

LEE MEMORIAL HEALTH SYSTEM BOARD OF DIRECTORS POLICY MANUAL

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PURPOSE:

To outline the rules and procedures to be utilized in awarding contracts for professional services pursuant to the Consultants Competitive Negotiation Act. For purposes of this policy, the term "professional services" shall mean 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 of Florida, or those performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper in connection with their professional employment or practice.

POLICY:

Lee Memorial Health System ("LMHS") will oversee the award of contracts for professional services as defined in the Consultants Competitive Negotiation Act, Section 287.055, Florida Statutes.

RULES AND PROCEDURES:

- I. Public Announcement and Qualification Procedure
 - (1) Lee Memorial Health System will publicly announce when professional services must be purchased for a project, the basic construction cost of which is estimated by Lee Memorial Health System to exceed \$1,000,000.00 or for a planning or study activity when the fee for professional services exceeds \$50,000.00 ("Threshold Amount").
 - (2) Lee Memorial Health System shall use "Continuing Contracts" for the delivery of professional services to Lee Memorial Health System on projects for which the construction costs do not exceed \$1,000,000.00 or study activity when the professional service does not exceed \$50,000.00, or for work of a specified nature as outlined in the contract required by Lee Memorial Health System, with no time limitation except that the contract must provide a termination clause. Lee Memorial will publicly announce when professional services are required for a "Continuing Contract."
 - (3) The public announcements shall be placed in the classified section of a newspaper of general circulation for two (2) consecutive days. For purposes of this policy, the phrase "newspaper of general circulation" shall mean any newspaper which is published at least five (5) consecutive days each week in Lee County, Florida.
 - (4) The public announcements shall include a general description of the project and shall indicate how interested consultants may apply for consideration by Lee Memorial Health System.
 - (5) When LMHS certifies that a valid public emergency exists, the public announcement requirement described above can be dispensed with.

II. Certification and Competitive Selection

- (1) There shall be a Certification and Selection Committee ("Selection Committee") comprised of the following:

The Vice President of Facilities, the System Director of Construction, Director of Design and Planning, System Coordinator of Construction, Staff Designer, and an LMHS Board Member to be designated by the LMHS Board Chairperson. Any other LMHS members desiring to participate in the selection committee may do so in their sole discretion. The LMHS Board representative designated by the LMHS Chairperson shall chair the Selection Committee.

- (2) On each project for which professional services equaling or exceeding the "Threshold Amounts" set forth above are required or in connection with a Continuing Contract, the Selection Committee shall evaluate statements of qualifications and performance data on file with the Facilities Planning and Operations Department, together with current qualification data submitted by other firms regarding the proposed project.
- (3) The Selection Committee shall determine the relative ability of each firm to perform the services required for each project. Determination of ability shall be based on past performance, ability of professional personnel, willingness to meet time and budget requirements, recent healthcare design experience, location of the firm, ability to respond to Lee Memorial Health System in a timely manner, office automation and compatibility with existing healthcare system, demonstrated approach to the project, the current and projected work load of the firms, whether the firm is a certified minority business enterprise under The Small and Minority Business Assistance Act, and ability to provide all services utilizing that version of Auto Cad Release which is currently being used by Lee Memorial staff. All interested firms must be licensed in the State of Florida and hold current professional certificates of registration. Each firm determined to be able to provide services for the project will be so certified by the Selection Committee and shall be eligible for consideration.
- (4) The Selection Committee shall rank all firms submitting proposals in order of preference after considering such factors as past performance, ability of professional personnel, willingness to meet time and budget requirements, recent healthcare design experience, location of the firm, ability to respond to Lee Memorial Health System in a timely manner, office automation and compatibility with existing healthcare system, demonstrated approach to the project, the current and projected work load of the firms, and ability to provide all services utilizing that version of Auto Cad Release which is currently being used by Lee Memorial staff. The Selection Committee shall conduct discussions with, and may require public presentations by interested firms regarding their qualifications, approach to the project, and ability to perform the required services. The Selection Committee shall report its recommended ranking to LMHS for its consideration and action.
- (5) LMHS may consider the preference ranking recommended by the Selection Committee and shall select in order of preference no fewer than three (3) firms deemed to be the most highly qualified to perform the required services. Lee Memorial Staff ("Staff") shall commence to negotiate a contract with the most qualified firm for the professional services at a compensation rate which staff determines is fair, competitive, and reasonable. If staff is unable to negotiate a satisfactory contract with the firm considered to be the most qualified at the price LMHS determines to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The staff shall then undertake negotiations with the second most qualified firm according to LMHS' approved ranking, and so on. If no contract can be negotiated with any of the firms selected by LMHS, the procedure set forth herein shall be repeated until a qualified firm can be retained or the project is canceled.