



August 17, 2021

To: All Interested Parties

From: Litsy C. Pittser, Procurement Specialist
Village of Palmetto Bay
9705 E Hibiscus Street
Palmetto Bay, Florida 33157

Re: RFP# 2021-12-012
Parks and Recreation Master Plan

ADDENDUM NO. 1

Prospective Contractor,

This Addendum forms a part of the RFP Package Document dated August 18th, 2021, with the amendments and additions noted below (deletions are shown by strikethrough and additions are underlined.)

- **Question:** Bermello, Ajamil & Partners:

On **Page 3** of the RFP, it requires:

Please submit an original, two (2) copies and a CD or flash drive containing a copy of the entire original submission in one (1) sealed package titled.

On **page 19** under 5.1. Preparation of Proposals it requires:

Proposer will need to provide (1) copy, (1) original and (1) one electronic copy of their proposal either CD or flash drive.

Please confirm and specify what the submittal should contain as these instructions are contradictory.

- **Answer:** The correct submittal should be (1) original, (1) copy and (1) cd or flash drive.
- What is the Village's budget for the Parks Master Plan?
- **Answer:** The Village has a budget of \$ 100,000.00 to complete project.
- **Question:** Please clarify what you refer to as a fee structure and what do you refer to by cost estimate? Can you provide a definition of both?

- **Answer:**

Fee Structure: Hourly rates of team that will be working on the Master Plan.

Cost Estimate: Proposal received by the Village from the Consultant/Company.

- **Question:** Kimley-Horn

1. "As currently written, Section 3.22 "Indemnification" on page 12 violates FL statute 725.08. Would the Village re-word Section 3.22 to conform with FL Statute 725.08? Specifically, here is some suggested replacement text for the Village to consider: Pursuant to Section 725.08(1), F.S. the design professional shall indemnify and hold harmless the County from liabilities, damages, losses, and costs, including but not limited to, reasonable attorneys' fees, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the design professional and other persons employed or utilized by the design professional in the performance of the contract."
2. Same question for Article 8 on Page 52, in its entirety.

Village Statement (Add or Deletion)

After reviewing with our legal department, there the language of these sections that have changed to reflect the following:

On both sections 3.22 "Indemnification" and Article 8, the same language was added to each section as follows:

...to the extent caused by negligence, reckless or intentionally wrongful conduct of the design professional and other persons employed or utilized by the design professional in the performance of the contract...

3. **Question:** "Would the City please include FL Stat. 558.0035 in its contract with Kimley-Horn? The text to be included should be: **"PURSUANT TO FS 558.0035, EMPLOYEES OF CONSULTANT MAY NOT BE HELD INDIVIDUALLY LIABLE FOR DAMAGES RESULTING FROM NEGLIGENCE UNDER THIS AGREEMENT."** This provision must be in all caps and at least 5 points larger than the rest of the text in the contract to be effective under the statute."

Village Statement (Add or Deletion)

Answer: After careful review from our legal department, the statement stands as is.

All other terms and conditions stipulated in the original Village of Palmetto Bay Request for Proposal shall remain in force. All addenda created will be incorporated into the final contract and must be acknowledged in all proposals. This acknowledgement form must be included in the response and failure to sign and submit this form may result as a rejection to your proposal.

Thank you for your participation in our solicitation process.

A handwritten signature in blue ink, appearing to read 'Litsy C. Pittser', is written over a light blue rectangular background. The signature is stylized and cursive.

Litsy C. Pittser, Procurement Specialist
Village of Palmetto Bay



Acknowledgement of

Addendum of Solicitation

Amendment/Modification No.: 1
Amendment of RFP# No.: 2021-12-012
Title of RFP: Parks and Recreation Master Plan

Name of Bidder _____

Date Addendum Received _____

Total Pages of Addendum including Acknowledgement 4

Signature

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