



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 4937, **Version:** 1

Subject:

Permission to Reject all RFP Bids Received in Response to P-7-22-21, Medical Director Services

Fiscal Impact:

There is no fiscal impact to this request.

Dept/Office:

Fire Rescue/Central Services

Requested Action:

It is requested that the Board of County Commissioners (1) authorize Purchasing Services to reject RFP P-7-22-21, Medical Director Services; and (2) authorize Purchasing Services to reject all bids received for RFP P-7-22-21; and (3) authorize staff to reissue an RFP for Medical Director Services with revised language; and (4) approve the County Manager to execute any necessary extension to the Medical Director's contract.

Summary Explanation and Background:

On June 9, 2022, a Request for Proposal (RFP) P-7-22-21 was issued for Medical Director Services for the Brevard County Fire Rescue Department. The County received 3 responses to the RFP on July 8, 2022. The objective of the RFP was to find a proactive Medical Director for the leadership and guidance of the County's Emergency Medical Services (EMS). However, when the responses were reviewed by the Fire Rescue Department and Purchasing Services it became apparent there may be an inadvertent conflict under Section 286.0113(2)(b)1., Florida Statutes due to 2 bidders recommending cross-over of the proposed medical staff. All oral presentations in an RFP are treated as an exempt meeting not open to the public until an intended decision or until 30 days after the RFP is opened. With proposed medical staff making oral presentations on 2 of the 3 proposals, they may have an unfair advantage over the 1 bidder, due to an understanding of the questions of the Selection Committee.

According to Section 286.0113(2)(b)1., Florida Statutes state "Any portion of a meeting at which a negotiation with a vendor is conducted pursuant to a competitive solicitation, at which a vendor makes an oral presentation as part of a competitive solicitation, or which a vendor answers questions as part of a competitive solicitation is exempt from Public Meetings and Section 24(b), Article 1, of the State Constitution."

The Fire Rescue Department and Purchasing Services recommend the County reject all RFPs in response to P-7-22-21 and concurrently provide notice to reissue the RFP with revised language which will avoid responses with cross-over of the proposed medical staff. This will preserve the RFP responses to P-7-22-21 as exempt from public record until such time as the County provides notice of an intended decision concerning the

reissued RFP, but no longer than 12 months after the initial notice rejecting all RFP. To avoid any lapse of coverage, approve any necessary extensions of the Medical Director's current contract. Also, under the County's General Conditions in the RFP, the County has the right to reject the RFP, if it's in the best interest of the County.

Clerk to the Board Instructions: