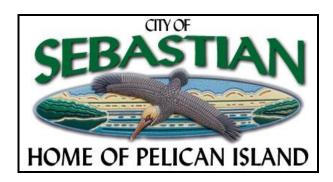
REQUEST FOR QUALIFICATIONS

RFQ #20-01

ENGINEERING SERVICES TO EVALUATE ANNEXATION PROCESS



City of Sebastian 1225 Main Street Sebastian, FL 32958

CITY MANAGER'S OFFICE

EVENT	EVENT DATE	
RELEASE DATE:	MONDAY, JANUARY 27, 2020	-
NON-MANDATORY PRE-SOLICITATION CONFERENCE:	THURSDAY, FEBRUARY 6, 2020	10:00 AM EST
QUESTIONS DUE DATE/TIME:	WEDNESDAY, FEBRUARY 12, 2020	5:00 PM EST
DUE DATE/TIME:	FRIDAY, FEBRUARY 21, 2020	2:00 PM EST
POINT OF CONTACT:	Ann-Marie Fraser, CPPB, MBA Procurement/Contracts Manager Phone: (772) 388 – 8231 Email: afraser@cityofsebastian.org	
MEETING LOCATION & PROPOSAL DELIVERY:	City of Sebastian City Hall 1225 Main Street Sebastian, Florida 32958	

*Dates in this schedule occurring after the release date may be amended by the City.

The City reserves the right to delay or modify scheduled dates and will notify Proposers of all changes.

It is the Proposer's responsibility to check for addenda amending any changes to this RFQ.



REQUEST FOR QUALIFICATIONS

Pursuant to Section 287.055, Florida Statutes, City of Sebastian is seeking sealed proposals from qualified engineering firms to provide a third-party, peer review on the completeness and accuracy of the City's pending annexation process. The annexation, in the form of a Proposed Comprehensive Plan Amendment, has already been reviewed and recommended for approval to Florida Department of Economic Opportunity No. 19-01ESR. The purpose of the review is to ensure all data, documents and variables have been properly and accurately examined and presented. A summary report, consistent with Chapter 163, Florida Statutes, shall be rendered upon completion of analysis providing confirmations on accuracy, identifying any potential deficiencies and recommending improvements to the process.

Sealed proposals will be accepted until **2:00 PM EST, Friday, February 21, 2020**. Provide <u>one (1) clearly marked original, six (6) copies and one (1) electronic copy,</u> marked with the Proposer's name and address, RFQ number and title with Solicitation Opening date and time (lower left corner of envelope).

All sealed proposals must be delivered or mailed to:

City of Sebastian ATTN: Procurement Division 1225 Main Street Sebastian, Florida 32958

RFQ documents and any addenda may be obtained from the City's website (www.cityofsebastian.org) or DemandStar (www.demandstar.com). It will be the sole responsibility of the Proposer to determine if any addenda have been issued prior to submitting a proposal.

A <u>Non-Mandatory</u> Pre-Solicitation Conference will be on **Wednesday, February 6, 2020 at 10:00 AM EST**, held at City of Sebastian City Hall.

Questions concerning this RFQ should be emailed ONLY to the Procurement/Contracts Manager at afraser@cityofsebastian.org no later than **Wednesday**, **February 12**, **2020 at 5:00 PM EST**. All communication regarding this RFQ shall be directed to the same point of contact. Contact by a Proposer (or anyone representing a Proposer) regarding this RFQ with the City Council or a City employee/representative other than the point of contact listed above, is grounds for disqualification.

Proposals duly submitted will be publicly announced at the Solicitation Opening date and time specified above. The City reserves the right to reject any and all proposals, or to accept any proposal or portion thereof deemed to be in the best interest of the City, and to waive any non-substantial irregularities.

Late proposals will not be opened. Proposers of late proposals have the option of being picked up or paying for the mailed return of the unopened Proposals. If this option is not exercised within five (5) days of the Solicitation Opening, the late unopened Proposals will be disposed.

By: Ann-Marie Fraser, CPPB, MBA Procurement/Contracts Manager

Publish: Publication in the Indian River Press Journal

Date: Sunday, January 26, 2020

The City of Sebastian supports Equal Opportunity Employment, Fair Housing, Drug Free Workplace and Providing Handicapped Access.



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DEFINTIONS

Request for Qualifications ("RFQ"): this Solicitation document, including any and all addenda.

Proposal: submission in response to this Request for Proposal.

Proposer: person or firm submitting a Proposal in response to this Request for Proposal, "pre-award".

Consultant or Contractor: selected Proposer that is awarded a contract to provide the goods or services to the City, "post-award".

City: refers to the City of Sebastian.

<u>Contract or Agreement:</u> Request for Proposal, all addenda issued thereto, all affidavits, the signed agreement, and all related documents that comprise the totality of the contract or agreement between the City and the awarded Proposer.

Responsible Proposer: Proposer that has the integrity, reliability and capability in all respects to perform in full the contract requirement as stated in the RFP.

<u>Responsive Proposer:</u> Proposer who's Proposal fully conforms in all material respects to the RFP and its entire requirement, including form and substance.

Days: refers to calendar days, unless otherwise stated.

Shall, Must & Will: Interpreted as mandatory language.

SECTION 1 – GENERAL INFORMATION

1.1 SCOPE OF SERVICES

Pursuant to Section 287.055, Florida Statutes, City of Sebastian is requesting sealed proposals from qualified engineering firms to provide a third-party, limited peer review on the completeness and accuracy of the City's pending annexation process.

The annexation, in the form of a Proposed Comprehensive Plan Amendment, has already been reviewed and recommended for approval to Florida Department of Economic Opportunity No. 19-01ESR. The purpose of the review is to ensure all data, documents and variables (financial impact on schools, traffic flow, police-fire needs, emergency needs and public works services) have been properly and accurately examined and presented to represent the best possible outcome for the City of Sebastian. A summary report, consistent with Chapter 163, Florida Statutes, shall be rendered upon completion of analysis providing confirmations on accuracy, identifying any potential deficiencies and recommending improvements to the process.

The City will provide the following items:

- DEO Comment Letter
- 2. Treasure Coast Regional Planning Commission (TCRPC) Comment Letter
- 3. Annexation and Comprehensive Plan Amendment Analysis, including the traffic analysis prepared by Schulke, Bittle & Stoddard, LLC and O'Rourke Engineering Inc., respectively.
- 4. Additional information requested deemed necessary to fulfill the Services herein.

1.2 NON-MANDATORY PRE-SOLICITATION MEETING

The Pre-Solicitation Meeting is to provide potential Proposers the opportunity to ask questions and receive clarifications regarding this RFQ. Proposers are not required to attend to be considered for award, however attendance is highly recommended.

In accordance with the Americans with Disabilities Act, any person who believes he or she has a disability requiring the use of a special accommodation at the pre-bid conference or bid opening should contact the City of Sebastian at 772-388-8231, at least five (5) days prior to the event to advise of his/her special requirements.

1.3 MINIMUM REQUIREMENTS

Each firm must satisfy the minimum requirements specified herein to be considered for this solicitation. Firms that do not meet the minimum requirements as determined by the City, at its sole discretion, will be disqualified. All decisions made by the City are final. All firms that submit a proposal shall meet, but not be limited to, the following minimum qualifications:

- 1. Currently licensed and certified to do business in the State of Florida as a Professional Engineer pursuant to Florida Statutes, Section 471;
- 2. Have previous related experience completed within the past five (5) years.
- 3. Must demonstrate a sufficient number of personnel and financial resources to handle the proposed workload in a timely and cost-effective manner.



1.4 METHOD OF AWARD

The City, at its sole discretion, intends to award to the most responsive and responsible Proposer who is ranked to be most advantageous to the City, taking into consideration the evaluation criteria set forth in this RFQ.

City of Sebastian staff will evaluate the proposals based on the criteria established herein, and in accordance with Chapter 287.055, Florida Statutes. After ranking is determined, a recommendation to award and authorization to negotiate an Agreement with the awarded firm will be sought from City Council. Upon successful negotiation of terms and price, a formal Agreement will be prepared and submitted to City Council for approval.

1.5 INITIAL CONTRACT TERM AND RENEWALS

The City intends for the initial contract term to be for the completion of work stated herein.

END OF SECTION

SECTION 2 – PROPOSAL REQUIREMENTS

2.1 <u>LETTER OF INTEREST</u>

Proposer shall submit a letter of interest <u>signed by an authorized representative of the prime</u> <u>consultant authorized to obligate the firm and/or joint venture contractually</u>. The Proposer or authorized representative is attesting that the information provided is current and factual and that all firms on the proposed team agree to work on the project together. The letter shall include:

- Name of the prime consultant and/or joint venture
- Contact Person
- Company address
- Company & Contact Person's telephone number
- Contact Person's email address

TAB #1 - QUALIFICATIONS

2.2 COMPANY PROFILE

Proposer shall provide a brief profile of their company, which should include but is not limited to:

- Firm's legal name (former name, if applicable)
- Company history & business structure
- Length of company's existence
- Location(s)
- Total number of personnel
- Type of ownership, if applicable (small business, small disadvantaged business or womenowned business)
- Average annual revenue for the past five (5) years.

2.3 EXPERIENCE

Proposers shall state the experience of the firm within the last five (5) years that are similar to the Services herein.

2.4 PROJECT TEAM

Proposers shall specifically list the proposed team (prime & sub-consultants) to carry out the services defined herein. An organizational chart is recommended.

Include the following information for each person:

- Name
- Proiect Role
- Business Location
- Job skills
- Education & professional training (degree and specification)
- Total years of experience
- Other professional qualifications, if applicable

TAB #2 - PROJECT INVOLVEMENT

2.5 **PROJECT APPROACH**

Proposers shall state their approach in a written narrative or timeline describing the proposed approach to reviewing the annexation process for completeness and accuracy. The objective is to demonstrate the Proposer's ability to logically plan and complete the project, and their ability to successfully deliver final report and/or presentation to the City. Include an estimated timeline for each task.

TAB #3 - INSURANCE/LICENSES

2.6 INSURANCE

Certificate of Insurance: A copy of the Certificate of Insurance proving the types of Insurance and coverage is required in the proposal. Once resulting agreement is executed, it is the Contractor's responsibility to ensure that the City is provided a current Insurance Certificate at all times.

The following insurance should be obtain and maintain, during the term of the Services, and all applicable statutes of limitation periods:

Professional Liability/ Error's & Omissions	for errors, omission or theft by employees: • \$1,000,000 per each occurrence	
General Liability Insurance	an amount not less than: • \$1,000,000 Combined Single Limit per each occurrence • \$2,000,000 aggregate, including personal injury and property damage Shall not exclude or limit Product/Completed Operations, Contractual or Cross Liability	
Automobile Liability	an amount not less than: • \$1,000,000 Combined Single Limit	
Worker's Compensation	The Proposer shall submit and maintain worker's compensation insurance to the extent required by law for all their employees to be engaged in work under this contract, in accordance with Florida Statutes 440.	

<u>Additional Insured</u>: All liability insurance policies shall name and endorse the following as additional insured(s): the City of Sebastian and its City Council members, officers, employees and agents.

2.7 <u>LICENSES/CERTIFICATIONS</u>

Include a copy of all licenses and certifications to do business in the State of Florida as a Professional Engineer pursuant to Florida Statutes, Section 471.

TAB #4 - REFERENCES

2.8 REFERENCES

A minimum of three (3) client references in which engineering services were provided within the last five (5) years, is required to be submitted with the Proposal. References from public sector clients are preferred. The City will send Reference Check Surveys via email to the references provided. If the reference is unable to respond or the contact information is incorrect, the firm will lose points awarded for this criterion.

TAB #5 - FORMS

2.9 FORMS

All Forms required by the RFQ shall be fully executed by the Proposer and submitted. Refer to Section 6.

END OF SECTION

SECTION 3 – EVALUATION CRITERIA

3.1 EVALUATION OF PROPOSALS

An Evaluation Committee, selected by the City Manager with at least three (3) members, will evaluate the proposals. As agreed upon by the Evaluation Committee, either a recommendation for award will be made or a request for the top ranked firms to give oral presentations may be made. Initial ranking will be made based solely on the information included in the proposal.

- 3.1.1 Each proposal will first be evaluated for responsiveness by the Procurement/Contracts Manager (i.e. meets the minimum of the published requirements). The City reserves the right to reject any proposals deemed as not minimally responsive. The City reserves the right to waive immaterial irregularities in proposals if in the best interest of the City. Proposers should provide all information outlined herein to be considered responsive.
- 3.1.2 Failure to respond to all the questions in the proposal package may result in the submittal being considered non-responsive. In order for the City to make a determination of qualifications, a complete package must be submitted.
- 3.1.3 The following evaluation criteria will be used as a general guide for evaluating the proposals. The Evaluation Committee will independently review and evaluate all responsive proposals received. Members may choose not to award any points, should they feel a proposal is undeserving or does not sufficiently address criteria.

<u>CRI</u>	TERIA	POINTS
1.	Qualifications of the firm	30
2.	Competency of project team/staff	25
3.	Project knowledge and approach	20
4.	Project timeline and schedule	15
5.	References	10
	MAXIMUM POSSIBLE POINTS	100
6.	MBE/WBE/DBE Business (only used in the event for a tie to the	5
	highest total points)	

3.1.4 In the event of a tie, if one of the Proposers involved in the tie are MBE/WBE/DBE business, they shall be ranked above the other Proposer(s) involved in the tie with the appropriated points listed in the criteria above.

3.2 EVALUATION OF ORAL PRESENTATION, if applicable

As determined by the Evaluation Committee, A shortlist may be made for top-ranked Proposers to be invited to give an oral presentation to staff. This will provide an opportunity for the Proposer to clarify or elaborate on the submitted proposal. The oral presentation will be worth 50 points. Specific criteria will be provided to the shortlisted Proposer's based on the information of interest by the Evaluation Committee. The scores from the evaluation of the proposals and oral presentations will be totaled to determine the Proposer with the highest number of points.

This RFQ will generally be awarded to the Proposer who scores the highest number of points on the criteria; however, the City reserves the right to accept or reject any or all proposals submitted in whole or in part, and to cancel this RFQ and re-solicit or not re-solicit as determined to be in the City's best interests. The City also reserves the right to select a Proposer without shortlisting or requesting oral presentation. The establishment, application and interpretation of the evaluation criteria above shall be solely within the discretion of the City.

END OF SECTION

SECTION 4 - INSTRUCTIONS TO PROPOSERS

4.1 CONE OF SILENCE

Potential Proposers shall not communicate in any way with City staff or the City Council other than the primary contact listed herein. This restriction shall be effective from the time of advertisement until an award is made by the City Council. Such communication may result in disqualification.

4.2 REQUIRED COPIES

One (1) clearly marked original, six (6) copies and one (1) electronic copy of the proposal shall be submitted. Please refer to the Proposal Checklist (Form A) for guidance on all requirements.

4.3 SEALED BIDS

Proposals shall be enclosed in a sealed envelope which shall show (lower left corner) the Proposer's name and address, RFQ number and title, along with the solicitation opening date and time. The Proposal shall be submitted no later than the Solicitation Opening date and time mentioned on the Request for Qualifications. The City will not be responsible for opening any proposals that are not clearly marked.

4.4 PROPOSALS NOT CONSIDERED

Proposals not considered are late submissions, telegraphed, emailed or faxed proposals and proposals which do not conform to the instructions contained in the Request for Qualifications. Proposals may be withdrawn by fax or email, provided that such notices are received prior to the Solicitation Opening date and time and confirmed by a telephone call.

4.5 ACCEPTABLE PROPOSALS

Proposals shall be handwritten or typed with (black or blue) ink. Any erasures or corrections must be initialed by the Proposer in ink. Handwritten submissions must be legible.

4.6 LATE PROPOSALS

Late proposals will not be opened. Proposers have the option of picking up or paying for the mailed return of the unopened proposal. If this option is not exercised within five (5) days of the Solicitation Opening, the late unopened proposal will be disposed.

4.7 SOLICITATION OPENING

Proposers are welcome to attend the solicitation opening; however, attendance is not mandatory. Proposals shall be opened and publicly announced on the date, time and location specified on the Request for Qualifications, unless otherwise stated in the form of an addendum.

4.8 REQUIRED INFORMATION

Proposers shall follow all instructions and provide all required information and forms to be considered for award. Proposers wishing to qualify for consideration of exception for all or any portion of the RFQ shall provide a hand printed or typed explanation attachment to be submitted with the proposal.

4.9 PROPOSAL EXAMINATION

In accordance with Chapter 119, Florida Statutes, solicitation files will be made available for public inspection at the time the City posts notice of its decision or intended decision concerning contract awards, or thirty (30) days after the solicitation opening, whichever is earlier. Solicitation files may be examined during normal working hours, by appointment only, by contacting the City Clerk's office at 772-589-5330.

4.10 CONFIDENTIAL INFORMATION

Pursuant to section 119.071, Florida Statutes, any financial statements that the City requires to be submitted may be exempt from the Public Records Law. Therefore, any submitted financial statements that the Proposer wishes to remain confidential shall be submitted in a sealed opaque envelope and marked "Confidential Financial Statement Enclosed." By submission of a response to this RFQ the proposer agrees to indemnify and hold the City harmless should any information marked as confidential knowingly or unknowingly be released as the result of a public records request.

4.11 ADDENDA

Addenda may be issued in response to any inquiry received by the Question/Answer deadline date and time specified herein. The revisions, additions, deletions, clarification, etc. shall become part of and have precedence over anything shown or described otherwise. If not mentioned in the addenda, all other documents, specifications, drawings, terms and conditions remain the same. The Proposer should not rely on any representation, statement or explanation, whether written or verbal, other than those made in the Solicitation documents or in the addenda issued. It is the Proposer's responsibility to ensure receipt of all addenda and any accompanying attachments before submitting proposal. The Proposer is required to submit with its proposal, all addenda signed. Where there appears to be a conflict between Solicitation and any addenda, the last addendum issues shall prevail.

4.12 SCRUTINIZED VENDOR CERTIFICATION

Proposer certifies that it is not listed on (a) the Scrutinized Companies that Boycott Israel List, created pursuant to Section 215.4725, Florida Statues, or is engaged in a boycott of Israel; (b) the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, created pursuant to Section 215.473, Florida Statutes; or (c) is engaged in business operations in Cuba or Syria. Proposer further understands and accepts that any contract issued as a result of this Solicitation shall be subject to Section 287.135, Florida Statutes, and subject to immediate termination by the City in the event there is any misrepresentation or false certification on the part of Proposer.

4.13 CORRECTIONS, CANCELLATION, & WITHDRAWAL

Proposers may be asked to provide further information after the solicitation opening to determine the responsibility of the vendor.

- 4.13.1. **Waiver of Technicality:** Information shall not be considered after the bid opening if it has been specifically requested to be provided with the Proposal as this becomes a matter of responsiveness. The Proposal shall be considered responsive if it substantially conforms to the requirements of the RFP. The City may waive any informality, technicality, or irregularity on any bid. A minor or non-substantive lack of conformity may be considered a technicality or irregularity which may be waived by the City.
- 4.13.2. Mathematical Errors: Errors in extension of unit prices or in mathematical calculations may be corrected. In cases of errors in mathematical computations, the unit prices shall not be changed.
- 4.13.3. **Cancellation or Postponement:** The City may cancel or postpose the solicitation opening or cancel the RFP in its entirety prior to award.
- 4.13.4. **Withdrawal:** Prior to any published bid opening date and time, a Proposer may withdraw his or her Proposal in writing. A fax or email is permitted for this purpose, provided a confirming telephone call is made.
- 4.13.5. **Amendments:** Prior to the published bid opening date and time, a Proposer may amend the Proposal provided that it is in writing, in a sealed envelope, and identified.



4.14 PROPOSAL GUARANTEE

The Proposer warrants that the unit prices, terms, and conditions quoted in the proposal will be firm for acceptance for a period of not less than sixty (60) days from the solicitation opening date. Such unit prices, terms and conditions will remain firm for the contract period.

4.15 RFQ AWARD

The contract/agreement will be awarded to the most responsive and responsible Proposer whose proposal, conforming to the specifications and terms the City considers is most advantageous. The Procurement/Contracts Manager shall issue a Notice of Award to the successful Proposer and post the results on the City's website and DemandStar.

4.16 REJECTION OF PROPOSALS

The City reserves the right to reject any and all proposals, to waive any and all informalities not involving price, time, or changes in the work, and to negotiate contract terms with the top ranked Proposer, and the right to disregard all non-conforming, non-responsive, imbalanced, or conditional proposals. More than one proposal from an individual, firm or association under same or different names, will not be considered. Any or all proposals will be rejected if there is reason to believe that collusion exists among the Proposers, and no participants in such collusion will be considered in future proposals for the same work.

END OF SECTION

SECTION 5 – GENERAL CONDITIONS

5.1 SUSPENSION AND DEBARMENT

City of Sebastian will not make award to parties listed on the government-wide exclusions in the System for Award Management (SAM).

5.2 DELETION OR MODIFICATION OF SERVICES

The City reserves the right to delete or modify any portion of the contracted services at any time without cause, and if such right is exercised by the City, the total costs shall be reduced at the same ratio as the estimated costs of the Services.

5.3 COUNCIL MEETING

The awarded Proposer must be available to attend City Council meetings, when required. The awarded Proposer must be prepared to answer any questions and/or provide a presentation if requested by Council and/or authorized by City representative(s). The awarded Proposer is not required to attend the City Council meeting for approval of award, but attendance is welcome. The date and time of the City Council meeting will be publicly noticed.

5.4 CONFLICT OF INTEREST

Contract Award is subject to provisions of State Statutes and City Ordinances. All Proposers must disclose with their proposal the name of any employee, board member or elected official(s) of the City of Sebastian; further, all proposals must disclose the name of any City employee or Council member, who owns, directly or indirectly, an interest of five percent (5%) or more in the Proposer's firm or any of its branches.

Should the successful Proposer permanently or temporarily hire any City employee or Council member, who is, or has been, directly involved with the Proposer prior to or during performance of the resulting contract, the Agreement shall be subject to immediate termination by the City.

5.5 NOTICE TO PROCEED

The Contractor shall not commence any Work, nor enter a Worksite, until a written Notice to Proceed (NTP) directing the awarded Proposer to proceed with the Work has been issued by the City; provided, however, that such notification shall be superseded by any emergency work that may be required in accordance with the provisions included elsewhere in this RFQ and resulting Contract.

5.6 METHOD OF PAYMENT

5.6.1. Florida Prompt Payment Act

Payment shall be made in accordance with Section 218, Part VII of the Florida Statutes.

5.7 SALES TAX

Although the City of Sebastian is exempt from Federal and State Sales and Use taxes, Contractors or Vendors doing business with the City are <u>not</u> exempted from paying said taxes to their supplier for goods or services purchased to fulfill the contractual obligations with the City, nor shall any Contractor or Vendor be authorized to use the City's Tax Exemption Number in securing such materials.

5.8 **AVAILABILITY OF FUNDS**

The obligations of the City of Sebastian under this award are subject to the availability of funds lawfully appropriated for its purpose by the City Council of the City of Sebastian.

5.9 EXCEPTIONS TO SPECIFICATIONS

Request for exceptions to the specifications shall be listed in the proposal and shall reference the section. Any exceptions to the General or Special Conditions may be cause for the proposal to be considered non-responsive.

5.10 SUBCONTRACTORS AND EMPLOYEES

The Proposer is required to identify any and all Sub-consultants and/or suppliers that will be used in the performance of the proposed Agreement and to clearly identify in their proposal the percentages of Work to be performed by their Sub-consultants.

5.11 WAIVER OF IRREGULARITIES

The City may waive minor informalities or irregularities in proposals received where such is merely a matter of form and not substance, and the correction or waiver of which is not prejudicial to other Proposers. Minor irregularities are defined as those that will not have an adverse effect on the City's interest and will not affect the price or terms of the submission by giving a Proposer an advantage or benefit not enjoyed by other Proposers.

- 5.11.1. In no event will any such elections by the City be deemed to be a waiving of the required criteria for the requested services.
- *5.11.2.* The Contractor who is selected for the Project will be required to fully comply with the Project criteria, regardless that the Solicitation may have been based on a variation.
- 5.11.3. Proposers shall identify separately all innovative aspects as such in the technical Solicitation. Innovation should be limited to Proposers means and methods, approach to Project, use of new products, and new uses for established products.

5.12 TERMINATION FOR CAUSE AND FOR CONVENIENCE

Any contract resulting from this RFQ may be terminated by the City without cause upon thirty (30) days' written notice to the Proposer. In the event of such a termination without cause, the Proposer shall be compensated for all services performed to the City's satisfaction.

5.13 TERMINATION FOR CONVENIENCE

The City, at any time and for any reason may terminate the services and work at the City's convenience. Upon receipt of such notice, Contractor shall, unless the notice directs otherwise, immediately discontinue the work and/or the placing of orders for materials, facilities and supplies in connection with the performance of this contract.

5.14 QUESTIONS AND/OR REQUESTS FOR CLARIFICATION

Any questions and/or requests for clarification regarding this Solicitation shall be submitted in writing to the Procurement/Contracts Manager via email at afraser@cityofsebastian.org. Proposers must clearly understand that the only official answer or position of the City will be the one issued by the Procurement/Contracts Manager via an Addendum.

The Solicitation number and title shall be referenced on all correspondence, be sure to include the page and paragraph number for each question in order to ensure that questions asked are responded to correctly. All questions must be received no later than the time and date specified in the Request for Qualifications and At-A-Glance timetable. All responses to questions/clarifications will be published in the form of an Addendum. **NO QUESTIONS WILL BE RECEIVED VERBALLY OR AFTER SAID DEADLINE.** Addendum(s) will be made available on the City's website (www.cityofsebastian.org) and DemandStar (www.demandstar.com) and it is the Proposer's sole responsibility to assure receipt of all (if any) Addenda.

5.15 CO-OPERATIVE PURCHASING

It is the intent of the Request for Qualification to secure goods or services to be used by the City of Sebastian. However, by virtue of bidding, the Proposer accepts the right of other Government Entities to "piggyback" purchase from this proposal by mutual consent and where applicable by law. Any such purchase shall be separate and apart from the City of Sebastian, and said City assumes no liability for such action.

5.16 **DISCRIMINATION**

The Proposer shall not practice or condone personnel or supplier discrimination of any nature whatsoever, in any manner proscribed by Federal or State of Florida laws and regulations. The City of Sebastian will not knowingly do business with vendors, proposers, or contractors who discriminate on those protected by state and federal law. Through the course of providing services to the City, Contractors shall affirmatively comply with all applicable provisions of Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992, as well as all other applicable regulations, guidelines and standards. Any person who believes their rights have been violated should report such discrimination to the City.

5.17 PUBLIC RECORDS

Section 119.01 F.S., The Public Records Law, provides that municipal records shall at all times be open for personal inspection by any person. Information and materials received by the City in connection with all PROPOSER's responses shall be deemed to be public records subject to public inspection upon award, recommendation for award, or thirty (30) days after the bid opening, whichever occurs first. However, certain exemptions to the public records law are statutorily provided for in Section 119.07, F.S. Therefore, if the Proposer believes any of the information contained in his or her response is exempt from the Public Records Law, the Proposer must in his or her response specifically identify the material which is deemed to be exempt and cite the legal authority for the exemption, otherwise, the City will treat all materials received as public records.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT JEANETTE WILLIAMS, THE CUSTODIAN OF PUBLIC RECORDS AT 772-388-8215 / EMAIL <u>jwilliams@cityofsebastian.org</u> CITY OF SEBASTAIN, 1225 MAIN STREET, SEBASTIAN, FLORIDA 32958.

5.18 E-VERIFY

In accordance with State of Florida, Office of the Governor, Executive Order 11-116 (superseding Executive Order 11-02; Certification of Employment Status), in the event performance of this Agreement is ow will be funded using state or federal funds, the Contractor must comply with the Employment Eligibility Verification Program developed by the federal government to verify the eligibility of individuals to work in the United States and 48 CFR 52.222-54 (as amended) is incorporated herein by reference. The Consultant shall (1) enroll in the U.S. Department of Homeland Security's E-Verify system, (2) utilize E-Verify to verify the employment eligibility of all new employees hired during the term of the Contract (3) utilize E-Verify to verify the employment eligibility of all employees assigned to the Contract; and (4) shall expressly require any subcontractors performing work or providing services pursuant to the Contract to likewise utilize E-Verify to verify the employment eligibility of all new employees hired by the subcontractor during the Contract term. Information on registration for and use of the E-Verify system can be obtained at the U.S. Department of Homeland Security website: http://www/dhs.gov/E-Verify.



5.19 PROTEST PROCEDURE

Any actual or prospective bidder or proposer who is aggrieved in connection with a competitive selection process may protest to the Procurement/Contracts Manager. The protest shall be submitted in writing within seven (7) calendar days after the bidder or proposer knows or should have known of the facts giving rise to the protest.

- 6.31.1 <u>Decision</u> If the protest is not resolved by mutual agreement, the Procurement/Contracts Manager shall promptly investigate the basis of the protest and, after consultation with the City Manager, originating department, the City Attorney and any other person or entity deemed necessary by the Procurement/Contracts Manager, shall issue a decision in writing. A copy of the decision shall be furnished immediately to the protestor and any other party determined by the Procurement/Contracts Manager to be directly affected by the decision. The decision shall:
 - A. State the decision and the basis for the decision, and
 - B. Set forth the protestor's right to administrative review.
- 6.31.2 <u>Administrative Review</u> If the protestor disagrees with the decision of the Procurement/Contracts Manager, the protestor may appeal the decision to the City Manager and/or City Council, provided written notice of such appeal shall be submitted by the protestor to the Procurement/Contracts Manager within seven (7) calendar days of receipt of the decision.
- 6.31.3 <u>Stay of Procurement</u> In the event of a timely and properly filed protest, the Procurement/Contracts Manager shall not proceed further with the solicitation or award until all administrative remedies have been exhausted, or until the City Manager or City Council, as appropriate, makes a determination on the record that the award of a contract is necessary to protect substantial interests of the City.

5.20 LOCAL VENDOR PREFERENCE

Effective October 14, 2009, City of Sebastian adopted a local vendor preference reference, Ordinance No. 09-13 as set forth below:

Sec. 2-11. Local Vendor Preference Policy

- (a). Definitions.
 - (1) Local business means the vendor has:
 - a) A valid business tax receipt issued by the City of Sebastian, Indian River County, St. Lucie County, Martin County, Okeechobee County, Osceola County, or Brevard County at the time a bid or proposal is submitted, and
 - b) A physical address located within the local area, in an area zoned for the conduct of such business, from which the vendor is operating a significant portion of its business, and at which it maintains full-time employees.
 - (2) Nonlocal business means any vendor that does not meet the definition of a business within the local area.
- (b) Establishment as local area business. To establish that a vendor is a local area business a vendor shall provide written documentation of compliance with the definitions for each such local business as defined in subsection (1) herein, at the time of submitting a bid or proposal. Post office boxes are not verifiable and shall not be used for the purpose of establishing the required physical business address. A vendor that misrepresents the local area status of its



firm in a proposal or bid submittal to the city will lose the privilege to claim local preference status for a period of two years.

- (c) Local preference in purchasing and contracting. The City of Sebastian shall give preference to local area businesses in the purchase of commodities, person property, general services, personal property, professional services, and the purchase of or contract for construction or renovation of public works or other public improvements by means of competitive bid. The city shall give such preference to local area businesses in the following manner:
 - (1) Competitive bid. Each formal competitive bid solicitation shall clearly identify how the price order of the bids received will be evaluated and determined.

When a qualified and responsive nonlocal business submits the lowest price bid, and the lowest bid submitted by a qualified and responsive local area business is within five percent of the lowest bid, then the lowest bidding local area business shall have the opportunity to submit an offer to match the price submitted by the lowest nonlocal area business PROPOSER.

Within five working days after the posting of the qualified and responsive bids, any local area business that has submitted a bid within five percent of the lowest bid by a nonlocal area business, and that wants the opportunity to match the lowest bid, shall submit a written offer to match the lowest bid. If the lowest local area business submits an offer that matches the lowest bid submitted, then the award shall be made to such local business.

If the lowest local area business PROPOSER declines or is unable to match the lowest bids, then the option to do so moves to the next local area business if its bid is within five percent of the lowest bids, and it is a qualified and responsive PROPOSER.

If the lowest bid is submitted by a qualified and responsive local area business, there is no local vendor preference.

If a local area business accepts the opportunity to match the lowest bid of a nonlocal area business and that bid is based on unit price bid items and estimated quantities, then the unit prices for all bid items shall be reduced in proportion to the reduction in the local area business's total bid amount required to match the lowest total bid.

- (2) Ties. In the event of any tie in the final bid price between a local area business, and a nonlocal area business, a contract award, or the first opportunity to negotiate, as applicable, shall be made to the local area business. In the event of any two businesses located within the City of Sebastian, or two businesses located within the greater local area, the local vendor with the greatest number of full-time employees working in the City of Sebastian or the greater local area respectively shall be awarded the contract or receive the first opportunity to negotiate as applicable.
- (d) Exception to local vendor preference policy. The local preference policy set forth herein shall not apply to any of the following purchases or contracts:
 - (1) Goods or services provided under a cooperative purchasing agreement or piggyback agreement; or
 - (2) Purchases or contract which are funded, in whole or part, by a governmental entity and the laws, regulations, or policies governing such funding prohibit application of that preference: or



- (3) Purchases made or contracts let under emergency or noncompetitive situations, or for litigation related legal services, as described in the City's purchasing policies; or
- (4) Purchases or contracts with an estimated cost of \$5,000.00 or less; or
- (5) Purchases or contracts where the difference between the amount of the low bid submitted by a qualified and responsive nonlocal area business and the lowest bid submitted by a qualified and responsive local area business is greater than \$25,000.00; or
- (6) Where all bids are rejected.
- (e) Waiver of the application for local vendor preference policy. Any request for the waiver of local preference to any particular purchase or contract must be heard by the City Council prior to advertising the bid. The city council, as the awarding authority, may approve the waiver of local preference upon review and at its discretion.
- (f) Comparison and review of qualifications. The preferences established herein no way prohibit the right of the City of Sebastian to compare and review the quality of materials proposed for purchase, and to compare and review the qualifications, character, responsibility and fitness of all persons, firms or corporations submitting bids or proposals. Furthermore, the local preference established herein shall not prohibit the city from giving any other preference permitted by law in addition to the local preference contained herein.
- (g) Administration of local preference policy. This policy shall apply to all departments, functions and funds under the governance of the City of Sebastian, unless subsection (d) applies.
- (h) Dispute resolution. Any dispute arising under the provision of this section shall first be presented to the City Manager for determination. The decision of the City Manager shall be appealable to the City Council, and the decision of the City Council shall be final and binding on all parties.

END OF SECTION

SEBASTIAN HOME OF PELICAN ISLAND

SECTION 6 - FORMS



STATEMENT OF NO RESPONSE

If your firm is unable to submit a proposal, please complete and return this form prior to the Solicitation Opening date shown herein. Return by email (afraser@cityofsebastian.org) or by mail to:

CITY OF SEBASTIAN **ATTN**: PROCUREMENT 1225 MAIN STREET SEBASTIAN, FLORIDA 32958

Company				
Company Phone No				
We have	declined to propose on <u>RFQ #20-01 Engineeri</u> for the following reason(s) (mark all that appli			
	Do not offer the good(s) or service(s) require	ed		
	Our schedule would not permit us to perform	n responsibly		
	Unable to meet specifications			
	Unable to meet insurance/eligibility requirements			
	Specifications unclear (please explain below)			
	Other (please specify below)			
REMARK	S			
		Signature		
		Drive Name / Title		
		Print Name / Title		
		Date		



SOLICIATION INFORMATION FORM

Please submit this form to assist us in learning more about how our solicitation opportunities are most often found.

Company's Name:
Company Address:
Phone No:
Please tell us how you found out this Request for Proposal was released/available (mark all that applies):
Indian River Press Journal (TCPalm)
DemandStar/Onvia
City of Sebastian Web Site
Other (please specify below)



MAILING LABEL

Cut along the outer border and affix this label to the sealed envelope to identify it as a Sealed Solicitation Submittal.

SEALED RFQ • DO NOT OPEN			
SOLICITATION #:	RFQ #20-01		
SOLICITATION TITLE:	Engineering Services to Evaluate Annexation Process		
DUE DATE/TIME:	Friday, February 21, 2020 @ 2:00 PM EST		
SUBMITTED BY:			
	Proposer's Name		
	Proposer's Address		
	Proposer's Address		
DELIVER TO:	City of Sebastian ATTN : Procurement Division 1225 Main Street Sebastian, Florida 32958		





PROPOSAL CHECKLIST

Please use the following checklist as a reference document to confirm all requirements are met in your RFQ submission. **This checklist must be submitted as part of the Proposal.** Please be advised that this checklist should not be interpreted as a comprehensive list of all information required by this Solicitation from prospective Proposers. It simply serves as a guide for the most significant documents to be included in the Proposal and should be enhanced as deemed necessary. It is solely the Proposer's responsibility to read and understand all requirements and adhere to all issued Addenda.

Requirements	OFFICE USE ONLY
One (1) original copy of proposal (bearing original signatures)	
Six (6) copies of proposal	
One (1) electronic copy of proposal (USB)	
Letter of Interest (Refer to Section 2.1)	
Proposal Checklist – FORM A	
Signed Addenda, if applicable	
TAB #1 – QUALIFICATIONS (Refer to Sections 2.2 - 2.4)	
Company Profile	
Experience	
Project Team	
TAB #2 – PROJECT INVOLVEMENT (Refer to Sections 2.5)	
Project Approach	
TAB #4 – INSURANCE/LICENSES (Refer to Sections 2.6 – 2.7)	
Proof of Insurance	
Proof of License(s)	
TAB #4 - REFERENCES (Refer to Section 2.8)	
Reference List – FORM C	
TAB #5 – FORMS (Refer to Section 2.8)	
Contact Information Sheet – FORM B	
Proposer's Disclosure Questionnaire – FORM D	
Document Notification Affidavit - FORM E	
Subcontractor Listing Form – FORM F	

PLEASE ENSURE THE MAILING LABEL IS AFFIXED TO THE SEALED ENVELOPE. (See page 21)

<u>IMPORTANT:</u> Failure to submit the requested copies or complete and submit the required forms may result in submittal being deemed non-responsive and removed from consideration.





CONTACT INFORMATION SHEET

DUE DATE: Proposals due on or before 2:00 PM EST at City of Sebastian ATTN: Procurement 1225 Main Street Sebastian, Florida 32958	RFQ NO.: #20-01	RELEASE DATE: 01/27/2020	CONTACT: Ann-Marie Fraser, CPPB, MBA Procurement/Contracts Manager (772) 388-8231 afraser@cityofsebastian.org
Friday, February 21, 2020 Check Addenda for any revised opening dates before submitting your proposal. Proposal(s) received, after the date and time stated above, shall not be considered for award.	RFQ TITLE: ENGINE		/ICES TO EVALUATE ON PROCESS
Firm's Name and "Doing Business As", if applicable:			
Federal Tax Identification Number:			
Address:	City:	State:	Zip Code:
Telephone Number: Fax Number:			
E-Mail Address of Authorized Representative:			
The undersigned hereby proposes and agrees to furnish all labor, materials, and equipment, and to perform all work required for the above-named Project in the manner and time prescribed in the Scope of Work and Drawings (if applicable) and such addenda thereto as may be issued prior to bid opening date.			
Signature of Authorized Representative (Manual)			
Name of Authorized Representative (Typed or Printed)			
Title			

Failure to fully complete and submit this Information Sheet may result in rejection of the submittal



REFERENCE LIST

Proposer's Name:	
	contact information for a minimum of three (3) references in which similar work st five (5) years, public sector entities preferred.
	Reference #1
Company Name:	
Location (City, State):	
Contact Person:	
Contact Number:	
Email Address:	
Dates of Service:	
Services Provided:	
	Reference #2
Company Name:	
Location (City, State):	
Contact Person:	
Contact Number:	
Email Address:	
Dates of Service:	
Services Provided:	
	Reference #3
Company Name:	
Location (City, State):	
Contact Person:	
Contact Number:	
Email Address:	
Dates of Service:	
Services Provided:	

Failure to fully complete and submit this List may result in rejection of the submittal



PROPOSER'S DISCLOSURE QUESTIONNAIRE

The undersigned certifies under oath the truth and correctness of all statements and all answers to questions made hereinafter. Additional sheets may be attached if required.

	Proposer's Name	<u> </u>	
	Address	:	
	Contact Persor	ı:	
	Title	:	
	Phone No	.:	
	Email Address	:	
	Federal Identification No	.: _	
	This Business is	c: () An Individual () A Partnership () A Corporation	
	Proposer's License No., if applicable	r	
	*	Attach certificate of status, competency, and/or state registration	
(1)	Department of Professional Regu	icers, received a reprimand of any nature or been suspended by the lations or any other regulatory agency or professional association within	
(2)	Has your firm, or any member of your firm, been declared in default, terminated or removed from a contract or job related to the services your firm provides in the regular course of business within the last five (5) years? YES NO		
(3)		led any request for equitable adjustment, contract claims, bid protest, or that is related to the services your firm provides in the regular course of	
(4)	Has your firm had any involvemen	t in the annexation process being reviewed? YES NO	
(5)	Describe each affiliation or busine an immediate family member of ar	ss relationship with an employee, board member, elected official(s) or such person of the City of Sebastian. If none, write NONE.	
(6)	Describe ANY other affiliation or NONE.	business relationship that may cause a conflict of interest. If none, write	
		equitable adjustment, contract claim, litigation, or protest, and state a brief s of the suit and the monetary amounts or extended contract time involved.	
		true and I agree and understand that any misstatement or misrepresentation or record of rights for further consideration of this proposal for the City of Sebastian.	
	Signature	Date	

Failure to fully complete, sign and submit this Questionnaire may result in rejection of the submittal



DOCUMENT NOTIFICATION AFFIDAVIT

STATE OF	
COUNTY OF	
I,	acknowledge that I have legal authorization
(Printed Name)	
to contractually bind	,
(Company Nan	ne)
I acknowledge that as part of my response to this soli following documents/notifications, attached:	citation I have read and reviewed copies of the
Conflict of Interest Disclosure	
 Drug-Free Workplace Provisions 	6
Public Entity Crimes Notification	
Non-Collusive Affidavit Non-Collusive Affidavit Output Description:	
E-Verify AcknowledgementImmigration Laws Notification	
 Immigration Laws Notification Scrutinized Vendor Certification 	
No Lobbying Notification	
 Debarment and Suspension Cer 	tification
 Vendor Performance Acknowled 	gement
I hereby swear or affirm that I have read and that I u regulations imposed by the above-referenced docume above-referenced documents and all terms and cor response to this solicitation.	nts and that I acknowledge and accept that the
The foregoing Affidavit was subscribed and s	
, 2020, by personally known to me or who has produced	who is
oath.	as identification and who did take an
Notary Pu	ıblic Name:
[Notary Seal]	
Notary Pu	ıblic Signature:
Notary Co	ommission Expiration:

Failure to fully complete, sign and submit this Affidavit may result in rejection of the submittal



SUB-CONSULTANTS LISTING FORM

Proposer's Name:		Phone #:			
RFQ Title:	Engineering Ser	vices to Evaluate Annexation	Process	RFQ #:	20-01
not. If sub-consultan	ts will not be ໌ເ	ou invited to bid on thi used on this agreemen a additional sheets if ne	it, check the		•
previously failed in the similar nature, or who	ne proper perfo o is not in a po	any proposals if the Prormance of an award, on sition to perform under all tant in order to make a	or failed to d this award.	eliver on Γhe City r	time contracts of a eserves the right to
Compai Name	•	Work To Be Performed	Contac Persor		Telephone Number
1.					
2.					
3.					
<u>4.</u>					
5.					
6.					
I affir	m that Sub-co	nsultants will not be u agreement.	sed to com	plete pro	jects under this
Print Preparer's Name	:		Title	:	
0:			D. 1		

Failure to fully complete, sign and submit this Form may result in rejection of the submittal