

CHAPTER 16 EXEMPT CONTRACTS

Purchases of professional services for a project where the basic construction cost is estimated to be less than the threshold amount of Category Five (\$325,000) as referenced in s. 287.017, F.S., are exempt from competition. For federal-aid projects, the additional limiting constraint is that the contract fee may not exceed the simplified acquisition threshold of \$150,000 established in 48 CFR 2.101.

Contracts involving studies or activities not associated with a construction project are exempt from competition where the total professional services fee is less than the Category Two threshold (\$35,000).

For work under the referenced thresholds, at least three prequalified Consultants will be considered, ranked in order of preference, and negotiations initiated with the Consultant ranked number one. If this selection process is not followed, the contract file will be documented as to the reasons for the selection.

The contract fee will be negotiated, and the negotiations documented in accordance with this procedure. In addition, agreements will be prepared using the **Standard Professional Services Agreement, Form No. 375-030-12**, with standard exhibits; the agreements entered into the Procurement Application; and for any work falling within standard types of work, Department procedure for performance evaluation will be followed.