

Town of Davie

Department of Human Resources Management

6591 Orange Drive, Davie, Florida 33314-3399

www.davie-fl.gov

954.797.1100

Date: April 11, 2005

To: Mayor and Councilmembers

From: Mark Alan *MA*, Director of Human Resources Management

Subject: Information for Reconsideration of Motion to Utilize FCCMA Riders for
Town Administrator Recruitment and Selection Process

At the Regular Town Council Meeting following the Special Town Council Meeting on Wednesday, March 16, 2005, a motion was passed authorizing the utilization of the Florida City and County Management Association (FCCMA) Range Riders for the Town Administrator Recruitment and Selection Process. The first ranked executive search firm, MGT of America, was identified as the backup should, for some reason, the Range Riders were not to be utilized.

During the Regular Town Council Meeting on Thursday, April 07, 2005, a motion was passed to reconsider the aforementioned March 16th motion at the April 20, 2005, Regular Town Council Meeting.

FCCMA Southeast and Southwest District Range Rider Dodd Southern (the individual who made the Range Rider presentation on March 16th) indicated during telephone conversations subsequent to the March 16th Town Council Meeting that:

- FCCMA Range Rider Coordinator Richard (Dick) Simmons would be the lead Range Rider for the Davie Town Administrator Recruitment and Selection Process
- Mr. Simmons would establish a three (3) or four (4) person team consisting, in part, of one (1) active and one (1) former city manager from Broward County
- At the consent of the Davie Town Council and of Mr. Simmons, FCCMA Range Rider at-large George Hanabury would be utilized in a supplementary capacity assisting in screening from a technical/advisory position

Information including Town Council contact information, Town budget information, and Davie Town Administrator history information was also provided to Mr. Southern. Mr. Southern also indicated that he had intended to contact individual Town Councilmembers during the period of time in which Broward Days took place but did not attempt to do so when he became aware that Councilmembers were out of Town. He had indicated the he had intended to contact councilmembers shortly thereafter. However, after being provided with the information regarding the reconsideration Mr. Simmons indicated that they may await the outcome of the reconsideration before proceeding, and Mr. Southern indicated that he would consult with Mr. Simmons on how they would proceed.

Please feel free to contact me should you have any questions regarding this matter.

c: Christopher Kovanis, Interim Town Administrator
Ken Cohen, Assistant Town Administrator
Russell Muniz, Town Clerk
El pagnier Hudson, Assistant Human Resources Director



Town of Davie

Department of Human Resources Management

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Date: March 10, 2005

To: Mayor and Councilmembers

From: Mark Alan *MA*, Director of Human Resources Management

Subject: Special Town Council Meeting – 6:00 pm, Wednesday, March 16, 2005
Town Administrator Recruitment and Selection Process Options

The referenced Special Town Council Meeting is scheduled to begin at 6:00 pm, and will be followed by the Town Council's regular meeting, scheduled to begin at 7:00 pm. The meeting will be held in Town Council Chambers.

Meeting Presentation Schedule

Pursuant to Council's direction four (4) executive search firms have been asked to make short presentations to Council during this meeting. A maximum of ten (10) minutes has been allotted for each executive search firm presentation as well as questions and answers. The order of presentation was determined by random selection and is as follows:

6:00 pm – 6:10 pm	Colin Baenziger & Associates
6:10 pm – 6:20 pm	The Mercer Group, Inc.
6:20 pm – 6:30 pm	MGT of America
6:30 pm – 6:40 pm	Slavin Management Consultants, Inc.

The Florida City and County Management Association Range Riders have also been asked to make a presentation to Council. The Range Riders' presentation as well as questions and answers will follow the executive search firm presentations as indicated below:

6:40 pm	Range Riders
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Information Submitted by Executive Search Firms and the Range Riders

Each of the abovementioned entities has also indicated that they would provide information for Council review prior to the Wednesday meeting. Contents of the correspondences forwarded to the indicated executive search firms and the Range Riders specifying the type of information the Town requested are attached as Exhibits A and B, respectively. Information submitted to date is enclosed. Additional information will be forwarded to Council as it is submitted.

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Town of Davie Purchasing Requirements

The following sections of the Town of Davie Code of Ordinances are relevant to the issue of purchasing services such as those contemplated herein:

ARTICLE VIII. PURCHASING

Sec. 2-315. Purchases--Not exceeding one thousand dollars.

Purchases not exceeding one thousand dollars (\$1,000.00) may be effected without formal or informal bids.

Sec. 2-316. Same--Exceeding one thousand dollars but not exceeding twenty-five thousand dollars.

Purchases in amounts of over one thousand dollars (\$1,000.00) but not exceeding twenty-five thousand dollars (\$25,000.00) may be effected without advertising for formal sealed bids, but at least three (3) informal bids shall be obtained if practicable. Purchases which are over five thousand dollars (\$5,000.00) but less than fifteen thousand dollars (\$15,000.00) will require written unsealed bids including fax transmissions from prospective vendors which may be obtained by the using department. Purchases over fifteen thousand dollars (\$15,000.00) but less than twenty-five thousand dollars (\$25,000.00) will require written unsealed bids which will be obtained by the purchasing department with the use of a specification prepared by the using department. Purchases under five thousand dollars (\$5,000.00) may be by documented verbal quote. In all instances, the procurement manager shall have the right to require adequate documentation to insure that bids are fairly acquired and that a competitive environment is maintained. (Emphasis added)

Sec. 2-317. Same--In amounts over twenty-five thousand dollars.

Purchases exceeding twenty-five thousand dollars (\$25,000.00) shall require newspaper advertising as prescribed by applicable ordinances or advertising by posting in two (2) conspicuous places in the town limits for formal sealed bids to be opened in public pursuant to applicable town ordinances and finance department regulations. Purchases shall be made from, or the contract awarded to, the lowest qualified responsive and responsible bidder; provided, however, that any and all bids may be rejected by the town council upon the vote of three (3) of its members. The town council shall approve such contracts or purchases by appropriate resolution.

Sec. 2-319. Professional services.

Competitive bidding shall not be required on contracting for professional services of accountants, dentists, lawyers, physicians, psychologists, veterinarians, or other such occupation which, by reason of specialized training and expertise, is generally recognized as a profession. The town will at all times comply with applicable state statutes regarding consultants' competitive negotiations for services, as defined by Florida Statute 287.055.

Sec. 2-323. Council approval.

The town council's approval shall be required on all contracts for services in excess of five thousand dollars (\$5,000.00).

For your information, Florida Statute 287.055 is attached as Exhibit C (4 pages).

Town of Davie Procurement Manager Herb Hyman has indicated that if fees for services paid would not exceed \$25,000.00, the requirements of the underlined section of Town Code Article VIII, Section 2-316 above would, in this case, be met since:

- **identical information prepared on behalf of the Town Council explaining the nature of the service to be performed was disseminated to each executive search firm, and**
- **each executive search firm would be presenting written proposals which contain the total charges for services to be performed.**

Mr. Hyman indicated this can be viewed as obtaining unsealed bids with the use of a specification.

Mr. Hyman also indicated that a selection of an executive search firm should not be based solely on fees for service presented but upon what you deem to be the firm best qualified to perform the service, taking cost into consideration.

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Town Administrator History Information

For your information a three (3) page document entitled Town Administrator History is also enclosed. This document contains Davie Town Administrator history information including tenure, salary, education, and experience information.

Previous Town Administrator Recruitment and Selection Processes

A search of Town records reveals that information regarding previous Town Administrator recruitment and selection processes is scant. Though it could be determined that former Town Administrator Robert Midaugh who served from July 1999 through June 2000 was selected for the position following a search conducted by the Mercer Group, Inc.

Please feel free to contact me should you have any questions regarding this matter.

c: Christopher Kovanes, Interim Town Administrator - w/o presenters submissions
Ken Cohen, Assistant Town Administrator - w/o presenters submissions
Russell Muniz, Town Clerk
El pagnier Hudson, Assistant Human Resources Director - w/o presenters submissions

Attachments and Enclosures
MA.ma
council03-10-05.001

Date: March 10, 2005
To: Mayor and Councilmembers
From: Mark Alan, Director of Human Resources Management
Subject: Special Town Council Meeting – 6:00 pm, Wednesday, March 16, 2005
Town Administrator Recruitment and Selection Process Options

Exhibit A



Town of Davie
Department of Human Resources Management
6591 Orange Drive, Davie, Florida 33314-3399
www.davie-fl.gov
954.797.1100

Content of Correspondences to Executive Search Indicated Firms:

This correspondence is to confirm our telephone conversation during which I indicated to you that the Town of Davie Town Council:

- was considering recruitment and selection process options for a permanent Town Administrator position,
- was interested in obtaining information regarding your firm's executive search services, and
- has asked that your firm make a short presentation to them on Wednesday, March 16, 2005.

Specifically, I have asked you to provide to me the following information for Town Council review prior to their Wednesday, March 16, 2005, meeting:

- An outline of your potential process for the recruitment and selection of a Town Administrator.
- The total cost of such a process.
- A list of all searches your firm has conducted for a municipal, county, or special district manager/administrator (Chief Executive Officer) in the State of Florida within the last two years, providing the name of the governmental entity, date the entity selected your firm to perform the recruitment and selection, the date the governing body's officials interviewed the applicants for the job, the date the governing body approved the selected manager's contract, and whether or not the selected individual is still employed by the entity.
- A list of all municipal, county, or special district governmental entities for which your firm was selected to perform a recruitment and selection for the entity's manager/administrator (Chief Executive Officer) within the last five years, where your firm has not successfully completed the search. For example, list any searches where your firm has had a contract and the contract has been terminated prior to your firm making a successful placement.

As indicated, it is anticipated that three other executive search firms will also be making presentations at the Council Meeting on March 16, 2005. This Special Town Council Meeting will begin promptly at 6:00 pm, and will be followed by the Town Council's regular meeting, scheduled to begin at 7:00 pm. Therefore, a maximum of ten (10) minutes each has been allotted for presentations as well as questions and answers. The order of presentations has been determined by random selection and is as follows:

6:00 pm – 6:10 pm	Colin Baenziger & Associates
6:10 pm – 6:20 pm	The Mercer Group, Inc.
6:20 pm – 6:30 pm	MGT of America
6:30 pm – 6:40 pm	Slavin Management Consultants, Inc.

The meeting will be held in the Town of Davie Town Council Chambers located at Davie Town Hall, 6591 Orange Drive, Davie Florida.

Please do not hesitate to contact me should you require any further information regarding this matter. I am looking forward to receiving your information so that I may forward it to our Town Councilmembers, and also to meeting with you at the Wednesday, March 16, 2005, meeting.

Sincerely,

Mark Alan, M.S.
Director of Human Resources Management
Town of Davie
945.797.1100
mark_alan@davie-fl.gov

Date: March 10, 2005
To: Mayor and Councilmembers
From: Mark Alan, Director of Human Resources Management
Subject: Special Town Council Meeting – 6:00 pm, Wednesday, March 16, 2005
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Exhibit B



Town of Davie
Department of Human Resources Management
6591 Orange Drive, Davie, Florida 33314-3399
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954.797.1100

Content of Correspondences to the Range Riders:

This correspondence is to confirm our telephone conversation during which I indicated to you that the Town of Davie Town Council:

- was considering recruitment and selection process options for a permanent Town Administrator position,
- was interested in obtaining information regarding Range Riders as well as executive search firms services, and
- has asked that Range Riders as well as executive search firms make a short presentation to them on Wednesday, March 16, 2005.

Ms. Lynn Lovello has indicated that she would be forwarding to me copies of the Range Rider pamphlet of which we spoke. Also, for your information I have asked executive search firms to provide to me the following information for Town Council review prior to their Wednesday, March 16, 2005, meeting:

- An outline of their potential process for the recruitment and selection of a Town Administrator.
- The total cost of such a process.
- A list of all searches their firm has conducted for a municipal, county, or special district manager/administrator (Chief Executive Officer) in the State of Florida within the last two years, providing the name of the governmental entity, date the entity selected the firm to perform the recruitment and selection, the date the governing body's officials interviewed the applicants for the job, the date the governing body approved the selected manager's contract, and whether or not the selected individual is still employed by the entity.
- A list of all municipal, county, or special district governmental entities for which their firm was selected to perform a recruitment and selection for the entity's manager/administrator (Chief Executive Officer) within the last five years, where the firm has not successfully completed the search. For example, list any searches where the firm has had a contract and the contract has been terminated prior to the firm making a successful placement.

This Special Town Council Meeting will begin promptly at 6:00 pm, and will be followed by the Town Council's regular meeting, scheduled to begin at 7:00 pm. Therefore, a maximum of ten (10) minutes each has been allotted for executive search firms presentations as well as questions and answers. The order of presentations has been determined by random selection and is as follows below. The Range Riders' presentation as well as questions and answers will follow the executive search firm presentations:

6:00 pm – 6:10 pm	Colin Baenziger & Associates
6:10 pm – 6:20 pm	The Mercer Group, Inc.
6:20 pm – 6:30 pm	MGT of America
6:30 pm – 6:40 pm	Slavin Management Consultants, Inc.
6:40 pm	Range Riders

The meeting will be held in the Town of Davie Town Council Chambers located at Davie Town Hall, 6591 Orange Drive, Davie Florida.

Please do not hesitate to contact me should you require any further information regarding this matter. I am looking forward to receiving your information so that I may forward it to our Town Councilmembers, and also to meeting with you at the Wednesday, March 16, 2005, meeting.

Sincerely,

Mark Alan, M.S.
Director of Human Resources Management, Town of Davie, 945.797.1100, mark_alan@davie-fl.gov

Date: March 10, 2005
To: Mayor and Councilmembers
From: Mark Alan, Director of Human Resources Management
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Town Administrator Recruitment and Selection Process Options

Exhibit C

287.055 Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services; definitions; procedures; contingent fees prohibited; penalties.—

- (1) SHORT TITLE.--This section shall be known as the "Consultants' Competitive Negotiation Act."
- (2) DEFINITIONS.--For purposes of this section:
- (a) "Professional services" means 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, or those performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper in connection with his or her professional employment or practice.
- (b) "Agency" means the state, a state agency, a municipality, a political subdivision, a school district, or a school board. The term "agency" does not extend to a nongovernmental developer that contributes public facilities to a political subdivision under s. 380.06 or ss. 163.3220-163.3243.
- (c) "Firm" means any individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice architecture, engineering, or surveying and mapping in the state.
- (d) "Compensation" means the total amount paid by the agency for professional services.
- (e) "Agency official" means any elected or appointed officeholder, employee, consultant, person in the category of other personal service or any other person receiving compensation from the state, a state agency, municipality, or political subdivision, a school district or a school board.
- (f) "Project" means that fixed capital outlay study or planning activity described in the public notice of the state or a state agency under paragraph (3)(a). A project may include:
1. A grouping of minor construction, rehabilitation, or renovation activities.
 2. A grouping of substantially similar construction, rehabilitation, or renovation activities.
- (g) A "continuing contract" is a contract for professional services entered into in accordance with all the procedures of this act between an agency and a firm whereby the firm provides professional services to the agency for projects in which construction costs do not exceed \$1 million, for study activity when the fee for such professional service does not exceed \$50,000, or for work of a specified nature as outlined in the contract required by the agency, with no time limitation except that the contract must provide a termination clause.
- (h) A "design-build firm" means a partnership, corporation, or other legal entity that:
1. Is certified under s. 489.119 to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
 2. Is certified under s. 471.023 to practice or to offer to practice engineering; certified under s. 481.219 to practice or to offer to practice architecture; or certified under s. 481.319 to practice or to offer to practice landscape architecture.
- (i) A "design-build contract" means a single contract with a design-build firm for the design and construction of a public construction project.
- (j) A "design criteria package" means concise, performance-oriented drawings or specifications of the public construction project. The purpose of the design criteria package is to furnish sufficient information to permit design-build firms to prepare a bid or a response to an agency's request for proposal, or to permit an agency to enter into a negotiated design-build contract. The design criteria package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project.
- (k) A "design criteria professional" means a firm who holds a current certificate of registration under chapter 481 to practice architecture or landscape architecture or a firm who holds a current certificate as a registered engineer under chapter 471 to practice engineering and who is employed by or under contract to the agency for the providing of professional architect services, landscape architect services, or engineering services in connection with the preparation of the design criteria package.
- (3) PUBLIC ANNOUNCEMENT AND QUALIFICATION PROCEDURES.--
- (a) Each agency shall publicly announce, in a uniform and consistent manner, each occasion when professional services must be purchased for a project the basic construction cost of which is estimated by the agency to exceed the threshold amount provided in s. 287.017 for CATEGORY FIVE or for a planning or study activity when the fee for professional services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO, except in

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Exhibit C, (Continued)

cases of valid public emergencies certified by the agency head. The public notice must include a general description of the project and must indicate how interested consultants may apply for consideration.

(b) Each agency shall encourage firms engaged in the lawful practice of their professions that desire to provide professional services to the agency to submit annually statements of qualifications and performance data.

(c) Any firm or individual desiring to provide professional services to the agency must first be certified by the agency as qualified pursuant to law and the regulations of the agency. The agency must find that the firm or individual to be employed is fully qualified to render the required service. Among the factors to be considered in making this finding are the capabilities, adequacy of personnel, past record, and experience of the firm or individual.

(d) Each agency shall evaluate professional services, including capabilities, adequacy of personnel, past record, experience, whether the firm is a certified minority business enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985, and other factors determined by the agency to be applicable to its particular requirements. When securing professional services, an agency must endeavor to meet the minority business enterprise procurement goals under s. 287.09451.

(e) The public must not be excluded from the proceedings under this section.

(4) COMPETITIVE SELECTION.--

(a) For each proposed project, the agency shall evaluate current statements of qualifications and performance data on file with the agency, together with those that may be submitted by other firms regarding the proposed project, and shall conduct discussions with, and may require public presentations by, no fewer than three firms regarding their qualifications, approach to the project, and ability to furnish the required services.

(b) The agency shall select in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services. In determining whether a firm is qualified, the agency shall consider such factors as the ability of professional personnel; whether a firm is a certified minority business enterprise; past performance; willingness to meet time and budget requirements; location; recent, current, and projected workloads of the firms; and the volume of work previously awarded to each firm by the agency, with the object of effecting an equitable distribution of contracts among qualified firms, provided such distribution does not violate the principle of selection of the most highly qualified firms. The agency may request, accept, and consider proposals for the compensation to be paid under the contract only during competitive negotiations under subsection (5).

(c) This subsection does not apply to a professional service contract for a project the basic construction cost of which is estimated by the agency to be not in excess of the threshold amount provided in s. 287.017 for CATEGORY FIVE or for a planning or study activity when the fee for professional services is not in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO.

(d) Nothing in this act shall be construed to prohibit a continuing contract between a firm and an agency.

(5) COMPETITIVE NEGOTIATION.--

(a) The agency shall negotiate a contract with the most qualified firm for professional services at compensation which the agency determines is fair, competitive, and reasonable. In making such determination, the agency shall conduct a detailed analysis of the cost of the professional services required in addition to considering their scope and complexity. For any lump-sum or cost-plus-a-fixed-fee professional service contract over the threshold amount provided in s. 287.017 for CATEGORY FOUR, the agency shall require the firm receiving the award to execute a truth-in-negotiation certificate stating that wage rates and other factual unit costs supporting the compensation are accurate, complete, and current at the time of contracting. Any professional service contract under which such a certificate is required must contain a provision that the original contract price and any additions thereto will be adjusted to exclude any significant sums by which the agency determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs. All such contract adjustments must be made within 1 year following the end of the contract.

(b) Should the agency be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price the agency determines to be fair, competitive, and reasonable, negotiations with that firm must be formally terminated. The agency shall then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the agency must terminate negotiations. The agency shall then undertake negotiations with the third most qualified firm.

(c) Should the agency be unable to negotiate a satisfactory contract with any of the selected firms, the agency shall select additional firms in the order of their competence and qualification and continue negotiations in accordance with this subsection until an agreement is reached.

(6) PROHIBITION AGAINST CONTINGENT FEES.--

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Exhibit C, (Continued)

(a) Each contract entered into by the agency for professional services must contain a prohibition against contingent fees as follows: "The architect (or registered surveyor and mapper or professional engineer, as applicable) warrants that he or she has not employed or retained any company or person, other than a bona fide employee working solely for the architect (or registered surveyor and mapper, or professional engineer, as applicable) to solicit or secure this agreement and that he or she has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the architect (or registered surveyor and mapper or professional engineer, as applicable) any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this agreement." For the breach or violation of this provision, the agency shall have the right to terminate the agreement without liability and, at its discretion, to deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift, or consideration.

(b) Any individual, corporation, partnership, firm, or company, other than a bona fide employee working solely for an architect, professional engineer, or registered land surveyor and mapper, who offers, agrees, or contracts to solicit or secure agency contracts for professional services for any other individual, company, corporation, partnership, or firm and to be paid, or is paid, any fee, commission, percentage, gift, or other consideration contingent upon, or resulting from, the award or the making of a contract for professional services shall, upon conviction in a competent court of this state, be found guilty of a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083.

(c) Any architect, professional engineer, or registered surveyor and mapper, or any group, association, company, corporation, firm, or partnership thereof, who offers to pay, or pays, any fee, commission, percentage, gift, or other consideration contingent upon, or resulting from, the award or making of any agency contract for professional services shall, upon conviction in a state court of competent authority, be found guilty of a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083.

(d) Any agency official who offers to solicit or secure, or solicits or secures, a contract for professional services and to be paid, or is paid, any fee, commission, percentage, gift, or other consideration contingent upon the award or making of such a contract for professional services between the agency and any individual person, company, firm, partnership, or corporation shall, upon conviction by a court of competent authority, be found guilty of a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083.

(7) AUTHORITY OF DEPARTMENT OF MANAGEMENT SERVICES.--Notwithstanding any other provision of this section, the Department of Management Services shall be the agency of state government which is solely and exclusively authorized and empowered to administer and perform the functions described in subsections (3), (4), and (5) respecting all projects for which the funds necessary to complete same are appropriated to the Department of Management Services, irrespective of whether such projects are intended for the use and benefit of the Department of Management Services or any other agency of government. However, nothing herein shall be construed to be in derogation of any authority conferred on the Department of Management Services by other express provisions of law. Additionally, any agency of government may, with the approval of the Department of Management Services, delegate to the Department of Management Services authority to administer and perform the functions described in subsections (3), (4), and (5). Under the terms of the delegation, the agency may reserve its right to accept or reject a proposed contract.

(8) STATE ASSISTANCE TO LOCAL AGENCIES.--On any professional service contract for which the fee is over \$25,000, the Department of Transportation or the Department of Management Services shall provide, upon request by a municipality, political subdivision, school board, or school district, and upon reimbursement of the costs involved, assistance in selecting consultants and in negotiating consultant contracts.

(9) APPLICABILITY TO DESIGN-BUILD CONTRACTS.--

(a) Except as provided in this subsection, this section is not applicable to the procurement of design-build contracts by any agency, and the agency must award design-build contracts in accordance with the procurement laws, rules, and ordinances applicable to the agency.

(b) The design criteria package must be prepared and sealed by a design criteria professional employed by or retained by the agency. If the agency elects to enter into a professional services contract for the preparation of the design criteria package, then the design criteria professional must be selected and contracted with under the requirements of subsections (4) and (5). A design criteria professional who has been selected to prepare the design criteria package is not eligible to render services under a design-build contract executed pursuant to the design criteria package.

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Exhibit C, (Continued)

(c) Except as otherwise provided in s. 337.11(7), the Department of Management Services shall adopt rules for the award of design-build contracts to be followed by state agencies. Each other agency must adopt rules or ordinances for the award of design-build contracts. Municipalities, political subdivisions, school districts, and school boards shall award design-build contracts by the use of a competitive proposal selection process as described in this subsection, or by the use of a qualifications-based selection process pursuant to subsections (3), (4), and (5) for entering into a contract whereby the selected firm will subsequently establish a guaranteed maximum price and guaranteed completion date. If the procuring agency elects the option of qualifications-based selection, during the selection of the design-build firm the procuring agency shall employ or retain a licensed design professional appropriate to the project to serve as the agency's representative. Procedures for the use of a competitive proposal selection process must include as a minimum the following:

1. The preparation of a design criteria package for the design and construction of the public construction project.
2. The qualification and selection of no fewer than three design-build firms as the most qualified, based on the qualifications, availability, and past work of the firms, including the partners or members thereof.
3. The criteria, procedures, and standards for the evaluation of design-build contract proposals or bids, based on price, technical, and design aspects of the public construction project, weighted for the project.
4. The solicitation of competitive proposals, pursuant to a design criteria package, from those qualified design-build firms and the evaluation of the responses or bids submitted by those firms based on the evaluation criteria and procedures established prior to the solicitation of competitive proposals.
5. For consultation with the employed or retained design criteria professional concerning the evaluation of the responses or bids submitted by the design-build firms, the supervision or approval by the agency of the detailed working drawings of the project; and for evaluation of the compliance of the project construction with the design criteria package by the design criteria professional.
6. In the case of public emergencies, for the agency head to declare an emergency and authorize negotiations with the best qualified design-build firm available at that time.

(10) REUSE OF EXISTING PLANS.--Notwithstanding any other provision of this section, there shall be no public notice requirement or utilization of the selection process as provided in this section for projects in which the agency is able to reuse existing plans from a prior project of the agency, or, in the case of a board as defined in s. 1013.01, a prior project of that or any other board. Except for plans of a board as defined in s. 1013.01, public notice for any plans that are intended to be reused at some future time must contain a statement that provides that the plans are subject to reuse in accordance with the provisions of this subsection.

(11) CONSTRUCTION OF LAW.--Nothing in the amendment of this section by chapter 75-281, Laws of Florida, is intended to supersede the provisions of ss. 1013.45 and 1013.46.

History.--ss. 1, 2, 3, 4, 5, 6, 7, 8, ch. 73-19; ss. 1, 2, 3, ch. 75-281; s. 1, ch. 77-174; s. 1, ch. 77-199; s. 10, ch. 84-321; ss. 23, 32, ch. 85-104; s. 57, ch. 85-349; s. 6, ch. 86-204; s. 1, ch. 88-108; s. 1, ch. 89-158; s. 16, ch. 90-268; s. 15, ch. 91-137; s. 7, ch. 91-162; s. 250, ch. 92-279; s. 55, ch. 92-326; s. 1, ch. 93-95; s. 114, ch. 94-119; s. 10, ch. 94-322; s. 868, ch. 95-148; s. 2, ch. 95-410; s. 45, ch. 96-399; s. 38, ch. 97-100; s. 1, ch. 97-296; s. 80, ch. 98-279; s. 55, ch. 2001-61; s. 63, ch. 2002-20; s. 944, ch. 2002-387.

**Town of Davie Human Resources Management
Town Administrator History**
(Tenure/Salary/Education/Experience)

Name	Tenure	Salary	Education	Related Work Experience
Mearns, Robert T.	October, 1988	\$64,528	BA, Government, 1973	5 YRS, Development Svcs (Dir)
	February, 1989	\$67,755	Masters, Public Administration, 1981	3 YRS, Planning Experience
	April, 1989	\$78,433		
	August, 1989	\$82,355		

Name	Tenure	Salary	Education	Related Work
Rosenbaum, Irving	August, 1991 (contract to be extended 1/93 and evaluated annually thereafter)	\$82,355	Ph.D., Public Administration, 1984 Masters, Public Administration, 1974	3 YRS, City Manager, Hollywood 8+ YRS, Town Administrator, Davie
	January, 1993 (renewed contract for 24 months)	\$86,473	BA, Political Science, 1971	

Name	Tenure	Salary	Education	Related Work
Rawls, Robert (intermittent)	November, 1994 (Interim TA)	\$86,473	BS, Civil Engineering	10 YRS, Engineering Experience 5 YRS, Assistant Engineer
	August 5, 1998 (Interim TA)	\$97,638		

Town of Davie Human Resources Management
Town Administrator History
(Tenure/Salary/Education/Experience)

Name	Tenure		Salary	Education	Related Work Experience
	Start	End			
Flatley, Robert F.	July, 1995	(two year term)	\$84,000	Doctorandus in Urban Planning Dania	7 YRS, City Manager, City of Dania
	July, 1996		\$93,300	Masters, Urban Regional Planning	4 YRS, Assistant City Manager, Hillywd
	July, 1997		\$96,099	Graduate coursework in Regional Economics; Transportation Planning; Architectural Design; Comprehensive Planning; Zoning Legislation; Municipal Problems; Statistics; Public Relations	6 YRS, Planning, Positions
	June, 1998				

Name	Tenure		Salary	Education	Related Work Experience
	Start	End			
Midaugh, Robert	July, 1999	(terminated upon June 2000 review)	\$ 102,000 / \$102,000	Masters, Public Administration, 1976 BA, Public Administration Post graduate coursework: ICMA Courses, Conflic Management, Facilitation & Mediation, Economic Development, Capital Project Financing	2 YRS, Personnel Director
					19 YRS, Combined (7 yrs experience -City Manager/Colorado); 5 yrs exp-Town Manager, Connecticut); (7 yrs experience -City Administrator-Minnesota)

Town of Davie Human Resources Management
Town Administrator History
(Tenure/Salary/Education/Experience)

Name	Tenure	Salary	Education	Related Work
Willi, Tom	June, 2000 (Interim Town Administrator)	\$96,000 (6/00)/\$99,000 (12/00)	A.A Degree & BS Degree	17 YRS Construction Exp to include Growth Mgmt Director, Building Official, and Structural Inspector (commercial and residential)
	February, 2001, Town Administrator (performance to be reviewed annually)	\$99,000		
	December, 2000	\$101,475		
	June, 2002	\$109,745		
	February, 2003	\$118,689		
	February, 2004	\$128,363		
	October, 2004, Resignation			

Name	Tenure	Salary	Education	Related Work Experience
Kovanes, Chris	October, 2004 - Present	\$115,000	A.A, Marketing/Graphic Design, 1992	Interim Town Administrator, Oct 2004 - present
			BA, Public Relations, 1997	11/00-10/04 - Program Administrator
			Masters, Public Administration, 1999	
			Coursework toward PhD	

**INDIVIDUAL PROPOSALS WERE
PREVIOUSLY DISTRIBUTED; HOWEVER,
THE PROPOSALS CAN BE REVIEWED
IN THE TOWN CLERK'S OFFICE**