

# WHAT DO I HAVE TO DO TO COMPETE FOR PROFESSIONAL ENGINEERING BUSINESS WITH DISTRICT SIX?

(UPDATED ON: October 7, 2008)

## STEPS:

### **1. Get registered in MyFloridaMarketPlace**

Any firm / vender that wishes to do business with any State Agency MUST be registered in the Florida web-based procurement system know as MyFloridaMarketPlace.

Briefly, this system is designed to streamline interactions between vendors and state government entities that purchase goods and services, and provides a user-friendly Internet portal where vendors can register, receive information on upcoming bids, post information on products and services, and receive purchase orders electronically. The system is my one-stop shop for accessing on-line catalogs and information about vendors that provide goods and services to the State. With MyFloridaMarketPlace, agencies will have a central database for all purchasing data. This will help to enable quicker, more thorough responses to inquiries, provide data for analytical purposes and future negotiations and information for generating Agency-wide reporting.

Go to the "MyFloridaMarketPlace" website for details about how to register and get additional information about what the electronic procurement system has to offer –

[http://dms.myflorida.com/dms2/business\\_operations/state\\_purchasing/myflorida\\_marketplace/vendors](http://dms.myflorida.com/dms2/business_operations/state_purchasing/myflorida_marketplace/vendors)

### **2. Get pre-qualified to perform Professional Engineering Services with FDOT**

Firms / vendors must be pre-qualified (or in the process of getting qualified) both administratively and technically before being considered eligible to solicit and compete for advertised FDOT Professional Engineering work / projects.

Go to the "Florida Administrative Code" website, Rule 14-75, which establishes minimum qualification standards by type of work for consultants, the consultant competitive selection process, and the work performance evaluation system for professional consultants who seek to provide professional services to the Department pursuant to Sections 287.055, 337.107, and 337.1075, Florida Statutes.

<http://www.dot.state.fl.us/procurement/pubs/Rule%2014-75new.pdf>

The Department maintains a Procurement website that provides a wealth of information about how to do business with the Department. The instructions and forms needed to become pre-qualified are available at the following website:

<http://www.dot.state.fl.us/procurement/forms/formmenu.shtm>

### **3. How do I get a list to do Engineering related work with the Department?**

As stated above, the Department Procurement website has a wealth of information that includes a current list of "PLANNED CONSULTANT PROJECTS" by District Office Statewide. At this same website information related to "CURRENT PROFESSIONAL SERVICES ADVERTISEMENTS", "DESIGN/BUILD AND SPECIAL ADVERTISEMENTS" can be retrieved. In addition to this information, there are several other helpful links to "FORMS", "PUBLICATIONS", "PROFESSIONAL SERVICES AND DESIGN/BUILD PROJECT SELECTION RESULTS", to mention just a few. To get this information go to the Department Procurement website:

<http://www2.dot.state.fl.us/procurement/ads/advnew.htm>

<http://www2.dot.state.fl.us/procurement/pcp/advplan.htm>

<http://www2.dot.state.fl.us/procurement/ads/advdble.htm>

### **4. How do I get a summary of Professional Engineering Services procedures?**

The following Summary of Procedures is taken directly from the Department Procurement website and is available as part of this handout:

<http://www.dot.state.fl.us/procurement/pubs/procsuammary.shtm>

### **5. Who do I contact about the Professional Engineering Services process?**

In District Six contact any of the following specialists:

Ronald Fountain	Professional Services Administrator	(305) 470-5457
Jenny Chatila	Professional Services Unit Manager	(305) 499-2488

**Procurement Office**

**Professional Services - Summary of Procedures**  
Updated December 31, 2007

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#### **Professional Consultant Contracting**

Florida law requires state agencies using certain professional consultants to acquire the services of those consultants by competitive negotiation. The process mandated by statute (F.S. 287.055), administrative rule (Rule 14-75), and departmental operating procedures requires a competitive selection of the consultants based on qualifications, followed by a negotiation process to establish a fee for the desired services. A summary of the various aspects of the Department's contracting process for these services follow:

## **Professional Services**

The types of services statutorily designated for this process include engineering, survey and mapping, architecture, landscape architecture, planning, appraisal, right of way acquisition and management. The Department typically uses this process for activities including planning, project development and environmental studies, design, construction engineering inspection, and right of way appraisal, acquisition and management. Currently, over 80 percent of the Department's design, construction engineering inspection, and right of way services are performed by consultants resulting in an annual budget for professional consultants of over \$700 million.

## **Prequalification Process**

The Department has identified a number of types of work for which consultants are frequently used. Consultants desiring to compete for contracts in these standard types of work are required to prequalify annually. This process involves demonstration of technical qualification for requested types of work as well as administrative qualification. Administrative qualification includes demonstration of an adequate job cost accounting system and submittal of an overhead audit performed by an independent CPA.

Consultants may elect to become only technically qualified or to become both technically and administratively qualified. To contract with the Department, consultants must be technically qualified in appropriate categories. If the total contract cost exceeds \$250,000, the consultant must be administratively qualified.

Subconsultants who are used to meet qualification requirements for responses to advertised Department projects must be technically qualified. Technically qualified consultants, whose work is to exceed \$250,000, must also have an acceptable job cost accounting system and must submit an overhead audit performed by an independent CPA.

Prequalification is not required for professional services that do not conform to the Department's standard types of work. However, consultants selected for such services are required to have an acceptable job cost accounting system and independent overhead rate audit performed by a CPA if the contract fee exceeds \$250,000.

## **Advertisement of Projects**

Annually, the Department develops a list of planned consultant projects for each district with anticipated solicitation dates. These are published on the Department's Procurement website as planned projects. Then, each week, a list of actual solicitations are published on the Professional Services ads web page as current advertisements. This announcement requests letters of response from any consultants who are prequalified in the needed type(s) of work and are interested in being considered for the project. The letters of response are limited to two pages in length and are due two weeks after they first appear. For professional services not conforming to the Department's standard types of work, letters of qualification, not subject to the two page limit, are requested.

## **Shortlisting Process**

All letters of response from prequalified firms are reviewed, together with profiles on the respondents based on prequalification information and past performance with the Department. A technical review committee provides recommendations as to the top ten respondents to a selection committee composed of top management personnel. The selection committee then selects at least three of the respondents as a short list. An announcement of the consultants shortlisted for the project is published on the web site.

## **Final Selection Process**

The shortlisted consultants are provided a formal request for technical proposal (RFP) and are provided a copy of the draft scope of services. Usually, a preproposal meeting is held to discuss the scope of services as well as addressing any other questions from the shortlisted consultants. At the Department's option, the proposals may be written, oral, interviews, or a combination thereof. Upon receipt of the technical proposals, they are graded by the technical review committee. The selection committee then reviews the grades along with other pertinent information and ranks the consultants in order of preference. The resulting ranking for the project is published on the web site.

## Negotiation of Fee

The number one ranked consultant is requested to provide a fee proposal for the project, and an independent staff hour estimate is prepared by the Department. Negotiations are conducted to resolve any differences between the Consultant and FDOT staff hour estimates and to establish fair, competitive and reasonable rates for consultant personnel and for any direct expenses. Typically, the fee is developed using negotiated staff hours, negotiated hourly rates for staff, actual consultant overhead (based on the overhead audit), audited FCCM (Facilities Capital Cost of Money) and audited direct expense rate, and negotiated operating margin.. The fee may be structured as a lump sum amount, a limiting amount based on actual hours worked or as a combination of the two.

If an agreed upon fee can not be negotiated, negotiations with the number one ranked firm are terminated and negotiations are begun with the number two ranked firm. The process is continued in this manner until a fee is established.

## Structure of Contract

The standard format for professional consultant contracts include a standard contract document which specifies the term of the agreement as well as the legal responsibilities and rights of both parties, an Exhibit A which describes the scope of services, and an Exhibit B which describes the method of compensation.

As described above, the method of compensation may be established a lump sum amount or as a limiting amount. With a lump sum agreement, the consultant will be provided an agreed upon amount for completion of the contract, regardless of the effort expended in completing the services. With a limiting amount agreement, the consultant is obligated to complete the services with compensation based upon documented actual hours worked and/or expenses incurred up to the agreed upon limiting amount. For task assignment type contracts, a fee is negotiated with each task work order. Task work orders may be lump sum, limiting amount, or a combination.

## Contract Modification

Within prevailing law, contract terms may be amended upon mutual agreement of both parties to the contract. If additional services are determined to be required during the course of the project, a supplemental amendment may be negotiated to provide for such services.

## Performance Evaluation

The consultant is given a performance rating by the Department's project manager. The Performance ratings are based on quality, scheduling and management. The consultant is provided a copy of the performance rating and it is entered into the Department's data base for consideration at the time of future selections.

## Contract Auditing

Consultant contracts are subject to a post audit at the completion of the services or at other times within the term of the project.

## Pertinent Statutes and Administrative Rules

Section 287.055, Florida Statutes  
Section 337.105, Florida Statutes  
Chapter 14-75, Florida Administrative Code



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