

CHAPTER 2 ADVERTISEMENT

2.0 GENERAL ADVERTISEMENT INFORMATION

On an annual basis, each district will enter the CAP on the Procurement Office Marketing website. This typically occurs by February of each year. Professional services projects should additionally be noticed on the Planned Advertisements website at least 10 calendar days in advance of actual advertisement. Any deviations from this requirement require approval from the Chief Engineer or Chief Planner, as applicable.

The Procurement Office will advertise, in accordance with Florida law and in a uniform and consistent manner, when professional consulting services are required and the fee is in excess of the threshold amount of Category Two, **Section 287.017, F.S.**, except in the case of a valid public emergency as declared by the Department Secretary. Emergency contracts shall be procured in accordance with **Procedure No. 375-040-130, Emergency Procurement During Governor Declared Emergencies.**

At a minimum, each advertisement will state the financial project (if known): name and description of the project, the District where the project is located, the major type(s) of work required, any minor types of work that are required for the project, estimated contract amount (if applicable), how and where Consultants can respond, time frames for submittal of LOR, how respondents will be selected, and scheduled times and dates for shortlist and final selection and other public meetings. For the Chief of Staff's Contract Approval process and database, PSU shall additionally input counties associated with the project, plain language description (summary of scope), estimated contract amount, estimated start and end date into the Procurement Application. The advertisement will indicate whether the contract requires technical qualification only, with an estimated fee less than \$500,000, or \$500,000 or above requiring technical qualification and an approved audit. When funding for a professional services contract has not been programmed at the time of advertisement, the contract advertisement must include a statement indicating "The State of Florida's performance and obligation to pay under this contract is contingent upon appropriation by the Legislature."

Contracts that are reserved for competition amongst small businesses through the Department's BDI program (Small Business Reserved projects) shall be identified as such in the contract advertisement (both Planned and Current). Candidate BDI projects must be approved by the District Secretary for District projects, or an Assistant Secretary for Central Office projects. The request should have a description of the project, major and minor work types, estimated cost, Fiscal Year, Financial Project number, the source of funds (state or federal), and advertisement/response date.

DBE and Small Business under-utilized Work Groups shall also be identified in the advertisement where applicable. PSU shall determine applicability by reviewing the Under-Utilized Work Group Report for the current fiscal year, posted on the Procurement Internet site. Under-utilization is defined by the Department as 25% or

less utilization of DBEs and Small Businesses in a Work Group, which may vary by district. The specific Under-utilized Work Groups are identified in the advertisement.

No preference points shall be given to Consultants who utilize DBE or Small Business subconsultants, regardless of the work type.

The minimum formal advertisement period will be 14 calendar days although a longer period may be utilized as needed. Any lesser period requires Chief Engineer or Chief Planner approval, as applicable, for state funded projects. For FHWA funded projects, federal approval must also be obtained to shorten the advertisement period to less than 14 days. A scope of services or a project concept report will be provided with the advertisement. The advertisement specifies requirements for submittals. When final ranking is to be made from the Expanded LORs, the advertisement will so indicate. Consultant submittals in response to the advertisement shall utilize: **Professional Services Letter of Response, Form No. 375-030-22**; the **Professional Services Expanded Letter of Response, Form No. 375-030-23**; the **Professional Services Letter of Qualification Form No. 375-030-24** only as referenced in the advertisement.

Where multiple Consultants are needed for projects with similar requirements (such as two district wide contracts for the same discipline), one advertisement and one selection process may be used where practical. The advertisement for such projects will include a statement indicating the exact number of contracts intended to be awarded.

Projects that do not conform to the types of work that are prequalified by the Department will be advertised in a manner that requires interested Consultants to submit a **Professional Services Letter of Qualification, Form No. 375-030-24**. The requirements of this letter (i.e., what is to be submitted, time frames, etc.) will be determined by the Project Manager with assistance from the PSU. Advertisements involving non-standard professional services must be approved by the District Secretary prior to posting the advertisement.

Use of Bridge Design Work Types 4.2.1 Major Bridge Design Concrete; 4.2.2 Major Bridge Design Steel; 4.2.3 Major Bridge Design Segmental; 4.3.1 Complex Bridge Design Concrete; 4.3.2 Complex Bridge Design Steel; and 4.4 Movable Span Bridge Design must be reviewed by District Structures Office for District projects involving Bridge Design. Central Office Structures Design Office shall also perform a secondary review, as a statewide consistency check for uniformity in specifying structural work types. The request to Central Office shall be sent by PSU to the State Professional Services Engineer.

Contract scopes containing reference to Unmanned Aircraft Systems, Unmanned Aerial Vehicles, or drones, should be sent to the attention of the Civil Integrated Management Officer and State Surveyor, for review before procuring.

An Information Resource Request (IRR) shall be submitted for contract scope of services or contract procurements that include reference to Information Technology

Resources (ITRs). Please refer to **Procedure Topic No. 325-000-002, Transportation Technology Manual, Chapter 7 Acquiring Technology Resources**, for additional information.

It will be the practice to advertise and shortlist Adjusted Score Design-Build projects before advertising the Phase 62 CEI services associated with the same project. This practice will permit Consultants who are not shortlisted on a Design-Build team to pursue the CEI Services. Any requests to advertise the Phase 62 CEI services prior to shortlisting the associated Adjusted Score Design-Build project must be approved by the District Secretary.

All Department staff that make decisions, approvals, disapprovals, or recommendations regarding the contract procurement are required to complete the **Conflict of Interest /Confidentiality Certification Form, Form No. 375-030-50**, and attest to the absence of a conflict of interest on the project. The **Conflict of Interest/Confidentiality Certification Form** is required to be completed and signed by every Technical Review Committee member, technical advisors (Department and Consultant), the Professional Services Manager, and the Procurement staff directly involved in the contract acquisition process for every new procurement undertaken. Selection Committee members are required to complete and sign the **Conflict of Interest/Confidentiality Certification Form** for every project Selection Committee meeting.

2.1 ADVERTISEMENT RESTRICTIONS

Any Consultant or its' affiliate that developed the scope of services, the Request for Proposal (RFP) or other solicitation documents for a particular project phase is ineligible to compete for that phase of the project for which they developed the documents.

A Consultant or its' affiliate that was Engineer of Record on a project will not be considered eligible to compete as a prime Consultant for Construction Engineering Inspection (CEI) services on the same project.

Consultants shall adhere to all other Consultant eligibility restrictions as provided in Procurement Office **Procedure No. 375-030-006, Conflict of Interest Procedure for Department Contracts**.

A Consultant cannot submit as prime on more than one LOR, Expanded LOR, or Letter of Qualification per project. If the Consultant is a member of multiple teams submitting for the same project, it is the responsibility of the Consultant to disclose this information to each respective team.

Pursuant to **Section 287.055, F.S.**, and the **Federal Brooks Act**, price shall not be an evaluation criterion during the advertisement and selection phase for professional services procurements. Consultants are prohibited from including references to their proposed professional services fees or indirect rates in the LOR, Expanded LOR, Interview, Oral Presentation, Abbreviated Technical, Written Technical Proposal, or

other procurement submittal documents. It is permissible to address cost savings specifically related to the construction project. Inclusion of prohibited professional services cost data in a Consultant submittal may cause the submittal to be considered non-responsive.

In order to ensure a fair, competitive and open process, once a project is officially advertised on the Current Advertisement site, all communications between interested firms and the Department must be directed to the appropriate PSU. All technical questions from the Consultant shall be in writing. Project Managers and other Department staff will cease discussions of the project with interested firms, and refer inquiries to the PSU. Respondents to a contract solicitation (i.e., contract advertisement) or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of the solicitation, except in writing to the procurement officer responsible for coordinating the procurement, or the Procurement Services Manager, or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

When considering Consultants for shortlisting, the Consultant or Consultant team listed in the advertisement submittal must be qualified or have submitted a complete qualification package by the response due date, for all major types of work listed in an advertisement. The prime Consultant must be technically prequalified in at least one or more of the major types of work specified in the advertisement. For projects with an estimated total cost of \$500,000 or more, the prime Consultant must have an approved and unexpired overhead audit on file with the Department in accordance with ***Procedure No. 375-030-001, Professional Services Consultant Qualification***; or submit an overhead audit for the most recent fiscal year performed by an independent Certified Public Accountant (CPA) or acceptable governmental agency. The audit must be submitted by the advertisement response due date to the Department's Prequalification Administrator, and must be approved by the Central Office Procurement Audit Review and Support Section prior to the shortlist date in order for the Consultant to be considered responsive for shortlisting. The Department shall not shortlist a Consultant who has not satisfactorily completed the prequalification requirement.

Unless otherwise noted in the advertisement, contracts that are reserved for competition amongst small businesses through the Department's BDI program (Small Business Reserved projects) require that the prime and all subconsultants/subcontractors/sub-vendors, including lower-tier and non-professional services firms, must be small businesses pursuant to section 337.027, F.S.

After submittal of Letters and up through contract execution, proposed subconsultants/subcontractors/sub-vendors, teaming arrangements, or key staff of the Consultant cannot be changed or substituted except in instances of force majeure or in the event of circumstances that cannot reasonably be anticipated and/or are beyond the control of the prime consultant. In such cases, changes or substitutions are subject to

the discretion of the Department, and cannot be made without written approval of the Department. All such requests made during the contract procurement must be routed through PSU. After contract execution, subconsultant/subcontractor/sub-vendor, teaming arrangement, or key staff changes/substitutions require pre-approval of the Department's Project Manager before implementing. All qualification/certification requirements of the original advertisement shall govern, where applicable.

Other consultant restrictions shall also apply, as referenced in the contract advertisement and Standard Notes.

2.2 SELECTION METHODS

The following selection methods shall be used for acquiring professional services, based on project type:

		Continuing contracts for: design; drainage; safety; structures; planning; etc. (CEI hybrid, Resident Compliance Specialist, CEI continuing contracts, and specialty continuing contracts are excluded).	D/W and continuing specialty contracts (Geotechnical, materials testing, survey and mapping, aerial photogrammetry, utilities, transportation statistics, bridge inspection)	Planning projects less than \$1 million (non-DW); design contracts with estimated consultant fees less than \$1 million; resurfacing, rehabilitation, and reconstruction (RRR) projects; intermodal projects; PD&E contracts less than \$1 million; and Right of Way services	All capacity improvement projects (roadway widening, new alignment, etc.); design contracts with estimated consultant fees greater than \$1 million; PD&E Studies \$1 million or State-Wide Acceleration and Transformation (SWAT) projects \$1 million and over (oral presentations or interviews);	Less complex CEI Work Groups 10.1, 10.3, and 10.4- roadway, drainage, safety, minor structures, hybrid contracts, Resident Compliance Specialist, CEI continuing contracts	Complex CEI-Work Groups 10.5.1, 10.5.2, 10.5.3, 10.6.1, 10.6.2, 10.7; and 99.0 related to major structures, complex interchanges	GEC; Any non-standard professional services projects	Alternate Selection Method for Non-complex projects including district-wides of \$1.5 million (discretionary, as determined by Director)
	Letter of Response	X	X	X	X		X	X	O
Selection Process	Expanded Letter of Response					X			O
	Oral Presentation				O			O	
	Interview	X		X	O		X	O	O
	Abbreviated Technical Proposal		X					O	O
KEY: X= Required, O=Optional									

Project Type: Continuing contracts for: design; drainage; safety; structures; planning; etc. (CEI hybrid, Resident Compliance Specialist, CEI continuing contracts, and specialty continuing contracts are excluded)

Type of Selection- Two Stage Process (LOR & Interview)
Two stage selection process- shortlist from LOR, and then conduct Interviews with the shortlisted Consultants.
Ground Rules for LOR
<ul style="list-style-type: none">• Requirements specified in advertisement.• LOR- shall be submitted using Professional Services Letter of Response Form No. 375-030-22 and must adhere to restrictions referenced in the form.• Resumes and organization/staffing chart should not be included as additional attachments to LOR.
Ground Rules for Interviews
<ul style="list-style-type: none">• Refer to Section 7.9
Consultant Submittals (for shortlisted Consultants only)
<ul style="list-style-type: none">• Resumes restricted to 2 pages each.• Organization/staffing chart (can be either 8-1/2 x 11 or 11 x 17, at the discretion of the Consultant).• Font size of 11, with ½ inch margins are recommended for clarity, but not required, for Consultant submittals.• Required forms and certifications.• The RFP will specify the timeframe when submittals are due from shortlisted Consultants.
Exceptions:
<ul style="list-style-type: none">• Expedited procurement schedules due to advancement of projects or the need to commit funds during a fiscal year may dictate selecting from Expanded LOR. Such instances shall be approved by the District Secretary or an Assistant Secretary, as applicable. This shall be the exception and not the norm.• All other deviations from the standard process require approval of the District Secretary or an Assistant Secretary, as applicable.

Project Type: District-wide and continuing specialty contracts: geotechnical; materials testing; surveying and mapping; aerial photogrammetry, utilities, transportation statistics; bridge inspection

Type of Selection- Two Stage Process (LOR & Abbreviated Technical Proposal)
Two stage selection process- shortlist from LOR, and shortlisted Consultants submit abbreviated Technical Proposals.
Ground Rules for LOR
<ul style="list-style-type: none">• Requirements specified in advertisement.• LOR- shall be submitted using Professional Services Letter of Response Form No. 375-030-22 and must adhere to restrictions referenced in the form.• Resumes and organization/staffing chart should not be included as additional attachments to LOR.
Ground Rules for Abbreviated Technical Proposals
<ul style="list-style-type: none">• Refer to Section 7.7
Consultant Submittals (for shortlisted Consultants only)
<ul style="list-style-type: none">• Resumes restricted to 2 pages each.• Organization/staffing chart (can be either 8-1/2 x 11 or 11 x 17, at the discretion of the Consultant).• Staff hours on summary sheet (one sheet showing the hours of prime and all subs) - where applicable.• Schedule- where applicable (2 page maximum, 11"x17" allowed).• Font size of 11, with ½ inch margins are recommended for clarity, for Consultant submittals. Note: The Abbreviated Technical Proposal has a required font size and margin, as specified in the RFP and Section 7.7.• Required forms and certifications.• The RFP will specify the timeframe when submittals are due from shortlisted Consultants.
Exceptions:
<ul style="list-style-type: none">• Expedited procurement schedules due to advancement of projects or the need to commit funds during a fiscal year may dictate selecting from Expanded LOR. Such instances shall be approved by the District Secretary or an Assistant Secretary, as applicable. This shall be the exception and not the norm.• All other deviations from the standard process require approval of District Secretary or an Assistant Secretary, as applicable.

Project Type: Planning projects less than \$1 million; design contracts with estimated consultant fees less than \$1 million; all resurfacing, restoration, and rehabilitation (RRR) projects; intermodal projects; PD&E contracts less than \$1 million; and Right of Way services

Type of Selection- Two Stage Process (LOR & Interview)
Two stage selection process- shortlist from LOR, and then conduct Interviews with the shortlisted Consultants.
Ground Rules for LOR
<ul style="list-style-type: none">• Requirements specified in advertisement.• LOR- shall be submitted using Professional Services Letter of Response Form No. 375-030-22 and must adhere to restrictions referenced in the form.• Resumes and organization/staffing chart should not be included as additional attachments to LOR.
Ground Rules for Interviews
<ul style="list-style-type: none">• Refer to Section 7.9.
Consultant Submittals (for shortlisted Consultants only)
<ul style="list-style-type: none">• Resumes restricted to 2 pages each.• Organization/staffing chart (can be either 8-1/2 x 11 or 11 x 17, at the discretion of the Consultant).• Staff hours on summary sheet (one sheet showing the hours of prime and all subs).• Schedule (2 page maximum, 11 x 17 allowed).• Font size of 11, with ½ inch margins are recommended for clarity, but not required for Consultant submittals.• Required forms and certifications.• The RFP will specify the timeframe when submittals are due from shortlisted Consultants.
Exceptions:
<ul style="list-style-type: none">• Expedited procurement schedules due to advancement of projects or the need to commit funds during a fiscal year may dictate selecting from Expanded LOR. Such instances shall be approved by the District Secretary or an Assistant Secretary, as applicable. This shall be the exception and not the norm.• All other deviations from the standard process require approval of the District Secretary or an Assistant Secretary, as applicable.

Project Type: All capacity improvement projects (roadway widening, new alignment, etc.); design contracts with estimated consultant fees greater than \$1 million; PD&E Studies \$1 M or SWAT projects \$1 million and over (oral presentations or interviews)

Type of Selection- Two Stage Process (LORs & Oral Presentations or Interviews)
Two stage selection process- shortlist from 2 page LOR, and then Consultants conduct Oral Presentations or Interviews, as approved by Director
Ground Rules for LOR
<ul style="list-style-type: none">• Requirements specified in advertisement.• LOR- shall be submitted using Professional Services Letter of Response Form No. 375-030-22 and must adhere to restrictions referenced in the form.• Resumes and organization/staffing chart should not be included as additional attachments to LOR.
Ground Rules for Oral Presentations or Interviews
<ul style="list-style-type: none">• Refer to Sections 7.8 or 7.9.
Consultant Submittals (for shortlisted Consultants only)
<ul style="list-style-type: none">• Resumes restricted to 2 pages each.• Organization/staffing chart (can be either 8-1/2 x 11 or 11 x 17, at the discretion of the Consultant).• Staff hours on summary sheet (one sheet showing the hours of prime and all subs).• Schedule (2 page maximum, 11 x 17 allowed).• Font size of 11, with ½ inch margins are recommended for clarity, but not required for Consultant submittals.• Required forms and certifications.• The RFP will specify when submittals are due from shortlisted firms.
Exceptions:
<ul style="list-style-type: none">• Expedited procurement schedules due to advancement of projects or the need to commit funds during a fiscal year may dictate selecting from Expanded LOR. Written Technical Proposals may also be an option for complex projects. Such instances shall be approved by the District Secretary or an Assistant Secretary, as applicable. This shall be the exception and not the norm.• All other deviations from the standard process require approval of the District Secretary or an Assistant Secretary, as applicable.

Project Type: Less Complex CEI Work Types 10.1, 10.3, and 10.4 – roadway, drainage, safety, minor structures, hybrid contracts, Resident Compliance Specialist, CEI continuing contracts

Type of Selection- Selecting from Expanded LOR, per Section 6
Ground Rules for Expanded LOR
<ul style="list-style-type: none">• Scoring criteria and forms specified in advertisement.• Expanded LOR- Professional Services Expanded Letter of Response Form No. 375-030-23 restrictions referenced in form.• Page count does not include resumes, organization/staffing chart, or required forms and certifications.
Other Consultant Submittals (submitted with Expanded LOR)
<ul style="list-style-type: none">• Resumes restricted to 2 pages each.• Construction Training and Qualification Program (CTQP) printouts may also be submitted.• Organization/staffing chart (can be either 8-1/2 x 11 or 11 x 17, at the discretion of the Consultant).• Staff hours on summary sheet (one sheet showing the hours of prime and all subs) - where applicable.• Schedule (2 page maximum, 11 x17 allowed).• Font size of 11, with ½ inch margins are recommended for clarity, but not required for Consultant submittals.• Required forms and certifications.• All submittals are due with the Expanded LOR.
Exceptions: <ul style="list-style-type: none">• All other deviations from the process outlined above require approval of the District Secretary or an Assistant Secretary, as applicable.

Project Type: Complex CEI- Work Types 10.5.1, 10.5.2, 10.5.3, 10.6.1, 10.6.2, 10.7; and any 99.0 related to major structures, complex interchanges

Type of Selection- Two Stage Process (LORs & Interviews)
Two step selection process- shortlist from 2 page LOR, and then conduct Interviews with the shortlisted firms.
Ground Rules for LOR
<ul style="list-style-type: none">• Requirements specified in advertisement.• LOR- to be submitted using Professional Services Letter of Response Form No. 375-030-22 and must adhere to restrictions referenced in the form.• Resumes and organization/staffing chart should not be included as additional attachments to LOR.
Ground Rules for Interviews
<ul style="list-style-type: none">• Refer to Section 7.9
Consultant Submittals (for shortlisted Consultants only)
<ul style="list-style-type: none">• Resumes restricted to 2 pages each.• Organization/staffing chart (can be either 8-1/2 x 11 or 11 x 17, at the discretion of the Consultant).• Staff hours on summary sheet (one sheet showing the hours of prime and all subs).• Schedule (2 page maximum, 11 x 17 allowed).• Font size of 11, with ½ inch margins are recommended for clarity, but not required for Consultant submittals.• Required forms and certifications.• The RFP will specify when submittals are due from shortlisted Consultants.
Exceptions:
<ul style="list-style-type: none">• Selecting from Expanded LOR for Design-Build CEI is acceptable with the approval of the District Secretary or an Assistant Secretary, as applicable. Selecting from Letters allows time to initiate the CEI procurement after shortlisting the Design-Build contract. Consultant firms are thereby afforded the opportunity to compete for both the Design-Build and the Design-Build CEI contract.• All other deviations from the process outlined above require approval of the District Secretary or an Assistant Secretary, as applicable.

Project Type: General Engineering Consultant Contracts (GEC); Any non-standard professional services projects

Type of Selection- Two Stage Process (LORs & Interviews/Oral Presentations/Written Technical Proposals)
Two stage selection process- First stage is shortlist from LORs or LOQs. Interviews or Oral Presentations, with Written Technical Proposals may be required, at the discretion of the Department. When specified, the length of Written Technical Proposals shall be determined by the Department.
Ground Rules for LOR or LOQ
<ul style="list-style-type: none">• Requirements specified in advertisement.
Ground Rules for Interviews or Oral Presentations, and/or Written Technical Proposals
<ul style="list-style-type: none">• Requirements specified in RFP.
Consultant Submittals (for shortlisted firms)
<ul style="list-style-type: none">• Resumes restricted to 2 pages each.• Organization/staffing chart (can be either 8-1/2 x 11 or 11 x 17, at the discretion of the Consultant).• Staff hours on summary sheet (one sheet showing the hours of prime and all subs) - where applicable.• Font size of 11, with ½ inch margins are recommended for clarity, but not required for Consultant submittals.• Required forms and certifications.• The RFP will specify when submittals are due from shortlisted firms.
Exceptions:
<ul style="list-style-type: none">• Expedited procurement schedules due to advancement of projects or the need to commit funds during a fiscal year may dictate selecting from Expanded LOR, per Section 6. Such instances shall be approved by the District Secretary or an Assistant Secretary, as applicable. This shall be the exception and not the norm.• All other deviations from the standard process require approval of the District Secretary or an Assistant Secretary, as applicable.

Project Type: Alternate Selection Method for Non-Complex projects including districtwides. \$1.5 million or less. Discretionary, as determined by Director.

Selection options for non-complex projects \$1.5 million or less- Selecting from Expanded LOR; or LORs & Interviews; or LORs and Abbreviated Written Technical Proposals
“Non-complex” is generally defined as straight-forward projects such as simple 3R, traffic operations studies, Category 1 bridges, standard geotechnical or survey, sidewalk construction, minor drainage projects, minor safety type projects, or miscellaneous minor districtwide contracts of \$1.5 million or less. District Director approval (or higher) must be obtained to utilize an alternative selection method for non-complex projects \$1.5 million or less. Central Office approval is not required.
Ground Rules for Expanded LOR
<ul style="list-style-type: none">• Requirements specified in advertisement.
Ground Rules for Interviews
<ul style="list-style-type: none">• Requirements specified in RFP.
Ground Rules for Abbreviated Technical Proposals
<ul style="list-style-type: none">• Limited to either 2, 3, 4, or 5 pages, as specified in the RFP,
Other Consultant Submittals (submitted with Expanded LOR, where applicable)
<ul style="list-style-type: none">• Resumes restricted to 2 pages each.• Organization/staffing chart (can be either 8-1/2 x 11 or 11 x 17, at the discretion of the Consultant).• Staff hours on summary sheet (one sheet showing the hours of prime and all subs) - where applicable.• Font size of 11, with ½ inch margins are recommended for clarity, but not required for Consultant submittals.• Required forms and certifications.• The RFP will specify when submittals are due from shortlisted firms.