

**Personnel, Operations & Procedures Committee
Volusia Growth Management Commission**

MINUTES FOR
MEETING HELD
Wednesday, March 26, 2014

County Council Chambers Conference Room
Thomas C. Kelly Administration Center
123 W. Indiana Avenue
DeLand, FL

The meeting was called to order at 6:30 p.m. by Committee Chairman, James Wachtel.

The following POP Committee Members were present: Committee Chairman James Wachtel, Sandy Gallagher, Robert Lovelace, Don Romanik, Robert Storke and Rich Walton. Also in attendance were Paul Chipok, VGMC Legal Counsel and Merry Chris Smith, VGMC Operations Manager.

NEW BUSINESS

Approval of Minutes – February 26, 2014 POP Committee Meeting

Rich Walton made a motion to approve the minutes of the February 26, 2014 POP Committee meeting as presented; seconded by Robert Storke. Motion carried unanimously.

Ms. Gallagher joined the meeting.

Discussion regarding Request for Statement of Qualifications (RSQ) for Planning Consultant

Chairman Wachtel advised the RSQ with draft changes has been distributed for discussion by the committee. Ms. Smith stated a number of the changes were made to update the RSQ # and staff title, and that several items have been highlighted in yellow for further discussion among the committee members. She also pointed out a change in language in the Public Proposal Opening section on page 3 as a result of a change in the Florida Statutes. Mr. Chipok explained under the new language, submitted proposals are exempt from disclosure until an agency provides notice of an intended decision or 30 days after opening the proposals, whichever is earlier. General discussion ensued relating to the process and intent of the change. Mr. Chipok commented the change may be intended to keep bidders from undermining each other as they would be unable to review another bid in the first 30 days.

The committee discussed the proposed schedule. Ms. Smith provided proposed dates for the RSQ release and closing:

4/21/14 – Release Date

5/7/14 – Final date to receive written questions
5/21/14 – Closing Date

Thereafter, she explained the committee would meet to select the firms for oral presentations, followed by a meeting to hear oral presentations and rank the firms. Once the ranking is complete, a member of the committee would meet with the highest ranked firm to negotiate a contract to bring back to committee and ultimately to the full commission for award. In order to allow sufficient time for review of the proposals, oral presentations to be held and negotiations to occur, it was suggested the contract approval date by the full commission be tentatively scheduled for the August 27, 2014 regular meeting with the anticipated contract start date of October 1, 2014.

With respect to the opening of proposals, Ms. Smith explained that last year the committee Chairman came to the VGMC office after the RSQ closing and witnessed the proposals being opened. Once opened, a tabulation was prepared and posted on the VGMC website. Mr. Lovelace asked if there was an administrative requirement to advertise the proposal opening. Mr. Chipok responded there is not. Ms. Smith added that the opening is noticed on the VGMC website.

Ms. Gallagher suggested limiting the oral presentations to a short amount of time like was done last year. Mr. Wachtel concurred, adding that the oral presentations are generally intended for the committee to meet and hear from the firm, since the committee members would already have had the opportunity to review the individual proposals.

Following further discussion regarding the timeline, there was a consensus to utilize the following dates within the proposed schedule:

04/21/14.....Release date for RSQ
05/07/14.....Final date to receive written questions
05/21/14.....Closing Date
TBD.....Evaluation committee* to discuss proposals and select firms for oral presentations
TBD.....Oral presentations of selected firms to the evaluation committee (oral presentations shall be made by the designated project manager)
TBD.....Ranking of selected firms by evaluation committee
TBD.....Evaluation committee to negotiate contract for recommendation to Commission
08/27/14.....Tentative date for submission to Commission for contract approval
10/01/14.....Tentative contract start date

Mr. Romanik suggested the following revisions be made to the draft RSQ:

- 1) Page 5, under Professional Liability, 2nd to last line of first paragraph – insert “the” between “to firm’s”.

- 2) Page 5, Motor Vehicle Liability – lacks the indemnification clause which is included in the other liability sections. He suggested the language utilized in the second paragraph of the Professional Liability section be added to the Motor Vehicle Liability section. Mr. Wachtel asked Ms. Smith to check with the County concerning the indemnification language.
- 3) Page 6, Waiver of Subrogation – last line, capitalize general liability to be consistent with the remainder of the document.
- 4) Page 6, VGMC Not Liable for Paying Deductibles – first line, change “required by firm” to “required of firm”.
- 5) Page 7, Proof of Insurance – fifth line, change “copies of the following types” to “copies of the prior referenced types”.
- 6) Page 14, Conflict of Interest Form – delete the words “to items above” in the “EXCEPTIONS” section.

There was a general consensus to amend the RSQ as recommended by Mr. Romanik and for Ms. Smith to contact the County relating to the indemnification clause.

Mr. Storke suggested on page 8, No Contact section, the language be revised to read “...shall have no ex parte contact...”. The committee members concurred.

Ms. Smith suggested on page 8, Delivery of Proposals section, that 10 hard copies of the proposal be submitted in order to have sufficient copies for the Evaluation Committee (POP & VGMC Officers) and legal staff. The committee members concurred.

Referring to Page 9, Proposed Fee Schedule, Mr. Storke commented there was considerable discussion last year relating to the fee schedule and whether or not it should be requested. Mr. Romanik commented that he would like to see a fixed fee schedule submitted with the proposals. Following further discussion, there was a general consensus to leave that language in the RSQ.

There were no further suggested changes to the draft RSQ.

Ms. Smith stated last year the RSQ was noticed in the Orlando Sentinel because it was less expensive than the News Journal. Mr. Walton suggested getting quotes from both papers again and going with the least costly. Ms. Smith stated the notice of RSQ was also published online with the Florida Chapter of the American Planning Association (FAPA) as well as Onvia/Demand Star. She added that the RSQ will be placed on the VGMC website for interested firms to view/download. The committee concurred with the planned advertising.

Ms. Smith will make the changes discussed at the meeting and distribute to all members for review.

Rich Walton made a motion to accept the RSQ as amended today, subject to clarification from the County relating to the indemnification clause; the amended RSQ will be sent to the

committee members for review that the revisions are consistent with the amendments as stated during this meeting and the RSQ will be released on April 21, 2014; however, if any member desires to raise any additional question(s), then that member should contact the VGMC Operations Manager and another noticed meeting of the committee will be scheduled prior to release in order to discuss such additional question(s). Motion seconded by Robert Storke. Motion carried unanimously.

OLD BUSINESS

None

OTHER BUSINESS

None

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:10 p.m.


James Wachtel, POP Committee Chairman