. Evaluation Criteria 8 and 9 for "Location" and "Volume of Previous Work" only involved up to 15 of 100 total points. Therefore, the statement in the Summary Explanation section of the Board Agenda item is correct.

**Assertion No. 4:**

"It is important to note that while CCNA and the Procurement Code allow Volume of Work to be a factor, CCNA expressly states in Section 287.055(4)(b), Florida Statutes, that consideration of volume of work previously awarded should "not violate the principle of selection of the most highly qualified firms." It is important to note that "Volume of Previous Work over the past five (5) years" is expressly authorized as the third tie breaker criteria under your Procurement Code and in this RFP. 1. Location of business in Broward County, if both have, go to #2; 2. Domestic Partnership Program in place, if both have, go to #3; 3. Volume of Work Over the Last Five Years.

"In point of fact, where there is a tie, utilizing these tiebreaker criteria in this order makes sense because the firms have been deemed equally highly qualified. So Volume of Work as a tiebreaker is consistent with CCNA.

"However, to utilize Volume of Work as a separate 10 point evaluation criteria violates the letter and the spirit of CCNA. Moreover, it is inconsistent with the express staff agenda explanation comments of seeking to select the most highly qualified firm with the needed "specialized technical expertise".

George I. Platt, Esq., LSN Government Affairs  
RFP No. X1159616P1, Port Everglades Architectural/Engineering Services for the Seaport  
Engineering and Construction Division  
March 25, 2014  
Page 4 of 5

**Response No. 4:**

It is incorrect that apportioning 10 of 100 total scoring points to Volume of Previous Work "violates the letter and the spirit of CCNA". Furthermore, the staff agenda explanation on November 5, 2013 (Item 35) indicated that the Evaluation Committee would rank the firms based on specialized technical expertise. As indicated earlier, the CCNA statute requires specific evaluation criteria in determining the qualifications of professional firms including "Volume of Previous Work". The CCNA statute does not, however, stipulate a number of scoring points for the evaluation criteria which it requires to be included. In this RFP, the "Volume of Previous Work" (Evaluation Criterion 9) is worth up to 10 points of 100 total points. Evaluation Criteria 2, 3, 4, 5 and 6 (which all involve specialized technical expertise) are worth up to 55 points of 100 total points. This apportionment of the 100 total scoring points, with the clear majority of points for specialized technical expertise as opposed to only 10 points of 100 total points for "Volume of Previous Work", demonstrates the County's compliance with the CCNA statute for this RFP project. Although "Volume of Previous Work" awarded was one of several evaluation factors, the point allocation did not run afoul of the statutory intent which is to have "...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 firms". As stated previously, the statute states that "Volume of Previous Work" is one of the criteria in considering a firm's qualifications. The total score of BEA Architects, Inc. (the first-ranked proposer), before adding the "Volume of Previous Work" points, was 388 points. The total score of Bermello, Ajamil & Partners, Inc. (the second-ranked proposer), before adding "Volume of Previous Work" points, was 429 points. The total score of the third-ranked proposer, Calvin, Giordano & Associates, Inc., before adding "Volume of Previous Work" points, was 316 points. The total score of the fourth-ranked proposer, DeRose Design Consultants, before adding "Volume of Previous Work" points was 364 points.

All four proposers were highly qualified as the individual and total scores of Evaluation Committee members indicate. For this RFP, 75 points of 100 total scoring points reflected the experience and capability of the firms. The application of the Volume of Previous Work scores did not violate the CCNA statute regarding highly qualified firms. Since both Bermello, Ajamil & Partners, Inc. and DeRose Design Consultants had significant volume of previous work with the County, they received "0" additional points. Due to their low volume of previous work with the County over the past five years, BEA Architects, Inc. and Calvin, Giordano & Associates, received 10 additional points per Evaluation Committee member, for a total of 50 additional scoring points. This brought BEA Architects, Inc. to the first-ranked position.

**Assertion No. 5:**

"Evaluation Criteria 8 establishes another new non-subjective category. See Exhibit 3. It creates a numerical score worth up to five (5) points for the proximity of the "exact office location responsible for this project to Port Everglades." This is definitely not part of CCNA. While in this case, it appears all five proposers were awarded five points, this Evaluation Criteria also fails to address the "specialized technical expertise" that was mentioned in the Agenda Report when the RFP was approved."

George I. Platt, Esq., LSN Government Affairs  
RFP No. X1159616P1, Port Everglades Architectural/Engineering Services for the Seaport  
Engineering and Construction Division  
March 25, 2014  
Page 5 of 5

Response No. 5:

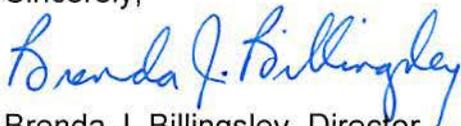
Your statement that "This [exact office location responsible for this project] is definitely not part of CCNA" is incorrect. The statute requirement states in Section 287.055 (4)(b), "In determining whether a firm is qualified, the agency shall consider such factors as the ability of professional personnel; whether a firm is a certified minority business enterprise; past performance; willingness to meet time and budget requirements; **location**; recent current and projected workloads of the firms; and the volume of work previously awarded to each firm by the agency, 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 firms." As shown, the statute states "shall consider" and includes "location". Therefore, the consideration and evaluation of "location" is definitely a part of CCNA. However, the CCNA statute does not suggest scoring point values. This "location" requirement was given only 5 of 100 total scoring points. All proposers received the maximum 5 points in their total scores.

Your March 7, 2014 letter does not contain new information that the Evaluation Committee has not already reviewed or discussed. Although you indicate that the RFP procurement is "flawed, tainted, distorted and unfair", we have found that it is not. The RFP procurement method is a more accountable and fair method for procurements which are not purely price-driven and involve subjective factors. Again, had your client had any questions regarding the requirements of this RFP they could have notified the County prior to the opening of this procurement.

Your March 7, 2014 letter, along with a copy of this response, will be included in the information package with the ranking order Board Agenda for RFP X1159616P1.

Please let me know if you have any questions.

Sincerely,



Brenda J. Billingsley, Director  
Purchasing Division

Attachments

BJB/kw/hmm/lg

c: Glenn Marcos, Assistant Director, Purchasing Division  
Peter Thomas, Purchasing Manager, Purchasing Division  
Karen Walbridge, Purchasing Manager, Purchasing Division  
Kevin Cheerangie, Purchasing Agent II, Purchasing Division  
John Horne, Project Manager, Port Everglades Department  
Glenn Miller, Assistant County Attorney, Office of the County Attorney



LSN GOVERNMENT AFFAIRS  
Local • State • National

March 7, 2014

Ms. Brenda Billingsley, Director  
Broward County Purchasing Division  
115 South Andrews Avenue, Room 212  
Fort Lauderdale, FL 33301

RE: THREE (3) DAY LETTER PERTAINING TO PROPOSED RECOMMENDATION OF RANKING – RFP NO.: X1159616P1 PORT EVERGLADES ARCHITECTURAL/ ENGINEERING SERVICES FOR THE SEAPORT ENGINEERING AND CONSTRUCTION DIVISION (“RFP”)

Dear Ms. Billingsley:

Our firm represents the firm of Bermello Ajamil & Partners, Inc. (“B&A”), an aggrieved proposer under the referenced RFP. This letter is written pursuant to Sec. 21.84(f) of the Broward County Procurement Code (“Procurement Code”) within three (3) business days of the posting (See Exhibit #1) in order to raise issues regarding the RFP and the Proposed Recommendation of Ranking. Kindly ensure that this letter and attachments are included in the information to be provided to the Board of County Commissioners at the time when the ranking is placed on the agenda for Commission consideration.

This letter focuses on what B&A believes is unfair and/or incorrect information and other new information that should be considered by the Commission in the course of its deliberations and discussions of the Proposed Ranking.

This RFP seeks to select a vendor who will combine the consulting architectural and engineering services for Port Everglades. For 19 years, B&A has been the architectural consultant at the Port and, by all accounts, has provided outstanding service. Likewise, Craven Thompson & Associates, the engineering sub to B&A on this RFP, has served as consulting engineer to the Port since 1995 and is also very highly regarded. A chart of the B&A team and its Port experience is set forth below.

Ms. Brenda Billingsley, Director  
Broward County Purchasing Division  
March 7, 2014

<b>Firm Member</b>	<b>Team Roles</b>	<b>Years With Port</b>	<b>Successful Port Projects</b>
<b>Bermello, Ajamil &amp; Partners, Inc. (B&amp;A)</b>	PM, Architecture Lead, Planning, CA Landscape, LEED, Interiors, BIM	18 years	83 projects
<b>Craven Thompson &amp; Associates (CTA)</b>	Dep. PM, Engineering Lead, Civil, GIS Survey	25 years	75 projects
<b>Tierra South Florida (CBE)</b>	Geotechnical/Materials Testing	14 years	50 projects
<b>Hammond &amp; Associates (CBE)</b>	M/E/P & Fire Protection	12 years	25 projects
<b>Hillers Electrical Engineering (CBE)</b>	Industrial M/E/P	18 years	18 projects
<b>Kimberly Ann Brown &amp; Associates (KABA)(CBE)</b>	Environmental Engineering	5 years	20 projects
<b>Schneider Engineering</b>	Marine Engineering	20 years	20 projects
<b>S&amp;F Engineering (CBE)</b>	Structural Engineering (Buildings)	FLL – 12 years PE – 1 year	FLL/Cty – 70 projects
<b>Lakdas Yohalem Engineering (CBE)</b>	Structural Engineering (threshold Maritime)	25 years	100+ projects
<b>Industrial Divers Corporation</b>	Underwater Investigations, Survey	25 years	150 project divers

In this RFP, Broward County seeks to join the two services together into a single RFP/Contract and, for that reason, Craven Thompson & Associates is a team member under B&A on this submittal.

Ms. Brenda Billingsley, Director  
Broward County Purchasing Division  
March 7, 2014

The CBE goal on this RFP is 26%. The B&A team reflects 30% CBE participation.

In the Proposed Recommendation of Ranking, the firm of BEA Architects was ranked #1. The scoring showed BEA Architects at 438 points and B&A at 429 points. The next closest firm, Calvin Giordano & Associates, Inc. had 366 points. Thus, B&A is proposed to be ranked #2.

Several issues emerged in the process that are addressed in this letter: the weighted RFP Evaluation Criteria and the scoring that raise very serious issues of fairness. These issues rise to the level of policy issues that should be considered by the County Commission because: they may violate state law; they could be contrary to and inappropriately distort the evaluation and the Broward/Miami-Dade Local Preference Agreement; they distort the selection process; they penalize the most qualified firm; and, if left unaddressed in this and future RFPs, will unfairly discriminate against and penalize local firms (both Prime and subs) at a time when the County is committed to increased local jobs. Consequently, for reasons set forth herein, we request that the County Commission reject all proposers and clarify the issues for a new procurement of these services.

1. Consultants Competitive Negotiations Act.

Sec. 287.055, Florida Statutes, is known as the Consultants Competitive Negotiations Act ("CCNA"). By law, it is mandated that when the County seeks to procure these kinds of architectural and engineering services, the CCNA process should be used. Sec. 21.85 of the Procurement Code also references CCNA as the basis for procuring these kinds of professional services.

CCNA was not utilized in this RFP. Attached as Exhibit 2 is a sheet from the RFP. The CCNA box is not checked. Thus, notwithstanding, the mandate of state law and the Broward County Procurement Code, CCNA was not used.

Historically, when the County utilized CCNA as a process to acquire these kinds of services, the Selection process was Request for Letters of Interest ("RLI") and the Selection Committee would first shortlist several firms, then hear presentations at a separate meeting, and then vote on a ranking. This RFP departed from the County method for CCNA selections where historically the Selection Committee uses a numerical ranking, e.g., #1 for top firm, #2 for second ranked firm, etc. Under this traditional selection process, the lowest total wins.

In this RFP, the staff proffered a weighted ranking system, as is typical with RFPs. However, in addition to the subjective evaluation criteria such as "experience," this Evaluation Criteria added two (2) mandatory non-subjective criteria that were pre-scored by the Purchasing staff. The RFP's Evaluation Criteria are attached as Exhibit 3. As will be noted in more detail below, each of these non-subjective categories of criteria raise problems and should be discarded by the County Commission.

Ms. Brenda Billingsley, Director  
Broward County Purchasing Division  
March 7, 2014

When this RFP was approved without discussion by the Commission as Item #35 on the November 5, 2013 Consent Agenda (see attached Exhibit #4 to this letter), the Summary Explanation/Background stated: “The RFP method provides for predefined **evaluation criteria for ranking firms based upon the required specialized technical expertise.**” (Emphasis added).

In point of fact, the two non-subjective criteria dealt with matters having nothing whatsoever to do with “specialized technical expertise.” The two questionable categories were as follows:

- #8 Distance from company office dedicated to this contract to the Port (0-5 points)
- #9 Volume of Work on Projects in the last 5 years (0-10 points)

It is important to note that while CCNA and the Procurement Code allow Volume of Work to be a factor, CCNA expressly states in Sec. 287.055(4)(b), Florida Statutes, that consideration of volume of work previously awarded should “**not violate the principle of selection of the most highly qualified firms.**” (Emphasis added).

It is important to note that “Volume of Work over the last five (5) years” is expressly authorized as the third tier tiebreaker criteria under your Procurement Code and in this RFP.

1. Location of business in Broward County, if both have, go to #2.
2. Domestic Partnership Program in place, if both have, go to #3.
3. Volume of Work Over the Last Five Years

In point of fact, where there is a tie, utilizing these tiebreaker criteria in this order makes sense because the firms have been deemed equally highly qualified. So Volume of Work as a tiebreaker is consistent with CCNA.

However, to utilize Volume of Work as a separate 10 point evaluation criteria violates the letter and the spirit of CCNA. Moreover, it is inconsistent with the express staff agenda explanation comments of seeking to select the most highly qualified firm with the needed “specialized technical expertise.”

## 2. The Volume of Work Evaluation Criteria.

The use of Volume of Work as a non-subjective Evaluation Criteria that can award, as here, 50 points to BEA Architects and zero points to B&A is fundamentally unfair and wrong. As the scoring showed, if this Evaluation Criteria were deleted, the scoring totals would be: B&A – 429 points (#1) and BEA Architects – 388 points. Moreover, the deletion of this so-called “new” Evaluation Criterion (Volume of Work) would have resulted in a ranking based on the most highly qualified firm (as required by CCNA) and

Ms. Brenda Billingsley, Director  
Broward County Purchasing Division  
March 7, 2014

the “required specialized technical expertise” (as the Commission was told would be the case with the new Evaluation Criteria). Use of the Volume of Work criteria seriously distorted the outcome and is unfair and inappropriate.

The “Volume of Work” criteria should be left to the tiebreaker realm and not injected into the point system of the Evaluation Criteria.

This case is a good example of how the fixed category of Volume of Work becomes outcome-determinative and ignores the clear mandate of selecting the most qualified firm.

Here we see a process that is extremely biased and unfair because the most qualified local team is severely penalized for having performed outstanding service with the precise skill set and intimate knowledge of Port Everglades for a period of years.

Note that in every subjective category of the Evaluation Criteria, B&A scored above or even with BEA Architects. Yet the non-subjective category of work volume over five years gave BEA Architects 50 points and B&A zero.

Beyond that is the fact that utilizing a dollar volume of work is an amazingly distorted picture of past service or fees earned by B&A. Why is that? Because in an “on-call” contract B&A as well as Craven Thompson & Associates were called on to utilize or hire sub-contractors for specialized projects in order to save time and money in servicing Port needs. Thus, the vast majority of those fees were passed directly through the prime contractor to the subs. Yet, the prime is now penalized for millions of dollars that it never received. The following chart shows this point.

Firms	B&A Monies received from Broward County Projects	PCT of Total to B&A	Sub Consultant Monies submitted including CBE firms	PCT of Total to Sub Consultants	TOTAL
Bermello Ajamil & Partners (B&A as Prime)	\$4,134,537.86	43.9%	\$5,273,514.14	56.1%	\$9,408,052.00
Craven Thompson & Associates (B&A as Arch. Sub)	\$ 201,597.75	40.4%	\$ 297,584.25	59.6%	\$ 499,182.00
<b>TOTALS</b>	<b>\$4,336,135.61</b>	<b>43.8%</b>	<b>\$5,571,098.39</b>	<b>56.2%</b>	<b>\$9,907,234.00</b>

Ms. Brenda Billingsley, Director  
Broward County Purchasing Division  
March 7, 2014

In addition, if this new Volume of Work Over 5 Years Criteria is continued to be used by Broward County, it will distort procurements and drastically hurt local companies. These qualified companies are based in Broward, pay good salaries to their employees most of whom live, pay taxes and raise their families in Broward County; and yet, use of the Volume of Work as a fundamental selection evaluation criterion weighted as it is, will cause our local companies who have performed well for Broward County to be shoved aside so that out-of-county companies can win by application of this new category in the selection criteria.

You will likely hear from many of these other local companies who are just recovering from the worst recession in 70 years. Just when things are starting to look brighter, this is not what Broward County or these companies need.

3. Local Preference vs. Office Distance to Project.

Evaluation Criteria #8 establishes another new non-subjective category. See Exhibit 3. It creates a numerical score worth up to five (5) points for the proximity of the “exact office location responsible for this project to Port Everglades.” This is definitely not part of CCNA. While in this case, it appears all five proposers were awarded five points, this Evaluation Criteria also fails to address the “specialized technical expertise” that was mentioned in the Agenda Report when the RFP was approved.

Moreover, if a company is within 50 miles, it gets the full five points. So a company based in Palm Beach County, which has declined to sign a reciprocity agreement with Broward County, can get five points, but a company based more than 50 miles away in south Miami-Dade County where a local preference reciprocity agreement exists will not get five points.

Indeed, it would seem that the Local Preference Ordinance and reciprocity agreements could in fact be affected by this new evaluation criteria. On the one hand, a company based in Boca Raton could receive the five (5) points but is not “local” as defined by your Code or a Reciprocity Agreement on Local Preference. However, a firm based in Homestead vs. a Boca Raton based firm could enjoy the application of the selection by local preference if its point total were within 5% of the Boca Raton company.

As you can see, the introduction of this category of Evaluation Criteria, while not affecting this procurement, could clearly be outcome determinative in the future and could possibly foster seeds of unrest on the Miami-Dade/Broward Reciprocity Agreement on Local Preference.

In hindsight, this new scoring system was not fully vetted and was never discussed in an open public meeting by the Commission, staff, vendors or the general public.

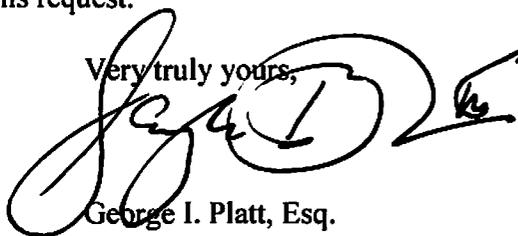
**Ms. Brenda Billingsley, Director  
Broward County Purchasing Division  
March 7, 2014**

**This RFP procurement is flawed, tainted, distorted and unfair for the reasons set forth above. On behalf of B&A, we respectfully request that the County Commission take appropriate action to correct the Evaluation Criteria either by rejecting all proposals and starting over again with specific direction to staff or by sending this matter back for further consideration by the Evaluation Committee without the objectionable Evaluation Criteria. I urge you to seek the guidance of your County Attorney as to what all of the options are at this point in time.**

**On behalf of Bermello Ajamil & Partners, Inc., I hereby attest that the matters and statements contained herein are accurate, true, and correct. Moreover, on behalf of my client, we acknowledge that the determination of inaccurate, untruthful, or incorrect statements herein may serve as a basis for debarment.**

**Thank you for your consideration of this request.**

Very truly yours,

A handwritten signature in black ink, appearing to read "George I. Platt", with a stylized flourish extending to the right.

**George I. Platt, Esq.**

**Attachments**

**cc: Ms. Joni Armstrong Coffey, County Attorney  
Mr. John Horne, Project Manager  
Mr. Glenn Miller, Assistant County Attorney  
Mr. Mark Ittel, Senior Vice President, Partner in Charge  
Bermello Ajamil & Partners, Inc.  
Mr. Luis Ajamil, Bermello Ajamil & Partners, Inc.  
Mr. Tom McDonald, Craven Thompson & Associates**



LSN GOVERNMENT AFFAIRS  
Local • State • National

EXHIBITS

1. Posting Notice of Proposed Recommended Ranking
2. Sheet from RFP Showing CCNA Box Not Checked
3. RFP Weighted Evaluation Criteria
4. Agenda Item #35 from November 5, 2013 County Commission Meeting  
Agenda

Microsoft Translator | Google Translate

Enter search words

SEARCH

Government Residents Business Visitors Employees Resources Careers

Broward County > Purchasing > Solicitation Recommendations > Recommendation of Ranking

Printer Friendly

- About Us
  - Vision and Mission Statement
  - Contact Information
  - How to Do Business with Broward County
- Solicitation Preparation Guidelines
- Committee Appointment
- Pre-Advertisement Notices
- Pre-Solicitation Meetings
- RFI/RFP Supporting Documents Repository
- Requests for Information
- Current Solicitations List
- Airport Concessions
- Public Surplus Sale
- Sponsorships
- Solicitation Recommendations
  - Recommendations For Award
  - Recommendation of Ranking
- Solicitation Results
- Vendor Information
  - Vendor Registration
- Sub-Contractor Opportunities

## Recommendation of Ranking or Rating

### Proposed Recommendations to the Board of County Commissioners/Director of Purchasing

Solicitation Number	Solicitation Title (click to view)	Staff's Proposed Ranking/Rating	Goals/ Sub Vendors (click to view)	Posted Date	Release Date
X1159616P1	Architectural/Engineering Services for the Seaport Engineering and Construction Division (PDF)	1. BEA Architects, Inc. 2. Bermello, Ajamil and Partners, Inc. 3. Calvin, Giordano and Associates, Inc. 4. DeRose Design Consultants, inc. 5. Kosinski Architecture, Inc.	26%	3/6/2014	3/10/2014

### Final Recommendations to the Board of County Commissioners/Director of Purchasing

Solicitation Number	Solicitation Title (click to view)	Staff's Ranking/Rating	Goals/ Sub Vendors (click to view)	Posted Date	Release Date
R1147317P1	Local Government UHF Trunking 400 MHz Radio System (PDF)	Control Communications		3/5/2014	3/11/2014

For a complete list of all solicitation results and awards please visit the solicitation results page.

Required Plug-ins: Adobe® Reader®, Microsoft Word Reader®, Microsoft Excel Reader®



Broward Home | Terms of Use



**Broward County Purchasing Division**

115 S. Andrews Avenue, Room 212  
Fort Lauderdale, FL 33301  
(954) 357-6065 FAX (954) 357-8535

**Request for Proposals (RFP)**

RFP Number: X1159616P1

RFP Name: Architectural/Engineering Services for the  
Seaport Engineering and Construction Division

**Procurement Authority**

Unchecked boxes do not apply to this solicitation.

Pursuant to Florida Statutes, Chapter 287.055 (Consultants' Competitive Negotiation Act), the Broward County Commission invites qualified firms to submit Proposals for consideration to provide Professional Consulting Services on the following project.

**Non-Continuing Contract:** (Check only one box)

Professional services needed for a construction project where the construction costs exceed \$ 325,000

Professional services needed for a planning or study activity where the fee for the professional services exceed \$ 35,000

**Continuing Contract :**( Check only one box)

Professional services needed for projects in which construction costs do not to exceed \$2 million

Professional services needed for study activities when the fee for such professional service does not exceed \$ 200,000

Professional services needed for work of a specified nature

**Design-Build:** (Check only one box)

Qualification-Based with a Guaranteed Maximum Price and a Guaranteed Completion Date

**Balance of Page Left Blank Intentionally**



**Broward County Purchasing Division**

115 S. Andrews Avenue, Room 212  
Fort Lauderdale, FL 33301  
(954) 357-6065 FAX (954) 357-8535

**Evaluation Criteria**

The following list of Evaluation Criteria total 100 points. Subsequent pages will further detail and define the Evaluation Criteria which are summarized with their numerical point ranges.

<p>1. Describe the qualifications and relevant experience of the Project Manager and all key personnel that are most likely to be assigned to this proposed project. Include resumes for the Project Manager and all key personnel described. Include the qualifications and relevant experience of all sub-consultants to be used in this project. Provide a comprehensive organizational chart including all members of the proposed project team, i.e., Land Surveying, Geotechnical Engineering, Civil Engineering, Transportation and Traffic Engineering, Environmental Protection, Landscape Architecture, Structural Engineering, Interior Design, Lighting Design, Fire Protection, Plumbing, Mechanical Engineering, Electrical Engineering, Telecommunications and Data Engineering, Building Information Modeling (BIM) and LEED/AP related services. Describe the Prime Proposer's approach to the project. Include how the Prime Proposer will use sub-consultants in the project.</p>	<p>20</p>
<p>2. Describe comparable experience within a seaport environment during the past 10 years coordinating a broad based multi-disciplined project working with multiple diverse stakeholders in developing an overall project plan including environmental design, engineering and construction which provided the ability to maintain continuity of operations during the implementation.</p>	<p>20</p>
<p>3. Provide previous experience within a maritime environment. Include active and completed projects related to cruise and/or cargo terminal expansion/construction, marine infrastructure, dredging, roadway and utility construction within a seaport environment..</p>	<p>10</p>
<p>4. Provide evidence of knowledge and experience working with the Florida Building Code in conjunction with the governing municipalities throughout Broward County and other agencies such as the Federal Emergency Management Agency (FEMA)..</p>	<p>10</p>
<p>5. Describe your firm's GIS/CAD capabilities and projects completed related to utility databases and atlas creation. Include experience with Environmental Systems Research Institute (ESRI) software.</p>	<p>5</p>
<p>6. Describe your LEED experience and knowledge. Provide a comprehensive list of current projects that LEED certification is being pursued and completed projects that successfully obtained LEED certification. In addition, provide the credentials of the LEED accredited professionals employed by your firm and on the proposed project team. Provide a list of projects your firm is currently producing and has completed using Building Information Modeling (BIM) .</p>	<p>10</p>



**Broward County Purchasing Division**

115 S. Andrews Avenue, Room 212  
Fort Lauderdale, FL 33301  
(954) 357-6065 FAX (954) 357-8535

<p>7. This solicitation is for the award of a continuing contract. The specific projects requiring professional services under the contract have not yet been identified. However, in general, please explain your firm's approach in meeting "project specific" time and budget requirements and indicate whether your firm is committed to meet these requirements when identified under this contract.</p>	5
<p>8. Identify the exact office location responsible for this project.</p> <p>Miles from _____ (Exact Address) = Numerical Score</p> <p>0-50 Miles = 5 Points</p> <p>51-100 Miles = 3 Points</p> <p>Over 100 Miles = 0 Points</p>	5
<p>9. List all projects, including project number, with Broward County during the past five (5) years – completed and active, with regard to the Prime Proposer only. Volume of Work also includes Amendments, Purchase Orders, Change Orders and Work Authorizations. In addition, list all projected projects that your firm will be working on in the near future. Projected projects will be defined as a project(s) that your firm has been awarded a contract but the Notice To Proceed has not been issued. Identify any projects that your firm worked on concurrently. Describe your approach in managing these projects. Were there or will there be any challenges for any of the listed projects? If so describe how your firm dealt or will deal with the challenges.</p> <p>\$0 - \$150,000 = 10 Points</p> <p>\$150,001 - \$300,000 = 8 Points</p> <p>\$300,001 - \$500,000 = 6 Points</p> <p>\$500,001 - \$750,000 = 4 Points</p> <p>\$750,001 - \$1,000,000 = 2 Points</p> <p>Over \$1,000,000 = 0 Points</p>	10
<p>10. Provide named references and contact information, including phone number and e-mail address, for all of your cited projects. Note: Broward County Performance Evaluations will be considered in the evaluation of proposers. The Project Manager will provide the Performance Evaluations to the Evaluation Committee Members.</p>	5
<p><b>TOTAL POINTS</b></p>	<b>100</b>

## Meeting Agendas

Print

Return

AI- 15293

35.

### Broward County Commission Regular Meeting

**Meeting Date:** 11/05/2013

**Director's Name:** Scott G. Miller

**Department:** Finance & Administrative Services      **Division:** Purchasing

#### Information

#### Requested Action

MOTION TO APPROVE Request for Proposals (RFP) No. X1159616P1, Architectural/Engineering Services for the Seaport Engineering and Construction Division. **(Commission District 7)**

*(Transferred to the Consent Agenda.)*

**ACTION: (T-10:34 AM) Approved.**

**VOTE: 8-0. Commissioner Ritter was not present.**

#### Why Action is Necessary

Board approval is required for Request for Proposals.

#### What Action Accomplishes

Approves a Request for Proposals solicitation to engage the services of a qualified firm to provide comprehensive professional services on a continuing term basis for remodeling, renovation and new construction for various facility types located within the Port Everglades Jurisdictional area.

#### Is this Action Goal Related

 Established Commission Goal

#### Previous Action Taken

None

#### Summary Explanation/ Background

THE PURCHASING DIVISION AND THE PUBLIC WORKS DEPARTMENT/SEAPORT ENGINEERING AND CONSTRUCTION DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

This item supports the Board's Vision of "Unlimited Economic Opportunities"; its Goal No. 3. "Increase the economic strength and impact of Port Everglades, the Broward County Convention Center and the Fort Lauderdale-Hollywood International Airport in a sustainable manner balancing economy, environment and the community".

The Office of Economic and Small Business Development established a County Business Enterprise participation goal of 26 % for this project (Exhibit 2).

The purpose of this solicitation is to engage the services of a qualified firm to provide comprehensive professional services on a continuing term basis for remodeling, renovation and new construction at yet to be determined sites in Port Everglades. The project will include comprehensive architectural and/or engineering services on a project

*Exhibit 4*

specific basis.

The Request for Proposals procurement method was selected for this project to best serve the County with additional evaluation criteria other than price. The RFP method provides for predefined evaluation criteria for ranking of firms based upon the required specialized technical expertise.

---

**Fiscal Impact**

**Fiscal Impact/Cost Summary:**

Funding for each requirement will be obtained by the appropriate source at the time of release.

RQM No. CPD0717130000000017; Folder No. 1159616

**Attachments**

Exhibit 1 - RFP No. X1159616P1

Exhibit 2 - Goal Memorandum dated June 10, 2013

Florida Statutes

Title XIX

PUBLIC BUSINESS Chapter 287

PROCUREMENT OF PERSONAL PROPERTY AND SERVICES View Entire Chapter

287.055 Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services; definitions; procedures; contingent fees prohibited; penalties.—(1) SHORT TITLE.—This section shall be known as the “Consultants’ Competitive Negotiation Act.”

(2) DEFINITIONS.—For purposes of this section:

(a) “Professional services” means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of the state, or those performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper in connection with his or her professional employment or practice.

(b) “Agency” means the state, a state agency, a municipality, a political subdivision, a school district, or a school board. The term “agency” does not extend to a nongovernmental developer that contributes public facilities to a political subdivision under s. 380.06 or ss. 163.3220-163.3243.

(c) “Firm” means any individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice architecture, engineering, or surveying and mapping in the state.

(d) “Compensation” means the amount paid by the agency for professional services regardless of whether stated as compensation or stated as hourly rates, overhead rates, or other figures or formulas from which compensation can be calculated.

(e) “Agency official” means any elected or appointed officeholder, employee, consultant, person in the category of other personal service or any other person receiving compensation from the state, a state agency, municipality, or political subdivision, a school district or a school board.

(f) “Project” means that fixed capital outlay study or planning activity described in the public notice of the state or a state agency under paragraph (3)(a). A project may include:

1. A grouping of minor construction, rehabilitation, or renovation activities.
2. A grouping of substantially similar construction, rehabilitation, or renovation activities.

(g) A “continuing contract” is a contract for professional services entered into in accordance with all the procedures of this act between an agency and a firm whereby the firm provides professional services to the agency for projects in which the estimated construction cost of each individual project under the contract does not exceed \$2 million, for study activity if the fee for professional services for each individual study under the contract does not exceed \$200,000, or for work of a specified nature as outlined in the contract required by the agency, with the contract being for a fixed term or with no time

limitation except that the contract must provide a termination clause. Firms providing professional services under continuing contracts shall not be required to bid against one another.

(h) A “design-build firm” means a partnership, corporation, or other legal entity that:

1. Is certified under s. 489.119 to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
2. Is certified under s. 471.023 to practice or to offer to practice engineering; certified under s. 481.219 to practice or to offer to practice architecture; or certified under s. 481.319 to practice or to offer to practice landscape architecture.

(i) A “design-build contract” means a single contract with a design-build firm for the design and construction of a public construction project.

(j) A “design criteria package” means concise, performance-oriented drawings or specifications of the public construction project. The purpose of the design criteria package is to furnish sufficient information to permit design-build firms to prepare a bid or a response to an agency’s request for proposal, or to permit an agency to enter into a negotiated design-build contract. The design criteria package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project.

(k) A “design criteria professional” means a firm who holds a current certificate of registration under chapter 481 to practice architecture or landscape architecture or a firm who holds a current certificate as a registered engineer under chapter 471 to practice engineering and who is employed by or under contract to the agency for the providing of professional architect services, landscape architect services, or engineering services in connection with the preparation of the design criteria package.

(l) “Negotiate” or any form of that word means to conduct legitimate, arms length discussions and conferences to reach an agreement on a term or price. For purposes of this section, the term does not include presentation of flat-fee schedules with no alternatives or discussion.

### (3) PUBLIC ANNOUNCEMENT AND QUALIFICATION PROCEDURES.—

(a)1. Each agency shall publicly announce, in a uniform and consistent manner, each occasion when professional services must be purchased for a project the basic construction cost of which is estimated by the agency to exceed the threshold amount provided in s. 287.017 for CATEGORY FIVE or for a planning or study activity when the fee for professional services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO, except in cases of valid public emergencies certified by the agency head. The public notice must include a general description of the project and must indicate how interested consultants may apply for consideration.

2. Each agency shall provide a good faith estimate in determining whether the proposed activity meets the threshold amounts referred to in this paragraph.

(b) Each agency shall encourage firms engaged in the lawful practice of their professions that desire to provide professional services to the agency to submit annually statements of qualifications and performance data.

(c) Any firm or individual desiring to provide professional services to the agency must first be certified by the agency as qualified pursuant to law and the regulations of the agency. The agency must find that the firm or individual to be employed is fully qualified to render the required service. Among the factors to be considered in making this finding are the capabilities, adequacy of personnel, past record, and experience of the firm or individual.

(d) Each agency shall evaluate professional services, including capabilities, adequacy of personnel, past record, experience, whether the firm is a certified minority business enterprise as defined by the Florida Small and Minority Business Assistance Act, and other factors determined by the agency to be applicable to its particular requirements. When securing professional services, an agency must endeavor to meet the minority business enterprise procurement goals under s. 287.09451.

(e) The public must not be excluded from the proceedings under this section.

(4) COMPETITIVE SELECTION.—

(a) For each proposed project, the agency shall evaluate current statements of qualifications and performance data on file with the agency, together with those that may be submitted by other firms regarding the proposed project, and shall conduct discussions with, and may require public presentations by, no fewer than three firms regarding their qualifications, approach to the project, and ability to furnish the required services.

(b) The agency shall select in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services. In determining whether a firm is qualified, the agency shall consider such factors as the ability of professional personnel; whether a firm is a certified minority business enterprise; past performance; willingness to meet time and budget requirements; location; recent, current, and projected workloads of the firms; and the volume of work previously awarded to each firm by the agency, 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 firms. The agency may request, accept, and consider proposals for the compensation to be paid under the contract only during competitive negotiations under subsection (5).

(c) This subsection does not apply to a professional service contract for a project the basic construction cost of which is estimated by the agency to be not in excess of the threshold amount provided in s. 287.017 for CATEGORY FIVE or for a planning or study activity when the fee for professional services is not in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO. However, if, in using another procurement process, the majority of the compensation proposed by firms is in excess of the

appropriate threshold amount, the agency shall reject all proposals and reinstate the procurement pursuant to this subsection.

(d) Nothing in this act shall be construed to prohibit a continuing contract between a firm and an agency.

(5) COMPETITIVE NEGOTIATION.—

(a) The agency shall negotiate a contract with the most qualified firm for professional services at compensation which the agency determines is fair, competitive, and reasonable. In making such determination, the agency shall conduct a detailed analysis of the cost of the professional services required in addition to considering their scope and complexity. For any lump-sum or cost-plus-a-fixed-fee professional service contract over the threshold amount provided in s. 287.017 for CATEGORY FOUR, the agency shall require the firm receiving the award to execute a truth-in-negotiation certificate stating that wage rates and other factual unit costs supporting the compensation are accurate, complete, and current at the time of contracting. Any professional service contract under which such a certificate is required must contain a provision that the original contract price and any additions thereto will be adjusted to exclude any significant sums by which the agency determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs. All such contract adjustments must be made within 1 year following the end of the contract.

(b) Should the agency be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price the agency determines to be fair, competitive, and reasonable, negotiations with that firm must be formally terminated. The agency shall then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the agency must terminate negotiations. The agency shall then undertake negotiations with the third most qualified firm.

(c) Should the agency be unable to negotiate a satisfactory contract with any of the selected firms, the agency shall select additional firms in the order of their competence and qualification and continue negotiations in accordance with this subsection until an agreement is reached.

(6) PROHIBITION AGAINST CONTINGENT FEES.—

(a) Each contract entered into by the agency for professional services must contain a prohibition against contingent fees as follows: "The architect (or registered surveyor and mapper or professional engineer, as applicable) warrants that he or she has not employed or retained any company or person, other than a bona fide employee working solely for the architect (or registered surveyor and mapper, or professional engineer, as applicable) to solicit or secure this agreement and that he or she has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the architect (or registered surveyor and mapper or professional engineer, as applicable) any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this agreement." For the breach or violation of this provision, the agency shall have the right to terminate the agreement without liability and, at its discretion, to deduct from

the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift, or consideration.

(b) Any individual, corporation, partnership, firm, or company, other than a bona fide employee working solely for an architect, professional engineer, or registered land surveyor and mapper, who offers, agrees, or contracts to solicit or secure agency contracts for professional services for any other individual, company, corporation, partnership, or firm and to be paid, or is paid, any fee, commission, percentage, gift, or other consideration contingent upon, or resulting from, the award or the making of a contract for professional services shall, upon conviction in a competent court of this state, be found guilty of a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083.

(c) Any architect, professional engineer, or registered surveyor and mapper, or any group, association, company, corporation, firm, or partnership thereof, who offers to pay, or pays, any fee, commission, percentage, gift, or other consideration contingent upon, or resulting from, the award or making of any agency contract for professional services shall, upon conviction in a state court of competent authority, be found guilty of a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083.

(d) Any agency official who offers to solicit or secure, or solicits or secures, a contract for professional services and to be paid, or is paid, any fee, commission, percentage, gift, or other consideration contingent upon the award or making of such a contract for professional services between the agency and any individual person, company, firm, partnership, or corporation shall, upon conviction by a court of competent authority, be found guilty of a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083.

(7) **AUTHORITY OF DEPARTMENT OF MANAGEMENT SERVICES.**—Notwithstanding any other provision of this section, the Department of Management Services shall be the agency of state government which is solely and exclusively authorized and empowered to administer and perform the functions described in subsections (3), (4), and (5) respecting all projects for which the funds necessary to complete same are appropriated to the Department of Management Services, irrespective of whether such projects are intended for the use and benefit of the Department of Management Services or any other agency of government. However, nothing herein shall be construed to be in derogation of any authority conferred on the Department of Management Services by other express provisions of law. Additionally, any agency of government may, with the approval of the Department of Management Services, delegate to the Department of Management Services authority to administer and perform the functions described in subsections (3), (4), and (5). Under the terms of the delegation, the agency may reserve its right to accept or reject a proposed contract.

(8) **STATE ASSISTANCE TO LOCAL AGENCIES.**—On any professional service contract for which the fee is over \$25,000, the Department of Transportation or the Department of Management Services shall provide, upon request by a municipality, political subdivision, school board, or school district, and upon reimbursement of the costs involved, assistance in selecting consultants and in negotiating consultant contracts.

(9) **APPLICABILITY TO DESIGN-BUILD CONTRACTS.**—

(a) Except as provided in this subsection, this section is not applicable to the procurement of design-build contracts by any agency, and the agency must award design-build contracts in accordance with the procurement laws, rules, and ordinances applicable to the agency.

(b) The design criteria package must be prepared and sealed by a design criteria professional employed by or retained by the agency. If the agency elects to enter into a professional services contract for the preparation of the design criteria package, then the design criteria professional must be selected and contracted with under the requirements of subsections (4) and (5). A design criteria professional who has been selected to prepare the design criteria package is not eligible to render services under a design-build contract executed pursuant to the design criteria package.

(c) Except as otherwise provided in s. 337.11(7), the Department of Management Services shall adopt rules for the award of design-build contracts to be followed by state agencies. Each other agency must adopt rules or ordinances for the award of design-build contracts. Municipalities, political subdivisions, school districts, and school boards shall award design-build contracts by the use of a competitive proposal selection process as described in this subsection, or by the use of a qualifications-based selection process pursuant to subsections (3), (4), and (5) for entering into a contract whereby the selected firm will, subsequent to competitive negotiations, establish a guaranteed maximum price and guaranteed completion date. If the procuring agency elects the option of qualifications-based selection, during the selection of the design-build firm the procuring agency shall employ or retain a licensed design professional appropriate to the project to serve as the agency's representative. Procedures for the use of a competitive proposal selection process must include as a minimum the following:

1. The preparation of a design criteria package for the design and construction of the public construction project.
2. The qualification and selection of no fewer than three design-build firms as the most qualified, based on the qualifications, availability, and past work of the firms, including the partners or members thereof.
3. The criteria, procedures, and standards for the evaluation of design-build contract proposals or bids, based on price, technical, and design aspects of the public construction project, weighted for the project.
4. The solicitation of competitive proposals, pursuant to a design criteria package, from those qualified design-build firms and the evaluation of the responses or bids submitted by those firms based on the evaluation criteria and procedures established prior to the solicitation of competitive proposals.
5. For consultation with the employed or retained design criteria professional concerning the evaluation of the responses or bids submitted by the design-build firms, the supervision or approval by the agency of the detailed working drawings of the project; and for evaluation of the compliance of the project construction with the design criteria package by the design criteria professional.

6. In the case of public emergencies, for the agency head to declare an emergency and authorize negotiations with the best qualified design-build firm available at that time.

(10) REUSE OF EXISTING PLANS.—Notwithstanding any other provision of this section, there shall be no public notice requirement or utilization of the selection process as provided in this section for projects in which the agency is able to reuse existing plans from a prior project of the agency, or, in the case of a board as defined in s. 1013.01, a prior project of that or any other board. Except for plans of a board as defined in s. 1013.01, public notice for any plans that are intended to be reused at some future time must contain a statement that provides that the plans are subject to reuse in accordance with the provisions of this subsection.

(11) CONSTRUCTION OF LAW.—Nothing in the amendment of this section by chapter 75-281, Laws of Florida, is intended to supersede the provisions of ss. 1013.45 and 1013.46.

History.—ss. 1, 2, 3, 4, 5, 6, 7, 8, ch. 73-19; ss. 1, 2, 3, ch. 75-281; s. 1, ch. 77-174; s. 1, ch. 77-199; s. 10, ch. 84-321; ss. 23, 32, ch. 85-104; s. 57, ch. 85-349; s. 6, ch. 86-204; s. 1, ch. 88-108; s. 1, ch. 89-158; s. 16, ch. 90-268; s. 15, ch. 91-137; s. 7, ch. 91-162; s. 250, ch. 92-279; s. 55, ch. 92-326; s. 1, ch. 93-95; s. 114, ch. 94-119; s. 10, ch. 94-322; s. 868, ch. 95-148; s. 2, ch. 95-410; s. 45, ch. 96-399; s. 38, ch. 97-100; s. 1, ch. 97-296; s. 80, ch. 98-279; s. 55, ch. 2001-61; s. 63, ch. 2002-20; s. 944, ch. 2002-387; s. 1, ch. 2005-224; s. 19, ch. 2007-157; s. 3, ch. 2007-159; s. 3, ch. 2009-227.

**Broward County Purchasing Division**

115 S. Andrews Avenue, Room 212  
Fort Lauderdale, FL 33301  
(954) 357-6065 FAX (954) 357-8535

**Project Funding Source**

This project is funded in whole or in part by the fund source(s) indicated by an "X":

**Federal Funds:**

- \_\_\_\_\_ ARRA Funds
- \_\_\_\_\_ FTA Funds
- \_\_\_\_\_ FAA Funds
- \_\_\_\_\_ Other ( \_\_\_\_\_ )

**Grant Funds:**

\_\_\_\_\_ Source of Grant Funds ( \_\_\_\_\_ )

**State Funds**

\_\_\_\_\_ **County Funds**

  X  

**Scope of Service**

The Broward County Seaport Engineering and Construction Division seeks a professional consulting firm to provide comprehensive professional services on a continuing term basis for remodeling, renovation and new construction. Pursuant to Chapter 287.055 FS, the Broward County Seaport Engineering and Construction Division intends to select, by way of this RFP, a consultant fully capable of providing comprehensive architectural and/or engineering services on a project specific basis for projects in which construction costs do not exceed \$2 million – **See Exhibit "1" – Detailed Scope of Work**

**Submittal Instructions**

**Unchecked boxes do not apply to this solicitation.**

- Only interested firms from the Sheltered Market may respond to this solicitation.
- This solicitation is open to the general marketplace.

Interested firms may supply requested information in the "Evaluation Criteria" section by typing right into the document using Microsoft Word. Firms may also prepare responses and any requested ancillary forms using other means but following the same order as presented herein.



## Exhibit - 1 - Detailed Scope of Work

### The scope of services shall include:

The Broward County Seaport Engineering and Construction Division seeks a professional Consulting firm to provide comprehensive professional services on a continuing basis for remodeling, renovation and new construction. Pursuant to Chapter 287.055 FS, the Broward County Seaport Engineering and Construction Division intends to select a consultant to provide continuing term architectural and/or engineering services for projects in which construction costs do not exceed \$2 million.

Consultant(s) may be tasked to provide comprehensive architectural and/or engineering services on a project specific basis. These services for specific projects may include full design and construction contract document; specification and bid document development; supporting calculations; code analysis; jurisdictional review and permitting assistance and procurement; bid/award support and concurrence; negotiation support services; inspection, construction observation and progress documentation; post construction surveys and related services; construction cost analysis, subaqueous inspections, damage assessment and remediation construction documents; project-related claims analysis and support; surveying; materials and contract compliance and quality control testing services; computer-aided and manually generated graphics support, preparation of narratives and other textural project support; photographic and videographic project support; building information modeling (BIM) project support; geographic information systems (GIS) project support.

Consultant may also be tasked to: provide assistance in collecting existing and new as-built utility information for the Port Everglades Geographical Information System (GIS) application. All data shall be provided in a compatible format for Environmental Systems Research Institute (ESRI) software in NAD 1983 HARN State Plane Florida East FIPS 0901 Feet.

Consultant shall provide all professional services or specialty consultant support (through either in-house or sub-consultant firms) as required to complete an assigned project.

In response to this RFP, proposing firm (consultant) shall identify the following specialty sub-consultants, as applicable, that will comprise the consultant's team: surveyor; geotechnical engineering; plumbing; civil; mechanical, structural and electrical engineering; transportation and traffic engineering; telecommunications and data engineering; environmental engineering; fire protection; Leadership in Energy and Environmental Design (LEED) accredited professional (AP) related services. Consultant may be required to provide other additional specialty consultants for specific assigned projects.

Work authorizations may be issued for various facility types located within the Port Everglades Jurisdictional area. Work authorizations will be issued through and managed by the Seaport Engineering and Construction Division of the Public Works Department of Broward County.

Consultant will be commissioned on an "as-needed" basis. The continuing contract will have a duration of one (1) 3 year period with two (2) additional one-year options for renewal by the

Purchasing Director. Award of a contract does not guarantee that work will be issued. A Work Authorization and Purchase Order will be issued for every project or task assignment made during the duration of the continuing contract. Annual fees for this RFP are not expected to exceed \$1,000,000.00, for a maximum amount of \$5,000,000.00.

Award of a contract does not limit the County's options to procure the services outlined above from other vendors or consultants or from completing all or part of the described services by the County's own forces. Award of a contract does not guarantee assignment of work or of particular projects during the term of the contract. Documents and other Consultant-provided products produced under this contract may be used in the future by the County.

**Broward County Purchasing Division**

115 S. Andrews Avenue, Room 212  
Fort Lauderdale, FL 33301  
(954) 357-6065 FAX (954) 357-8535

**Evaluation Criteria**

The following list of Evaluation Criteria total 100 points. Subsequent pages will further detail and define the Evaluation Criteria which are summarized with their numerical point ranges.

<p>1. Describe the qualifications and relevant experience of the Project Manager and all key personnel that are most likely to be assigned to this proposed project. Include resumes for the Project Manager and all key personnel described. Include the qualifications and relevant experience of all sub-consultants to be used in this project. Provide a comprehensive organizational chart including all members of the proposed project team, i.e., Land Surveying, Geotechnical Engineering, Civil Engineering, Transportation and Traffic Engineering, Environmental Protection, Landscape Architecture, Structural Engineering, Interior Design, Lighting Design, Fire Protection, Plumbing, Mechanical Engineering, Electrical Engineering, Telecommunications and Data Engineering, Building Information Modeling (BIM) and LEED/AP related services. Describe the Prime Proposer's approach to the project. Include how the Prime Proposer will use sub-consultants in the project.</p>	<p>20</p>
<p>2. Describe comparable experience within a seaport environment during the past 10 years coordinating a broad based multi-disciplined project working with multiple diverse stakeholders in developing an overall project plan including environmental design, engineering and construction which provided the ability to maintain continuity of operations during the implementation.</p>	<p>20</p>
<p>3. Provide previous experience within a maritime environment. Include active and completed projects related to cruise and/or cargo terminal expansion/construction, marine infrastructure, dredging, roadway and utility construction within a seaport environment..</p>	<p>10</p>
<p>4. Provide evidence of knowledge and experience working with the Florida Building Code in conjunction with the governing municipalities throughout Broward County and other agencies such as the Federal Emergency Management Agency (FEMA)..</p>	<p>10</p>
<p>5. Describe your firm's GIS/CAD capabilities and projects completed related to utility databases and atlas creation. Include experience with Environmental Systems Research Institute (ESRI) software.</p>	<p>5</p>
<p>6. Describe your LEED experience and knowledge. Provide a comprehensive list of current projects that LEED certification is being pursued and completed projects that successfully obtained LEED certification. In addition, provide the credentials of the LEED accredited professionals employed by your firm and on the proposed project team. Provide a list of projects your firm is currently producing and has completed using Building Information Modeling (BIM). .</p>	<p>10</p>

**Broward County Purchasing Division**

115 S. Andrews Avenue, Room 212  
Fort Lauderdale, FL 33301  
(954) 357-6065 FAX (954) 357-8535

<p>7. This solicitation is for the award of a continuing contract. The specific projects requiring professional services under the contract have not yet been identified. However, in general, please explain your firm’s approach in meeting “project specific” time and budget requirements and indicate whether your firm is committed to meet these requirements when identified under this contract.</p>	5
<p>8. Identify the exact office location responsible for this project.</p> <p>Miles from _____ (Exact Address) = Numerical Score</p> <p>0-50 Miles = 5 Points</p> <p>51-100 Miles = 3 Points</p> <p>Over 100 Miles = 0 Points</p>	5
<p>9. List all projects, including project number, with Broward County during the past five (5) years – completed and active, with regard to the Prime Proposer only. Volume of Work also includes Amendments, Purchase Orders, Change Orders and Work Authorizations. In addition, list all projected projects that your firm will be working on in the near future. Projected projects will be defined as a project(s) that your firm has been awarded a contract but the Notice To Proceed has not been issued. Identify any projects that your firm worked on concurrently. Describe your approach in managing these projects. Were there or will there be any challenges for any of the listed projects? If so describe how your firm dealt or will deal with the challenges.</p> <p>\$0 - \$150,000 = 10 Points</p> <p>\$150,001 - \$300,000 = 8 Points</p> <p>\$300,001 - \$500,000 = 6 Points</p> <p>\$500,001 - \$750,000 = 4 Points</p> <p>\$750,001 - \$1,000,000 = 2 Points</p> <p>Over \$1,000,000 = 0 Points</p>	10
<p>10. Provide named references and contact information, including phone number and e-mail address, for all of your cited projects. Note: Broward County Performance Evaluations will be considered in the evaluation of proposers. The Project Manager will provide the Performance Evaluations to the Evaluation Committee Members.</p>	5
<p><b>TOTAL POINTS</b></p>	<b>100</b>