MIAMI-DADE COUNTY, FLORIDA
NOTICE TO PROFESSIONAL CONSULTANTS (NTPC)
MIAMI-DADE WATER AND SEWER DEPARTMENT
ENGINEERING DESIGN AND RELATED SERVICES FOR THE IMPROVEMENT, RENEWAL AND REPLACMENT OF THE HIALEAH AND JOHN E. PRESTON WATER TREATMENT PLANTS, AND ASSOCIATED WATER DISTRIBUTION SYSTEM, PIPELINES, WELLFIELDS, RE-PUMPING FACILITIES, REMOTE STORAGE AND ITS APPURTENANT WATER FACILITIES
PROJECT NO. E15-WASD-18

The County Mayor, Miami-Dade County (County), pursuant to the Miami-Dade Water and Sewer Department (WASD) Consent Decree and Capital Improvement Programs Acceleration Ordinance Section 2-8.2.12 of the County Code, Chapter 287.055, Florida Statutes, and Administrative Order 3-39, announces that WASD will require professional engineering and construction management services from one (1) qualified Consultant to provide comprehensive engineering services to evaluate, rehabilitate and upgrade the infrastructure and operations of WASD's Hialeah and John E. Preston Water Treatment Plants, and associated water distribution system, pipelines, wellfields, re-pumping facilities, remote storage and its appurtenant facilities related to capital improvement needs identified in the Multi-Year Capital Improvement Plan.

The two (2) water treatment plant projects noted below will be procured concurrently, and the Prime Consultant may submit proposals for both projects which shall be evaluated as set forth below. These projects are:

1. Project No. E15-WASD-18
   Proposed Upgrades to the Hialeah and John E. Preston Water Treatment Plants and its Appurtenant Facilities.

2. Project No. E15-WASD-19
   Proposed Upgrades to the Alexander Orr Water Treatment Plant, inclusive of the South Miami-Dade Water Supply System and its Appurtenant Facilities.

WASD intends to retain one (1) qualified firm under one (1) Non-Exclusive Professional Services Agreement (PSA) for this project. The proposals received for this project will be reviewed and ranked by the Competitive Selection Committee (CSC) members along with the other project listed above. The CSC shall report to the County Mayor or Mayor's designee the recommended ranking of the firms. In the event that the same Prime consultant is the highest ranked firm on more than one (1) of the two (2) projects noted above, the County Mayor or Mayor's designee shall determine the final ranking of the firms for both projects based on the CSC recommendation and the firm's capacity to perform the required services.

It is the policy of Miami-Dade County that all elected and appointed County officials and County employees shall adhere to the Public Service Honor Code (Honor Code). The Honor Code consists of minimum standards regarding the responsibilities of all public servants in the County. Violation of any of the mandatory standards may result in enforcement action. (See Implementing Order 7-7).

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Schedule of Intent Affidavit (SOI) Small Business Enterprise – Goods and Services (SBE-G/S) Program – SBD Form 504 (Revised 10/14)

DIVISION 1.0 PROCEDURES AND SCOPE OF SERVICES

1.1 DEFINITIONS

The following definitions, as well as additional terms necessary for understanding the provisions of this solicitation, are defined in A.O. 3-39. Subject legislation may be obtained via the internet at www.miamidade.gov, or from the Clerk of the Board (COB); refer to Division 2.2 for COB location.

a) A/E: Architectural and engineering.

b) COB: Clerk of the Board.

c) CSC: Competitive Selection Committee. As defined in Section 2-10.4 (5) of the Code, the committee appointed by the County Mayor or County Mayor's designee to evaluate qualifications and performance of the firms requesting consideration for the specific project, and select the most qualified firm (s) to perform the services.

d) Consultant: Respondent that receives an award of a contract, from the County, as a result of this solicitation. Consultant is also synonymous with the term "prime consultant".

e) Contract: Synonymous with the term "agreement." An agreement refers to the Professional Services Agreement (PSA).

f) E&Q: Experience and Qualifications. An aptitude and knowledge/familiarity factor which shall be considered by the appointed CSC during the evaluation process.

g) ISD: Internal Services Department: County department which combined the former Americans with Disability Act Coordination, Capital Improvements, General Services Administration, and Procurement Management departments.

h) LOQ: Letter of Qualifications. A two-page document identified in this NTPC, which will be utilized by Miami-Dade County to obtain information from A/E firms about their qualifications. Subject LOQ is required to be submitted on or before the deadline for receipt of proposals.

i) Non-Responsive: Term utilized to identify a proposer, who in the County's sole discretion, has not complied with all the material requirements outlined in the solicitation, as applicable. Those proposers who are found non-responsive may not be considered for contract award.

j) NTPC: Notice to Professional Consultants. A document soliciting professional A/E services. Subject document contains scope description, technical certification requirements, applicable contract measures, data sheets (forms to be completed and submitted as part of the proposal), and submission dates.

k) Preference: Term utilized to identify positive evaluation consideration granted, by the appointed CSC, to consultants demonstrating favored experience, as denoted in Section 1.2, Scope of Services.

l) Pre-Qualification Certification: An annual certification process required of all firms providing A/E, landscape architectural, land surveying and mapping professional

services pursuant to Miami-Dade County professional services agreements. Pre-qualification certification is the consolidation of various certification processes and includes, but may not be limited to, technical certification, affirmative action plan verification, vendor registration and execution of basic Miami-Dade County affidavits, as applicable. The pre-qualification certification program is administered by the ISD. Pre-Qualification approval is granted to firms who have received approval from ISD on all the required certification processes outlined above.

m) Project: Shall mean that fixed capital outlay study or planning activity as defined in Section 2-10.4(1) (e) (1) and (2), of the Code.

n) Proposer: The person, firm, entity or organization submitting a response to this solicitation. Term is synonymous with the words “submitter” and/or “respondent.”

o) PSA: Professional Services Agreement. Synonymous with the term “contract.”

p) Responsive: Term utilized to identify a proposer who, in the County’s sole discretion, has complied with all the material requirements outlined in the solicitation, as applicable.

1.2 SCOPE OF SERVICES

The scope of services consists of complete professional engineering and construction management services, which will include such tasks as design services for plant upgrades and expansion projects, as well as renewal and replacement projects for the plant’s existing facilities and associated water distribution. Renewal an replacement services include evaluation of existing equipment condition, capacity and useful life expectancy, as well as preparation of a prioritized rehabilitation or replacement schedule and related design services.

Design services may include, but are not limited to: performing preliminary site investigations; surveying; hydraulic modeling and analysis; coordinating with other utilities; preparing design reports; preparing shop drawings and preparing contract specifications for civil, hydro-geological services, structural, mechanical and electrical projects. Services during the permitting and procurement phases may include: obtaining dry-run permits and producing a final design and participating in obtaining final environmental and building permits. Construction management services are required to provide technical support during construction as needed, including site inspections and attending meetings, reviewing shop drawings, processing payment requisitions, responding to information requests, reviewing claims and potential change orders, reviewing contract schedules and schedule of values and reviewing as-built drawings. Project coordination services are anticipated to include establishing a plan to implement projects; establishing and tracking project schedules, preparing budgets and deadlines; preparing status reports and attending meetings as requested.

Additional tasks are anticipated to include:

1. Evaluating and formulating plans for improving or optimizing the treatment processes, including designing and conducting pilot studies and providing construction cost and operation and maintenance estimates.

2. Conducting studies and providing recommendations related to improving plant operations and efficiency, including safety, staffing, energy conservation, security, residuals management, corrosion control and asset management issues. This includes site-specific staff training, preparation of operation and maintenance manuals and operational practices manuals. The site shall also include an on-site resident at the plants.
3. Providing services for evaluating regulatory requirements, including preparation of compliance documents and reports.
4. Providing technical support and assistance for computer system data integration with the programs and systems currently utilized. Providing assistance in selecting and procuring software and hardware enhancements.
5. Providing other engineering services related to the upgrades at the water treatment plants as required, including participation on a Technical Advisory Committee.

One qualified firm will be retained under a non-exclusive PSA for an effective term of six (6) years. The PSA has a the total maximum compensation of eleven million dollars ($11,000,000.00) inclusive of a ten percent (10%) contingency in accordance with Ordinance 00-65. No minimum amount of work or compensation will be assured to the retained consultant. The County reserves the right to re-use the work products of the retained consultant and to retain other consultants to provide the same or similar services at its sole discretion.

Experience and Qualifications

The Prime and/or Subconsultants (Team) submitting a proposal should be experienced in all phases of design, permitting and construction management of a large regional water treatment plant. The Team should also have experience with condition assessments and incorporating operational knowledge into treatment plant design. The successful experience on the above items should be demonstrated prior to the date of this solicitation. The Team shall provide a list of members of the proposed design team, identifying the overall design manager(s) and the team leaders for key design specialties.

The Team shall provide descriptions of at least one (1) successfully designed, constructed and operating new or upgraded water treatment plant(s), with at least one (1) being a lime softening plant, prior to the date of the solicitation. In addition, the Team shall demonstrate past experience with other water softening technologies, such as Media Filter.

For projects in which a Team member has served as the design consultant, the consultant shall provide the name and contact information for a Utility Executive with the Utility they served as the design consultant who can confirm their role. The descriptions shall include the client (i.e., municipality or agency), key project staff, the project name, a summary of the work performed, the contract amount, the schedule (to include start and completion dates), the specific role of the consultant, the achievements (e.g., projects delivered on schedule, dollars saved, innovative designs implemented, new technology utilized) and a client reference and contact information.

The Subconsultants shall provide a description of at least one (1) project(s) that is relevant to this scope of work, completed prior to the date of this solicitation, specific to their proposed responsibilities. The descriptions shall include the client (i.e., municipality or

agency), key project staff, a summary of the work performed, the contract amount, the schedule (to include start and completion dates), the specific role of the Subconsultant firm, the project's achievements and client reference and contact information.

The expertise must be met by a qualified individual(s) of the prime and/or subconsultant firm(s), as applicable. The experience must be demonstrated by direct or substantial involvement of the individual(s) in a supervisory capacity at the Project Manager level or above. The determination of the individual's qualifications and compliance with the experience and qualifications and preference stipulations shall be at the sole discretion of the County. The Competitive Selection Committee (CSC) may negatively evaluate proposals from firms they determine have failed to meet the above experience and qualification(s). Information regarding the experience and qualification(s) and preference stipulations, for the prime and A&E sub-consultants, must be included in ISD Form No. 11.

1.3 TEAMING RESTRICTIONS

Respondents must select between submitting as a prime consultant or sub-consultant when responding to a specific solicitation. All affected proposals, wherein the respondent is in violation of this condition, shall not be considered.

a) Consultants electing to submit as a prime consultant may only respond once to a solicitation, limited to participation on a single team. If submitting as a prime consultant, said consultant may not participate as a sub-consultant on the same solicitation. In the event of specific industry requirements, the County Mayor or County Mayor's designee may make exceptions.

b) A/E sub-consultants may only participate on three teams when responding to a solicitation, due to the availability of firms in each of the specified A/E technical certification categories.

c) However, A/E sub-consultants may participate on more than three teams for the technical certification category denoted below, due to the limited availability of firms to provide said service:

   10.09 Wellfield, Groundwater, and Surface Water Protection and Management

If a prime consultant or sub-consultant fails to adhere to the restrictions stated herein and participates in more than the outlined maximums, then all affected proposals shall be found non-responsive.

1.4 PRE-QUALIFICATION REQUIREMENTS

In accordance with Chapter 2, Section 2-10.4 and Administrative Order 3-39 of Miami-Dade County, all firms and/or individual consultants properly licensed to provide A/E, landscape architectural, land surveying and mapping services, regardless of their individual assignments in connection with this project, and responding to this solicitation must have filed a pre-qualification package with and have an approved pre-qualification status from ISD by the response deadline of this solicitation. Firms and/or individual consultants are required to have and maintain an approved pre-qualification certification status at the time of submittal to this NTPC, throughout the selection process, at time of award, and

throughout the duration of the contract term without any lapses. Interested A/E firms must secure the required pre-qualification certification, which includes technical certification, affirmative action plan verification vendor registration and execution of basic Miami-Dade County affidavits, as applicable, prior to the submittal date. Proposers (prime and/or sub-consultants) failure to be pre-qualified, at the time of proposal submittal, shall render the proposal non-compliant.

PLEASE VERIFY EACH TEAM MEMBER PROVIDING A/E SERVICES HAS AN APPROVED PRE-QUALIFICATION CERTIFICATION PRIOR TO THE RESPONSE DEADLINE.

1.5 WORK HISTORY DISCLOSURE

Work History Disclosure (WHD) and supplement forms are not required to be submitted with the proposal. It is the requirement for all A/E firms to submit a Work History Disclosure (WHD) at least once. Subsequently, the Prime is responsible for submitting a Monthly Utilization Report (MUR) to report all payments to Primes and sub-consultants. WHD is limited to firms providing architectural, engineering, landscape architecture, land surveying and mapping services. Any firm proposing on this solicitation that has not previously submitted a WHD and up to date MURs is required to submit subject form(s), prior to the submittal date, to the Internal Services (ISD) Department, 111 N.W. 1st Street, 19th Floor, Miami, Florida 33128, Attention: Small Business Development. New firms requesting pre-qualification certification with Miami-Dade County to provide A/E, landscape architectural, land surveying and, mapping services are required to submit WHD forms to ISD. For additional information, please contact Small Business Development, at (305) 375-3111.

1.6 A/E TECHNICAL CERTIFICATION REQUIREMENTS

6.03 Water and Sanitary Sewer Systems – Water and Sanitary Sewage Treatment Plans (PRIME)
11.00 General Structural Engineering (PRIME)
12.00 General Mechanical Engineering (PRIME)
13.00 General Electrical Engineering (PRIME)
17.00 Engineering Construction Management (PRIME)
6.01 Water and Sanitary Sewer Systems – Water Distribution and Sanitary Sewage Collection and Transmission
6.02 Water and Sanitary Sewer Systems – Water and Sanitary Sewage Pumping Facilities
9.02 Soils, Foundations and Materials Testing – Geotechnical and Materials Engineering Services
10.09 Environmental Engineering – Wellfield, Groundwater, and Surface Water Protection and Management
15.01 Surveying and Mapping – Land Surveying

To satisfy the technical certification requirements for the requested services, valid technical certification in all of the above-specified area(s) of work must be held by a firm responding as a sole respondent, or a team of firms. Teams of firms must designate one of its members as the “prime consultant”. The prime consultant will be held responsible for the

coordination of all work and must hold technical certification in categories **6.03 Water and Sanitary Sewer Systems – Water and Sanitary Sewage Treatment Plans, 11.00 General Structural Engineering, 12.00 General Mechanical Engineering, 13.00General Electrical Engineering and 17.00 Engineering Construction Management (PRIME)**. Joint ventures shall not be allowed. Furthermore, if an individual is providing services that require technical certification by Miami-Dade County, then said individual is required to have the relevant certification(s). Individuals who are not technically certified will not be allowed to perform work for those scopes of work requiring technical certification. Additionally, firms that list other areas of work as supplements to the required technical certifications must also be certified for those supplemental areas.

For non-project specific questions regarding Miami-Dade County's A/E Technical Certification and Certification Committee meeting dates, please contact Nubia Jarquin, ISD, at (305) 375-5637. Technical Certification application submission deadline dates and Technical Certification meeting dates may be accessed via the web at http://www.miamidade.gov/procurement/library/pqc-tc-schedule-2015.pdf.
Proposers (prime and/or sub-consultants) failure to be technically certified at the time of proposal submittal, as applicable, shall cause the proposal to be deemed non-compliant.

1.7 CONTRACT MEASURE(S)

The Miami-Dade County Small Business Enterprise (SBE) goal is:

One (1) Agreement with

20% SBE/A&E

(Refer to – Community Business Enterprise (CBE-A/E) Program for the Purchase of Professional Architectural, Landscape Architectural, Engineering, or Surveying and Mapping Services Implementing Order 3-32)

and 3% SBE/G&S

(Refer to – Small Business Enterprise (SBE) Program for the Purchase of Goods and Services Implementing Order 3-41)

Proposed participating SBE firms must have a valid Miami-Dade County SBE certification by the response deadline of this solicitation. If selected, participating SBE firms must have a valid SBE certification at the time of award of the contract and throughout the contract term.

All required SBE documents must be completed and submitted. Failure to submit the required documentation may render the proposal non-responsive.

1.8 SCHEDULE

The anticipated schedule for this solicitation is as follows:

NTPC Available for Distribution:	March 31, 2016
Pre-Submittal Project Briefing:	April 6, 2016 at 8:30 A.M. (Local Time)
Location:	Stephen P. Clark Center 111 N.W. 1st Street

	18th Floor, Conference Room 18-3 Miami, Florida 33128
Deadline for Receipt of Questions:	April 15, 2016 at 5:00 P.M. (Local Time)
Deadline for Receipt of Proposals:	April 22, 2016 at 3:30 P.M. (Local Time)
Location:	Miami-Dade County, Clerk of the Board Stephen P. Clark Center 111 NW 1st Street, 17th Floor, Suite 17-202 Miami, Florida, 33128
First Tier Meeting:	**TBD**
Second Tier Meeting:	**TBD**
A/E Consultant Selection Coordinator:	Pablo Valin
Address:	Stephen P. Clark Center 111 N.W. 1st Street, Suite 1300 Miami, FL 33128
Telephone:	(305) 375-2852
E-Mail:	pablo.valin@miamidade.gov

All project specific questions and/or requests for public documents shall be addressed, in writing, to the A/E Consultant Selection Coordinator, referenced above, with a copy to the COB.

While attendance is not mandatory, interested parties are encouraged to attend the Pre-Submittal Project Briefing. This meeting provides interested parties a more detailed scope of the requested services, response requirements, and provides any necessary clarifications prior to the response deadline. Proposers are encouraged to submit any questions in writing, to the A/E Consultant Selection Coordinator no less than three working days in advance of the Pre-Submittal Project Briefing date.

1.9 ADDITIONAL INFORMATION/ADDENDA

Requests for additional information or clarifications must be made in writing and addressed to the A/E Consultant Selection Coordinator denoted in this NTPC. Subject requests must be submitted no later than the deadline for receipt of questions specified in Section 1.8, Schedule. The request must contain the ISD project number, title, proposer's name, name of proposer's contact person, address, phone number, facsimile number, and e-mail address. Electronic facsimile or e-mail requesting additional information will be received by the A/E Consultant Selection Coordinator at the fax number or e-mail address specified in **Section 1.8** above.

The County will issue responses to inquiries and any other corrections or amendments it deems necessary in the form of written addenda; subject addenda will be issued prior to the deadline for receipt of proposals. Proposers should not rely on any representations, statements or explanations other than those made in this NTPC or in any written addenda to this NTPC. Where there appears to be conflict between the NTPC and any addenda, the

last addendum issued shall prevail. It is the proposer's responsibility to assure receipt of all addenda. Proposers are required to acknowledge the number of addenda received, in the LOQ, as part of their proposal.

Proposers who obtain copies of this NTPC from sources other than the County's website risk the potential of not receiving addenda. Such proposers are solely responsible for those risks. Only proposers, who are included in the County's Vendors List, for this particular NTPC, will receive pertinent addenda.

1.10 NTPC AVAILABILITY

A solicitation notification will be forwarded electronically to all consultants who are pre-qualified with Miami-Dade County and who have denoted an e-mail address, and commodity code 99-999 (PRE-QUALIFIED ARCHITECTS AND ENGINEERS) on their vendor registration form. It will also be e-mailed to those that have vendor enrolled. The NTPC and accompanying documents may be obtained online at http://www.miamidade.gov/procurement/solicitations.asp. Once directed to the aforementioned site click on "Solicitations" for additional information on how to do business with Miami-Dade County. Copies of the NTPC, forms, and accompanying participation provisions, as applicable, may also be obtained from ISD at the Stephen P. Clark Center, 111 NW 1st Street, 13th Floor, Suite 1300, Miami, Florida 33128. The phone and fax numbers for the unit are (305) 375-2307 and (305) 375-4407, respectively.

1.11 APPLICABLE LEGISLATION

The selected consultant will be required to abide by all applicable federal, state, and local laws, as amended. The following are among the applicable laws:

Florida Statute(s)

- Section 119.07: Inspection and Copying of Records; Photographing Public Records; Fees; Exemptions.
- Section 287.055: Consultants Competitive Negotiation Act
- Section 287.133: Public Entity Crimes

Miami-Dade County Code

- Section 2-1076: Office of the Inspector General
- Section 2-8.5: Local Preference
- Section 2-8.5.1: Local Certified Veteran Business Enterprise
- Section 2-8.8: Fair Subcontracting Practices
- Section 2-10.4: Acquisition of Professional Architectural, Engineering, Landscape Architectural or Land Surveying and Mapping Services.
- Section 2.11.1: Conflict of Interest and Code of Ethics
- Section 10-34: Listing of Subcontractors Required
- Section 2-8.2.12: Miami-Dade Water and Sewer Accelerated Ordinance

Ordinance(s)

- 03-27: Cone of Silence
- 03-107: Ordinance Amending Section 2-11.1 (s) of the Conflict of Interest and Code of Ethics
- 07-65: Sustainable Building Program

- 09-68: Local Certified Service Disabled Veterans Preference
- 82-37: A/E Affirmative Action Plan
- 98-30: County Contractors- Employment/Procurement Practices
- 11-24: Community Business Enterprise
- 11-90: Ordinance Relating to the Collection of Data for a Disparity Study
- 14-77: Miami-Dade Water and Sewer Accelerated Ordinance
- 14-79: Sea-Level Rise Ordinance

Implementing Order(s)

- 3-34: Formation and Performance of Selection Committees
- 3-32: Community Business Enterprise (CBE-A/E)
- 3-41: Small Business Enterprise (SBE-G&S)

Administrative Order(s)

- 3-20: Independent Private Sector Inspector General Services
- 3-26: Ordinance Amending Section 2-10.4 Requiring Certain Agreements for Professional Architectural and Engineering Services to Include Value Analysis as a Part of the Base Scope of Services.
- 3-39: Standard Process for Construction of Capital Improvements, Acquisition of Professional Services, Construction Contracting, Change Orders and Reporting
- 10-10: Duties and Responsibilities of County Departments for Compliance with the Americans with Disabilities Act (ADA)

Resolution(s)

- R-1040-93: Affirmative Action Plan Furtherance and Compliance
- R-385-95: Policy Prohibiting Contracts with Firms Violating the American with Disabilities Act (ADA) and Other Laws Prohibiting Discrimination on the Basis of Disability ADA Requirements, are a Condition of Award, as Amended by Resolution R-182-00
- R-894-05: Independent Private Sector Inspector General Services
- R-744-00: Requiring the Continued Engagement of Critical Personnel in Contracts for Professional Services for the Duration of the Project
- R-185-00: Domestic Violence Leave Requirements are A condition of Award
- R-273-05: Public Involvement Planning
- R-390-10: Resolution Rescinding Administrative Order 3-34, Formation and Performance of Selection Committees, and Approving Implementing Order 3-34 to Provide Direction to The County Mayor or His Designee Regarding the Formation and Performance of Selection Committees.
- R-63-14 – Contractor Due Diligence Affidavit

Copies of the aforementioned legislation may be obtained at the COB. Refer to Section 1.8, Schedule, for detailed COB location information).

1.12 CONE OF SILENCE

Pursuant to Section 2-11.1(t) of the Miami-Dade County Code, as amended, a “Cone of Silence” is imposed upon advertisement of each Request for Proposal (RFP) or Request for Qualifications (RFQ), and terminates at the time a written recommendation is issued to the County Mayor (Mayor) or Board of County Commissioners (BCC), as applicable. The

Cone of Silence is hereby defined to mean a prohibition on the following, among possible others:

a) Any communication regarding a particular RFP, RFQ or bid between a potential vendor, service provider, bidder, lobbyist, or consultant and the County's professional staff including, but not limited to, the Mayor and his or her staff;

b) Any communication regarding a particular RFP, RFQ or bid between the Mayor, County Commissioners or their respective staffs and any member of the County's professional staff including, but not limited to, the Mayor and his or her staff;

c) Any communication regarding a particular RFP, RFQ or bid between a potential vendor, service provider, bidder, lobbyist, or consultant and any member of the selection committee therefore;

d) Any communication regarding a particular RFP, RFQ or bid between the Mayor, County Commissioners or their respective staffs and any member of the selection committee therefore;

e) Any communication regarding a particular RFP, RFQ or bid between a potential vendor, service provider, bidder, lobbyist, or consultant and the Mayor, County Commissioners and their respective staffs; and

f) Any communication regarding a particular RFP, RFQ, or bid between any member of the County's professional staff and any member of the selection committee therefore.

The Mayor and the Chairperson of the selection committee may communicate about a particular selection recommendation, but only after the committee has submitted an award recommendation to the Mayor and provided that should any change occur in the committee recommendation, the content of the communication and of the corresponding change as well as the reasons for such change shall be described in writing and filed by the Mayor with the COB and be included in any recommendation submitted by the Mayor to the BCC. Notwithstanding the foregoing, the Cone of Silence shall not apply to:

a) Competitive processes for the award of Community Development Block Grants (CDBG), Home Investment Partnership Program (HOME), State Housing Initiatives Partnership (SHIP) and Surtax Funds administered by the Miami-Dade County, Office of Community and Economic Development and the community-based organization (CBO) competitive grant processes administered by the Park and Recreation, Library, Water and Sewer, and Solid Waste Departments, Cultural Affairs and Tourist Development Councils and the Department of Environmental Resources Management;

b) Communications with the County Attorney and his or her staff;

c) Communications between a potential vendor, service provider, bidder, consultant or lobbyist and employees of the Management and Technical Assistance Unit of SBD regarding small business and/or minority business programs, the CBE and Equitable Distribution Programs (EDP);

d) Communications between a potential vendor, service provider, bidder, consultant or lobbyist and employees responsible for administering disadvantaged business enterprise programs in County departments receiving federal funds, provided the communications are limited strictly to matters of programmatic process or procedure;

e) Duly noticed site visits to determine the competency of bidders regarding a particular bid during the time period between the opening of bids and the time the Mayor makes his or her written recommendation;

f) Any emergency procurement of goods or services pursuant to Administrative Order 3-2;

g) Communications regarding a particular RFP, RFQ or bid between any person and the Vendor Information Center staff, the procurement agent or contracting officer responsible for administering the procurement process for such RFP, RFQ or bid, provided the communication is limited strictly to matters of process or procedure already contained in the corresponding solicitation document;

h) Communications between a potential vendor, service provider or bidder and employees the DPM or other department identified in the solicitation document as the issuing department; and

i) Consultations by employees of the DPM with professional procurement colleagues in determining an appropriate approach or option involving a solicitation in progress.

<u>Exceptions</u>

a) The provisions of this ordinance shall not apply to oral communications at pre-bid conferences, oral presentations before selection committees, contract negotiations during any duly noticed public meeting, public presentations made to the BCC during any duly noticed public meeting or communications in writing at any time with any county employee, official or member of the BCC unless specifically prohibited by the applicable RFP, RFQ or bid documents. The bidder or proposer shall file a copy of any written communication with the COB and the COB shall make copies available to any person upon request.

b) The provisions of this ordinance shall also not apply to oral communications at briefings held by county commissioners and the County Mayor or his designee, after the selection committee or other evaluating group makes its recommendation to the Mayor, provided that the briefings are not intended to influence the outcome of the selection committee or other evaluating group's recommendation to the Mayor; provided, however, that this exception shall not apply to outside groups such as lobbyists or representatives of the responding or bidding companies or entities.

<u>Penalties</u>

a) In addition to the penalties provided in Subsections (s) and (v) hereof, violation of this Subsection (t) by a particular bidder or proposer shall render any RFP award, RFQ award or bid award to said bidder or proposer voidable. Any person who violates a provision of this ordinance shall be prohibited from serving on a Miami-

Dade County CSC. In addition to any other penalty provided by law, violation of any provision of this ordinance by a Miami-Dade County employee shall subject said employee to disciplinary action up to and including dismissal. Additionally, any person who has personal knowledge of a violation of this ordinance shall report such violation to the State Attorney and/or may file a complaint with the Ethics Commission.

Within 30 days of a recommendation from a selection committee, the County Mayor or his designee shall either appoint a negotiation committee or take other affirmative action with respect to the solicitation, including but not limited to rejection of proposals or recommendation for award. In the event that negotiations have not commenced within 30 days, or if such other affirmative action has not been taken within 30 days, the County Mayor or his designee shall report such event, and the reasons therefore, to the BCC. Additionally, the County Mayor or his designee shall present the COB with a recommendation for award, or a recommendation to reject proposals, within 90 days from the date a selection committee makes a recommendation. In the event that the County Mayor or his designee has not provided such recommendation to the COB within 90 days, the County Mayor or his designee shall provide a report on the status of the solicitation to the BCC, including the reasons for any delay.

Written communications may be in the form of an e-mail, with a copy to the COB at clerkbcc@miamidade.gov.

This language denoted above is only a summary of the key provisions of the Cone of Silence. Please review Section 2-11.1(t) of the Miami-Dade County for a complete and thorough description of the Cone of Silence.

1.13 COMMUNICATIONS AND SUBMITTAL OF ADDITIONAL INFORMATION

Additional submittals and/or supplemental information after the submission deadline, as noted in Section 1.8, shall be submitted solely to the Clerk of the Board, and only upon request by the County Proposers are hereby advised that effective with the advertisement of this solicitation, proposers and their lobbyists are prohibited from having any communication, oral or written, with CSC members or the entire CSC outside of the publicly noticed Selection Committee meetings. All communications shall be forwarded to the A/E Selection Coordinator with a copy to the Clerk of the Board.

1.14 LOCAL PREFERENCE

The evaluation and ranking of proposals is subject to Sections 2-8.5 and 2-10.4 of the Miami-Dade County Code, which, except where Federal and State law mandates to the contrary, provides that a preference be given to local businesses. A local business, for the purposes of this section, shall be defined as a proposer which meets the following stipulations:

a) A business that has a valid Miami-Dade County occupational license issued at least one year prior to bid or proposal submission, and which is appropriate for the goods, services or construction to be purchased;

b) A business that has a physical Miami-Dade County business address, from which the vendor operates or performs business (Post Office boxes are not verifiable and shall not be used for the purpose of establishing a physical address); and

c) A business that contributes to the economic development and well-being of Miami-Dade County in a verifiable and measurable way. To satisfy this requirement, the proposer shall affirm in writing its compliance with either of the following objective criterion as of the proposal submission date stated in the solicitation:

1. Retention or expansion of employment opportunities in Miami-Dade County; or

2. Vendor contributes to the County's tax base by paying either real property taxes or tangible personal property taxes to Miami-Dade County; or

3. Some other verifiable and measurable contribution to the economic development and well-being of Miami-Dade County.

Local preferences shall be applied to A/E professional services solicitations as follows:

The adjusted qualitative score of all CSC Ranked proposers will be determined by discarding the highest and lowest qualitative scores and tabulating the remaining qualitative scores. Qualitative scores are not adjusted for Second Tier evaluation.

If the CSC Ranked firms are either all Local or all Non-Local, if the CSC Ranked Local firms are all ranked higher than the Non-Local firms, or if the CSC Ranked Local firms' adjusted qualitative scores are all more than 5% lower than the CSC Ranked Non-Local firms then Local Preference is not applied by the County Mayor or County Mayor's designee. The CSC Rank becomes the Final Ranking of proposers.

If the adjusted qualitative score of a CSC Ranked Local firm is within 5% of the adjusted qualitative score of a higher CSC Ranked Non-Local firm, then Local Preference will be applied. The County Mayor or County Mayor's Designee shall re-rank the firms placing any Non-Local firm immediately below the lowest CSC Ranked Local firm whose adjusted qualitative score is higher than, or within 5% of the adjusted qualitative score of such Non-Local firm. In the event multiple Non-Local firms are re-ranked below the same Local Firm, such Non-Local firms shall be listed below the Local firm in order of their adjusted ordinal scores. Local firms shall also be listed in order of their adjusted ordinal rank. Once all Local Preference adjustments to the CSC Rank are made, the new rankings become the Final Ranking.

1.15 CONFIDENTIAL INFORMATION

The proposer shall not submit any information in response to this solicitation which he or she considers to be a trade secret or confidential. The submission of any information to the County in connection with this solicitation shall be deemed conclusively to be a waiver of any trade secret or other protection, which would otherwise be available to the proposer. If a proposer submits information to the County in violation of this restriction, either inadvertently or intentionally, and clearly identifies that information in the proposal as protected or confidential, then the County shall endeavor to redact and return subject

information to the proposer as quickly as possible, if appropriate. The County will then evaluate the balance of the proposal. The redaction or return of information pursuant to this clause may render a proposal non-responsive.

1.16 CONFLICT OF INTEREST RELATED TO SECTION 2-11.1 OF THE CODE OF MIAMI-DADE COUNTY

Questions regarding organizational conflicts of interest shall be submitted prior to the submittal date and addressed to the Miami-Dade Commission on Ethics by any bidder, proposer, contractor, or subcontractor regarding potential organizational conflicts pertaining to its own bid, or by the local government contracting officer regarding potential organizational conflicts pertaining to any bidder, proposer, contractor, or subcontractor. The Commission on Ethics shall evaluate the request based on standards established under the Federal Acquisition Regulation (FAR) at 48 CFR § 9.5 (2013) in order to determine if any possible organizational conflicts of interest exist. Determinations by the Commission on Ethics shall be deemed final. When a bidder, proposer, contractor, or subcontractor is found to have a conflict, the submittal presented by the conflicted party shall be rendered nonresponsive.

1.17 DRAFT PROFESSIONAL SERVICES AGREEMENT (PSA)

To be provided as an Addendum or during Negotiations.

1.18 SUSTAINABLE BUILDING PROGRAM, IF APPLICABLE

The primary mechanism for determining compliance with the Sustainable Building Program shall be the U. S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Rating System. All construction projects are required to meet the standards delineated in Ordinance 07-65. Compliance shall be determined by completing a formal certification process with the U.S. Green Building Council, or as otherwise directed by the County's Sustainability Manager.

- New Construction (NC): All new construction projects shall be required to attain "Silver" or higher level rating under the LEED-NC Rating System.
- Major Renovations and Remodels: All major renovations and remodels shall attain "Certified" or higher level rating under the LEED-NC Rating System.
- Non-Major Renovations and Remodels: All non-major renovations and remodels shall attain "Certified" or higher level rating under the appropriate LEED Rating System such as LEED-NC, LEED-Existing Building (EB) or LEED-Commercial Interior (CI).
- Renovations, remodels, and other building upgrades not meeting the above criteria are encouraged to incorporate the maximum number of LEED approved green building practices as are feasible from a practical and fiscal perspective; however, LEED certification will not be required.

1.19 VENDOR REGISTRATION

A Miami-Dade County Vendor Registration Package (VRP) must be completed in order to be recommended for contract award. Effective July 1, 2008, a new VRP, inclusive of the Uniform Affidavit Packet (Affidavit Form), must be completed by vendors and returned to ISD's, Vendor Assistance Unit, within 14 days of notification of the intent to recommend for

contract award. In the event the VRP is not properly completed and returned within the specified time the County may, in its sole discretion, award to the next lowest responsive, responsible proposer. The proposer is responsible for downloading the VRP and applicable affidavits, from the ISD website at http://www.miamidade.gov/procurement/vendor-services.asp. In addition, copies of the VRP and applicable affidavits may be obtained from ISD's, Vendor Assistance Unit, located at the Stephen P. Clark Center, 111 N.W. 1st Street, 13th Floor, Miami, FL 33128.

1.20 PUBLIC ENTITY CRIMES

Pursuant to Paragraph 2(a) of Section 287.133, Florida Statutes, a person or affiliate who has been placed on the Convicted Vendor List following a conviction for a public entity crime is prohibited from the following:

- Submitting a proposal for a contract to provide any goods or services to a public entity;
- Submitting a proposal on a contract with a public entity for the construction or repair of a public building or public work;
- Submitting a proposal on leases of real property to a public entity;
- Being awarded or performing work as a contractor, supplier, sub-contractor, or consultant under a contract with any public entity;
- Transacting business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two ($10,000), for a period of 36 months from the date of being placed on the Convicted Vendor List.

1.21 LOBBYIST CONTINGENCY FEES

In accordance with Section 2-11.1(s) of the Code of Miami-Dade County, after May, 16, 2003, no person may, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person may, in whole or in part, receive or agree to receive a contingency fee.

A contingency fee is a fee, bonus, commission or non-monetary benefit as compensation that is dependent on, or in any way contingent upon, the passage, defeat, or modification of: 1) any ordinance, resolution, action or decision of the BCC; 2) any action, decision or recommendation of the Mayor or any County board or committee; or 3) any action, decision or recommendation of any County personnel during the time period of the entire decision-making process regarding such action, decision or recommendation that foreseeably will be heard or reviewed by the BCC or a County board or committee.

1.22 LOCAL CERTIFIED VETERAN BUSINESS ENTERPRISE PREFERENCE

In accordance with Section 2-8.5.1 of the Code of Miami-Dade County, this solicitation includes a preference for Miami-Dade County Local Certified Service-Disabled Veteran Business Enterprises (LCVBE). "Local Certified Veteran Business Enterprise" is a firm that is (a) a local business pursuant to Section 2-8.5 of the Code of Miami-Dade County and (b) prior to proposal or bid submittal is certified by the State of Florida Department of Management Services as a veteran business enterprise pursuant to Section 295.187 of the Florida Statutes. A LCVBE is entitled to receive an additional five percent of the total qualitative points at First and Second Tier, as applicable. At the time of proposal

submission, the firm must affirm in writing its compliance with the certification requirements of Section 295.187 of the Florida Statutes and submit this affirmation and a copy of the actual certification.

1.23 ENERGY EFFICIENT BUILDING TAX CREDIT, IF APPLICABLE

The Energy Policy Act (EP Act) of 2005 (Section 1331) as established IRS Section 179D, allows taxpayers to accelerate depreciation on the cost of qualified energy efficient commercial building property placed-in-service after December 31, 2005. This incentive was recently extended by the Emergency Economic Stabilization Act of 2008, to include improvements placed-in-service before January 1, 2014. The returns may be amended going back three tax years, so projects that come on line in 2007 or afterwards are eligible.

The Consultant is designated as the Designer/Construction Manager ("the Designer") for the energy efficient improvements incorporated in the Energy Consumption Reduction Project ("the Project") for:

a) The purposes of allocating accelerated depreciation benefits pursuant to Section 179D of the Internal Revenue Code of 1986, as amended (the "Code").

b) If County and the Internal Revenue Service (IRS) determine that the Consultant is eligible and shall receive accelerated depreciation benefits as a "Designer" for the purposes of Section 179D of the Code or that the Consultant shall otherwise benefit financially from the monetization of the accelerated depreciation benefit, the Consultant hereby agrees to discount its contract price or provide a cash rebate to County (the determination of rebate versus discount to be determined by County in its sole discretion) in an amount equal to the total financial benefit realized by the Consultant; at the time the financial benefit to the Consultant becomes ascertainable.

c) County reserves the right to retain a third party consultant (the "Third Party Consultant") –to manage and administer the process of obtaining and monetizing the accelerated depreciation benefit derived from the Project and to designate the Third Party Consultant as the "Designer" of the energy efficient improvements for the purposes of Section 179D of the Code.

d) The County agrees to cooperate in all reasonable respects with the Consultant's efforts to obtain and monetize any such benefits derived from the Project on behalf of County.

1.24 SCRUTINIZED COMPANIES

By executing this proposal through a duly authorized representative, the proposer certifies that the proposer is not on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, as those terms are used and defined in sections 287.135 and 215.473 of the Florida Statutes. In the event that the proposer is unable to provide such certification but still seeks to be considered for award of this solicitation, the proposer shall, on a separate piece of paper, clearly state that it is on one or both of the Scrutinized Companies lists and shall furnish together with its proposal a duly executed written explanation of the facts supporting any exception to the requirement for certification that it claims under Section 287.135 of the

Florida Statutes. The proposer agrees to cooperate fully with the County in any investigation undertaken by the County to determine whether the claimed exception would be applicable. The County shall have the right to terminate any contract resulting from this solicitation for default if the proposer is found to have submitted a false certification or to have been placed on the Scrutinized Companies for Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

1.25 SUBCONTRACTORS - RACE, GENDER AND ETHNIC MAKEUP OF OWNERS AND EMPLOYEES

Pursuant to Ordinance No. 11-90, for all contracts which involve the expenditure of one hundred thousand dollars ($100,000) or more, the entity contracting with the County must report to the County the race, gender and ethnic origin of the owners and employees of its first tier subcontractors using the Subcontractor/Supplier Listing form. In the event that the successful proposer demonstrates to the County prior to award that the race, gender and ethnic information is not reasonably available at that time, the successful proposer shall be obligated by contract to exercise diligent efforts to obtain that information and to provide the same to the County not later than ten (10) days after it becomes available and, in any event, prior to final payment under the contract.

1.26 ACCESS STATEMENT FOR NOTICES OF PUBLIC MEETINGS AND DEPARTMENTAL PUBLICATIONS

The Americans with Disabilities Act (ADA) obligates State and local governments to provide effective communications for individuals with disabilities. This includes written and oral communications. To request materials in accessible format, sign language interpreters, and/or any accommodation to participate in a County-sponsored program or meeting regarding this solicitation, please contact the Contracting Officer listed herein five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

1.27 SEA LEVEL RISE

In accordance with Ordinance 14-79, the Consultant shall consider the potential impacts of sea level rise.

DIVISION 2.0 PROPOSAL REQUIREMENTS

2.1 FORMAT AND CONTENTS

Proposers should carefully follow the format and instructions outlined herein. The LOQ must include the signature of the firm's authorized representative. Please refer to Section 2.2, Submittal Requirements for Initial Submission and Second Tier Additional Information, when Applicable, for the amount of copies to be submitted.

Every firm or team of firms, whether a sole respondent, a prime consultant firm, or a sub-consultant firm, must be responsive to all applicable items contained in this NTPC. Proposers shall not modify any of the forms provided, and must submit the completed forms listed below in their proposal. Failure to provide all of the requested information may deem a respondent's proposal non-responsive.

Each proposal (original and copies) shall consist of the following documents in the order noted below and must be bound.

a) Letter of Qualifications

This document, together with all other ISD applicable forms, is available on Miami-Dade County's webpage at the following link: http://www.miamidade.gov/procurement/architectural-engineering-forms.asp. Proposers are advised that changes to the proposed team composition, such as adding, deleting or replacing a firm(s), or individual sub-consultant(s), after the response deadline specified herein, will only be allowed at the discretion of Miami-Dade County. Under no circumstance shall a change be allowed that results in a proposer gaining a competitive advantage over other proposers.

The execution of the LOQ constitutes the unequivocal offer of the proposer to be bound by the terms of its proposal. Failure of a respondent to properly execute the LOQ may render the proposal non-responsive. The County, may however, at its sole discretion, accept any proposal that includes an executed document which unequivocally binds the proposer to the terms of its offer.

b) Resumes

Resumes must be submitted for all team members participating on the project. Subject document must be paginated and include personnel's name at the top of each page.

Additional personnel which do not adequately fit in the space provided in the LOQ shall be added on an additional sheet to be appended to the LOQ.

c) ISD Form No. 1 - Local Business Preference Affidavit

ISD Form No.1 shall be completed and provided by the prime consultant firm claiming local preference in Miami-Dade County. Prime consultants must complete, execute and notarize the subject form, as well as attach any applicable documentation.

d) ISD Form No. 5 - Lobbyist Registration Affidavit

ISD Form No. 5 shall be submitted by the prime consultant, and shall list all members of the presentation team who will be participating in Second Tier (oral presentations). An amended ISD Form No. 5 must be submitted to the COB prior to Second Tier (oral presentations), if additional individuals will be speaking at subject meeting. The amended form should be titled as "Amended" and should denote those members that have been substituted and/or added with an asterisk. Be sure to submit the amended form to both ISD and the COB within the above stated timeframe. Applicable fees may apply.

Pursuant to Miami-Dade County's Ethics Commission Rules and Procedures, Section I, Subsection 9.7, Selection Committee Registration Requirements, please be advised of the following:

1. Any person who appears as a representative for an individual or firm, for an oral presentation before a County certification, evaluation, selection, technical review or similar committee, shall list on an affidavit provided by the County all individuals who may make presentations. The affidavit shall be filed with the COB at the time of response submittal.
2. The individual or firm must submit a revised affidavit for any additional team members with the COB, by the time of the scheduled oral presentation. Any person not listed on the revised affidavit or who is not a registered lobbyist will not be permitted to participate in the oral presentation.

All additional team members, who are lobbyists, as defined herein, must file a principal authorization form (for the individual or entity) with the COB, prior to the oral presentation.

e) ISD Form No. 11 - Experience & Qualification / Preference / Reference Form

ISD Form No. 11 shall be submitted by each team member (Prime, A/E Sub-consultant, and/or non-A/E sub-consultant), as applicable. Applicable firm must list previous similar type project in which it has performed work. The reference provided should be for one project and must comply with the requirements listed in Section 1.2. Firms must denote whether the reference project is to meet an experience and qualification requirement, a preference stipulation, and/or a general project reference.

f) Table of Organization (T.O.) - It is required that a TO, inclusive of the following information, be submitted by the Prime Consultant:

1. Listing of all team member firms as denoted on the LOQ. All firms must be denoted with proper Federal Employer Identification Number (FEIN). For purposes of satisfying the applicable requirements of this solicitation, Miami-Dade County considers every company having a different FEIN, a separate legal entity.

2. Listing of all assigned personnel and professional services, including Miami-Dade County's technical certification categories assigned to each team member in connection with this project.

g) SBE / A&E Letter(s) of Agreement.

h) SBE / G&S Schedule of Intent Affidavit(s)

i) Contractor Due Diligence Affidavit.

Failure to provide the information required by Miami-Dade County may result in the negative evaluation of the team, or disqualification of the team, at Miami-Dade County's sole discretion.

Please ensure that each one of your references has been advised that they may be contacted by ISD staff, or designee, to verify the information provided in any of the following applicable forms:

- ISD Form No. 11 Experience & Qualification / Preference / Reference Form

Pursuant to an Ethics and Public Trust Commission opinion, dated March 15, 2005, respondents requesting professional references from Miami-Dade County employees must submit said request in writing, to the attention of subject County employee with a copy to the COB. The COB may be reached via e-mail at clerkbcc@miamidade.gov, or via facsimile at (305) 375-2484.

Pursuant to Section 2-11.1(p) of the Miami-Dade County Code, County employees may not provide personal letters of recommendation.

The County Mayor or County Mayor's designee may impose the loss of eligibility to participate in County contracts, for a specified period of time not to exceed five years, upon an applicant, its individual officers, its shareholders with significant interests, and its affiliated businesses for violations of, or non-compliance with A.O. 3-39. Subject violations and/or non-compliance may include the falsification of information provided in a proposal and/or consultant selection documents.

Please note that the following forms are not required to be included with your proposal. The selected Proposer must submit the following as a condition of award:

ISD Form No. 7 – Subcontractor/Supplier Listing (Ordinance 97-104)
ISD Form No. 9 – Fair Subcontracting Policies (Section 2-8.8 of the Miami-Dade County Code)

2.2 SUBMITTAL REQUIREMENTS FOR INITIAL SUBMISSION AND SECOND TIER ADDITIONAL INFORMATION, WHEN APPLICABLE

Interested firms must submit their proposal in sealed envelope(s) and/or container(s), which clearly state the following:

- Project Number

- Project Title
- Consultant's Name
- Consultant's Mailing Address
- Consultant's Telephone Number

Each sealed envelope and/or container shall include one (1) original proposal inclusive of the firm's authorized representative's signature, three (3) bound xerographic copies and six (6) CD electronic copies in SEARCHABLE .pdf format. Please ensure that all CDs contain all information provided in the original proposal.

All sealed envelopes and/or containers shall be delivered to the following location:

Miami-Dade County
Clerk of the Board
Stephen P. Clark Center
111 NW 1st Street, 17th Floor, Suite 202
Miami, Florida 33128
Attention: Pablo Valin
Re: ISD Project No. E15-WASD-18

Pursuant to Florida Statute 119.07(3) (m), all proposals received will become public record 30 days after the response deadline.

To preclude a late respondent from having an advantage, economic or otherwise, all submittals shall be delivered to the COB, Suite 17-202, no later than the proposal submittal deadline denoted in Section 1.8, Schedule. The COB will stamp each submittal with the date and time of receipt. This stamp shall constitute definite evidence of such date and time. All proposals received and time stamped by the COB prior to the proposal submittal deadline shall be accepted as timely submittals. The circumstances surrounding all proposals received and time stamped by the COB after the proposal submittal deadline will be evaluated by the procuring department in consultation with the County Attorney's Office, in order to determine whether the proposal will be accepted as timely.

The responsibility for submitting a proposal to the COB, on or before the stated time and date, is solely and strictly the responsibility of the proposer. Miami-Dade County is not responsible for delays caused by any mail, package/couriers service, nor caused by any other occurrence.
Be advised that all sealed proposal envelopes and/or containers received after the specified response deadline may not be considered.

2.3 POSTPONEMENT/CANCELLATION

The County may, at its sole and absolute discretion, reject any and all, or parts of any and all proposals; re-advertise this solicitation; postpone or cancel, at any time, this solicitation process; or waive any irregularities in this solicitation or in the proposals received as a result of this solicitation.

2.4 COSTS INCURRED BY PROPOSERS

All expenses involved with the preparation and submission of proposals to the County, or

any work performed in connection therewith, shall be the sole responsibility of the proposer(s). No payment will be made for any responses received, nor for any other effort required of, or made by the proposer(s) prior to commencement of work as defined by a contract approved by the BCC.

DIVISION 3.0 EVALUATION/SELECTION PROCESS

3.1 INTRODUCTION

The County Mayor or County Mayor's designee will appoint a CSC with the appropriate experience and/or knowledge necessary to evaluate the scope of services. The CSC will be comprised of appropriate County personnel from multiple departments and members of the community as deemed necessary, while also being balanced with regards to ethnicity and gender.

3.2 SELECTION PROCESS

In accordance with the guidelines established in I.O. 3-34 and A.O. 3-39, proposals will be evaluated based on a two tier selection process, when applicable. In the event that the County receives fewer than three proposals, or fewer than three proposals are determined to be responsive and responsible to perform the required services, the County may proceed with the number of proposal(s) received which are determined to be responsive and responsible, provided that the County has conducted an analysis of market availability for subject services and determined at its sole discretion that there is no further market availability or immediate interest to provide subject services. Furthermore, in the event that the County receives fewer than three proposals, the County at its sole discretion may extend the proposal submittal deadline date, denoted in Section 1.8, Schedule, provided that proposal(s) have not been opened. A summary of the evaluation process to be utilized in this solicitation is set forth below.

3.3 PROPOSAL EVALUATION

The CSC will evaluate responsive, responsible proposals, based on First and Second Tier criteria, in an effort to make a responsible recommendation to the County Mayor or County Mayor's designee as to which of the respondents should be granted the right to negotiate a contract for the solicited services. This recommendation is made with the objective of effecting an equitable distribution of contracts among qualified firms. Upon the County Mayor or County Mayor designee's approval, the County shall enter into negotiations with the recommended proposer(s).

First Tier evaluation will be performed based on the criteria listed below. A proposer may receive a maximum qualitative point value of 100, or any portion thereof, per CSC member in his or her discretion, depending on the merit of the proposal in accordance with the following criteria:

FIRST TIER EVALAUTION CRITERIA

Criterion 1A: Qualifications of Firms Including the Team Members Assigned to the Project (1 point min. / 50 point max.)

Evaluation of the qualifications of the firm and individuals to be assigned to the project, quality and availability of the manager and staff of the firm to be assigned (if any). The qualifications shall also include, but not be limited to, familiarity with County regulations and experience level of professional and management staff.

Criterion 2A: Knowledge and Past Experience of Similar Type Projects (1 point min. / 20 point max.)

Evaluation of the respondent's understanding of the scope of work, which may include but not be limited to studies performed that may affect the specific project being evaluated for: key design elements, contract, approach to the project, understanding and awareness of the permitting requirements involved with the project and health and safety programs as applicable. Evaluation of respondent's past experience and knowledge on similar type projects.

Criterion 3A: Past Performance for the Firms
(1 point min. / 20 point max.)
Evaluation of the firms on the team, overall interrelationship with proposed sub consultants and responsiveness, experience in scheduling projects, and timely submittal of deliverables on past projects. Respondents shall submit a minimum of one (1) reference for work performed within a ten-year period or another period stated within the NTPC. For respondents with previous County work experience, ISD shall provide the CSC the available performance evaluation data for each firm. The firms may be provided a standard questionnaire to augment the County's data.

Criterion 4A: Amount of Work Awarded and Paid by the County
(1 point min. / 5 point max.)
The value for services awarded and paid to each prime consultant or sub consultant firm(s) on the team including current County contracts for a three-year period from the submittal date of the solicitation shall be considered, with the consultant with the least dollars paid receiving the highest point value. The firm's prior years net compensation and/or potential compensation for professional services rendered on County's projects shall also be considered. When reporting the dollar value of services performed as a prime consultant, the dollar value shall exclude the sub consultant agreement or fees associated with the subject professional services performed.

Criterion 5A: Ability of the Team Members to Interface with the County
(1 point min. / 5 point max)
Communication ability, proximity to the project, commitment to satisfy the County's requirements and familiarity with County guidelines.

The Consultant Selection Committee (CSC) Chairperson records the qualitative points awarded by each CSC member for each of the five (5) criteria for each respondent firm. Chairperson records the total qualitative points for each firm.

Chairperson determines and records ordinal scores for each firm based on the qualitative points awarded to each firm by each CSC member.

The CSC Chairperson shall determine the adjusted ordinal score by discarding the highest and lowest ordinal scores for each firm and tabulating the remaining ordinal scores.

The firms shall be ranked by the CSC based on the adjusted ordinal score and such rank shall become the final rankings for recommendation by the CSC (CSC Rank).

Pursuant to Miami-Dade County Code 2-10.4 and I.O. 3-34, the adjusted qualitative score of all CSC Ranked proposers will be determined by discarding the highest and lowest total

qualitative scores and tabulating the remaining qualitative scores. The adjusted qualitative scores shall be used for any necessary tie-breaks or application of the LCVBE or Local Business Preference.

Upon conclusion of the First Tier evaluation process, the CSC may exercise one of the following options:

a) The CSC may waive the Second Tier evaluation process, and recommend to the County Mayor or County Mayor's designee that a contract be negotiated with the highest ranked responsive and responsible proposer(s) based solely on the evaluation results of First Tier. Upon the County Mayor or County Mayor designee's approval, the County shall enter into negotiations with the recommended proposer(s).

b) The CSC may short-list and require short-listed respondents to participate in a Second Tier. Short-listed respondents may be required to submit additional documentation which may include, but is not limited to, knowledge of project scope, qualifications of team members assigned to the project, and ability to provide required services within schedule and budget and /or to participate in oral presentations.

If the CSC decides by majority vote to waive Second Tier, the CSC recommendation shall be reflective of the ranking. Upon the County Mayor or County Mayor designee's approval, the County shall enter into negotiations with the recommended respondent(s).

If the CSC decides by majority vote to proceed to Second Tier, the CSC First Tier ranking shall be reflective of the application of LCVBE, Local Preference, and any tie-breakers as applicable.

If proceeding to Second Tier, ISD staff will notify short-listed respondents regarding the following as applicable:

- Oral presentation date, time, location and duration
- Additional information submittal due date, time and location. This information shall be submitted to the Clerk of the Board as indicated in Section 2.2 – Submittal Requirements.

A proposer participating in the Second Tier evaluation process may receive a maximum qualitative point value of 100, or any portion thereof, per CSC member in his or her discretion, depending on the merit of the proposal in accordance with the following criteria:

<u>SECOND TIER EVALAUTION CRITERIA</u>

Criterion 1B: Knowledge of Project Scope

(1 point min. / 50 point max.)

Evaluation of the respondent's understanding of the scope of work, which may include but not be limited to, studies performed that affect this project, key design elements, (a design scheme may be required) and effects on the community involved. The managerial approach to the advertised solicitation shall also be evaluated, including the implementation of systems that shall be utilized to keep track of the project schedule, cost

control, quality assurance and quality control, understanding and awareness of permitting requirements and health and safety programs.

Criterion 2B: Qualifications of Team Members Assigned to the Project
(1 point min. / 40 point max.)
Evaluation of the qualifications of the individuals to be assigned to the project, including the project manager and staff of the firm to be assigned (if any). The qualifications shall include, but not be limited to, experience with similar projects, management experience, and familiarity with County regulations.

Criterion 3B: Ability to Provide Required Services within Schedule and Budget
(1 point min. / 10 point max.)
Evaluation of the respondent's overall management approach including experience in scheduling projects, systems that will be used to keep track of the schedule, cost control, quality assurance, and quality control, issues and methods employed to avoid cost overruns and project delays.

The CSC's scores for Second Tier criteria will be submitted in writing to the A/E Consultant Selection Coordinator. The total qualitative points given by each CSC member to each respondent will be converted to an ordinal score pursuant to Miami-Dade County Code 2-10.4. The firms shall be ranked by the CSC based on the ordinal score and such rank shall become the final rankings for recommendation by the CSC (CSC Rank). The qualitative scores may be used for any necessary tie-breaks or application of the LCVBE or Local Business Preference.

Upon the County Mayor or County Mayor designee's approval, the County shall enter into negotiations with the recommended proposer(s).

3.4 NEGOTIATIONS:

The County reserves the right to enter into contract negotiations with the selected proposer(s). If the County and the proposer(s) do not agree to the terms of the PSA, then the County may elect to terminate negotiations and begin negotiating with the second highest ranked proposer and so forth. This process will continue until a contract has been executed, or all submittals have been rejected. No proposer shall have any claims and/or rights against the County arising from such negotiation and/or the qualification process.

CARLOS A. GIMENEZ
COUNTY MAYOR
MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE COUNTY – INTERNAL SERVICES DEPARTMENT (ISD)
ARCHITECT-ENGINEER LETTER OF QUALIFICATIONS (LOQ)

(I) - PROJECT INFORMATION

ISD Project No.: **E15-WASD-18** Measures Goal ☒ SBE /AE: **20%** SBE/GS: **3%** No. of Addenda Received:

Project Name: **ENGINEERING DESIGN AND RELATED SERVICES FOR THE IMPROVEMENT, RENEWAL AND REPLACEMENT OF THE HIALEAH AND JOHN E. PRESTON WATER TREATMENT PLANTS, AND ASSOCIATED WATER DISTRIBUTION SYSTEM, PIPELINES, WELLFIELDS, RE-PUMPING FACILITIES, REMOTE STORAGE AND ITS APPURTENANT WATER FACILITIES**

Prime # 1 — (II) - PRIME CONSULTANT INFORMATION

Name: FEIN: E-mail:

Business Address: Principal: Phone: ( ) -

Contact Person's Name and Title: Project Manager: Fax: ( ) -

Assigned Personnel:

(III) - PROPOSED A/E SUB-CONSULTANT(S) INFORMATION

Sub #	Firm Name	FEIN	Assigned Personnel
2			
3			
4			
5			
6			
7			
8			

(IV) – A/E TECHNICAL CERTIFICATION REQUIREMENTS

(Please use Prime # and Sub # to identify each firm from section II and III)

	A/E Technical Certification Category	Prime #	Sub #
6.03	Water and Sanitary Sewer System -Water and Sanitary Sewage Treatment Plants - PRIME		
11.00	General Structural Engineering - PRIME		
12.00	General Mechanical Engineering - PRIME		
13.00	General Electrical Engineering - PRIME		
17.00	Engineering Construction Management - PRIME		
6.01	Water and Sanitary Sewer System - Water Distribution and Sanitary Sewage Collection and Transmission		
6.02	Water and Sanitary Sewer System – Water and Sanitary Sewage Pumping Facilities		
9.02	Soils, Foundations and Materials Testing – Geotechnical and Materials Engineering Services		
10.09	Environmental Engineering – Wellfield, Groundwater and Surface Water Protection and Management		
15.01	Surveying and Mapping – Land Surveying		

(V) - PROPOSED NON-A/E SUB-CONSULTANT(S) INFORMATION

(Non-A/E firms shall not perform services described in a Technical Certification Categories)

No.	
a	Firm Name: FEIN: Phone: ( ) - Address: Assigned Personnel: Assigned Services:
b	Firm Name: FEIN: Phone: ( ) - Address: Assigned Personnel: Assigned Services:

(VI) - ABILITY OF TEAM MEMBERS TO INTERFACE WITH THE COUNTY

(VII) - RESUMES FOR ASSIGNED PERSONNEL

Attach resumes for assigned personnel identified on this LOQ.

(VIII) - LOCAL CERTIFIED VETERAN BUSINESS ENTERPRISE

A Local Certified Veteran Business Enterprise is a firm that is a) a local business pursuant to Section 2-8.5 of the Code of Miami-Dade County and b) is certified by the State of Florida Department of Management Services as a Service-Disabled Veteran Business Enterprise pursuant to Section 295.187 of the Florida Statutes, prior to proposal submittal. At the time of proposal submission, the Local Certified Service-Disabled Veteran Business Enterprise must affirm in writing its compliance with the certification requirements of Section 295.187 of the Florida Statues and submit said affirmation and a copy of the actual certification along with the proposal submission.

☐ Place a checkmark here only if affirming proposer is a certified Local Certified Veteran Business Enterprise.
A copy of the required certification must be submitted with the proposal.

THE EXECUTION OF THE LOQ CONSTITUTES THE UNEQUIVOCAL OFFER OF PROPOSER TO BE BOUND BY THE TERMS OF HIS OR HER PROPOSAL. FAILURE OF AN AUTHORIZED PRIME FIRM REPRESENTATIVE TO SIGN THIS LOQ WHERE INDICATED BELOW, MAY RENDER THE PROPOSAL NON-RESPONSIVE. HOWEVER, THE COUNTY MAY, AT ITS SOLE DISCRETION, ACCEPT ANY PROPOSAL THAT INCLUDES AN EXECUTED DOCUMENT WHICH UNEQUIVOCALLY BINDS THE PROPOSER TO THE TERMS OF HIS OR HER OFFER.

(IX) - PRIME CONSULTANT ACKNOWLEDGEMENT

I hereby certify that to the best of my knowledge and belief all the foregoing information is true and correct.

Authorized Prime Consultant's Representative: _____ Title: _____
(Print Name)

Signature Authorized Representative: _____ Date: _____

FOR MIAMI-DADE COUNTY – ISD USE ONLY
DO NOT WRITE IN THIS SECTION
A/E TECHNICAL CERTIFICATION REQUIREMENTS

TC #	Team	Pre Q	TC	Additional Comments
6.03		Yes ☐ No	Yes ☐ No	
11.00		Yes ☐ No	Yes ☐ No	
12.00		Yes ☐ No	Yes ☐ No	
13.00		Yes ☐ No	Yes ☐ No	
17.00		Yes ☐ No	Yes ☐ No	
6.01		Yes ☐ No	Yes ☐ No	
6.02		Yes ☐ No	Yes ☐ No	
9.02		Yes ☐ No	Yes ☐ No	
10.09		Yes ☐ No	Yes ☐ No	
15.01		Yes ☐ No	Yes ☐ No	

FOR MIAMI-DADE COUNTY – ISD USE ONLY
DO NOT WRITE IN THIS SECTION
ISD FORMS AND OTHER DOCUMENTATION

Forms	Verification	Additional Comments
ISD Form No. 1	Yes ☐ No ☐	
ISD Form No. 5	Yes ☐ No ☐	
ISD Form No. 11	Yes ☐ No ☐	
Table of Organization	Yes ☐ No ☐	
Completed SBE Forms and/or documentation	Yes ☐ No ☐ N/A ☐	
Contractor Due Diligence Affidavit	Yes ☐ No ☐	

ISD FORM NO. 1 – LOCAL BUSINESS PREFERENCE AFFIDAVIT

The evaluation of competitive solicitations is subject to Section 2-8.5 of the Miami-Dade County Code, which, except where contrary to federal or state law, or any other funding source requirements, provides that preference be given to local businesses. A local business, for the purposes of receiving the aforementioned preference above, shall be defined as a Proposer which meets all of the following:

1. Proposer has a valid Local Business Tax Receipt, issued by Miami-Dade County at least one year prior to proposal submission that is appropriate for the goods, services or construction to be purchased.

   Proposer shall attach a copy of said Miami-Dade County Local Business Tax Receipt hereto. (Note: Current and past year licenses may need to be submitted as proof that it was issued at least one year prior to the proposal due date.)

2. Proposer has a physical business address located within the limits of Miami-Dade County from which the Proposer operates or performs business. (Post Office Boxes are not verifiable and shall not be used for the purpose of establishing said physical address.)

   Proposer shall state its Miami-Dade County (or Broward County if applicable, see note below) physical business address

   _____

3. Proposer contributes to the economic development and well-being of Miami-Dade County in a verifiable and measurable way. This may include but not be limited to the retention and expansion of employment opportunities and the support and increase in the County's tax base. To satisfy this requirement, the Proposer shall affirm in writing its compliance with any of the following objective criteria as of the proposal submission date:

   Check box, if applicable:

   ☐ a) Retention and expansion of employment opportunities in Miami-Dade County.

   ☐ b) Proposer contributes to the County's tax base by paying either real property taxes or tangible personal property taxes to Miami-Dade County.

   ☐ c) Proposer contributes to the economic development and well-being of Miami-Dade County by some other verifiable and measurable contribution by _____

   _____

Proposer shall check the box if applicable and, if checking item "c", shall provide a written statement, above, defining how Proposer meets that criteria.

By signing below, Proposer affirms that it meets the above criteria to qualify for Local Preference and has submitted the requested documents.

Proposer: _____

Federal Employer Identification Number: _____

Address: _____

City/State/Zip: _____

Telephone: _____ Fax: _____

I hereby certify that to the best of my knowledge and belief all the foregoing facts are true and correct.

_____
Signature of Authorized Representative

Title: _____

Date: _____

STATE OF _____

COUNTY OF: _____

SUBSCRIBED AND SWORN TO (or affirmed) before me on, _____,
(Date)

by _____. He/She is personally known to me or has presented
(Affiant)

_____ as identification.
(Type of Identification)

_____ _____
(Signature of Notary) (Serial Number)

_____ _____
(Print or Stamp Name of Notary) (Expiration Date)

Notary Public: _____ Notary Seal
(State)

MIAMI-DADE COUNTY
ISD FORM NO. 5 - LOBBYIST REGISTRATION FOR ORAL PRESENTATION

1. **PROJECT TITLE:** _____

2. **ISD PROJECT NO.:** _____ **DEPARTMENT:** _____

3. **FIRM/PROPOSER'S NAME:** _____

   ADDRESS: _____ **ZIP:** _____

   BUSINESS TELEPHONE: _____ **FAX:** _____

4. **List All Members of Presentation Team Who Will Participate in the Oral Presentation**

LOBBYIST REPRESENTATIVE				MIAMI-DADE COUNTY ISD OFFICE USE ONLY
NAME	**TITLE**	**EMPLOYED BY**	**TELEPHONE NO.**	**SIGNATURE**

The individuals named above are Registered and the Registration Fee is not required for the Oral Presentation ONLY. Proposers are advised that any individual substituted for or added to the presentation team after submittal of the proposal and filing by staff, MUST register with the Clerk of the Board and pay all applicable fees. Other than for the oral presentation, Proposers who wish to address the county commission, county board or county committee concerning any actions, decisions, or recommendations of County personnel regarding this solicitation in accordance with Section 2-11.1(s) of the Code of Miami-Dade County MUST register with the Clerk of the Board (Form BCCFORM2DOC) and pay all applicable fees.

I do solemnly swear that all the foregoing facts are true and correct and I have read or am familiar with the provision of Section 2-11.1(s) of the Code of Metropolitan Dade County as amended.

SIGNATURE OF AUTHORIZED REPRESENTATIVE _____

STATE OF _____ _____

(Name and Title of Signatory, Printed or Typed)

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____

BY _____, **a** _____

(Individual, Officer, Partner or Agent) **(Sole, Corporation or Partnership)**

who is personally known to me or who has produced _____
as identification, and who did/did not take an oath.

_____

(Signature of Notary Public Taking Acknowledgment)

_____

(Name of acknowledger typed, printed or stamped)

_____ _____

(Title or Rank) **(Serial Number, if any)**

(ATTACH ADDITIONAL COPIES OF THESE SHEETS IF NECESSARY)

ISD Form 7 - SUBCONTRACTOR/SUPPLIER LISTING

(Miami-Dade County Code Sections 2-8.1, 2-8.8 and 10-34)

Firm Name of Prime Contractor/Respondent _____ FEIN # _____

Project/Contract Number _____

In accordance with Sections 2-8.1, 2-8.8 and 10.34 of the Miami-Dade County Code, this form must be submitted as a condition of award by all bidders/respondents on County contracts for purchase of supplies, materials or services, including professional services which involve expenditures of $100,000 or more, and all bidders/respondents on County or Public Health Trust construction contracts which involve expenditures of $100,000 or more. The bidder/respondent who is awarded this bid/contract shall not change or substitute first tier subcontractors or direct suppliers or the portions of the contract work to be performed or materials to be supplied from those identified, except upon written approval of the County. The bidder/respondent should enter the word "NONE" under the appropriate heading of this form if no subcontractors or suppliers will be used on the contract and sign the form below.

In accordance with Ordinance No. 11-90, an entity contracting with the County shall report the race, gender and ethnic origin of the owners and employees of all first tier subcontractors/suppliers. In the event that the successful bidder demonstrates to the County prior to award that the race, gender, and ethnic information is not reasonably available at that time, the successful bidder shall be obligated to exercise diligent efforts to obtain that information and provide the same to the County not later than ten (10) days after it becomes available and, in any event, prior to final payment under the contract.

(Please duplicate this form if additional space is needed.)

Business Name and Address of First Tier Subcontractor/ Sub-consultant	Principal Owner	Scope of Work to be Performed by Subcontractor/ Sub-consultant	Principal Owner (Enter the number of male and female owners by race/ethnicity)								Employee(s) (Enter the number of male and female employees and the number of employees by race/ethnicity)							
			Gender		Race/Ethnicity						Gender		Race/Ethnicity					
			M	F	White	Black	Hispanic	Asian/Pacific Islander	Native American/Native Alaskan	Other	M	F	White	Black	Hispanic	Asian/Pacific Islander	Native American/Native Alaskan	Other

Business Name and Address of First Tier Direct Supplier	Principal Owner	Supplies/Materials/ Services to be Provided by Supplier	Principal Owner (Enter the number of male and female owners by race/ethnicity)								Employee(s) (Enter the number of male and female employees and the number of employees by race/ethnicity)							
			Gender		Race/Ethnicity						Gender		Race/Ethnicity					
			M	F	White	Black	Hispanic	Asian/Pacific Islander	Native American/Native Alaskan	Other	M	F	White	Black	Hispanic	Asian/Pacific Islander	Native American/Native Alaskan	Other

☐ **Mark here if race, gender and ethnicity information is not available and will be provided at a later date. This data may be submitted to Contracting/User department or on-line to the Small Business Development Division of the Regulatory and Economic Resources Department at http://new.miamidade.gov/business/business-development.asp.**

I certify that the representations contained in this Subcontractor/Supplier listing are to the best of my knowledge true and accurate.

Signature of Bidder/Respondent	Print Name	Print Title	Date

FAIR SUBCONTRACTING PRACTICES

In compliance with Section 2-8.8 of the Miami-Dade County Code, the Proposer submits the following detailed statement of its policies and procedures for awarding subcontracts:

_____

I hereby certify that the foregoing information is true, correct and complete.

Signature of Authorized Representative: _____

Title: _____ Date: _____

Proposer's Name: _____

MIAMI-DADE COUNTY – INTERNAL SERVICES DEPARTMENT (ISD)
ISD FORM NO. 11
EXPERIENCE & QUALIFICATION / PREFERENCE / REFERENCE FORM

INSTRUCTIONS

This form must be submitted by each team member (Prime, A/E Sub-consultant, and/or non-A/E sub-consultant), as applicable. Applicable firm must list previous similar type project in which it has performed work. The reference provided below should be for one project and must comply with the requirements listed in Sections 1.2, Scope of Services, Experience and Qualifications/Preferences, and 2.1, Format and Contents, of the NTPC.

APPLICABILITY TO EXPERIENCE & QUALIFICATION(S) / PREFERENCE(S)

This project reference complies with the Experience and Qualification(s) and/or Preference(s) required under Section 1.2, Scope of Services, of the NTPC. ☐ Yes OR ☐ Not Applicable

If yes, please indicate which of the Experience and Qualification(s) and/or Preference(s) that is met with this project reference.

REFERENCE PROJECT INFORMATION

Firm Name:

Reference Project Name/Address:

Name(s) and Role(s) of Consultant Personnel Working on this Reference Project:

Reference Project Description:

Scope of Services Provided:

Total Compensation for Services: $ Project Start Date: / Project Completion Date: /

Project Construction Cost: $ Construction Start Date: / Construction Completion Date: /

Reference Company Name: Reference Contact Name:

Reference Telephone Number: Facsimile Number: E-mail:

SPACE BELOW IS TO BE UTILIZED TO EXPAND ON THE SCOPE OF SERVICES PROVIDED FOR THIS PROJECT REFERENCE. PLEASE DESCRIBE YOUR FIRM'S INVOLVEMENT IN THE REFERENCE PROJECT. PROVIDE DETAILS TO SUPPORT WHETHER EACH TEAM MEMBER'S PARTICULAR EXPERTISE RELEVANT TO THE PROJECT WAS GAINED UNDER CURRENT EMPLOYMENT, OR AS A MEMBER OF ANOTHER FIRM. (ADDITIONAL SHEETS OF PAPER MAY BE USED TO INCLUDE INFORMATION).

Memorandum

MIAMI-DADE COUNTY

Date: April 4, 2014

To: Department Directors

From: Carlos A. Gimenez
Mayor

Subject: Contractor Due Diligence Affidavit

On January 22, 2014, the Board of County Commissioners (Board) adopted R-63-14, which directed the Administration to require certain affidavits as part of the due diligence conducted by the County with respect to the responsibility of potential vendors and contractors prior to contract award. This resolution is applicable as a condition of award for any contract that exceeds $1 million, or that is otherwise subject to Board approval.

In accordance with R-63-14, the Procurement Management Division of the Internal Services Department developed the attached affidavit that requires contractors to attest to the following under oath:

- All of the lawsuits that have been filed against that entity, its directors, partners, principals, and/or board members, based on breach of contract by that entity in the five years prior to bid or proposal submittal, including the case name and number and the disposition of the case;
- Any instances in the five years prior to bid or proposal submittal where that entity has been defaulted and a brief description of the circumstances; and
- All of the instances in the five years prior to bid or proposal submission where that entity has been debarred or received a formal notice of non-compliance or non-performance, such as a notice to cure or a suspension from participating or bidding for contracts, whether related to Miami-Dade County or not.

In order to implement this resolution, the attached Contractor Due Diligence Affidavit must be included with all solicitation packages meeting the criteria discussed above. It is the responsibility of the vendor/contractor to return the fully executed Affidavit at the time of bid or proposal submittal. This affidavit will be used as an additional measure of due diligence prior to award of a contract.

Should you have any questions or concerns, please do not hesitate to contact ISD Assistant Director Miriam Singer at (305) 375-5893.

Attachment

c: Robert A. Cuevas, Jr., County Attorney
Office of the Mayor Senior Staff
Miriam Singer, Assistant Director, Internal Services Director
Procurement Liaisons

Miami-Dade County

Contractor Due Diligence Affidavit

Per Miami-Dade County Board of County Commissioners (Board) Resolution No. R-63-14, County Vendors and Contractors shall disclose the following as a condition of award for any contract that exceeds one million dollars ($1,000,000) or that otherwise must be presented to the Board for approval:

(1) Provide a list of all lawsuits in the five (5) years prior to bid or proposal submittal that have been filed against the firm, its directors, partners, principals and/or board members based on a breach of contract by the firm; include the case name, number and disposition;

(2) Provide a list of any instances in the five (5) years prior to bid or proposal submittal where the firm has defaulted; include a brief description of the circumstances;

(3) Provide a list of any instances in the five (5) years prior to bid or proposal submittal where the firm has been debarred or received a formal notice of non-compliance or non-performance, such as a notice to cure or a suspension from participating or bidding for contracts, whether related to Miami-Dade County or not.

All of the above information shall be attached to the executed affidavit and submitted to the Procurement Contracting Officer (PCO)/ AE Selection Coordinator overseeing this solicitation. The Vendor/Contractor attests to providing all of the above information, if applicable, to the PCO.

Contract No. : _____ **Federal Employer Identification Number (FEIN):** _____

Contract Title: _____

Printed Name of Affiant	Printed Title of Affiant	Signature of Affiant

Name of Firm	Date

Address of Firm	State	Zip Code

Notary Public Information

Notary Public – State of _____ County of _____

Subscribed and sworn to (or affirmed) before me this _____ day of, _____ 20

by _____ He or she is personally known to me ☐ or has produced identification

Type of identification produced _____

Signature of Notary Public	Serial Number

Print or Stamp of Notary Public	Expiration Date	Notary Public Seal

Letter of Agreement (LOA)

Small Business Enterprise - Architectural & Engineering (SBE-A/E) Program

THIS SECTION MUST BE COMPLETED BY PRIME PROPOSER/DESIGN-BUILDER

From: _____

Name of Prime Proposer / Design-Builder

In response to Miami-Dade County's Project Number _____, the undersigned hereby agrees to utilize the Small Business Enterprise – Architectural & Engineering (SBE-A/E) firm listed below, performing the stated work at the stated percentage, if awarded the contract. The undersigned further certifies that the firm has been contacted and properly apprised of the projected work assignment(s) to be performed upon execution of the contract with Miami-Dade County. Further, by signing this Letter of Agreement the undersigned consents to be bound by all the Provisions of the SBE-Goods and Services Ordinance No. 01-103 as amended.

*Name of Proposed SBE-A/E Firm_____

Name of Certified SBE-A/E *Prime/Sub (SBE-A/E meeting the goal)	SBE-A/E Certification Number	SBE-A/E Certification Expiration Date	Type of Work to be Performed (Technical Certification Categories)	Percentage Amount of Design Fee

I certify that the representations contained in this form are to the best of my knowledge true and accurate

_____ _____ _____

Proposer's / Design Builder Signature Proposer's / Design-Builder's Name/Title (Print) (Date)

COMPLETE THIS SECTION ONLY FOR DESIGN/BUILD PROJECTS

I certify that the representations contained in this form are to the best of my knowledge true and accurate

_____ _____ _____

Lead A/E Firm Signature Lead A/E Firm Name/Title (Print) (Date)

THIS SECTION MUST BE COMPLETED BY THE SBE-A/E SUBCONSULTANT

ACKNOWLEDGMENT BY THE PROPOSED SBE – ARCHITECTURAL & ENGINEERING FIRM

The undersigned has reasonably uncommitted capacity sufficient to provide the required services, all licenses and technical certifications necessary to provide such services, the ability to provide such services consistent with normal industry practice, and the ability to otherwise meet the proposal specifications.

_____ _____

SBE-A/E Subconsultant Signature Date

_____ _____

SBE-A/E Subconsultant Name (Print) Title

_____

Name of SBE-A/E Firm

List of Certified Firms: http://www.miamidade.gov/business/reports-certification-lists.asp

SBD's Website: http://www.miamidade.gov/internalservices/small-business.asp

SCHEDULE OF INTENT AFFIDAVIT (SOI)

SMALL BUSINESS ENTERPRISE – GOODS AND SERVICES (SBE-G/S) PROGRAM

THIS FORM MUST BE COMPLETED BY BIDDERS/PROPOSERS FOR PROJECTS WITH SBE-GOODS AND SERVICES (SBE-G/S) MEASURES

Name of Bidder/Proposer _____ **Contact Person** _____

Address _____ **Phone** _____ **Fax** _____ **Email** _____

Project Name _____ **Project Number** _____

SBE – G/S Contract Measure _____

This section must be completed by the Bidder/Proposer and the SBE-G/S Subcontractor that will be utilized for scopes of work on the project

Name of Bidder/Proposer	(if applicable) SBE-G/S Certification No.	(if applicable) Certification Expiration Date	Commodity Code	Type of Goods and Services work to be performed by Bidder	Bidder % of Bid
				Prime Contractor Total Percentage:	

The undersigned intends to perform the following work in connection with the above contract:

Name of SBE-G/S Subcontractor	SBE-G/S Certification No.	Certification Expiration Date	Commodity Code	Type of Goods and Services work to be performed by Subcontractor	SBE-G/S Subcontractor % of Bid
				Subcontractor Total Percentage:	

I certify that the representations contained in this form are to the best of my knowledge true and accurate. I affirm that I will enter into a sub-contract agreement with the above listed SBE-G/S subcontractor if awarded the listed project.

_____	_____	_____	_____
Bidder/Proposer Signature	**Bidder/Proposer Print Name**	**Bidder/Proposer Print Title**	**Date**

The undersigned has reasonably uncommitted capacity sufficient to provide the required goods or services, all licenses and permits necessary to provide such goods or services, ability to obtain bonding that is reasonably required to provide such goods or services consistent with normal industry practice, and the ability to otherwise meet the bid specifications.

_____	_____	_____	_____
SBE-G/S Subcontractor Signature	**SBE-G/S Subcontractor Print Name**	**SBE-G/S Subcontractor Print Title**	**Date**

☐ **Check this box if this project is a set-aside and you are performing 100% of the work with your own work forces.**

List of Certified Firms: http://www.miamidade.gov/business/reports-certification-lists.asp

SBD's Website: http://www.miamidade.gov/internalservices/small-business.asp