



Unified Direct Procurement Authority

MEMORANDUM

DATE: June 12, 2019

TO: Board of County Commissioners and Fort Lauderdale City Commission

FROM: Bertha Henry, County Administrator
Chris Lagerbloom, City Manager

SUBJECT: Rationale for Developing a Design Criteria Package for the Joint Government Center Campus Project

There are different paths for the City of Fort Lauderdale and Broward County (Governments) to take when pursuing the development of the joint Government Center Campus (Project). Utilizing a Public-Private Partnership (P3) is one approach to be considered by the Governments. Another approach is bidding out the Project as a Design-Build project. With the P3 approach, the private sector (PS) partner can be singly responsible for the design, construction, finance, maintenance, operation and renewal of the facility(s) over a specified time period. P3s can transfer construction and operations risks to the PS partner (if properly structured) and provide timely delivery of a project. With the DB approach, the Design Builder (DB) is responsible for design and construction of the facility(s), while the Governments would be responsible for finance, maintenance, operation and renewal of the facility(s). In either case public agencies can maximize the opportunities for innovation when they allow the PS partner or DB reasonable flexibility to create efficient solutions during the design process. This is done by specifying measurable outcomes (performance requirements) that align with the user, operational, structural, functional, budgetary, and delivery objectives of the Governments. The most effective way to specify these desired outcomes is through the development of a Design Criteria Package (DCP).

A DCP would provide design, construction and operating performance criteria for the Project, including, but not limited to, size, interior space provisions, vertical and horizontal transportation requirements, material quality

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standards, cost, construction schedule, site development requirements (landscaping, grading etc.), utility provisions (storm water management etc.), parking provisions, lighting standards, specialty uses (e.g. Commission chambers), shared spaces (e.g. conference rooms, cafeteria/break out rooms), storage needs, sustainability and resiliency requirements, and the security and technology requirements of the Governments. A DCP does not usually mandate a specific architectural direction but could include architectural elements important to the Governments that should be included in design proposals.

A DCP provides a common foundation upon which competing proposers can base their proposals and provides the Governments with a common standard for evaluating competing proposals (an apples-to-apples comparison). It also provides a foundation upon which negotiations can be based and reduces the Governments' need to compromise on their desired outcomes during negotiations.

Well-written performance requirements will clearly lay out the project scope, constraints and Governments' expectations early in the procurement process. The DB or P3 (whether it be an unsolicited proposal or solicited ones) procurement process following the DCP would still allow proposers to come up with alternative solutions equal to or better than the DCP performance requirements, including operating and maintenance considerations.

Performance requirements, which must be created at the beginning of the development process, are written such that they can be evaluated from risk allocation, whole life costing and enforcement of standards perspectives. This can include post-construction operational performance of the Project and the asset lifecycle needs (In the P3 scenario where the PS partner operates the facility, the Governments will have the responsibility to review, and contractually enforce as necessary, the performance of the PS partner). Consequently, it is in the best interests of the Governments to develop a DCP prior to engaging in the Project development procurement process. The DCP provides a level playing field for competing proposers, provides the Governments with a common standard to evaluate competing proposals, and provides the Governments with more clarity in contract negotiations with the chosen DB or PS partner.

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