



Board of County Commissioners
Office of Purchasing
**Title: Procurement of Professional
Consulting Services as Governed by F. S.
287.055**

Procedure No: PP-100

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Effective Date: 05/12/08 Supersedes Date: 10/28/05

I. Purpose

Florida State statute 287.055 provides for acquisition of professional consulting services (architectural, engineering, landscape architectural, surveying, mapping, etc.). This policy further defines the authority within Escambia County, Florida.

II. Scope

This procedure applies to all contractual agreements awarded to architects and engineers under FS § 287.055, known as the "Consultants Competitive Negotiation Act" (CCNA) and for said services below the Categories described in 287.055.

III. Definitions

- 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 FS 380.06 or FS 163.3220-163.3243.
- C. "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.
- D. 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 construction costs do not exceed \$1 million, for study activity when the fee for such professional service does not exceed \$50,000, or for work of a specified nature as outlined in the contract required by the agency, with no time limitation except that the contract must provide a termination clause.



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E. A "design-build firm" means a partnership, corporation, or other legal entity that:

1. Is certified under FS 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 FS 471.023 to practice or to offer to practice engineering; certified under FS 481.219 to practice or to offer to practice architecture; or certified under FS 481.319 to practice or to offer to practice landscape architecture.
3. A "design-build contract" means a single contract with a design-build firm for the design and construction of a public construction project
4. 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.
5. 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.

IV. Procedure

A. Public Announcements

1. Less than \$1,000,000.00 shall be noticed to all firms holding an active



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contract at the time of the public notice. Public notice shall consist of noticing via at a minimum of fax or email and posting to the Office of Purchasing web site.

2. \$1,000,000.00 or greater shall be noticed via at a minimum of fax or email, posting to the Office of Purchasing web site and publicly announced via formal advertisement in a local paper.
3. Bureau or Division Responsibilities
 - a) Bureau or division shall prepare a "scope of work" for the project, selection criteria, and provide to the Purchasing Manager, the purchase requisition including the engineer's estimate as to the cost of construction fee encumbrance.
 - b) Per the Policies and Procedures of Administration committee members shall be provided to the Office of Purchasing. A memo establishing the Selection/Negotiation Committee shall be prepared via said same Policy and Procedure and approved by the County Administrator before forwarding to the Office of Purchasing.
 - c) The Office of Purchasing shall prepare a Request for Letters of Interest (RLI) and publicly announce based on dollar level of the solicitation.
 - d) Letters of Interest shall be solicited from firms holding an active contract at the time of the public notice and in those instances where the dollar level is \$1,000,000.00 or greater shall not be limited the firms holding an active contract at the time of the public notice.
 - e) Discussions/interviews with "no less than three" firms shall be held.
 - f) The Selection Negotiation Committee shall select, in order of preference, no fewer than three (3) firms deemed to be the most highly qualified. Determination for qualification shall consider such factors as follows:
 - Ability of professional personnel
 - Past performance
 - Willingness to meet time and budgets allocation
 - Recent, current and projected workloads
 - Volume of work previously awarded for equitable distribution of contracts.
 - g) The Committee shall negotiate a contract with the first ranked firm.



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Should the Committee be unable to negotiate a satisfactory contract with the first ranked then negotiations with that firm must be formally terminated and negotiations undertaken with the second most qualified firm. Failing accord with the second most qualified firm, the Committee must formally terminate negotiations and shall undertake negotiations with the third most qualified firm and so on.

- h) Upon successful negotiation, if the negotiated amount is \$50,000.00 or greater the Committee/Purchasing shall prepare a recommendation and place on the agenda for Board approval of a contract award to the Board approved ranked and successfully negotiated firm and the amount of the fee award.

V. Public Emergency Projects

In the event of a public emergency presenting a threat to public health, safety, or welfare, or a threat of other substantial loss to the County, the County Administrator is authorized to direct negotiations with the best-qualified firm available at the time.

Note: For additional information please review:

- PP-101 Consultant Task Orders
- PP-210 Design Build Contract