

Appendix L: Selection Procedures for Design-Build Services

ADMINISTRATIVE DIRECTIVE #CS-08

SUBJECT: Selection Procedures for Design-Build Services
EFFECTIVE DATE: July 27, 1995
EXPIRATION DATE:
SUPERSEDES: AD-135

On November 1, 1989, the Board of County Commissioners enacted Ordinance No. 89-38 and amended said Ordinance on December 2, 1992 (Ordinance No. 92-39). A review by staff has identified areas for improvement and updates to the procedures. Revisions include:

- 1.amending the procedures to conform to the revisions included in Ordinance 92-39;
- 2.eliminating the need for annual certification of firms (recognizing the unique characteristics of design-build teams that may be brought together for a single project);
- 3.updating the membership of the Professional Services Committee to reflect organizational changes;
- 4.reorganizing and improving the solicitation requirements and basis for selection sections of the procedures; and
- 5.adding Minority Business Enterprise participation to the selection criteria.

These revisions maintain the County's compliance with Florida Statute 287.055 (the Consultants Competitive Negotiation Act) and Ordinance No. 89-38, as amended by Ordinance No. 92-39.

The Selection Procedures for Design-Build Services are attached and shall be maintained and available at the Purchasing and Contracts Department.

SELECTION PROCEDURES FOR DESIGN-BUILD SERVICES

I.INTRODUCTION:

A.Purpose and Authority

The purpose of the procedures established herein is to ensure Hillsborough County's compliance with the 1989 amendment to Section 287.055 Florida Statutes, (the Consultants'Competitive Negotiation Act) and Ordinance No. 89-38, as amended by Ordinance 92-39.

On November 1, 1989, the Board of County Commissioners approved Ordinance No. 89-38 Establishing Procedures for Contracting for Design-Build Services. Section 6 of the Ordinance provides that the County Administrator shall implement selection procedures in addition to the general selection procedures set forth in the Ordinance.

B.Effective Date

These Procedures are effective upon approval by the County Administrator.

C. Definitions

1. ADMINISTRATOR means the County Administrator of Hillsborough County, Florida, or his designee.

2. BOARD means Board of County Commissioners of Hillsborough County, Florida.

3. COUNTY means Hillsborough County, Florida.

4. DESIGN-BUILD CONTRACT means a single contract with a design-build firm for the design and construction of a public construction project.

5. DESIGN-BUILD FIRM mean a partnership, corporation, or other legal entity which:

a. Is certified under Section 489.119, Florida Statutes, to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or

b. Is certified under Section 471.023, Florida Statutes, to practice or to offer to practice engineering; certified under Section 481.219 to practice or to offer to practice architecture; or certified under Section 481.319 to practice or to offer to practice landscape architecture.

6. DESIGN BUILD TEAM means the Design-Build firm and all of its consultants, subconsultants and subcontractors proposed to used for the Design-Build project.

7. 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 so as 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 shall specify such performance-based criteria for the public construction project, including, but not limited to, 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, storm water retention and disposal, and parking requirements, as may be applicable to the project.

8. DESIGN CRITERIA PROFESSIONAL means a firm who holds a current certificate of registration under Chapter 481, Florida Statutes, to practice architecture or landscape architecture or a firm who holds a current certificate as a registered engineer under Chapter 471, Florida Statutes, 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.

9. USER AGENCY means the unit of Hillsborough County government which initiates the project and/or utilizes the final product of the professional service work.

II. DESIGN CRITERIA

A. Design Criteria Package

1. All design-build projects require a design criteria package which shall consist of concise performance oriented drawings or specifications, or both, of the project. The criteria shall include as a minimum the following, as may be applicable to the project:

- a. Legal description of the site.
- b. Survey information concerning the site.
- c. Interior space requirements.
- d. Material quality standards.
- e. Schematic layouts and conceptual design criteria of the project.
- f. Cost or budget estimates.
- g. Design and construction schedules.
- h. Site development requirements.
- i. Provisions for utilities, storm water retention and disposal.
- j. Parking requirements.

2. The design criteria package shall be prepared and sealed by a design criteria professional employed by or retained by the County.

B. Design Criteria Professional

1. Acceptable entities who may act as the design criteria professional include, but are not limited to:

a. Licensed professional engineers, architects and landscape architects employed by the County.

b. Engineering, architectural, and landscape architectural firms selected by the County pursuant to Section 287.055, Florida Statutes.

2. The design criteria professional who has been selected to prepare the design criteria package shall not be eligible to render services under a design-build contract executed pursuant to the design criteria package. This prohibition against rendering services under design-build contracts shall extend to all architectural, engineering, and landscape architecture subconsultants of the design criteria professional.

III. SELECTION PROCEDURES

A. Public Announcement:

The Administrator shall publicly advertise in a uniform and consistent manner on each occasion when design-build services are required except in cases of valid public emergencies as declared by the Board. The advertisement shall include a general description of the project and shall indicate how, and the time within which, interested design-build firms may apply for consideration.

B. Professional Services Committee (PSC)

A Professional Services Committee will be used to select design-build firms for

recommendation to the Board and will be comprised of the following five (5) voting members:

1. Director of the Engineering and Construction Services Department or his designee, Chairman.
2. Project Manager
3. An individual licensed as an architect or engineer representing the department managing the project.
4. A professional representative of the Planning and Development Management Department or an appropriate professional or technical representative designated by the Chairman.
5. A representative appointed by the director of the user agency.

The Design Criteria Professional shall serve in an advisory capacity to the PSC.

In instances where the user agency does not wish to designate a representative, a licensed professional representative of the Engineering and Construction Services Department will be appointed.

In addition, the Equal Opportunity and Human Relations Department will provide input.

D. Contact With Members of the Professional Services Committee

Each member of the PSC is prohibited from discussing the project or any proposal on a project with any member of the Design-Build firm or team upon designation as a member of the PSC until the final recommendation of the PSC is presented to the Board. The Design-Build RFP shall prohibit proposers from contacting members of the PSC until the final recommendation of the PSC is presented to the Board and notify the proposers that failure to adhere to this RFP requirement may make the firm or team ineligible for selection.

E. Solicitation

The Professional Services Committee will develop a shortlist of not less than three interested design-build firms or teams deemed to be most qualified based on the qualifications, availability and past work of the firms, including the partners and members thereof. Additional criteria relating to financial capability, location, Equal Opportunity and Affirmative Action posture and Minority Business Participation may be considered either prior to or after development of a shortlist.

Shortlisted firms will be requested to submit a competitive proposal based on price, technical and design aspects of the project weighted for the project. The Request for Proposal portion of the solicitation shall include at a minimum, the design criteria package, the basis and method of selection, and such other items as required by procedures, laws or ordinances as the County may deem appropriate. After receipt of proposals from the shortlisted design-build firms or teams, the Professional Services Committee may, if deemed appropriate, seek oral presentations, clarifications or best and final offers prior to making a final recommendation for selection. Members of the PSC will score each firm in accordance with the criteria set forth in the solicitation, and formulate a recommendation to the Board of County Commissioners. The recommendation for selection of the firms shall be presented in ranked order with the top-ranked being the proposal from the qualified design-build firm or team which is in the best interest of the County. Staff shall also certify that the competitive selection and negotiations were conducted in accordance with the Administrator's procedures and the

Consultant's Competitive Negotiation Act.

F. Negotiations

The Department managing the project will negotiate a contract with the top-ranked firm. Should negotiations with the top-ranked firm be unsuccessful, the department shall negotiate with the second and third ranked firms, as necessary. The County, through staff, may undertake to negotiate any element of the proposal which may not be in the best interest of the County.

IV. ACCELERATED PROCEDURES

On projects identified for acceleration by the County Administrator, negotiations with the top-ranked firm shall begin immediately following announcement of the PSC's final ranking of the firms. Should negotiations with the topped ranked firm be unsuccessful, the department shall negotiate with the second and third ranked firms, as necessary. A recommendation shall be prepared presenting to the Board the top qualified firms in order of ranking, the contract executed by the firm with whom negotiations were successful, and certification that the competitive selection and negotiations were conducted in accordance with the Administrator's procedures and the Consultant's Competitive Negotiation Act. The Board shall be requested to review the method of selection and negotiation. The Board shall also be requested to approve the selection of the top firms in order of ranking and the contract with the firm with whom negotiations were successful.

V. EMERGENCY

In the case of a public emergency as declared by the Board, staff shall be authorized to negotiate with the best qualified firm available at that time.

Approved By:

County Administrator: Daniel A. Kleman

Date: 7/27/95