



# PROFESSIONAL SERVICES TASK FORCE

Established by the Board of County Commissioners, May 17, 2016

Resolution No. R-414-16

Esteban Bovo, Jr., Chairman

Audrey Edmonson, Vice-Chairwoman



**Architectural and Engineering Services**

# PROFESSIONAL SERVICES TASK FORCE

On May 17, 2016, the Board of County Commissioners (Board) adopted **Resolution No. R-414-16** creating the Professional Services Task Force (Task Force) in order to:

- Offer recommendations for improvement of existing legislation to achieve a more equitable distribution of County contracts, all consistent with the intent and the requirements of the Consultants' Competitive Negotiation Act (CCNA).
- Evaluate the existing local preference and the possibility of creating a locally headquartered preference for professional firms, defining the thresholds and other parameters of such proposed enactments.
- Evaluate the efficacy of the County's local preference program.
- Make recommendations concerning alternative methods of identifying local businesses.
- Consider and evaluate comparable models for the procurement and contracting of professional services.

# **MEMBERSHIP (19 MEMBERS)**

- Enrique “Rick” Crooks (Chairperson)
- Deborah D. Swain (Vice-Chairperson) (Subcommittee Chair – Process)
- Alberto D. Argudin
- Rosa Bazo
- Barron Channer (Subcommittee Chair – Equitable Distribution)
- Adebayo Coker
- Carlos M. Gil-Mera
- Darryl Holsendolph (Subcommittee Chair – Procurement by the Numbers)
- Gordon “Eric” Knowles
- Godfrey A.O. Lamptey
- Robert Linares
- Jeff Lozama
- Jose A. Munoz
- Victor J. Pujals
- Scarlett Rico
- Eduardo M. Suarez
- Manuel G. Vera
- Cliff Walters
- Brenda J. Westhorp

# **COUNTY SUPPORT STAFF**

- **County Commission - Chairman Esteban Bovo, District 13:**  
Board Sponsor
- **Architectural & Engineering Unit, Internal Services Department:**  
Curt Williams, Cristina Amores, Cynthia Garrote
- **Small Business Development Division, Internal Services Department:**  
Laurie Johnson, Elizabeth Zabowski
- **County Attorney's Office:**  
Hugo Benitez, Miguel Gonzalez

# **WORK OF THE TASK FORCE**

- **10 publicly noticed meetings**
  - First one held on September 27, 2016. Each meeting from 9am to 12noon.
  - Worked in sub-committees and then as a committee of the whole, to develop recommendations.
- **Industry Meeting - March 7, 2017**
- **Final Meeting and Report – March 14, 2017**

# **PRESENTATIONS**

## **September 27, 2016:**

Joe Centorino, Executive Director, Commission on Ethics and Public Trust

## **October 11, 2016:**

Helen Cordero, MDX – Local Business and Small Business Policy

Curt Williams, ISD – Architectural and Engineering Procurement Process

Laurie Johnson, ISD – Equitable Distribution Program

# PROPOSED CHANGES TO MIAMI-DADE COUNTY PROCUREMENT

- i) Existing Administrative Order A.O. 3-39 to be replaced with a new Implementing Order (IO). The new IO will require changes to Miami-Dade County Code 2-10.4 and the implementation of new procurement procedures.
- ii) The IO was initially developed by ISD to improve and streamline the AO. The task force worked with the IO developed by ISD and modified using “Track Changes”.
- iii) The major changes are as follows:
  - Definitions:
    - (a) ADV - Average Dollar Value (page 3)
    - (b) LHB – Locally Headquartered Business (page 6)
  - Section II – Selection Process for Professional A&E Services
    - (a) Tier 1 – Criteria 4A: ADV Scoring Methodology (page 16)
    - (b) Tier 1 – Criteria 5A: LHB Scoring Methodology (page 16)
    - (c) Tier 1 – Criteria 6A: Local Preference as Points vs Percentage (page 17)
    - (d) Dropping Scores (Tier 1 - page 17)
    - (e) Projects going to Tier 2 – (page 18)
    - (f) Tier 2 - Criteria 3B: LHB Scoring Methodology (page 19)
    - (g) Tier 2 – Criteria 4B: Local Preference as Points vs Percentage (page 20)
    - (h) Dropping Scores (Tier 2 – page 20)
  - Equitable Distribution Program (EDP)
    - (a) Qualification Criteria – Required to be a LHB (page 24)
  - Continuing Services Contracts
    - (a) Approval by User Department vs ISD Director (page 26)

# DEFINITIONS

(PAGES 3, 6)

## **ADV - Average Dollar Value (page 3)**

**Average Daily Dollar Value (ADV):** The calculation of the average of the total of the dollars awarded and paid to the prime firm and all subconsultants by the County, when they served as a prime firm in previous engagements, during the three-year period immediately preceding the submittal date.

## **LHB – Locally Headquartered Business (page 6)**

**Locally Headquartered Firm Business:** As more fully defined in Section 2-8.5, a Local Business which has a Principal Place of Business in Miami-Dade County.



# CRITERION 4A

(PAGE 16)

**Criterion 4A: AMOUNT OF WORK AWARDED AND PAID BY THE COUNTY** (Minimum of 1 point - Maximum of 5 points)

The County will use this criterion in an effort to distribute work equitably and consider amounts awarded and paid by the County. Awarded and paid amounts will receive equal weight as a 50/50 distribution. Therefore, the criterion is determined as a ratio of each team's average of its awarded and paid amounts (Average Dollar Value or "ADV") to the team whose ADV is the highest ("Maximum ADV"). The ADV shall be calculated as the average of the total of the dollars awarded and paid to the prime firm and all **first tier** subconsultants by the County, when they served as a prime firm in previous engagements, during the three-year period immediately preceding the submittal date. The amount resulting as the highest ADV, shall be the Maximum ADV.

The team with the Maximum ADV shall receive one (1) point. The other team shall receive points as follows:

100% to >80% of Maximum ADV	1 point
80% to >60% of Maximum ADV	2 points
60% to >40% of Maximum ADV	3 points
40% to >20% of Maximum ADV	4 points
20% to >0% of Maximum ADV	5 points

ADV calculations shall be based on the current information available within the County's database(s), and shall be performed by County staff in advance of the first tier meeting, **but not revealed to the CSC until scoring is complete submitted.**

# CRITERION 5A

(PAGE 16)

**Criterion 5A: ~~ABILITY OF TEAM MEMBERS TO INTERFACE WITH THE COUNTY~~  
~~USE OF LOCALLY HEADQUARTERED BUSINESSES~~  
(Minimum of ~~0~~ 4 points – Maximum of 5 points)**

~~Evaluation of communication ability, commitment to satisfy the County's requirements, and familiarity with County guidelines. One point shall be awarded for each full 10% of contract value designated~~  
Points shall be awarded for the percentage of contract value assigned to locally headquartered firms/businesses as set forth in the table below:

~~Locally headquartered prime firms may only earn one-half three of the total points.~~

<del>&lt; 5% LHB</del>	<del>0 points</del>
<del>5% 10% to &lt;15% 20% LHB</del>	<del>1 point</del>
<del>15% 20% to &lt;25% 30% LHB</del>	<del>2 points</del>
<del>25% to &lt;35% LHB</del>	<del>3 points</del>
<del>35% to &lt;45% LHB</del>	<del>4 points</del>
<del>45% 50% to &lt;60% and over LHB</del>	<del>5 points</del>

~~Locally headquartered prime businesses may only earn three (3) of the total points on account of being a LHB. If the prime firm is a locally headquartered business, that has been awarded 3 points, that prime firm shall perform a minimum of 50% of the contract.~~

~~Points awarded for locally headquartered firms/businesses shall be performed by County staff in advance of the first tier meeting, but not revealed to the CSC until scoring is complete submitted.~~

# CRITERION 5A

(PAGE 16)

(Changes Accepted from previous page)

## Criterion 5A: USE OF LOCALLY HEADQUARTERED BUSINESSES (Minimum of 0 points – Maximum of 5 points)

Points shall be awarded for the percentage of contract value assigned to locally headquartered businesses as set forth in the table below:

< 5% LHB	0 points
5% to <15% LHB	1 point
15% to <25% LHB	2 points
25% to <35% LHB	3 points
35% to <45% LHB	4 points
45% and over LHB	5 points

Locally headquartered prime businesses may only earn three (3) of the total points on account of being a LHB. If the prime firm is a locally headquartered business, that has been awarded 3 points, that prime firm shall perform a minimum of 50% of the contract.

Points awarded for locally headquartered businesses shall be performed by County staff in advance of the first tier meeting, but not revealed to the CSC until scoring is submitted.

# **CRITERION 6A**

**(PAGE 17)**

## **Criterion 6A: LOCAL PREFERENCE (5 points)**

Preference points awarded to a local business prime proposer

# **DROPPING SCORES (TIER- 1)**

**(PAGE 17)**

ISD staff shall record the totals (**adjusted** qualitative and ordinal **scores**) for each respondent and read the information into the record. The **highest numerical** (lowest **rank**) ordinal scores per respondent shall be dropped. The remaining ordinal scores awarded by each of the CSC members for each respondent shall then be totaled. The respondents shall be ranked numerically based on lowest totaled ordinal points first.

# PROJECTS GOING TO TIER 2

(PAGE 18)

All selections shall proceed to Second Tier evaluation unless (1) it is a continuing services contract with a value of less than \$5 million for engineering contracts, or \$2 million for architecture contracts, or (2) the User Department recommends that the contract be awarded after the First Tier evaluation and the contract is less than the values stated in (1) above. The NTPC shall state if the selection will not proceed to a Second Tier. The CSC, by ~~majority vote,~~ may waive the ~~Second Tier evaluation process,~~ and recommend to the ~~ISD Director or designee~~ that a contract be negotiated with the highest ranked responsive and responsible proposer(s) based solely on the evaluation results of First Tier.

# **CRITERION 3B**

**(PAGE 19)**

**Criterion 3B: USE OF LOCALLY HEADQUARTERED FIRMS BUSINESSES**

(Minimum of 0 points – Maximum of 5 points)

Points shall be awarded for the percentage of contract value assigned to locally headquartered businesses as set forth in the table below:

< 5% LHB	0 points
5% to <15% LHB	1 point
15% to <25% LHB	2 points
25% to <35% LHB	3 points
35% to <45% LHB	4 points
45% and over LHB	5 points

Locally headquartered prime businesses may only earn three (3) of the total points on account of being a LHB. If the prime firm is a locally headquartered business, that has been awarded 3 points, that prime firm shall perform a minimum of 50% of the contract. Points awarded for locally headquartered businesses shall be performed by County staff in advance of the first tier meeting, but not revealed to the CSC until scoring is submitted.

# **CRITERION 4B**

**(PAGE 20)**

## **Criterion 4b: LOCAL PREFERENCE (5 points)**

Preference points awarded to a local business prime proposer



# **DROPPING SCORES (TIER- 2)**

**(PAGE 20)**

ISD staff shall record the totals (**adjusted** qualitative and ordinal **scores**) for each respondent and read the information into the record. The **highest numerical** (lowest **rank**) ordinal scores per respondent shall be dropped. The remaining ordinal scores awarded by each of the CSC members for each respondent shall then be totaled. The respondents shall be ranked numerically based on lowest totaled ordinal points first.

# EQUITABLE DISTRIBUTION PROGRAM (EDP)

(PAGE 24)

The firm is required to be ~~a in~~ Locally Headquartered ~~b~~Business. ~~for a minimum of one (1) year, except where funding restrictions apply, firms will be required to have a place of business in Miami Dade County (MDC) for a year or more as evidenced by the firm's local business Tax Receipt issued by the MDC tax collector.~~

# CONTINUING SERVICES CONTRACT

(PAGE 26)

Other continuing services contracts, as defined by the Florida Statutes, Section 287.055 may be utilized by departments provided that they are approved by the ~~ISD Director or designee~~ **User Department** and are in the County's best interest. These contracts shall be used ~~conservatively~~ based upon sound business rationale in accordance with Florida Statutes, Section 287.055.

# IMPLEMENTATION

- a) Professional Services Task Force Meeting March 14<sup>th</sup> to consider feedback from today, finalize the new IO, and finalize a report with recommendations
- b) 1<sup>st</sup> Reading of new IO to get Board acceptance and approval to modify the affected sections of Miami-Dade County Code.
  - i) Ordinance to change Miami-Dade County Code 2-10.4
  - ii) Ordinance to change Miami-Dade County Code 2-8.5
- c) Resolution to replace A.O. 3-39 with the new IO and the required code modifications (Ordinances referenced above )
- d) Enforcement of new IO
  - i) Locally Headquartered Business (LHB) Preference Affidavit
  - ii) 50 % of the work by Prime (if selected based on LHB points)
  - iii) Schedule of participation and Letter of Intent similar to SBE when an LHB is a sub-consultant

# **TASK FORCE RECOMMENDATION FOR ON-GOING IMPROVEMENTS**

- a) Within 12 months create a group for continued improvements for the following:
  - i) Design-build revisions and consideration of LHB
  - ii) Add Tier 3 to EDP
  - iii) Monitor the implementation of the new numbers tracking system
  - iv) Other