

SUMMARY OF RECOMMENDED CHANGES
School Board Meeting November 9, 2010
Policy # 7003

Policy Title: Pre-Qualification of Contractors and Selection of Architects, Engineers, Design Builders, Construction Managers, and Total Program Managers Pursuant to the Consultant's Competitive Negotiation Act

Page (Item)	Recommended Change/Addition/Deletion	Rational
1	Part 1 Delete reference to (8).	Update reference to Florida law as a result of revisions to Dept. of Education's State Requirements for Educational Facilities.
1	Part 1 requirements, Insert a comma in the second sentence after the word 'requirements'.	Grammatical correction.
1	Part 3 Delete "Approve the Public Announcements for Contractor Pre-Qualification, RFQs and RFPs"	The School Board approves such announcements.
1	Part 4 Designate an evaluation and recommendation committee, the "Qualification Selection Evaluation Committee (QSEC),	Revise to state all functions that are performed by QSEC by adding "and recommendation" to add clarity to the functions that are performed by QSEC, and to state that the name of the evaluation committee is the "Qualification Selection Evaluation Committee (QSEC)" to add clarity.
1	Part 4 to be composed of nine (9) standing voting members for the purpose of Pre-Qualification of contractors, and with the addition of two (2) voting members, for a total of eleven (11) voting members, for the purpose of selections and recommendations of award of contracts to architects, engineers, design builders, construction managers and total program managers.	Revise composition of QSEC to eliminate the participation of the two At-Large School Board Members in voting on the Pre-Qualification of contractors. QSEC will be a committee of nine standing voting members for Pre-Qualification of contractors, and will remain as a committee of eleven voting members for selections of architects, engineers, design builders, construction managers and total program managers.
1	Part 4 for the purpose of selections and recommendations of award of contracts to architects, engineers, design builders, construction managers and total program managers.	Revise to include all functions that are performed by QSEC by adding "and recommendations of award of contracts" to add clarity to the functions that are performed by QSEC.
1	Part 4.a QSEC shall be comprised of the following nine standing voting members:	Revise "The evaluation committee" to be "QSEC" to reflect the name of the committee.
1	Part 4.a QSEC shall be comprised of the following nine standing voting	Revise to add "nine (9) standing" before the words "voting members" to add clarity.

1	members: Part 4.b QSEC shall also include one (1) non-voting staff member for the Office of the Chief Auditor to serve in an advisory and support role.	Move text from Part 4.b to be the second sentence in the first paragraph of Part 4. Add the phrase "QSEC shall also include" at the beginning of the sentence to add clarity.
1 - 2	Part 4.a	Revise the order and structure of the list of the QSEC members to add clarity.
2	Part 4.a.2 and 4.a.4 2. Chief Operations Officer, or designee. 4. Director, Planning and Design, or Senior Project Manager, or assigned Project Manager I, II, or III, as applicable,	Correct position titles per organization chart for accuracy of Board Policy.
2	Part 4.a.3 One (1) of the following: a. For Pre-Qualification of contractors and county wide contracts, an Area Director, or b. For site specific contracts, the school principal for the specific site.	To clarify that an Area Director will vote on Pre-Qualification of contractors and county wide contracts, and the school principal for the specific site will vote for site specific contracts.
2	Part 4.a.7.a For Pre-Qualification of contractors and county wide contracts, a member of the general public, appointed by the Superintendent of Schools, or	Revise the appointee from the general public, for Pre-Qualification of contractors and for county wide contracts, to be appointed by the Superintendent of Schools instead of by one of the at large School Board Members.
2	Part 4.a.7.b For site specific contracts, a member of the general public, appointed by the school principal for the specific site.	Revise the appointee from the general public, for site specific contracts, to be appointed by the school principal for the specific site.
2	Part 4.b.1 One (1) member of the general public appointed by the Chief Operations Officer. For site specific selections, the appointee shall reside in the district in which the project is located. For countywide selections, the appointee may reside anywhere in the county.	For selection and recommendation of award of contracts to architects, engineers, design-builders, construction managers and total program managers, revise the district School Board Member for site specific selections and the other at large School Board Member for county wide selections to be an appointee of the Chief Operations Officer from the general public. The appointee for site specific selections shall reside in the district in which the project is located. The appointee for countywide selections may reside anywhere in the county.
2	Part 4.b.2 One (1) representative of the Minority Builders Coalition not having had business with the District for a period of two (2) years.	For selection and recommendation of award of contracts to architects, engineers, design-builders, construction managers and total program managers, revise the at large School Board Member to be one (1) representative of the Minority Builders Coalition not having had business with the District for a period of two (2) years.
3	Part 4.c A quorum shall be six (6) voting members for Pre-Qualification of	Revise the quorum to be six voting members for Pre-Qualification of contractors to reflect that the two at large School Board Members will

	contractors and seven (7) voting members for selection and recommendation of award of contracts to architects, engineers, design builders, construction managers and total program managers.	not participate for the Pre-Qualification function.
3	Part 4.d The person filling each QSEC member position shall be rotated,	Revise "committee" to be "QSEC" to add clarity.
3	Part 4.d No QSEC member serving in this position shall serve on three (3) consecutive RFQ/RFP in succession.	Revise word "projects" to be "RFQ/RFP" to add clarity.
3	Part 5 Any proposer, or lobbyist for a proposer, shall comply with Cone of Silence per School Board Policy 3320.	Broadens article for Lobbying to include Cone of Silence. The reference to Policy 3320, rather than the restating of the language from Policy 3320, ensures consistency in the language between School Board policies if there are future revisions to the language. This policy language is as recommended by SBBC Legal Office.
3	Part 6 All public officers and district employees shall comply with the Code of Ethics for Personnel Authorized to Purchase per School Board Policy 3320.	Add a new section, to be Part 6, to add language to the policy stating that public officers and district employees shall comply with the state of Florida's Code of Ethics for public officers and employees. This policy language is as recommended by SBBC Legal Office.
3	Part 7 The QSEC shall make recommendations to the Superintendent regarding the Pre-Qualification of contractors.	Revise "committee" to be "QSEC" to include the name of the committee in the policy.
4	Part 8 , together with a report from QSEC containing findings of fact indicating the proposers' compliance with the procurement requirements and scoring criteria.	Move verbiage in Part 6.a to be in Part 8 since this language is for procurements and scoring criteria, which is in Part 8.
4	Part 8 The QSEC shall recommend the finalist(s) for award of contracts to architects, engineers, design builders, construction managers and total program managers, and if applicable, shall recommend rejection of one or more proposers to the Superintendent.	Revise "committee" to be "QSEC". Revise to include all functions that are performed by QSEC by adding ", and if applicable, shall recommend rejection of one or more proposers to the Superintendent" to more clearly state the functions that are performed by QSEC.
4	Part 8 The Superintendent shall either recommend award of contracts to the finalist(s) selected by the QSEC or recommend rejection of one or more proposers to the Board ...)	Revise from "Superintendent shall ... recommend rejection of all bids" to be "Superintendent shall ... recommend rejection of one or more proposers" to more clearly state that the policy authorizes the Superintendent to recommend rejections of proposers.
4	Part 9 QSEC shall function ...	Revise "The evaluation committee" to be "QSEC" to add clarity.
4	Part 9 Delete Part 9 – Evaluation committee members shall file Financial Disclosure Forms with the Broward County Supervisor of elections Office annually at the time prescribed by law.	Delete Part 9. The School Board Attorney stated in March 8, 2010, Memorandum that there is no statutory requirement for members of the QSEC to file a financial disclosure form as a result of their service on QSEC. The Board has recommended replacing the financial disclosure form with a Conflict of Interests Form that will be signed by QSEC

3-4		members at the start of each QSEC meeting for selections. Renummer sections 6 through 9 due to the addition of sections as detailed above.
4	Footer for AUTHORITY: Delete reference to (6), SREF 4.1(7), 4.1(8).	Delete references to the subsections of Chapter 4.1 and list the SREF reference as "SREF 4.1" to update references to law as a result of revisions to State Requirements for Educational Facilities.
Pre-Qualification Application Page iii of iii	Provide reference form (page 12) to your references (3 minimal) to complete and return. It is the contractor's responsibility to have reference complete and return to Facilities & Construction Management Division.	To provide applicants with a form to have references complete and return the reference directly to staff. This will reduce time staff expends obtaining references.
Pre-Qualification Application Page 3 of 12	Please respond to the following regarding the staff: Previous Education Facility? YES NO Range of Construction Costs \$ to \$ Previous SBBC projects? YES NO Years of similar experience: Number of similar projects in the past 5 years: _____ Project management staff:	To obtain detailed information regarding experience of staff in construction in a concise and uniform manner. This will reduce time staff expends reviewing applications.
Pre-Qualification Application Page 3 of 12	Please respond to the following questions regarding the firm: Previous Education facility? YES NO Projects completed in past year: _____ YES NO Current projects: Number of similar projects in the past 5 years: _____ Range of Construction Costs \$ to \$	To obtain detailed information regarding experience of firm in construction in a concise and uniform manner. This will reduce time staff expends reviewing applications.
Pre-Qualification Application Page 4 and 5 of 12	(list additional projects on a separate sheet).	Clarifies that the applicant may provide more than 5 projects if applicable by attaching a separate list. Reduces time staff expends obtaining a complete list of projects.
Pre-Qualification Application Page 12 of 12	See attached page 12 of 12.	Including a form that applicants provide to their references. Add the provision that the references forward the reference's information directly to staff. This will reduce the time staff expends in obtaining references.