

EDP

Equitable Distribution Program

ASSIGNMENT POLICIES AND PROCEDURES

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EDP REQUEST

- Client Departments submit an EDP project Request Form to the Internal Services Department (ISD) Equitable Distribution Program (EDP) Unit for a list of the next appropriate design professionals from the EDP Pool. The Request Form requires basic project information such as the scope of work, required technical certifications, estimated project construction cost or study fee as well as funding source/s.
- The EDP Unit reviews the Request Form and supporting documentation and processes the request.
- The EDP database generates a project Selection Form identifying the next available three (3) prime Firms with the lowest Rotational Value in the requested technical categories required for the work assignment.
- A firm's position in the rotation is based on their calculated Rotational Value (RV). The rotational value (RV) is determined by the net PSA award and amount times a factor of 65% plus 100% paid in 3 years.
- The EDP Unit forwards the Selection Form list to the Client Department.
- There are alternative request procedures for limited cases as outlined on Page 6.

PRIME FIRM SELECTION

- Client Departments select the prime from the firms listed on the Selection Form.
- The prime selection is based on the Client Department's determination of the most qualified firm to perform the work required.
- The selection process may include telephone interviews and/or meetings with the firms, review of the firm's qualifications, and specific experience in the area of work relevant to the scope of services, availability of necessary staff to work on the scoped task, reference checks including Client Departments that have previously engaged the firm for services, as well as, a review of Past Performance Evaluations.
- Fees should not be considered during the selection process. Fees are considered during negotiation with selected firm.
- Departments are required to document the factors used to determine their selections, and to provide the EDP Unit a copy of the selection record.
- Firms are inactivated from the rotation for a maximum of 10 days while under consideration for an assignment.
- When a firm does not respond to a Client Department's inquiry within 2 days or as specified by the Client Department representative, the Client Department does not have to continue to consider that firm for the engagement. If the firm selected by the Client Department declines an offer of work, the Client Department is asked to submit a description of the events to the EDP Unit. In these events the EDP Unit staff will provide the Client Department with additional firms to consider for the assignment.

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- Firms that repeatedly do not respond and establish a pattern of declining work assignments may be inactivated from the EDP in the County's sole discretion.
- EDP Firms should be available to provide services in any of the areas where they hold technical certifications, and are required to have adequate staffing and time to dedicate to EDP assignments. A firm can request temporary removal from the EDP rotation.
- When Client Departments notify the EDP Unit of the firm selected as a prime, the estimated project fees are assessed to the prime's award record. This information is used to manage the EDP rotation.
- If the project assignment involves planning and design schematic activities, the selected firm may be precluded from competing in future solicitations related to the project. The Client Department must inform firms of this possibility prior to evaluating the firm.
- When a firm is selected for an EDP assignment that does not currently have an executed EDP Professional Services Agreement (PSA), the EDP Unit will notify the firm to execute the PSA and submit relevant insurance certificates.
- If a Department needs to commence services in less than twenty (20) days; they can provide an explanation to the EDP Unit requesting a listing of technically certified firms that already have an executed PSA.
- Firms have ten (10) days from the PSA notification to submit the PSA documentation, including insurance, to the EDP Unit staff. Failure to submit these documents on a timely basis may result in the firm's loss of an assignment and/or inactivation in the program for a period of up to one hundred eighty (180) days.
- During the PSA processing time, Client Departments can request proposals, the EDP subconsultant selections, if applicable, and proceed with negotiations. As soon as the resultant PSA and insurance is approved, the EDP Unit will notify the Client Department
- Firms should not execute a work authorization unless an active EDP PSA and EDP Assignment Form have been executed.

SUBCONSULTANT SELECTION (if applicable)

- The selected prime shall select only from those subconsultants in the EDP pool unless the prime firm is also technically certified in all of the required subconsultant technical certification categories. In these cases the prime may perform the required services with its own work force.
- The Client Department Project Manager (PM) will provide the prime with a Selection Form listing the appropriate firms for each requested subconsultant's technical category, as required.
- Once the subconsultants are selected, the EDP Unit staff assign and generate a project Assignment Form (AF).

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- Utilizing firms outside of the EDP Pool, using part time employees for professional services, or providing the services when a firm is not technically certified in the service area IS NOT permitted and may result in a firm's removal from the EDP Program.

WORK AUTHORIZATION

- Once the EDP Unit staff provides the Client Department with a project AF, an active PSA, and insurance records, the Client Department may proceed to issue the work authorization (work order, service order, task authorization, NTP). The Client Department should secure a completed AF to be forwarded to the EDP Unit with a copy of the work authorization.

- Pursuant to the EDP PSA terms, all services provided by subconsultants shall be pursuant to appropriate agreements between the parties.

- Any deviation from the AF must have prior written approval from the EDP Unit staff.

- If negotiations fail, Client Departments are to document, in writing, the reasons and forward to the EDP Unit staff. The EDP Unit will review and make a determination. Typically, the EDP Unit will instruct the Department to select another firm from the original Selection Form.

- If the Client Department does not choose to negotiate with either of the two remaining firms for the required services, a written request for additional firms must be submitted to the EDP Unit staff, with a request for the names of additional firms, along with a complete explanation of the negotiations details.

- Upon receipt of the executed AF and Work Authorization, EDP Unit staff will update the EDP project database and the firm's work history award records with the negotiated fee amount.

PROJECT SERVICES

- The Client Department oversees the work performed under the executed Work Authorization.

- Client Departments are responsible to process payment requests for all services rendered and verify that the firm's insurance is in compliance prior to payment.

- Please note that once a firm executes their PSA and submits the required insurance, they are required to maintain the insurance for the life of the services.

- Failure to maintain insurance could result in forfeiting the assignment, and inactivation from the EDP program.

- Client Departments will also address performance issues with the EDP Unit, as well as complete the required PPEs.

- If a Client Department needs to increase a project fee, scope and/or time; they must first request approval from EDP Unit. Without ISD's approval, the Client Department cannot issue a revised Work Authorization.

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REPORTING REQUIREMENTS

UTILIZATION FORMS (UF)

- All EDP Members must submit a Utilization Form with every County contract invoice to the PM except for PSA's with measures or goals. If a PSA has measures or goals, the ISD/Small Business Department (SBD) MUR must be submitted.
- The EDP Close Out Utilization Report (COUR) will act as the final utilization report for EDP assignments. The COUR shall be completed by the prime and each subconsultant upon final payment, and forwarded to the EDP Unit by the PM.
- The UF Form may be downloaded from the ISD Procurement A & E Services EDP Website at <http://www.miamidade.gov/procurement/equitable-distribution.asp>.
- The ISD/SBD A & E MUR required for PSAs with measures or goals may be downloaded at the ISD SBD Website at <http://www.miamidade.gov/smallbusiness/library/forms/ae-mur.pdf>

SUBCONTRACTOR LISTING AND PAYMENT REPORTS

- EDP project work authorizations equal to or greater than \$100,000 require prime firms to comply with Ordinance No. 11-90 amended Sections 2-8.1, 2-8.8 and 10.34 of the Miami Dade County (MDC) Code by reporting (1) race, gender, and ethnicity of the owners and employees of firms subcontractors (Listing Form) and (2) payments made to all subcontractors. (Subcontractor Payment Report).
- **The Subcontractor/Supplier Listing** form shall be submitted by the prime to the Client Department as a condition of receiving a work authorization with a fee of greater than or equal to \$100,000. The Client Department must forward copies of the completed form to ISD SBD. If the prime is not using any subconsultants for the assignment, the prime only needs to write "None" and sign the form. Also, the Client Department must include a copy with the EDP Assignment Form and Work Authorization submittal to ISD/EDP Unit.
- **The Subcontractors Payment Report** must be submitted by the prime to the Client Department as a condition to process the final invoice. It is the Client Department's responsibility to forward copies of the completed form to ISD SBD. At this time, the Client Department should also verify that the Subcontractor/ Supplier List was previously submitted in order to process the final invoice.

PROJECT CONCLUSION

- Upon project completion, the Client Department will forward the EDP database generated project COUR to the firm.

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- The COUR is required to be completed by the primes, subconsultants (if applicable) and Client Department representatives, and acts as the final EDP project UF.
- The Client Department is responsible to forward the completed form to the EDP Unit with a copy of the final invoice and/or payment record.
- EDP Unit staff will close out the project and forward to ISD SBD to input the project dollars appropriately to each participant.
- At a minimum, one PPE is required to be completed by the Project Manager in the County's Capital Improvements Information System (CIIS) at the completion of an EDP project.
- The Client Department is required to provide a copy of the PPE to the prime firm.
- The PPE should be completed simultaneously with the final documentation and should not cause a delay in the submittal of the final pay requisition and COUR.
- If final payment is not consistent with the final approved documents; it is the responsibility of the Client Department to notify the EDP Unit of the revised amounts. The accuracy of firm's fees is critical since the payments made to firms by the County determine their position in the EDP pools.
- Since A & E firms' work history data and performance evaluations are utilized as selection criteria for all new Professional Service procurements; it is of utmost importance that Client Departments and firms comply with accurate and timely submittal of utilization documents.

PROJECT CANCELLATION

- In the event that an assignment is to be cancelled, the Client Department should notify the firm and the EDP Unit staff in writing within 3 days. If any payments were processed for services performed, a COUR) must be completed by all required parties and forwarded to the EDP Unit staff with the last invoice.

PERFORMANCE

- Client Departments are instructed to timely report to EDP Unit staff if a firm does not respond and/or is not abiding by the EDP program mandates.
- If there are performance issues with a firm, the Client Departments notify the EDP Unit staff and complete PPE on the Capital Improvement Information System (CIIS).
- Firms should be reminded that the PPEs are considered in Miami Dade County's A & E selection process.
- Sanctions and administrative penalties may be imposed in accordance to the EDP PSA and AO 3-39 for failure of the firm to abide by the program and agreement mandates.

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ALTERNATIVE ASSIGNMENT PROCEDURES

● Pursuant to the EDP legislation, EDP Unit staff has the authority to bypass firms in the EDP rotation based on the volume of work or unique expertise requirements within a category, if deemed required for the particular assignment and/or in the best interest of the County.

The three typical alternative assignment methods are:

ACTIVE EDP PSA

● In very limited cases, if a Client Department requires urgent services; EDP staff will provide the Client Department with the next three firms in the ranking that have an active EDP PSA.

SURVEYS

● Surveys are conducted for Client Departments that require a firm with special experience. Departments provide the EDP Unit with a description of the project scope and unique expertise. The EDP Unit will conduct surveys of all the appropriate participants for the special requirements. Surveys are sent by email only to the firms designated contact.

● Firms that restrict emails with multiple recipients should exclude Miami Dade County emails. Since EDP surveys are sent to many members, firms should make sure that our emails are not going to SPAM.

● Firms are asked to confirm that they meet the minimum qualifications denoted in the survey.

● Firms are asked not to send lengthy responses or attachments. The responses are not provided to the Departments. ISD will forward to the Client Department the next three firms who responded positively to the survey in accordance to their pool ranking.

● The Client Department will verify if the firm meets the minimum qualifications outlined in the survey. If the Client Department finds that a firm does not meet the minimum qualifications; they do not have to consider the firm and can request additional firms.

● Survey Project numbers include an S prefix and Technical Certification (TC) 9998.

● For Jackson Memorial Hospital (JMH), the TC will be EDPJMH A or E. Firms that qualify pursuant the EDP medical facility survey will be assigned the TC.

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SPECIAL REQUESTS

- When a Department requests an exemption from selecting a firm through the standard rotation process; EDP staff will review the request and make a recommendation to the ISD Director.
- A Special Request for the services of a specific firm requires a detailed written justification from the requesting Client Department Director addressed to the ISD Director. The request is reviewed by EDP Unit staff and the Sr. Assistant ISD Director, prior to a final determination by the ISD Director.
- Special requests are typically processed for continuation of project services by the Architect and/or Engineer of record or for a very specialized service.
- Project numbers include a SR prefix and TC 9999.

EDP WEBSITE

General program information, procedures, forms as well as EDP Project and Firm List Reports are available on the ISD Procurement A & E Services EDP Website at <http://www.miamidade.gov/procurement/equitable-distribution.asp>.

CRITICAL ISSUES OVERVIEW

- EDP members should notify the EDP Unit of any firm changes. All EDP correspondences and emails are directed only to the designated firm contact
- A new EDP PSA must be executed when selected for an initial work assignment, and subsequently for any new service order/s after the expiration of your current EDP PSA.
- EDP Pool Members are to maintain EDP eligibility requirements, comply with the EDP policies and procedures, provide timely response to Client Departments and EDP Unit staff inquiries, and meet service order obligations.
- Firms must strictly adhere to EDP subconsultant selection process for professional subconsultant services, and have an appropriate agreement with the subconsultant(s).
- Prime EDP firms must complete and submit a UF for all County PSAs except for A & E PSAs with goals. These projects which include goals require submission of MURs to Client Department PM. The PM is responsible for collecting and submitting all Utilization Forms Reports to ISD SBD.

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- Prime EDP firms must complete and submit the EDP COUR to the PM upon final payment. Client Department PMs provide the COUR form to the prime, as well as a final payment record to EDP Unit staff. The EDP Unit staff will close out each project and send payment records to ISD SBD.

- Firms are to complete and submit to the user Department all necessary documentation in order to comply with Ordinance No. 11-90 amended Sections 2-8.1, 2-8.8 and 10.34 of the Miami-Dade County Code for reporting (1) race, gender, and ethnicity of the owners and employees of sub consultants (Subcontractor/Supplier Listing Form) and (2) payments made to firms (Sub Payment Report).

For EDP questions and customer care, kindly contact:

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