

**SELECTION OF ARCHITECTURAL, ENGINEERING, LANDSCAPE
ARCHITECTURAL, LAND SURVEYING, CONSTRUCTION
MANAGEMENT, CONSTRUCTION MANAGEMENT AT-RISK,
DESIGN BUILD, PROGRAM MANAGEMENT, INSPECTION
SERVICES AND ANY OTHER CONSTRUCTION DELIVERY METHOD
OR PROFESSIONAL SERVICES**

The School Board ("Board") shall publicly announce, in a uniform and consistent manner, each occasion when construction/professional services are required to be purchased in compliance with governing statutes and regulations. The Superintendent shall establish procedures for the selection of Architectural, Engineering, Landscape Architectural, Land Surveying, Construction Management, Construction Management At-Risk, Design Build, Program Management, Inspection Services, and any other construction delivery method or professional services which is subject to Section 287.055, Florida Statutes.

For the purposes of this policy:

- a) Professional Services means those services provided from within the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of Florida. Entities providing such professional services include Architectural Design Firms, Engineering Firms and Design Builders.
- b) Construction Management is a professional management practice applied to construction projects from project inception to completion for the purpose of controlling time, cost, scope and quality.
- c) Design-Build is a project delivery method that combines architectural and engineering design services with construction performance under one contract.
- d) Construction Management At-Risk (CMAR) is a project delivery method in which the Construction Manager acts as a consultant to the owner in the development and design phases, but assumes the risk for construction performance as the equivalent of a general contractor holding all trade subcontracts during the construction phase.
- e) Program Management is a practice in which a selected entity is responsible for schedule control, cost control, and coordination in providing or procuring planning, design, and construction services. The program management entity must consist of or contract with licensed or registered professionals for the specific areas of design or construction to be performed as required by law.
- f) Request for Proposals (RFP) means a written or electronically posted solicitation for competitive sealed proposals.
- g) Request for Qualifications (RFQ) means a written or electronically posted solicitation for Statements of Qualifications from proposers. An RFQ may be used, for example, to select a pool of qualified vendors to be used on a rotational basis or to make a qualifications-based selection of a single vendor for a specific assignment.

Rules:

The School Board authorizes the Superintendent to:

1. Develop standard RFQ and RFP forms including selection criteria and selection procedures in accordance with applicable statutes and the State Requirements for Educational Facilities (SREF), as amended. The Board shall approve standard RFQ and RFP forms.

2. Receive responses to RFQs and RFPs.
3. Designate an evaluation and recommendation committee, the Qualifications Selection and Evaluation Committee (QSEC), to be composed of, a minimum of ten (10) standing voting members for the purpose of evaluating, selecting, and recommending award of contracts for Construction Management, Design-Build, CMAR, Program Management, or Professional Services subject to Section 287.055, Florida Statutes. QSEC shall also include one (1) non-voting staff member from the Office of the Chief Auditor and one (1) non-voting staff member from the Office of the General Counsel to serve in advisory and support roles.
 - a. QSEC shall be comprised of the following ten (10) standing voting members:
 1. Chief Facilities Officer or designee.
 2. Chief Strategy & Operations Officer or designee.
 3. One (1) of the following:
 - a. For county-wide and multiple-site contracts, the Chief School Performance & Accountability Officer or designee or
 - b. For single-site specific contracts, the school principal or such principal's designee for the specific site.
 4. Two (2) of the following: Executive Directors, Directors, Managers and Supervisors from Facilities Division.
 5. Chief Building Official or designee.
 6. Supplier Diversity & Outreach Program Coordinator or designee.
 7. One (1) representative of the South Florida Chapter, Associated General Contractors of America (AGC) or the Associated Builders and Contractors Florida East Coast Chapter (ABC) or the Builder's Association of South Florida (BASF) or the Construction Association of South Florida (CASF).
Representative may not have an active contract or be seeking a contract with the District or with any contractor or sub-contractor associated with the Capital and/or Bond Programs for the duration of the Bond and once no longer a member, restrictions will apply for a two (2) year period. (The designated appointee shall alternate from year-to-year between the AGC, ABC, BASF, and CASF).
 8. Facilities Task Force Chair or designee. If the procurement is for a site specific contract, then preferably from the district containing the project.
 9. One (1) representative from the Minority Builders Coalition. Representative may not have an active contract or be seeking a contract with the District or with any contractor or sub-contractor associated with the Capital and/or Bond Programs for the duration of the Bond and once no longer a member, restrictions will apply for a two (2) year period.
 - b. Construction or professional services may result in the following types of awards:
 1. Single-site with single contract to One Firm.
 2. County-wide or multiple-site with single contract for multiple sites to One Firm
 3. County-wide or multiple-site with multiple contracts for grouping of multiple awards to Multiple Firms.

- c. For single-site, county-wide and multiple-site contracts, a quorum shall be six (6) voting members for evaluation, selection, and recommendation of award of contracts to construction or professional services subject to Section 287.055, Florida Statutes. The composition of the voting membership shall be identified within the procurement requirements.
 - d. No QSEC member shall serve on three (3) consecutive RFQs/RFPs procurements.
- 4. Any proposer, or lobbyist for a proposer, shall comply with the Cone of Silence per School Board Policies 3320 and 1100B. Any violation of this rule shall result in the disqualification of the potential vendor from the competitive solicitation process and rejection of any recommendation for award to the vendor who violates the Cone of Silence. In addition to any other penalty provided by law, violation of this rule by a District employee, shall subject the employee to disciplinary action up to and including dismissal. Any violation of the Cone of Silence requirements shall constitute grounds for immediate and permanent disqualification of the offending firm.
- 5. All committee voting members shall comply with the Code of Ethics for Personnel Authorized to Purchase per School Board Policy 3320.
- 6. The QSEC shall recommend the finalist(s) for award of contracts to construction or professional service subject to Florida Statute 287.055, and if applicable, shall recommend rejection of one (1) or more proposers to the Superintendent. The Superintendent shall either recommend award of contracts to the finalist(s) selected by the QSEC or recommend rejection of one (1) or more proposers to the Board, together with a report from QSEC containing findings of fact indicating the proposers' compliance with the procurement requirements and scoring criteria. The Board shall have final approval of such recommendations.
- 7. The School Board of Broward County (SBBC) through its Supplier Diversity and Outreach Program Office (SDOP) is committed to ensuring that small, minority and women-owned business enterprises within the Board's market area have access to compete for the award of the School Board's purchasing and construction contracts. The SDOP policy and procedures are designed to spur economic development and help support small, minority- and women-owned business enterprises to successfully expand in the market area. Prescribed procedures will not supersede any small business, woman- or minority-owned business enterprise preference program adopted by the Board
- 8. QSEC shall function according to its School Board approved By-Laws, School Board policies, the Sunshine Law, and Robert's Rules of Order.

AUTHORITY:

F.S.287.055; F.S. 255.103; F.S. 287.013; F.S.1001.41; F.S. 1013.45,
 F.S. 1013.46, SREF 4.1, Rules Adopted: 1/21/82
 Emergency Rule: #82-14; 12/16/82; 85-86-17 1/16/86
 Rules Amended: 1/20/83; 1/16/86; 2/19/86; 6/2/92; 6/20/95, 12/7/99
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 Adopted: 3/1/05, 4/26/05, 8/27/08, 11/09/10, 10/18/16