



City of Pembroke Pines, FL

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Agenda Request Form

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**Agenda
Section:**

In Control: City Commission

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Short Title: Civil Engineering, Inspection, Permit Review Services
and Development Review Committee (DRC)
Assistance

Final Action: 04/15/2020

Title: MOTION TO APPROVE THE FINDINGS AND RECOMMENDATION OF THE
EVALUATION COMMITTEE AND TO AWARD RFQ # PSEN-19-07 "CIVIL
ENGINEERING, INSPECTION, PERMIT REVIEW SERVICES AND
DEVELOPMENT REVIEW COMMITTEE (DRC) ASSISTANCE" TO R.J.
BEHAR & COMPANY, INC. AND TO DIRECT THE CITY MANAGER TO
NEGOTIATE A CONTRACT FOR SERVICES, IN ACCORDANCE WITH
FLORIDA STATUTE 287.055, CONSULTANTS COMPETITIVE
NEGOTIATION ACT (CCNA).

***Agenda Date:** 04/15/2020

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Internal Notes:

Attachments: 1. Bid Tabulation, 2. Conflict of Interest Forms, 3. 01-21-2020 Meeting Minutes, 4. 03-04-2020 Meeting Minutes, 5. 03-04-2020 Summary Rankings and Score Sheets, 6. Bid Submittal - RJ Behar & Company Inc, 7. RFQ - PSEN-19-07 Civil Engineering Services Permit Review, 8. Commission Approval to Advertise

1 City Commission 04/15/2020 approve Pass
Action Text: A motion was made to approve on the Consent Agenda
Aye: - 4 Mayor Ortis, Vice Mayor Siple, Commissioner Schwartz, and
Commissioner Good Jr.
Nay: - 0

MOTION TO APPROVE THE FINDINGS AND RECOMMENDATION OF THE EVALUATION COMMITTEE AND TO AWARD RFQ # PSEN-19-07 "CIVIL ENGINEERING, INSPECTION, PERMIT REVIEW SERVICES AND DEVELOPMENT REVIEW COMMITTEE (DRC) ASSISTANCE" TO R.J. BEHAR & COMPANY, INC. AND TO DIRECT THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR SERVICES, IN ACCORDANCE WITH FLORIDA STATUTE 287.055, CONSULTANTS COMPETITIVE NEGOTIATION ACT (CCNA).

PROCUREMENT PROCESS TAKEN:

- Chapter 35 of the City's Code of Ordinance is titled "PROCUREMENT PROCEDURES, PUBLIC FUNDS."

- Section 35.15 defines a Request for Qualifications as "A written solicitation for competitive sealed offers with the title, date and hour of the public opening designated. A request for qualifications shall include, but is not limited to, general information, functional or general specifications, statement of work, instructions for offer and evaluation criteria. All requests for qualifications shall state the relative importance of the evaluation criteria. The city may engage in competitive negotiations with responsible offerors determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of and conformance to the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of offers, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining the best and final offer."

- Florida Statute (F.S.) 287.055 is known as the "Consultant's Competitive Negotiation Act" (CCNA).

- F.S. Section 287.055(2)(a) defines Professional services as "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."

- F.S. Section 287.055(2)(f) states "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.**

- F.S. Section 287.055(3)(a)(1) states "Each agency shall publicly announce, in a uniform and consistent manner, each occasion when professional services must be purchased for a project the basic construction cost of which is estimated by the agency

to exceed the threshold amount provided in s.287.017 for CATEGORY FIVE (\$325,000) or for a planning or study activity when the fee for professional services exceeds the threshold amount provided in s.287.017 for CATEGORY TWO (\$35,000), except in cases of valid public emergencies certified by the agency head. The public notice must include a general description of the project and must indicate how interested consultants may apply for consideration."

- F.S. Section 287.055(2)(g) states "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 the estimated construction costs of each individual project under the contract does not exceed \$2 million, for study activity if the fee for professional services for each individual study under the contract does not exceed \$200,000, or for work of a specified nature as outlined in the contract required by the agency, with the contract being for a fixed term or with no time limitation except that the contract must provide a termination clause. Firms providing professional services under continuing contracts shall not be required to bid against one another."

SUMMARY EXPLANATION AND BACKGROUND:

1. On October 16, 2019, the City Commission authorized the advertisement of PSEN-19-07 "Civil Engineering, Inspection, Permit Review Services and Development Review Committee (DRC) Assistance", which was advertised on October 22, 2019.
2. The purpose of this solicitation was to establish a "continuing contract," as defined by Florida Statute 287.055(2)(g), with the most highly qualified firm to serve in the capacity of Plan Review Engineers. The awarded firm would perform reviews of plans associated with new and modified projects for the Development Review Committee (DRC), in addition to Engineering Reviews of projects submitted for permitting, miscellaneous civil engineering and study services on an as needed basis.
3. On November 12, 2019, the City opened three (3) proposals from the following vendors:

Vendor Name

R.J. Behar & Company, Inc.
Calvin, Giordano & Associates, Inc.
Premiere Design Solutions, Inc.
4. On January 21, 2020, the City convened an evaluation committee that was tasked with selecting, in order of preference, no less than three firms deemed to be the most highly qualified to perform the required services. In determining whether a firm is qualified, the Evaluation Committee evaluated the qualifications of the proposers based on the weighted criteria listed below:

- 1) Adequacy of Personnel/Ability of Professional Personnel (20%)
- 2) Whether a firm is a certified minority business enterprise (5%)

- 3) Past Performance (20%)
- 4) Firm's Understanding and Approach to the Work (20%)
- 5) Capabilities (20%)
- 6) Experience (of the firm or individual) (15%)

In the event a score for an individual evaluator resulted in a tie, the evaluator broke the tie and ranked the tied vendors based on the volume of work previously awarded to each firm by the City (the least amount of previously awarded work would result in the most favorable ranking) as outlined in Florida Statute 287.055(4)(b). In the event the results were still a tie, the evaluator was asked to break the tie and give preference to a business that certifies that it has implemented a drug-free workplace program on the Vendor Drug-Free Workplace Certification Form as outlined in Florida Statute 287.087. In the event the results were still a tie, the evaluator was asked to break the tie by publicly drawing lots, as outlined in Chapter 35 of the City's Code of Ordinances. The same procedures were used if the overall committee scores resulted in a tie.

5. At the January 21, 2020, meeting, the evaluation committee made a motion, which passed unanimously, that all three (3) vendors were deemed qualified and brought back for presentations and a question/answer period.

6. On March 4, 2020, the City re-convened the evaluation committee. The evaluation committee listened to presentations from the vendors, and then had discussions with each of the short listed firms regarding their: (1) Qualifications, (2) Approach to the project; and (3) Ability to furnish the required services.

7. The evaluation committee eventually scored and ranked the vendors based on the weighted criteria provided for in the solicitation documents and listed below:

- Adequacy of Personnel / Ability of Professional Personnel (20%)
- Whether a firm is a Certified Minority Business Enterprise (5%)
- Past Record / Past Performance (20%)
- Firm's Understanding and Approach to the Work (20%)
- Willingness to meet time and budget requirements (15%)
- Recent, current, and projected workloads of the firms (10%)
- Location (5%)
- Local Vendor Preference/ Veteran Owned Small Business Preference (5%)

8. At the March 4, 2020 meeting, the evaluation committee ranked the vendors as shown below:

Rank	Vendor Name
1	R.J. Behar & Company, Inc.
2	Calvin, Giordano & Associates, Inc.
3	Premiere Design Solutions, Inc.

9. Based on the scoring results, the evaluation committee unanimously approved a motion to recommend the City Commission to award RFQ # PSEN-19-07 "Civil Engineering, Inspection, Permit Review Services and Development Review Committee (DRC) Assistance" to the first ranked vendor, R.J. Behar & Company, Inc., and to direct the City Manager to negotiate a contract for services.

10. An agenda item will be brought back to present to the Commission the negotiated contract executed by the vendor.

11. R.J. Behar & Company, Inc. has also completed the Equal Benefits Certification Form and has stated that the "Contractor currently complies with the requirements of this section."

12. Request Commission to approve the findings and recommendation of the evaluation committee and to award RFQ # PSEN-19-07 "Civil Engineering, Inspection, Permit Review Services and Development Review Committee (DRC) Assistance" to R.J. Behar & Company, Inc. and to direct the City Manager to negotiate a contract for services, in accordance with Florida Statute 287.055, Consultants Competitive Negotiation Act (CCNA).

FINANCIAL IMPACT DETAIL:

a) Initial Cost: None at this time. A negotiated contract will be brought back to the Commission, and executed by the vendor.

b) Amount budgeted for this item in Account No: Funds are currently budgeted for this project in account # 1-519-6006-31100 (Professional Services - Engineering).

c) Source of funding for difference, if not fully budgeted: Not Applicable.

d) 5 year projection of the operational cost of the project: Not Applicable.

e) Detail of additional staff requirements: Not Applicable.