



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

OFFICE OF INSPECTOR GENERAL
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TERESA MICHAEL, CIG, CIGI, CFE
INSPECTOR GENERAL

SCHOOL BOARD
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DONALD E. FENNOY II, Ed.D., SUPERINTENDENT

MEMORANDUM

TO: Honorable Chair and Members of the School Board
Donald E. Fennoy II, Ed.D. Superintendent of Schools
Chair and Members of the Audit Committee

FROM: Teresa Michael, Inspector General

DATE: April 16, 2021

SUBJECT: OIG Procurement Review (Report # 21-R-1): Design Services for Sunset Palms Middle School (RFP No. 20C-009R)

OBJECTIVE

As part of the Office of Inspector General's contract oversight responsibilities, we reviewed the selection and award process used to procure design services for Sunset Palms Middle School (RFP No. 20C-009R). The primary objective of our review was to assess the adequacy of the process utilized for this procurement.

SCOPE AND METHODOLOGY

This review was performed in accordance with the *Principles and Standards for Offices of Inspector General, Quality Standards for Inspections, Evaluations, and Reviews*, as promulgated by the Association of Inspectors General.

For this review, we examined the process utilized by the Purchasing Department to procure design services for Sunset Palms Middle School. We interviewed staff from the Purchasing Department and reviewed the following documents:

- *Florida Statute 112.313 - Standards of conduct for public officers, employees of agencies, and local government attorneys*
- *School Board Policy 6.14 - Purchasing Department*
- *School Board Policy 1.09 - Advisory Committees to the Board*
- *School Board Policy 1.093 - Construction Oversight and Review Committee*
- *School Board Policy 3.02 - Code of Ethics*
- *Request for Proposal (RFP) No. 20C-009R, Design Services for Sunset Palms Middle School 17-PP – New Construction, Project No.: 0041-8462*

- BidSync Links Advertisement for *Bid #20C-009R – Design Services for Sunset Palms MS - 17-PP*
- Purchasing Department’s *Purchasing Manual*
- Audio recording of Phase I Evaluation Meeting held on January 16, 2020
- Audio recording of Phase II Evaluation Meeting held on January 28, 2020
- *Evaluation Tabulation Forms*
- *Conflict of Interest Certification Forms for Evaluation Committee Members*

Draft findings were sent to the Purchasing Department for management comments. Management responses are attached. We appreciate the courtesy and cooperation extended to us by staff during this review. The draft Memorandum was presented to the Audit Committee at its April 16, 2021, meeting.

BACKGROUND

The advertised bid for Design Services for Sunset Palms Middle School started on November 24, 2019, and ended on January 6, 2020. The description of work was to provide “*all services required for planning, design, and construction of a new 1,459 student station middle school on a limited +/- 12 acre “greenfield” site.*”¹ The established project budget for design was \$1,650,000.

A Phase I Evaluation Meeting was held on January 16, 2020, when seven proposers were evaluated by an eight-member Evaluation Committee. At the end of that meeting, the top three ranked proposers were shortlisted to advance to Phase II. The Phase II Evaluation Meeting was held on January 28, 2020, and the top ranked proposer was established by seven of the eight-member Evaluation Committee (one member was absent). Staff conducted negotiations with the top ranked proposer, and a contract with that firm (Harvard Jolly, Inc.) was approved by the School Board at its April 29, 2020, meeting.

CONCLUSIONS

1. Contract Award Process was Adequate

Based on our review of relevant documents, including audio recordings of the Evaluation Committee meetings, we concluded that the process utilized to procure design services for Sunset Palms Middle School was adequate and conducted in a manner consistent with the Evaluation Process and requirements outlined in RFP No. 20C-009R. The proposals appeared to be fairly evaluated based on the Description of Work and Scoring Criteria specified in the Request for Proposal. During our review, however, we noted that non-employees regularly participate as voting members of evaluation committees as further explained below.

***Management Response:** Management Concurs that the Contract Award Process was Adequate, however, The Purchasing Manual Section 16-5, Evaluation Committee Procedures outlines the Evaluation Committee's responsibilities as well as the responsibilities of the Purchasing Department. In addition, additional information is provided to the Committee*

¹ BidSync Links bid notification system.

Members for each selection committee they serve on. (Please see Attachment for full Management Response.)

2. Non-Employees Regularly Participate as Voting Members of Evaluation Committees Without a Documented Justified Need

Current policies and procedures allow non-District staff to serve as voting members on committees without requiring a documented justified need before allowing them to serve. Our research into this topic revealed that some government entities² either (1) limit voting members to government employees, or (2) require written approval/authorization, on an exception basis, to allow non-employees to be voting members if there is a justified need.

Construction Oversight and Review Committee (CORC) members, whom are not District employees, regularly participate as voting members of construction related contract evaluation committees. In doing so, they participate in the decision to make a contract between the School Board and other business entities. Persons that decide who is awarded a government contract should be able to be held responsible and accountable for their decisions; especially if there is a conflict of interest. Likewise, *School Board Policy 3.02- Code of Ethics* states,

“It is the Board’s intent to create a culture that fosters trust, a commitment to excellence and responsibility, personal and institutional integrity, and avoids conflicts of interest and appearances of impropriety.... This policy shall extend also to the District’s guests, invitees, and volunteers while they are on District property or are participating in District-related activities.”

More specifically, *Section 5 - Ethical Standards, e. Avoidance of Conflicts of Interest and Receipt of Improper Outside Income* states,

“A conflict of interest shall be defined as a situation in which the employee’s regard for a private interest tends to lead to a disregard of the employee’s public duty or interest.”

In addition, *Section 2. Application and Enforceability* of the policy states,

“Violations of this Code of Ethics may result in administrative or disciplinary action, up to and including suspension, dismissal, or other actions as required by law”.

² Policies/Procedures of other government entities that limit use of non-employees as voting members of Selection Committees included:

- Broward County Florida, Administrative Code- Chapter 21 – Operational Policy, Procurement Code Finance and Administrative Services, Part XIV. – Procurement of Services- 21.84 b.2.(c) Selection Committee and Selection/Evaluation Committee Composition
- Houston Community College, Procurement Guidelines, May 19, 2011 - Evaluation Committees: Appointment and Performance of Evaluation Committee Members including “Substitute” and “Alternate” Members
- State of Arkansas, Office of State Procurement Guidelines for: The Request for Proposal Process, Committee Composition (June 13, 2007 v4)
- City of Cincinnati’s Request for Proposal (RFP) Manual (Effective Date: January 28, 2016)

Although the Code of Ethics policy applies to volunteers, it is less enforceable for non-employees because they are not subject to disciplinary action such as suspension or dismissal. Thus, it is more difficult to hold them accountable for their decisions if they do not evaluate contract proposals objectively and without bias, or if they do not adhere to the District's *Code of Ethics* policy or *Florida Statute 112.313- Standards of conduct for public officers, employees of agencies, and local government attorneys*.

In addition, committee members should not have any actual or perceived conflicts of interest with proposers such as a family relationship, close friendship, previous employer, or current or past business relationship.

Recommendation:

We recommend the District consider enhancing existing Evaluation Committee policies to require voting members to be District (or government) employees, with limited and defined exceptions if there is a documented justified need. This will help ensure fair, impartial, and objective evaluation of proposals, and increase public confidence in the District's procurement process.

Management Response: Management recognizes the potential challenges associated with holding private citizens accountable should there be an adverse situation. However, management believes such a change should be addressed through a policy change if that is the will of the collective School Board. The Board's Advisory Committee's, including the Construction Oversight Committee (CORC), continue to play an important role providing independent oversight. This recommendation to limit them, as well as any other non-government employee, to a non-voting role should likely be presented to the School Board for their consideration. (Please see Attachment.)

-End-



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

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MICHAEL J. BURKE
CHIEF FINANCIAL OFFICER

DONALD E. FENNOY II, Ed.D.
SUPERINTENDENT

MEMORANDUM

TO: Teresa Michael, Inspector General

FROM: Michael J. Burke, Chief Financial Officer *MJB*

Date: February 11, 2021

SUBJECT: Management Response to OIG Procurement Review – Design Services for Sunset Palms Middle School

OBJECTIVE

Management's response to the Office of Inspector General's recent review of the selection and award process used to procure design services for Sunset Palms Middle School (RFP No. 20C-009R) is provided below:

CONCLUSIONS

1. Contract Award Process was Adequate

Based on our review of relevant documents, including audio recording of the Evaluation Committee meetings, we concluded that the process utilized to procure design services for Sunset Palms Middle School was adequate and conducted in a manner consistent with the Evaluation Process and requirements outlined in RFP No. 20C-009R. The proposals appeared to be fairly evaluated based on the Description of Work and Scoring Criteria specified in the Request for Proposal. During our review, however, we noted that the District's written procedures related to the composition of evaluation committees are not comprehensive as further explained below.

Management Response:

Management concurs that the Contract Award Process was Adequate, however, The Purchasing Manual Section 16-5, Evaluation Committee Procedures outlines the Evaluation Committee's responsibilities as well as the responsibilities of the Purchasing Department. In addition, additional information is provided to the Committee Members for each selection committee they serve on.

Construction Purchasing provides a Memo to the Evaluation Committee Members, which outlines the process of the RFP selection process and the responsibilities of the committee members. In addition, each committee member receives a Conflict of Interest Certification Form that must be filled out signed and returned prior to the Evaluation Committee member receiving their respective proposals for review. The RFP itself also provides detailed information for committee members. Construction Purchasing's memo to proposers is attached as Exhibit A for this review.

The School District of Palm Beach County, Florida
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An Equal Opportunity Education Provider and Employer

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February 11, 2021

Management Response to OIG Procurement Review – Design Services for Sunset Palms Middle School

Construction Purchasing over the years has conducted trainings for committee members since much of their committee member representation are made up of subject matter experts from Facilities Services, Building Code Services, Maintenance and Plant Operations, Planning Department and the Office of Diversity in Business Practices, as well as members from the Construction Oversight and Review Committee (CORC). Construction Purchasing provides training when new members for the above-mentioned departments and CORC are identified.

Goods and Services Purchasing also provides committee members a Request for Proposals Evaluator's Handbook, which outlines the RFP process, committee makeup, scoring criteria, award procedure and relevant Do's and Don'ts. In addition, a letter from the Purchasing Agent describing the information pertaining to the particular RFP is sent out to all committee members along with the Conflict of Interest Certification form that must be filled out, signed and returned prior to the Evaluation Committee members receiving their respective proposals. The Evaluator's Handbook and supporting documents have been provided as Exhibit B for this review.

2. Non-Employees Regularly Participate as Voting Members of Evaluation Committees Without a Documented Justified Need

Recommendation

We recommend the District consider enhancing existing Evaluation Committee policies to require voting members to be District (or government) employees, with limited and defined exceptions if there is a documented justified need. This will help ensure fair, impartial, and objective evaluation of proposals, and increase public confidence in the District's procurement process.

Management Response:

Management recognizes the potential challenges associated with holding private citizens accountable should there be an adverse situation. However, management believes such a change should be addressed through a policy change if that is the will of the collective School Board. The Board's Advisory Committee's, including the Construction Oversight Committee (CORC), continue to play an important role providing independent oversight. This recommendation to limit them, as well as any other non-government employee, to a non-voting role should likely be presented to the School Board for their consideration.

MJB/DG:mw
Exhibits

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A Top High-Performing A-Rated School District
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EXHIBIT A - Construction Purchasing

EMAIL/MEMO TO SELECTION COMMITTEE MEMBERS

SUBJECT: SELECTION COMMITTEE: RFP XXX-XXXX for XXXXXXXXXXXXXXXXXXXX

All Evaluation Committee materials including the RFP Document, responsive Proposals, Evaluation Criteria and scoring materials have been uploaded to SharePoint. You will receive an email notification directly from SharePoint with a link to access these documents.

The Selection Committee Meeting will be held on XXXXXXXXXXXX @ XXXXXXXX at the North County Support Center, 3661 Interstate Park Road No., Riviera Beach, FL 33404, in the first floor Conference Room.

Committee Members should allocate approximately 30-45 minutes reviewing each Proposal. Committee Members should be prepared to discuss each Proposal and assign points for each of the Scoring Criteria relative to the established Evaluation Criteria. A Committee Member must attend the Evaluation Meeting for their assigned scoring and Final Ranking to be included in the tabulated scoring.

This Selection Committee Meeting will establish the Final Ranking Order of the Proposers for this Evaluation Process. If the Evaluation Process is designated as a 1 Phase Evaluation Process, the Final Ranking Order will determine the recommended for Award. If the Evaluation Process is designated as a 2 Phase Evaluation Process, the Final ranking Order will determine the Proposers that will move to the Phase 2 Evaluation Process.

Point awards should not be completed until the close of the discussion period. Completion of the point awards prior to the discussion indicates the committee member has made their decision without considering the discussion or responses from Proposers to questions raised by the Committee. The purpose of the discussion period is to allow each Committee Member to consider additional information which may result in a change in the points the Committee Member has awarded a Proposer and change the Final Ranking Order established by that Committee Member.

Committee Members should endeavor to identify distinctions between the information presented by each Proposer in order to differentiate their point awards to Proposers. Each Committee Member should be able to establish the basis for their point award for each Category.

Distinctions in the points awarded to each of the Proposers should be made to avoid identical point awards and ties in Ranking Order whenever possible.

All questions regarding the project or selection process shall be addressed and resolved through the Construction Purchasing Department. Florida Statutes prohibits communication between Committee Members and any prospective proposer or their consultants. Committee Members shall not meet separately to discuss any of the Proposals.

Your participation in this process is very important and greatly appreciated. Please notify XXXXXXXXXXXXXXXXXXXX, Purchasing Agent, immediately if there are any questions or you are unable to participate.

Thank you,

XXXXXXXXXXXX

EXHIBIT A - Construction Purchasing



**THE SCHOOL DISTRICT OF PALM BEACH COUNTY
CONSTRUCTION PURCHASING DEPARTMENT
CONFLICT OF INTEREST CERTIFICATION FORM
FOR
EVALUATION COMMITTEE MEMBERS**

RFP NO.: XXX-XXXX

XXXXXXXXXX SERVICES FOR XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXX SCHOOL – PROJECT NO.: XXXX-XXXX

I hereby certify that I have read School District of Palm Beach County Policy 3.02 Code of Ethics and that, to the best of my knowledge and belief, neither I nor any relative* or domestic partner is an officer, director, trustee, partner (general or limited), employee or regularly retained consultant of any company, firm or organization that has responded to the competitive solicitation, or has a direct or indirect financial interest, economic interest, or business relationship with any offeror, or to a direct competitor of any offer(or) under consideration by this Evaluation Committee.

I further certify that neither I nor any relative* or domestic partner, to the best of my knowledge and belief, has accepted any gift, loan, reward, promise of future employment, favor, service, lodging, dining or entertainment gratuities from any offeror or direct competitor of any offeror under consideration by this Evaluation Committee, which will influence my decisions, compromise my judgment or prevent me from objectively evaluating any proposal solely on its merits and in accordance with the competitive solicitation's evaluation criteria.

Furthermore, I agree to notify the Purchasing Director in writing if I learn that I, or any of my relatives* or domestic partner's, financial, business, or economic relationship with one of the offerors changes at any time during the evaluation process.

Printed Name

Department

Signature

Date

* "Relative" means an individual who is related to a public officer or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, person who is engaged to be married to the public officer or employee or who otherwise holds himself or herself out as or is generally known as the person whom the public officer or employee intends to marry or with whom the public officer or employee intends to form a household, or any other natural person having the same legal residence as the public officer or employee.

EXHIBIT A - Construction Purchasing

CONSTRUCTION PURCHASING

SELECTION COMMITTEES – REQUEST FOR MEMBERS

The following departments will be included for Selection Committee Members:
(Contact Department Director/Designee with request)

New Construction and Major Modernizations -

- Facilities - 2 ea Design & CM
- BCS - 1 ea Design & CM
- ODBP - 1 ea Design & CM
- CORC - 1 ea Design & CM
- Facilities Maintenance - 1 ea Design & CM
- Planning - 1 (*for Design selection **only***)

FCA Projects - (*Renovation & Repair, Core Expansions Projects*)

- Same as above, but leave Planning off ***both*** Design and CM Selection Committees

Continuing Contracts -

- Facilities - 2 ea Design & CM
- BCS - 1 ea Design & CM
- ODBP - 1 ea Design & CM
- CORC - 1 ea Design & CM
- Facilities Maintenance - *not required*
- Planning - 1 (*traffic & survey **only***)

EXHIBIT A - Construction Purchasing

**EVALUATION COMMITTEE MEETING - INSTRUCTIONS TO
COMMITTEE** (Read aloud by Purchasing Agent)

- Final point awards should not be completed until the close of the discussion period.
- Committee Members should consider the discussion and responses from Proposers to questions raised by the Evaluation Committee.
- Committee Members should identify distinctions between the information presented by each Proposer in order to differentiate their point awards to Proposers to avoid identical point awards and ties in Ranking Order whenever possible.

EXHIBIT B - Goods and Services

SCHOOL DISTRICT OF PALM BEACH COUNTY

PURCHASING DEPARTMENT

RFP 0 - Evaluation

To: Evaluation Committee Members

From: , Purchasing Agent

Date:

Subject: Evaluation of Responses for RFP XXXXX for

Thank you for agreeing to serve on the committee to evaluate responses to provide the above services.

The following procedures will be used to evaluate the responses and award contract(s):

1. Each committee member will receive an email listing the names of the responders and a Conflict of Interest Certification form that must be signed and returned to me. Once signed and returned, you will be given the proposers responses. The names of the respondents and the contents of their responses are strictly confidential until the evaluation and negotiations are completed. Please direct any questions to me at 434-XXXX.
2. Prior to the evaluation meeting, independently evaluate the responses based on the criteria of the RFP and use the evaluation score sheet provided to mark your preliminary scores. Be prepared to discuss your scores when you attend the evaluation meeting.
3. The evaluation committee meeting will be held on . Oral Presentations, if required will be conducted on .
4. For further details regarding the RFP process, please refer to the attached Revised RFP Evaluation Committee Handbook.

Enc. Blank RFP
RFP Evaluation Committee Handbook
Addendum(s) (if there are any)

Revised 10/19/12

EXHIBIT B - Goods and Services



**NO CONFLICT OF INTEREST CERTIFICATION FORM FOR
EVALUATION COMMITTEE MEMBERS**

I hereby certify that I have read School District of Palm Beach County Policy 3.02 *Code of Ethics* and that, to the best of my knowledge and belief, neither I nor any relative* or domestic partner is an officer, director, trustee, partner (general or limited), employee or regularly retained consultant of any company, firm or organization that has responded to the competitive solicitation, or has a direct or indirect financial interest, economic interest, or business relationship with any offeror, or to a direct competitor of any offeror under consideration by this Evaluation Committee.

I further certify that neither I nor any relative or domestic partner, to the best of my knowledge and belief, has accepted any gift, loan, reward, promise of future employment, favor, service, lodging, dining or entertainment gratuities from any offeror or direct competitor of any offeror under consideration by this Evaluation Committee, which will influence my decisions, compromise my judgment or prevent me from objectively evaluating any proposal solely on its merits and in accordance with the competitive solicitation's evaluation criteria.

Furthermore, I agree to notify the Purchasing Director in writing if I learn that my, or any of my relatives or domestic partner's, financial, business, or economic relationship with one of the offerors changes at any time during the evaluation process.

Name

Department

Date

RFP Number

*"Relative" means an individual who is related to a public officer or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, person who is engaged to be married to the public officer or employee or who otherwise holds himself or herself out as or is generally known as the person whom the public officer or employee intends to marry or with whom the public officer or employee intends to form a household, or any other natural person having the same legal residence as the public officer or employee.

Revised 7/16/13

EXHIBIT B - Goods and Services

School District of Palm Beach County _____
Purchasing Department

**Request for Proposals
Evaluator's Handbook**



EXHIBIT B - Goods and Services

To RFP Committee Members:

Your willingness to participate as an RFP evaluator is an integral part of the procurement process and the Purchasing Department appreciates your assistance and expertise.

Your designation as an RFP evaluator for the Purchasing Department requires that you fully understand the policies regarding potential conflicts of interest and the confidential nature of the proposals and all that is contained therein. The following information provides a general overview of evaluations and outlines how the evaluation process is conducted. Again, thank you for your willingness to participate in this RFP Evaluation Process.

THE RFP

Requests for Proposals are used to purchase complex, high dollar purchases, which require a high level of expertise on the part of the vendor. The proposals attempt to persuade the evaluators to select the proposer by offering evidence which will convince the evaluating committee that they have the best credentials and qualifications to provide the results the evaluating committee requires. Winning proposals should convince the evaluation committee that:

- The vendor understands the needs of the District
- The vendor offers a suitable plan to satisfy those needs
- The vendor is well qualified by having adequate experience and resources, i.e., personnel to carry out the proposed plan
- The price asked is reasonable and within the District's budget

EVALUATION COMMITTEE MAKEUP

The Evaluation Committee is generally made up of department end users and others with expertise or knowledge of the service or goods being proposed. Also included on every Evaluation Committee is a representative from the Office of Diversity in Business Practices. A representative from the Purchasing Department serves as a facilitator only. No person who might have a potential conflict of interest regarding financial interests or prejudice through current or past association or relationship with a proposal offeror should serve on the evaluation committee.

EVALUATION AND AWARD PROCEDURE

The Purchasing Agent notifies the designated evaluators and advises them they have been asked to participate as an evaluator for a RFP and provides them with a RFP Evaluation Handbook and instructions for the evaluators. (A Conflict of Interest Certification Form must be signed by each member of the committee prior to reviewing the proposals.) The Purchasing Agent will provide the evaluators with instructions on how to access the proposals when they are available.

EXHIBIT B - Goods and Services

The evaluators are asked to independently review the proposals with justification for their scoring and complete a preliminary scoring sheet using the following *sample* format for all criteria with the exception of Minority Vendor Points. Cost will be included after the preliminary scoring is complete. (Criteria and the Evaluation matrix for each RFP will be dependent on the service or commodity being solicited.) The preliminary scoring sheet and justification comments will be included in the RFP file and subject to the Florida Sunshine Law.

Experience and Qualifications of the Firm	35
System Functionality	30
Time for Implementation and Training	25
Minority/Women Business Participation	10
Total Points	100

Each criterion (with the exception of Minority Participation) is given a score based on the following:

- Exceptional – receives full point value
- Exceeds standards – receives 85% of full point value
- Meets standards – receives 75% of full point value
- Fails to meet all standards – receives 25% of full point value
- Unacceptable – receives 0% of full point value

In this example, in the preliminary scoring Vendor A exceeded standards for experience and qualification of the firm and in system functionality and failed to meet all standards for Time for Implementation and Training. Vendor A would receive:

	<u>Possible Points</u>	<u>Points Awarded</u>
Experience and Qualifications of the Firm	35	29.75
System Functionality	30	25.50
Time for Implementation and Training	25	6.25

If references were required in the proposal, the Purchasing Agent will contact the references and document reference responses. The findings will be provided to the evaluation committee members **prior** to the first committee meeting.

The evaluation committee, after independently scoring each proposal, meets to discuss the scores and the proposals. The Purchasing Agent will welcome the committee members, identify the procedures to be followed during the committee meeting and provide the dates for posting award recommendation and the Board meeting date for Board approval of the evaluation committee’s recommendation of award. An attendance roster will be provided and it is mandatory that all attendees sign the roster. The Purchasing Agent will advise the committee and audience members that the meeting will be recorded and then asks the committee to elect a committee chairperson and identify a committee member to track and finalize the scores. During discussions, members hear

EXHIBIT B - Goods and Services

the rationale of other committee members for their scoring. Committee members may adjust their scoring at this time based on the discussions but must score independently and document the justification for scoring as well as for changing their scores. This justification will be collected and added to the RFP folder. As an example, in the preliminary scoring, a committee member gives Vendor A 10 points out of a possible 30 points for System Functionality. After committee discussion the committee member changes his score to 20 points after realizing he had not considered an aspect of the vendor response that addressed the vendors System Functionality.

Prior to the points for cost and Diversity being awarded by the committee, the points for all other criteria will be totaled and averaged per vendor.

The Office of Diversity in Business Practices representative will identify the number of points to be awarded to each proposer for minority participation based on the information provided in each proposal. This will be added to the average point total.

At this point only the proposers with a score of 70 or better will proceed to the next phase. Vendors that do not receive a score of 70 or better will be eliminated and their cost proposal will be returned to the vendor unopened.

The points for cost will be based on the following formula:
The vendor submitted cost divided by the total points awarded to the vendor by the Committee yielding a cost per point.

Example: In the example above Vendor A received 61.5 points plus 10 point for MWBE, total of 71.5 points. This vendor's proposed cost was \$255,000. The Cost per Point is calculated by dividing the total cost by the total points awarded by the committee or \$255,000 by 71.5 equaling \$3,566.43

The cost per points are then ranked, the lowest number of points will be considered the best value per dollar.

- **If it is determined that oral presentations are required as part of the evaluation process, proposers may be invited to make a presentation to the evaluation committee to clarify points as required by the committee. A list of specific questions will be provided to the proposers and the proposer will be allotted a certain amount of time to respond to those questions at the oral presentation. To ensure objectivity, all proposers will be asked the same questions. After the oral presentations, the chairperson will query the committee to determine if any evaluator's scoring has changed as a result of the oral presentations and a new ranking of proposals may be identified.**
- The Board, through its designee(s) reserves the right to negotiate further terms and conditions, including price with the highest ranked proposers. If a mutually beneficial agreement with the first ranked proposer cannot be resolved, the Board reserves the right to enter into negotiations with the next highest ranked proposer and continue this process until an agreement is reached.

EXHIBIT B - Goods and Services

- A complete record of the evaluation and award process including all scoring forms, minutes, notes and any other documents relating to the committee’s deliberations are given to the Purchasing Agent and included in the proposal evaluation file maintained in the Purchasing Department.
- The results of the Evaluation Committee’s evaluation and ranking is reviewed and approved by the Requesting Department’s Director and the Purchasing Director prior to posting the recommendation.
- The Purchasing Department prepares and submits an agenda item to the District’s Superintendent of Schools and the Superintendent will recommend to the Board, the award or rejection of any and/or all proposal(s).

INSTRUCTIONS FOR EVALUATORS

- Evaluators are instructed not to discuss any part of the proposals outside of the evaluation committee meeting as this may be deemed a violation of the Sunshine Laws. The Sunshine Law can be found in Chapter 286 of the Florida Statutes. The Sunshine Law establishes a basic right of access to most meetings of boards, commissions and other governing bodies of state and local governmental agencies or authorities.
- With regards to scoring, only criteria identified in the RFP and included in the proposals can be considered for evaluation.
- All scores which reflect a low ranking must be supported by rational and sufficient documentation to substantiate the evaluator’s judgment.
- If it is apparent that one or more evaluator’s scores differ greatly from the majority, the committee should discuss the situation to be sure the criteria was clear to all. If an evaluator feels at this point that he/she did not understand the criteria he /she may at their discretion revise their evaluation score.

DO’S AND DON’TS

DO’S	DON’TS
Do evaluate each proposal independently, then as a committee	Don’t confer with other committee members concerning a particular proposal until the committee meeting.
Do record the detailed rationale for scoring each proposal	Don’t use vague or contradictory statements in your evaluation rationale.
Do ask the Purchasing Agent for guidance on any question you may have.	Don’t discuss the evaluation scores with other persons or offeror’s prior to posting of the committee recommendation. If you have an inquiry for an offeror, your response should only indicate that you are

EXHIBIT B - Goods and Services

	in “the evaluation process” and direct the offeror to the Purchasing Agent.
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If you have questions, please contact the Purchasing Agent assigned to this RFP.