



Legislation Text

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MOTION TO APPROVE THE NEGOTIATED AGREEMENT WITH SALTZ MICHELSON ARCHITECTS, INC. PURSUANT TO THE AWARD OF RFQ # PSPW-21-08 "DESIGN SERVICES FOR THE POLK BUILDING RENOVATION" IN ACCORDANCE WITH FLORIDA STATUTE 287.055, CONSULTANTS COMPETITIVE NEGOTIATIONS ACT (CCNA), FOR AN AMOUNT NOT TO EXCEED \$281,900.

**PROCUREMENT PROCESS TAKEN:**

**- Chapter 35 of the City's Code of Ordinances 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."**

**- Section 35.18 of the City's Code of Ordinances is titled "COMPETITIVE BIDDING OR COMPETITIVE PROPOSALS REQUIRED; EXCEPTIONS."**

**- 35.18(A) states, "A purchase of or contracts for commodities or services that is estimated by the Chief Procurement Officer to cost more than \$25,000 shall be based on sealed competitive solicitations as determined by the Chief Procurement Officer, except as specifically provided herein."**

**- Section 35.19 of the City's Code of Ordinances is titled "SEALED COMPETITIVE BIDDING PROCEDURE."**

**- Section 35.19(A) states, "All sealed competitive solicitations as defined in §35.18 shall be presented to the City Commission for their consideration prior to advertisement."**

**- 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.”**

**- Section 35.21 of the City’s Code of Ordinances is titled “AWARD OF CONTRACT.”**

**- Section 35.21(A) of the City’s Code of Ordinances is titled “City Commission approval.”**

**- Section 35.21(A)(1) states, “An initial purchase of, or contract for, commodities or services, in excess of \$25,000, shall require the approval of the City Commission, regardless of whether the competitive bidding or competitive proposal procedures were followed.”**

## **SUMMARY EXPLANATION AND BACKGROUND:**

1. On August 4, 2021, the City Commission authorized the advertisement of RFQ # PSPW-21-08 “Design Services for the Polk Building Renovation” which was advertised on August 12, 2021.

2. The purpose of this solicitation was to provide all professional services necessary to deliver complete and permitted design documents for the renovation of the Polk Building (Building #67) located at 8200 South Palm Drive, Pembroke Pines, FL 33025. The building will be used to house the City's Utility Customer Service and Billing Division, GIS Division, and will also serve as a secondary Emergency Operations Center. This project will provide the City with a much improved critical infrastructure, which includes a hardened building with a backup power source and centralized SCADA data access during and after a disaster. This will enable staff to simultaneously monitor system-wide operational data and customer emergency calls, thereby ensuring a centralized and efficiently coordinated deployment of the field crews that will respond to emergency calls during and after a natural disaster or similar event.

3. The adjacent Public Services building located at 8300 South Palm Drive has already reached capacity as various modifications have already been made to convert existing conference rooms into offices and to adjust existing offices to accommodate more employees. This reduces efficiencies for various reasons, including impacting staff that work in shared environments with situations in which they may be in close proximity with another employee that may develop COVID or COVID like symptoms and may then need to quarantine. In addition, the reduction of available conference rooms in the building also makes it difficult for the various Departments and Divisions located in the building to coordinate in-person meetings at the same time, including Department meetings with vendors, Pre-Bid Meetings, Public Evaluation Committee Meetings with or without Presentations, Pre-Construction meetings, ERP meetings, trainings, etc.

4. In addition, as time passes, the City and its Departments and Staff continue to grow as needs and changes evolve and requirements of staff increases, including but not limited to the growth of the GIS team and the Solid Waste Division. The Public Services Department is anticipating that this project will take over two years to complete, which means that the existing space in the current Public Services would more than likely continue to shrink and create more inefficiencies.

5. The Public Services Department has applied for grant opportunities to fund the renovation of the Polk Building and is requesting to move forward with the design services in order to get this project "shovel-ready" in order to increase the grant funding opportunities for this project.

6. On April 6, 2022, the City Commission approved the findings and recommendations of the evaluation committee to award RFQ # PSPW-21-08 "Design Services for the Polk Building Renovation" to Saltz Michelson Architects, Inc., and directed the City Manager to negotiate a contract for services.

7. The City staff was able to negotiate a contract with rates which staff determines are fair, competitive, and reasonable.

8. Request City Commission to approve the negotiated agreement with Saltz Michelson Architects, Inc. pursuant to the award of RFQ # PSPW-21-08 "Design Services for the Polk Building Renovation" in accordance with the Florida Statute 287.055, Consultants Competitive Negotiations Act (CCNA), for an amount not to exceed \$281,900, which includes a \$5,000 reimbursable budget.

Reviewed by Commission Auditor.

#### **FINANCIAL IMPACT DETAIL:**

**a) Initial Cost:** \$281,900, which includes a \$5,000 reimbursable budget.

**b) Amount budgeted for this item in Account No:** Funds were set aside in the following contingency accounts as the City pursues various grant opportunities for this project:

\$552,000 in account # 471-536-6010-530015-0000-000-0000 (Contingency Grant Match)

\$368,000 in account # 001-519-0800-530015-0000-000-0000 (Contingency Grant Match)

Once commission approves, a budget adjustment will be entered to fund the appropriate Professional

Services account.

- c) **Source of funding for difference, if not fully budgeted:** See above.
- d) **5 year projection of the operational cost of the project:** Not Applicable.
- e) **Detail of additional staff requirements:** Not Applicable.

**FEASIBILITY REVIEW:**

*A feasibility review is required for the award, renewal and/or expiration of all function sourcing contracts. This analysis is to determine the financial effectiveness of function sourcing services.*

- a) **Was a Feasibility Review/Cost Analysis of Out-Sourcing vs. In-House Labor Conducted for this service?** Not Applicable.
- b) **If Yes, what is the total cost or total savings of utilizing Out-Sourcing vs. In-House Labor for this service?** Not Applicable.