

## MINUTES

**Board of Architecture and Interior Design  
Invitation to Negotiate Committee (ITN)**  
Department of Business and Professional Regulation  
Northwood Centre – Professions' Board Room  
1940 North Monroe Street  
Tallahassee, Florida 32399

February 9, 2012

1:00 p.m.

### Call to Order

#### Roll Call

#### Committee Members Present:

John Ehrig, Chair

Joyce Shore

Miguel "Mike" Rodriguez

Chairman Ehrig: Quorum established to make recommendations of the ITN proposals received.

#### Others Present:

Mary Ellen Clark, Board Counsel

Anthony Spivey, Executive Director

Sabina Flannigan, Purchasing Office

Allison Norman, Purchasing Office

Gail Jones, Purchasing Office

Sabina Flannigan passed the handout to the committee members of the rankings.

Mary Ellen Clark: We received three (3) responses to the Intent to Negotiate that was published. Three (3) responses were received and sent to the evaluators last week with the instructions that they review and rank the three submissions and return to Sabina the score sheets. Sabina and the staff here at the Department are the only ones who have seen the score sheets. The evaluators have not discussed amongst themselves, until they do so today, what their individual rankings were.

Sabina Flannigan: That's correct.

Chairman Ehrig read the 3 proposals received for the record.

Gilbert & Caddy P.A,  
Koch Parafinczuk & Wolf, P.A.,  
Smith, Thompson, Shaw, Minacci & Colon, P.A.

Chairman Ehrig: I did receive all three (3) proposals and scored them as shown on the ranking sheet provided. In my opinion, there was no need to have any interviews related to the proposals. The packages were complete and responsive to the request. In reviewing I was able to determine the ranking provided.

Ranking:

- 1<sup>st</sup> - Smith, Thompson, Shaw, Minacci & Colon, P.A.
- 2<sup>nd</sup> – Koch Parafinczuk & Wolf, P.A.
- 3<sup>rd</sup> - Gilbert & Caddy, P.A.

Joyce Shore: Rankings were based on several different factors; number one (1) concerned about the two firms from South Florida and wondered if they should be closer to Tallahassee. I was also concerned about the staff. I know Koch they did have an architect or would hire someone if they were selected. The architect they were thinking about hiring and included him had a wonderful resume, but if you look at it he has offices all over and not in Florida. He seemed so busy I didn't understand how he would be able to help with any type of investigation because he was so overly busy. Also I believe they were the ones out of the people they were using, I was very concerned that this is not the type of work they usually do, they did insurance and liability defense so they would not be as knowledgeable about the Board of Architect and Interior Design. While it was Gilbert & Caddy, P.A. who were in construction, they had a higher ranking there; however, on the other hand the people they would assign are of counsel. I understand that of Counsel which means they are not permitted employees, they are part time. Also, they mention a fellow they would bring as the architect he and his sister have offices that are close to them. For those reasons the only one I felt that met all of the qualifications would be Smith, Thompson, Shaw, Manacci and Colon, P.A.

Ranking:

- 1<sup>st</sup> – Smith, Thompson, Shaw, Minacci & Colon, P.A.
- 2<sup>nd</sup> – Gilbert & Caddy, P.A.
- 3<sup>rd</sup> – Koch Parafinczuk & Wolf, P.A.

Terri McEwen with Department Board staff joined the meeting.

Mary Ellen Clark: During the meeting today given that this is the first opportunity you as a committee have had to discuss the three submissions and the rankings of them. We will be deciding today whether or not you can make a recommendation to the full board based on the written submission or whether or

not you wish to conduct interviews and obtain additional information. That will be the decision for you three to make today.

Mike Rodriguez: I too, did receive the three packages. I also found them to be complete and responsive to the ITN. I share your opinion that we don't need any further information. From my perspective, I don't think an interview is necessary. In reviewing the three proposals and obviously noting the geographical difference between two of the respondents being in South Florida, but not weighing it heavily because I didn't feel it was the primary concern and it is not in the scoring qualifications. The fact is that neither the Gilbert Firm nor the Koch firm had experience in dealing with any practice of architecture issues. The closest being construction litigation experience, I didn't get the sense in the paperwork that it was even construction licensing, and even if it were there are significant differences between licensing of general contractors and architects. The other firm was almost 100% insurance. I don't feel they had experience in the particular tasks that the successful respondent would be asked to perform. I was concerned with the very light reference to the investigative process. In my experience on this Board from my prior appointment before we privatized one of the issues we had was with investigations that were not being conducted thoroughly or by people that were knowledgeable of architecture so the reports were very shallow and often did not provide enough information for the Board, so that was a concern as well. Also concerned that even the ones that did mention experts or somewhat investigation techniques, I don't remember either one of them mention interior design, there was not an interior design expert mentioned, so I was concerned about that as well. In looking at their approach where the Smith, Thompson firm was very clear on the process and understood how the probable cause panel operates of this board, the other two firms seemed to be focused on litigation which is not what probable cause or this board typically does. It seems as if they were missed focus in their process. For those reasons' and counter balancing that clear experience the Smith firm has in providing these types of services I rank the firms.

Ranking:

1<sup>st</sup> - Smith, Thompson, Shaw, Minacci & Colon, P.A.

2<sup>nd</sup> – Koch Parafinczuk & Wolf, P.A.

3<sup>rd</sup> - Gilbert & Caddy, P.A.

Chairman Ehrig: I didn't get into a lot of detail with my response, but some of the things Mike said and what Joyce indicated, I feel the same way. When evaluating the Smith, Thompson firm having had the experience with them for the last 6 years and knowing the process that we go through here and their familiarity with it certainly weighted in my mind which firm I was leaning towards just based on them providing that service for us in the past.

Motion: Joyce Shore made a motion to recommend to the full Board that Smith, Thompson, Shaw & Colon, P.A. be selected for the prosecutorial services.

Second: Mike Rodriguez seconds the motion.

Mike Rodriguez: I think the commentary made by all three of us supports that decision as does the actual point ranking that was made. I would support that motion on those bases.

Motion carries unanimously.

Mary Ellen Clark: Mr. Chair, I understand you will be making a report to the full board with this body's recommendation tomorrow?

Chairman Ehrig: Yes.

Motion: Mike Rodriguez made a motion to adjourn.

Second: Joyce Shore seconds the motion and it passed unanimously.

Meeting adjourned at 1:15 p.m.

# MINUTES

## Board of Architecture and Interior Design

Department of Business and Professional Regulation  
Bureau of Education and Testing - Northwood Centre  
Resource Conference Room  
1940 North Monroe Street  
Tallahassee, Florida 32399  
850.717.1982

February 9, 2012  
3:00 p.m.

### General Business

#### Call to Order

The meeting began at 3:08 p.m.

#### Board Members in Attendance

Miguel Rodriguez  
Kenan Fishburne  
J. Emory Johnson  
Jonathan Toppe  
Wendell Hall

#### Others Present:

Suzanne Lee, Bureau of Education and Testing  
Adrian Washington, Bureau of Education and Testing  
Terri McEwen, Government Analyst

#### **Bureau of Education and Testing – Suzanne Lee Continuing Education Handbook Training for review and approval/denial of providers and courses**

Architecture Continuing Education Handbook  
Interior Design Continuing Education Handbook

The meeting was held to train new board members on how to review continuing education provider and course applications. The members reviewed the handbook, the appropriate rules, and administrative procedures for handling the approval or denial of applications.

The meeting concluded at 5:00 p.m.