



BID NO.: EPP6118-0/18

**OPENING: 2:00 P.M.
November 15, 2013**

MIAMI-DADE COUNTY, FLORIDA

**INVITATION
TO BID**

TITLE:

Rental of Portable Chemical Toilets

FOR INFORMATION CONTACT:

Ingrid Bernal, 305-375-4211, ibernal@miamidade.gov

IMPORTANT NOTICE TO BIDDERS:

- **READ THIS ENTIRE DOCUMENT, THE GENERAL TERMS AND CONDITIONS, AND HANDLE ALL QUESTIONS IN ACCORDANCE WITH THE TERMS OUTLINED IN PARAGRAPH 1.2(D) OF THE GENERAL TERMS AND CONDITIONS.**
- **FAILURE TO SIGN BID SUBMITTAL FORM IN SECTION 4 WILL RENDER YOUR BID NON-RESPONSIVE**

**MIAMI-DADE COUNTY
INTERNAL SERVICES DEPARTMENT
PROCUREMENT MANAGEMENT DIVISION**



MIAMI-DADE COUNTY, FLORIDA

INVITATION TO BID

Bid Number: EPP6118-0/18

Bid Title: Rental of Portable Chemical Toilets

Procurement Officer: Ingrid Bernal

Bids will be accepted until 2:00 p.m. on November 15, 2013,

Bids will be publicly opened. The County provides equal access and does not discriminate on the basis of disability in its programs or services. It is our policy to make all communication available to the public, including those who may be visually or hearing impaired. If you require information in a non-traditional format please call 305-375-5278.

Instructions: The Clerk of the Board business hours are 8:00am to 4:30pm, Monday through Friday. Additionally, the Clerk of the Board is closed on holidays observed by the County. Each Bid submitted to the Clerk of the Board shall have the following information clearly marked on the face of the envelope: the Bidders name, return address, Bid number, opening date of the Bid and the title of the Bid. Included in the envelope shall be an original and two copies of the Bid Submittal, plus attachments if applicable.

All Bids received time and date stamped by the Clerk of the Board prior to the bid submittal deadline shall be accepted as timely submitted. The circumstances surrounding all bids received and time stamped by the Clerk of the Board after the bid submittal deadline will be evaluated by the procuring department, in consultation with the County Attorney's Office, to determine whether the bid will be accepted as timely.

NOTICE TO ALL BIDDERS:

- FAILURE TO SIGN THE BID SUBMITTAL FORM WILL RENDER YOUR BID NON-RESPONSIVE.
- THE BID SUBMITTAL FORM CONTAINS IMPORTANT CERTIFICATIONS THAT REQUIRE REVIEW AND COMPLETION BY ANY BIDDER RESPONDING TO THIS SOLICITATION.

MIAMI-DADE COUNTY
INTERNAL SERVICES DEPARTMENT
PROCUREMENT MANAGEMENT DIVISION

SECTION 1
GENERAL TERMS AND CONDITIONS

RENTAL OF PORTABLE CHEMICAL TOILETS

All general terms and conditions of Miami-Dade County Procurement Contracts for Invitations to Bid are posted online. Persons and Companies that receive an award from Miami-Dade County through Miami-Dade County's competitive procurement process must anticipate the inclusion of these requirements in the resultant Contract. These standard general terms and conditions are considered non-negotiable subject to the County's final approval.

All applicable terms and conditions pertaining to this solicitation and resultant contract may be viewed online at the Miami-Dade County Procurement Management website by clicking on the below link:

<http://www.miamidade.gov/procurement/library/boilerplate/general-terms-and-conditions-r13-8.pdf>

SECTION 2
SPECIAL CONDITIONS

RENTAL OF PORTABLE CHEMICAL TOILETS

2.1 PURPOSE: TO ESTABLISH A CONTRACT FOR THE COUNTY:

The purpose of this solicitation is to establish a contract for the Rental of Portable Chemical Toilets in conjunction with the County's needs on an as needed basis.

2.2 TERM OF CONTRACT: FIVE YEARS

This contract shall commence on the first calendar day of the month succeeding approval of the contract by the Board of County Commissioners, or designee, unless otherwise stipulated in the Notice of Award Letter which is distributed by the County's Procurement Management Division, and contingent upon the completion and submittal of all required bid documents. The contract shall expire on the last day of the last month of the contract term.

2.3 METHOD OF AWARD: TO MULTIPLE BIDDERS BY ITEM

Award of this contract will be made to the two (2) lowest priced responsive, responsible Bidders on an item-by-item basis. To be considered for award of an item, the Bidder shall offer all requested pricing for the item. The County will then select the Bidders for award for each item by totaling all unit and trailer prices (rates) multiplied by the applicable quantities. If a Bidder fails to submit an offer for all requested pricing for the item, its offer for that specific item will be rejected. While the award will be made to multiple Bidders by item to assure availability, the lowest priced Bidder for each item will be given the first opportunity to perform under this contract. Pricing for additional maintenance service will not be utilized as a basis for award.

While the method of award prescribes the method for determining the lowest responsive, responsible Bidder(s), the County will award this contract to the designated lowest Bidder as the Primary Awarded Bidder and will award this contract to the designated second lowest Bidder as the Secondary Awarded Bidder. The Primary Awarded Bidder shall have the primary responsibility to perform the service or deliver the goods identified in this contract. Failure of any awarded Bidder to perform in accordance with the terms and conditions of the contract may result in the awarded Bidder being deemed in breach of contract. Bidders will provide a price for additional cleanings, which may be required by County departments as deemed necessary.

2.4 MINIMUM REQUIREMENTS

Award of this contract will only be made to responsive, responsible Bidders who meet the minimum qualification as follows:

The awarded Bidder shall have been in business providing Portable Chemical Toilets for at least one (1) year. Bidder shall provide three (3) Commercial Business and/or Government Agency references for which Portable Chemical Toilets were provided to verify minimum 1 year experience.

2.5 CERTIFICATE OF COMPETENCY

In accordance with the Code of Miami-Dade County, Florida, Section 10-3 (B), any person, firm, corporation or joint venture which submits an offer in response to this solicitation shall, at the time of such offer, hold a valid Certificate of Competency for Portable Chemical

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Toilets issued by Miami-Dade County – Construction Trades Qualifying Board (Business Certificate of Competency), per the provisions of Chapter 10 of Miami-Dade County Code. Bidder(s) shall submit a copy of the license with the bid submittal, and/or during the evaluation process. If work for other trades is required in conjunction with this solicitation and will be performed by a subcontractor(s), an applicable Certificate of Competency issued to the subcontractor(s) should also be submitted with the prime Bidder(s) offer; provided, however, that the County may at its option and in its best interest allow the awarded Bidder to supply the subcontractor(s) certificate to the County during the offer evaluation period or after award.

2.6 PRICES SHALL BE FIXED AND FIRM FOR THE TERM OF THE CONTRACT:

If the Bidder is awarded a contract under this solicitation, the prices proposed by the awarded Bidder shall remain fixed and firm during the term of the contract and any extensions thereof.

2.7 METHOD OF PAYMENT

The awarded Bidder(s) shall submit monthly invoices by the tenth (10th) calendar day of each month. These invoices shall be submitted to the County using department(s) that requested the service through a purchase order. The invoices shall reflect the appropriate purchase order number, the service location(s) and the type of service provided to the County in the prior month.

2.8 CONTACT PERSON

For any additional information regarding the terms and conditions of this solicitation and resultant contract, contact: Ingrid Bernal at (305) 375-4211 or email ibernalm@miamidade.gov

2.9 INSURANCE

These insurance limits supersede the limits in Section 1.21. The Contractor shall furnish to the Internal Services Department / Procurement Management Services, 111 NW 1st Street, Suite 1300, Miami, Florida 33128-1989, Certificate(s) of Insurance which indicate that insurance coverage has been obtained which meets the requirements as outlined below:

- A. Worker's Compensation Insurance for all employees of the Contractor as required by Florida Statute 440.
- B. Commercial General Liability Insurance in an amount not less than \$1,000,000 combined single limit per occurrence for bodily injury and property damage. **Miami-Dade County must be shown as an additional insured with respect to this coverage.**
- C. Automobile Liability Insurance covering all owned, non-owned and hired vehicles used in connection with the work, in an amount not less than \$1,000,000 combined single limit per occurrence for bodily injury and property damage.

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***Under no circumstances are Contractors permitted on the Aviation Department, Aircraft Operating Airside (A.O.A) at Miami International Airport without increasing automobile coverage to \$5 million. Only vehicles owned or leased by a company will be authorized. Vehicles owned by individuals will not be authorized. \$1 million limit applies at all other airports.**

All insurance policies required above shall be issued by companies authorized to do business under the laws of the State of Florida, with the following qualifications:

The company must be rated no less than "A-" as to management, and no less than "Class VII" as to financial strength by Best's Insurance Guide, published by A.M. Best Company, Oldwick, New Jersey, or its equivalent, subject to the approval of the County Risk Management Division.

or

The company must hold a valid Florida Certificate of Authority as shown in the latest "List of All Insurance Companies Authorized or Approved to Do Business in Florida" issued by the State of Florida, Department of Financial Services and are members of the Florida Guaranty Fund.

NOTE: CERTIFICATE HOLDER MUST READ MIAMI-DADE COUNTY
111 NW 1ST STREET
SUITE 2340
MIAMI, FL 33128

2.10 DELIVERY REQUIREMENTS

Awarded Bidder(s) shall furnish Portable Chemical Toilets units requested within twenty-four hours after receipt of order from a County user department. County departments will notify awarded Bidder of special events where a substantial amount of toilets are required at least two (2) weeks in advance (whenever possible). Emergency requests shall be considered as specified in Section 3.0, Paragraph 3.11.

2.11 ACCEPTANCE OF PORTABLE CHEMICAL TOILETS UNITS BY MIAMI-DADE COUNTY

The portable chemical units shall be maintained and delivered to the County in excellent condition. If a unit does not meet specifications, it will be rejected to the awarded Bidder in exchange for suitable unit or for full credit at no additional cost to the County.

2.12 ACCIDENT PREVENTION AND BARRICADE

Precautions shall be exercised at all times for the protection of persons and property. All awarded Bidder(s) performing services under this contract shall conform to all relevant OSHA, State and County regulations during the course of such effort. Any fines levied by the abovementioned authorities for failure to comply with these requirements shall be borne solely by the responsible awarded Bidder. Barricades shall be provided by the awarded Bidder when work is performed in areas traversed by persons, or when deemed necessary by Project Manager.

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2.13 FURNISH AND SET IN PLACE REQUIREMENTS

The awarded Bidder(s) shall furnish and fully install the portable chemical toilets identified in the specifications included in this solicitation and resultant contract at the facility designated by the County.

2.14 CLEAN-UP

All unusable materials and debris shall be removed from the premises at the end of each day that awarded bidder performed work, and disposed of in an appropriate manner. Upon final completion of work, the awarded Bidder shall thoroughly clean up all areas where work has been involved as mutually agreed with the associated user department's Project Manager.

2.15 COMPLIANCE WITH FEDERAL STANDARDS / REGULATIONS

2.15.1 Compliance with Federal Regulations due to use of Federal Funding

Since the goods, services and/or equipment that will be acquired under this solicitation will be purchased, in part or in whole, with federal funding, it is hereby agreed and understood that Section 60-250.4, Section 60-250.5 and Section 60-741.4 of Title 41 of the United States Code, which addresses Affirmative Action Requirements for disabled workers, is incorporated into this solicitation and resultant contract by reference.

2.15.2 Compliance with Federal Standards

All items to be purchased under this contract shall be in accordance with all governmental standards, to include, but not be limited to, those issued by the Occupational Safety and Health Administration (OSHA), the National Institute of Occupational Safety Hazards (NIOSH), and the National Fire Protection Association (NFPA).

It shall be the responsibility of the Bidder(s) to be regularly informed and conform to any changes in standards issued by any of the regulatory agencies that govern the commodities in this solicitation during the term of the contract.

2.16 DEMONSTRATION OF EQUIPMENT MAY BE REQUIRED DURING EVALUATION

After the County opens the Bids and/or after contract award, Bidders may be required to demonstrate the equipment, which has been proposed for evaluation by, and at no cost to, the County. The purpose of the demonstration is to observe the equipment in an operational environment and to verify its capability, suitability, and adaptability vis-à-vis the performance requirements stipulated in the bid. If a demonstration is required, the County will notify the Bidder of such in writing and will specify the date, time and location of the demonstration. If the Bidder fails to perform the demonstration on the specified date stipulated in the notice, the County may elect to reject the Bidder and/or select another Bidder or to re-schedule the demonstration in its best interest. The County shall be the sole judge of the acceptability of the equipment in conformance with the bid specifications and its decision shall be final.

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The equipment used for the demonstration shall be the same as the items proposed. Accordingly, the equipment used in the demonstration shall create an express warranty that the actual equipment to be provided by the Bidder during the contract period shall conform to the equipment used in the demonstration. The awarded Bidder shall be required to provide adequate restitution to the County, in the manner prescribed by the County, if this warranty is violated during the term of the contract.

This contract requires that accessible units be approved by the Internal Services Department/ADA Coordination (ISD/ADA).

The Bidder may be required to provide a typical accessible unit to the ISD/ADA, which can be no more than one (1) week after request by the County. If ISD/ADA agrees that the unit complies with all of the existing laws, regulations, codes and standards listed above and other specifications stated herein, then that office will approve the unit. Miami-Dade County shall be the sole judge of compliance with requirements. The County, upon inspection of the typical unit, shall provide to the Bidder a written report stating all deficiencies, if any. The Bidder shall have up to one (1) week from that report to provide a fully compliant unit at the same bid price.

Failure to comply with any of the accessible requirements, specifications and/or timeframes may result, at the County's option, in disqualification of the Bidder. Miami-Dade County may choose, if it considers it in the County's best interest, and it is recommended by the Office of ADA Coordination ISD/ADA, to accept variations from the specifications, only if such acceptance will promote the highest degree of compliance with Chapter 553 and ADA.

2.17 ESCORTS AT AIRCRAFT OPERATING AREA

When performing work at the County's Aviation Department, the awarded Bidder(s) shall acquire approval to access the Airside Operations Area (AOA). Awarded Bidder(s) shall gain access to the AOA and shall comply with all AOA drivers training requirements for each employee assigned to MIA. Awarded Bidder(s) shall report to the Aviation Department's Maintenance Division Building 3040. The Aviation Department shall monitor the placement of the awarded Bidder(s) equipment at each location. Upon completion of the work, the awarded Bidder(s) shall call the maintenance office at 305-876-7311 to arrange for inspection and escort out of the aircraft operating area. Any violations to this requirement by the awarded Bidder shall result in the immediate cancellation of its contract with the County.

2.17.1 SPECIAL SECURITY REQUIREMENTS AT THE AIRPORT

- a. The Miami-Dade County Aviation Department operates under strict security regulations. These regulations involve the issuance of special identification (ID) cards after performing complete police background checks of individuals who are employed, hired or who are required to frequently (more than 5 times within a 90-day period) enter the restricted areas of the Miami International Airport. These ID cards are required for access and are issued by the Miami-Dade Aviation Department at the current cost of \$38.00 for fingerprints and \$20.00 for the ID badge, per applicant per year. Therefore, the awarded Bidder(s) under this group shall obtain and pay for ID cards for each of his /her employees and/or agents who will be frequently visiting or performing services at the Miami International Airport restricted areas. For more information concerning ID cards,

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you may contact the Miami-Dade Aviation Department ID Section at 3058767188.

The awarded Bidder must follow all security procedures required of workers at MDAD. This will include security checks and passes for all employees, a special driving course for those who operate a vehicle on the aircraft operating area (AOA), additional badges to work within the US Customs service area and may include bonding for a Customs I.D.

For Customs ID, call 786-265-5715 or email cbp-miami-airport-security@dhs.gov for information. Awarded Bidder is responsible for all costs incurred in obtaining security badges. Security clearance must be obtained prior to start of contract.

- b. Awarded Bidder and its sub-contractors working at Miami-Dade Aviation Department are subject to complying with ISO 14001 regulations regarding Environmental responsibility. Awarded Bidder will receive training and familiarization about the ISO 14001 protocol from the Miami Dade Aviation Department, Maintenance Division.

2.18 LABOR, MATERIALS, AND EQUIPMENT SHALL BE SUPPLIED BY THE AWARDED BIDDER

Unless otherwise provided in Section 3 (entitled "Technical Specifications"), of this solicitation the awarded Bidder shall furnish all labor, material and equipment necessary for satisfactory contract performance. Such materials and equipment shall be of a suitable type and grade for the purpose. All material, workmanship, and equipment shall be subject to the inspection and approval of the County's Project Manager.

2.19 LEGAL REQUIREMENT FOR POLLUTION CONTROL

It is the intent of these specifications to comply with the Miami-Dade County Pollution Control Ordinance as stated in Chapter 24 of the Miami-Dade Code. This ordinance is made a part of these specifications by reference and may be obtained, if necessary, by the awarded Bidder through the Regulatory and Economic Resources (RER) Department, 701 N.W. 1st Ct. 4th Floor., Miami, Florida 33136, Telephone (305) 372-6752.

2.20 NON-PERFORMANCE OF SERVICES

Upon failure to perform the specified maintenance services to the satisfaction of the County's Project Manager, the awarded Bidder shall be charged the amount for each maintenance service call not rendered or thorough cleaning not performed. The County shall have the right to deduct these amount(s) from any charges due or that may become due to the awarded Bidder under this agreement or, to invoice the awarded Bidder for such charges if the costs incurred exceed the amounts due the awarded Bidder.

2.21 MIAMI-DADE PUBLIC HOUSING AND COMMUNITY DEVELOPMENT EXEMPTION TO CERTAIN CLAUSES

The contract to be awarded under this solicitation will be accessed by the Miami-Dade Public Housing and Community Development (PHCD). As a Federally-funded agency,

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certain clauses within this solicitation do not apply to that Department's allocation: Section 1, Paragraph 1.10 (Local Preference); Section 1, Paragraph 1.27 (Office of the Inspector General) the fee portion only; Section 1, Paragraph 1.43 (Small Business Contract Measures); Section 1, Paragraph 1.35 (County User Access Program – UAP); and Section 1, Paragraph 1.44 (Disabled Veteran's Business Preference).

2.22 MIAMI-DADE PUBLIC HOUSING AND COMMUNITY DEVELOPMENT SECTION 3 REQUIREMENTS

This contract includes a Section 3 (referring to Appendix B) covered activity for PHCD. Section 3 requires that job training, employment and contracting opportunities to the greatest extent feasible and consistent with existing Federal and State laws be directed toward low and very-low income persons and to businesses that provide economic opportunities to those persons.

Bidder(s) offering a price for a PHCD item (see Section 4.6, Pricing for Public Housing and Community Development) are required to execute and submit Document 00400, "Section 3 Economic Opportunity and Affirmative Marketing Plan (Plan)", with the Bidder(s) certification that Bidder will take all necessary affirmative marketing steps required, in connection with each PHCD project award, to (a) meet Section 3 training and employment goals, where feasible, when filling vacant or new positions resulting from PHCD awards, and also seek to recruit qualified minorities and women to fill vacant or new positions resulting from PHCD awards, and (b) meet Section 3 subcontracting goals and ensure small, minority and women subcontractors and used (where subcontracting is permitted).

Questions regarding "Section 3 Business" contract requirements may be faxed to Penelope Bivins, Resident Services Coordinator at (786) 469-4133.

2.23 ITEMS MAY BE ADDED OR DELETED

Although this solicitation and resultant contract identifies specific items to be rented and/ or serviced, it is hereby agreed and understood that any County department or items may be added or deleted at the option of the County.

2.23.1 ADDITIONAL ITEMS

The County may seek a price quote from the Primary Awarded Bidder and award the additional item if the price is fair and reasonable. Alternatively, all awarded Bidders under this contract may be invited to submit price quotes for these additional items. If these quotes are determined to be fair and reasonable, then the additional work will be awarded to the Bidder that offers the lowest acceptable pricing. The County may determine to obtain price quotes for the additional items from other Bidders in the event that fair and reasonable pricing is not obtained from the current contract awarded Bidder(s), or for other reasons at the County's discretion.

2.23.2 DELETION OF ITEMS

Although this solicitation identifies specific items to be rented and/ or serviced, it is hereby agreed and understood that any County department may delete item(s) when such services are no longer required.

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2.24 EXPEDITED PURCHASING PROGRAM

Pursuant to Ordinance 07-49, the County has created a pilot program for expedited purchasing, subject to terms and conditions as outlined in Section 2-8.1.6. of the Code of Miami-Dade County. The program shall be referred to as the Expedited Purchasing Program (EPP) and shall adhere to the following terms and conditions:

- EPP may be utilized for the competitive purchase of supplies, materials and services, including professional services other than architectural , engineering and other services subject to applicable County Codes and Florida Statutes, which are estimated to cost one million (\$1,000,000) or less.
- Methods of procurement may include but not be limited to: Invitations to Negotiate, Best and Final Offers, Request for Proposals (RFP), Requests for Qualifications (RFQ) and Invitation to Bid (ITB).
- The County Manager's or designee's written recommendation to award a contract under the EPP shall be sufficient to commence the bid protest period and terminate the Cone of Silence.
- Any legislation contrary to the provisions of the EPP shall be deemed suspended or amended as necessary to give effect to the intent of this ordinance during its effective term

Solicitations issued through the EPP process shall clearly be indicated to prospective vendors. Due to the expedited nature of County projects issued under the EPP, participating vendors should anticipate a shortened solicitation timeline for responding. The selection method and criteria shall be set forth in the solicitation documents, in accordance with the EPP process.

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TECHNICAL SPECIFICATIONS

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3.1 GENERAL REQUIREMENTS, STANDARD UNITS: (SINGLE AND TWO TOILET UNITS)

- a. Standard Chemical Toilets shall be portable and self-contained. All units shall be painted and marked with the name, address and telephone number of the servicing company. Doors to units and/or stalls shall be included with a working internal lock. Walls and roof shall have ventilating sections properly screened and at sufficient height to insure privacy.
- b. Human waste receptacles shall be of non-absorbent, acid resistant, non-corrosive, easily cleanable material, watertight and fly-tight. Containers or holding tanks shall have a capacity of not less than 24 gallons.
- c. Floors and interior walls shall have non-absorbent finish and be easily cleanable.
- d. Toilet Seats with covers shall be in compliance with Chapter 10D-10, FAC as applicable, top of seat shall be not less than 8 inches above the liquid level in the container.
- e. All units shall be delivered with adequate supply of full, unopened rolls of toilet tissue and empty trash receptacles.

3.2 ACCESSIBLE UNITS

Accessible units shall mean units designated accessible for use by persons with disabilities and shall be built in accordance with the accessibility standards set forth in the ADA Accessibility Guidelines (ADAAG), Uniform Federal Accessibility Standards (UFAS), Fair Housing Act Design Manual, Florida Accessibility Code for Building Construction, and/or the 2010 ADA Accessibility Standards for Accessible Design, as applicable, in the following specifications. Accessible units shall be marked with the international symbol of accessibility. Accessible shall carry the name, address and telephone number of the servicing company.

In accordance with Chapter 553 of the Florida Statutes and the American with Disabilities Act Accessibility, the first single user of portable toilet units provided at a location shall be an accessible unit. Thereafter, no fewer than 5% of the units, or a minimum of one (1) per cluster shall be accessible units. This does not apply to portable toilet units at construction sites to be used exclusively by construction personnel.

The awarded Bidder may not substitute any other accessible unit for the approved typical accessible unit without first obtaining official approval of the new typical accessible unit from ISD/ADA, in accordance with the specifications herein stated and to the satisfaction of the County.

3.2.1 UNIT REQUIREMENTS

- A. Walls and doors shall have ventilating grills properly screened and placed at sufficient heights to insure privacy. Roof is to be provided with skylights.
- B. Human waste receptacles shall be of a non-absorbent, acid resistant, non-corrosive, easily cleanable material, watertight and fly-tight. This holding tank shall have a capacity

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of not less than 45 gallons. This requirement only applies to the accessible units with lavatories.

- C. Seats or seat covers shall be stable and shall not be sprung to return to a lifted position. Toilet seat shall be not less than 8 inches above the liquid level in the container when the container is at capacity.
- D. All rental units shall be delivered with adequate supply of full, unopened rolls of toilet tissue and empty trash receptacles. Toilet paper holders shall hold two (2) rolls and shall provide continuous paper flow.
- E. Doorway shall provide a minimum 32" clear width measured with the door open at right angles, and a minimum 80" height clear of any protruding objects such as an overhead door closer. The door shall be self-closing with, no more than 8.5 pounds of pressure, and shall be equipped with a lever latch and screened ventilation grille. Doors to units shall have a working internal lock with a mechanism that can be operated with a closed fist and without pinching, grabbing or twisting.
- F. All accessible units shall be built so that, when installed on site, the entrance to the unit will comply with all of the provisions of the ADA Accessibility Guidelines and the Florida Accessibility Code.
- G. Tolerances to require dimensions shall be permitted in accordance with ADA and the Florida Accessibility Code, including Florida Accessibility Code Advisory 104.1.1: Construction and Manufacturing Tolerances, and the official interpretations thereof. Acceptable tolerances shall be solely determined by Miami-Dade County and shall include tolerances for at rest, in use, and under load conditions. In use and under load conditions shall be determined by using forces exerted by a person weighing up to 250 pounds.

3.3 TWO-STATION SINK UNIT

- A. Unit shall be of fiberglass-reinforced construction and mounted on skids.
- B. Tank capacity shall be a minimum of 30 gallons for blue water and 30 gallons for gray water.
- C. Unit shall have two pumps.
- D. One soap dispenser, full of soap at time of delivery.
- E. One towel dispenser, full of towels at time of delivery.
- F. There shall be one hookup point on the unit to allow for running water hookup, which will be provided by the County.

3.4 SMALL PORTABLE SANITATION TRAILER

- A. Women's side: minimum of one (1) toilet
Men's side: minimum of one (1) toilet
- B. Unit shall be trailer mounted. All interior surfaces shall be of smooth construction and shall have a non-skid floor. Walls and doors shall have ventilating grilles properly screened and placed at sufficient height to assure privacy.
- C. Human waste receptacles shall be of a non-absorbent, acid resistant, non-corrosive,

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- easily clearable material, watertight and fly-tight. Holding tanks shall have a minimum capacity of not less than 250 gallons.
- D. Each side shall have a minimum of one exhaust fan.
 - E. All toilets and urinals shall be able to be flushed.
 - F. Seats or seat covers shall be stable without springs to return to a lift position.
 - G. All units shall be delivered with an adequate supply of full, unopened rolls of toilet paper.
 - H. All units shall be delivered with the towel dispensers full of towels, soap dispensers full of soap and empty towel disposal baskets.
 - I. There shall be a minimum of one hookup point on the trailer to allow for running water hookup, which will be provided by the County.
 - J. Each unit shall have an air conditioning unit that will maintain the inside of the trailer at minimum, constant temperature of 73 degrees Fahrenheit.
 - K. Each toilet shall have one toilet paper dispenser.
 - L. Each side shall have a minimum of one sink, one soap dispenser, one towel dispenser and one towel disposal basket.
 - M. Each toilet paper dispenser shall have one full, unopened roll of toilet paper at time of delivery.
 - N. Each side shall have fluorescent lighting.
 - O. Doors shall be self-closing.

3.5 MEDIUM PORTABLE SANITATION TRAILER

- A. Women's side: minimum of three (3) toilets
- B. Men's side: minimum of five (5) toilets/urinals in one of the following configurations:
 - 1. Two (2) toilets and three (3) urinals or
 - 2. Three (3) toilets and two (2) urinals
- C. Unit shall be trailer mounted. All interior surfaces shall be of smooth construction and shall have a non-skid floor. Walls and doors shall have ventilating grilles properly screened and placed at sufficient height to assure privacy.
- D. Human waste receptacles shall be of a non-absorbent, acid resistant, non-corrosive, easily clearable material, watertight and fly-tight. Holding tanks shall have a minimum capacity of not less than 500 gallons.
- E. Each side shall have a minimum of one exhaust fan.
- F. All toilets and urinals shall be able to be flushed.
- G. Seats or seat covers shall be stable and shall not be sprung to return to a lift position.
- H. All units shall be delivered with an adequate supply of full, unopened rolls of toilet paper.
- I. Each side of unit shall have a minimum of: one sink with running water, one soap dispenser, one towel dispenser and one towel disposal basket.
- J. All units shall be delivered with the towel dispensers full of towels, soap dispensers full of soap and empty towel disposal baskets.
- K. There shall be a minimum of one hookup point on the trailer to allow for running water hookup, which will be provided by the County.
- L. Each side shall have a separate air conditioning unit that will maintain the inside of the trailer at minimum, constant temperature of 73 degrees Fahrenheit.
- M. All toilets shall be private stalls.
- N. Each toilet shall have one toilet paper dispenser.
- O. Each toilet paper dispenser shall have one full, unopened roll of toilet paper at time of

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delivery.

- P. Each side shall have fluorescent lighting.
- Q. Doors shall be self-closing.

3.6 LARGE PORTABLE SANITATION TRAILER

- A. The awarded Bidder shall maintain all items furnished.
- B. Women's side: minimum of six (6) toilets
- C. Men's side: minimum of seven (7) toilets/urinals in one of the following configurations:
 - 1. Four (4) toilets and three (3) urinals or
 - 2. Three (3) toilets and four (4) urinals
- D. Unit shall be trailer mounted. All interior surfaces shall be of smooth construction and shall have a non-skid floor. Walls and doors shall have ventilating grilles properly screened and placed at sufficient height to assure privacy.
- E. Human waste receptacles shall be of a non-absorbent, acid resistant, non-corrosive, easily clearable material, watertight and fly-tight. Holding tanks shall have a minimum capacity of not less 1,500 gallons.
- F. Each side shall be sufficiently ventilated to eliminate any odor.
- G. All toilets and urinals shall be able to be flushed.
- H. Seats or seat covers shall be stable and shall not be sprung to return to a lift position.
- I. All units shall be delivered with an adequate supply of full, unopened rolls of toilet paper.
- J. Each side of unit shall have a minimum of: two sinks with running water, one soap dispenser, one towel dispenser and one towel disposal basket.
- K. All units shall be delivered with the towel dispensers full of towels, soap dispensers full of soap and empty towel disposal baskets.
- L. There shall be a minimum of one hookup point on the trailer to allow for running water hookup, which will be provided by the County.
- M. Each side shall have a separate air conditioning unit that will maintain the inside of the trailer at minimum, constant temperature of 73 degrees Fahrenheit.
- N. All toilets shall be private stalls.
- O. Each toilet shall have one toilet paper dispenser.
- P. Each toilet paper dispenser shall have one full, unopened roll of toilet paper at time of delivery.
- Q. Each side shall have fluorescent lighting.
- R. Doors shall be self-closing.
- S. Each unit shall have separate entry and exit for each side.

3.7 MAINTENANCE SERVICE

The awarded Bidder shall perform, at a minimum, the following maintenance services at the schedule indicated.

- A. All holding tanks for waste products from the lavatories of all units shall be completely emptied and thoroughly cleaned and disinfected with an approved disinfectant, which shall be used in sufficient quantities to provide odorless operation during usage.
- B. Clean water storage tanks for lavatories shall be cleaned as necessary and filled to capacity.

SECTION 3
TECHNICAL SPECIFICATIONS

RENTAL OF PORTABLE CHEMICAL TOILETS

- C. Waste paper receptacles shall be emptied and cleaned as necessary.
- D. A fresh supply of toilet paper shall be provided for each unit.
- E. The inside of all units shall be thoroughly washed, scrubbed, brushed, rinsed and wiped dry. This operation shall include top and bottoms of seats and seat covers, all walls, floors and doors, tops of all tanks, all grab bars and sinks if provided in the unit. No disinfectant, water or other liquids shall be left on any touchable surface. The outside of the units shall be scrubbed or hosed down and wiped clean.
- F. Maintenance service schedule shall be as follows:
 - 1. For Daily Rental, once per day.
 - 2. For Weekly Rental, once per day, three days a week.
 - 3. For Monthly Rental, once per day, twelve days per month.
- G. All maintenance service days and times shall be coordinated with the County project manager.

These maintenance services are included in the rental rates. In case additional maintenance services are required by the user departments, such services shall be considered a separate charge from the usual rental rates and shall be so designated and billed.

3.8 SERVICE EQUIPMENT

Tank trucks used for servicing and waste removal shall be provided with dual compartments and be approved by Internal Services Department. One tank shall be used for receiving and removal of waste, equipped with suction hose having a cut-off valve not more than thirty-six (36) inches from intake end. The second tank shall be used for clean water storage. Trucks shall be maintained in nuisance-free condition and be properly licensed at all times.

3.9 RECORD KEEPING

Each facility where Portable Toilets have been furnished shall maintain a log in which awarded Bidder service personnel will be logged in and out for deliveries and for each maintenance call made, (to reflect time and date of each maintenance call). The awarded Bidder shall acknowledge furnished service via a formal receipt of service, which shall provide similar information as above.

3.10 REPAIRS

The awarded Bidder shall bear the cost of all repairs to all items furnished. Compliance with the foregoing requirements shall not relieve the awarded Bidder of any liability or obligation under this Section or under any other section of this Agreement. The awarded Bidder shall provide its own insurance to protect its equipment.

3.11 EMERGENCY RESPONSE TIME

Miami-Dade County Departments may require emergency services requiring immediate response, to include but not limited to fire, collapsed building, flooding, or other disasters. At such times, the awarded Bidder shall furnish units as specified no more than 2 hours from receipt of order. This emergency delivery shall be available 24 hours per day, 7 days a

SECTION 3
TECHNICAL SPECIFICATIONS

RENTAL OF PORTABLE CHEMICAL TOILETS

week, and for this purpose, an emergency contact person and telephone number shall be furnished and maintained active.

3.12 INSTALLATION

- A. The accessible unit path leads to, and connects with the accessible unit in a manner that complies with the ADA Accessibility Guidelines (ADAAG), Uniform Federal Accessibility Standards (UFAS), Fair Housing Act Design Manual, Florida Accessibility Code for Building Construction, and/or the 2010 ADA Accessibility Standards for Accessible Design, as applicable.
- B. The unit must be stable and leveled. Awarded Bidder shall ensure that the installation of the unit meets all of the requirements of the above-referenced standards. Where conditions make it unfeasible for installation to fully comply, the awarded Bidder shall install the unit at the best available location in the most accessible manner and shall immediately notify the user department in writing that the installation is not in full compliance and why. The awarded Bidder is not relieved of responsibility for those items of non-compliance included in the written notice until that written notice has been approved and signed by a representative of Miami-Dade County. Date and time of signings must be included with the signature to be valid.

**SECTION 4
BID SUBMITTAL FORM**

Submit Bid To:
CLERK OF THE BOARD
Stephen P. Clark Center
111 NW 1st Street
17th Floor, Suite 202
Miami, Florida 33128-1983

OPENING: 2:00 P.M.
November 15, 2013



**PLEASE QUOTE PRICES F.O.B. DESTINATION, FREIGHT ALLOWED, LESS TAXES,
DELIVERED IN MIAMI-DADE COUNTY, FLORIDA.**

NOTE: Miami-Dade County is exempt from all taxes (Federal, State, Local). Bid price should be less all taxes. Tax Exemption Certificate furnished upon request.

Issued by: **ISD/PM** Date Issued: **This Bid Submittal Consists of**
I. BERNAL **11/7/13** **Pages 15 through 24**

Sealed bids subject to the Terms and Conditions of this Invitation to Bid and the accompanying Bid Submittal. Such other contract provisions, specifications, drawings or other data as are attached or incorporated by reference in the Bid Submittal, will be received at the office of the Clerk of the Board at the address shown above until the above stated time and date, and at that time, publicly opened for furnishing the supplies or services described in the accompanying Bid Submittal Requirement.

RENTAL OF PORTABLE CHEMICAL TOILETS

A Bid Deposit in the amount of **N/A** the total amount of the bid shall accompany all bids.

A Performance Bond in the amount of **N/A** the total amount of the bid will be required upon execution of the contract by the successful bidder and Miami-Dade County.

DO NOT WRITE IN THIS SPACE	
ACCEPTED _____	HIGHER THAN LOW _____
NON-RESPONSIVE _____	NON-RESPONSIBLE _____
DATE B.C.C. _____	NO BID _____
ITEM NOS. ACCEPTED: _____	
COMMODITY CODE: 15570	
Procurement Contracting Officer: I. Bernal	

FIRM NAME _____

RETURN ONE ORIGINAL AND TWO COPIES OF BID SUBMITTAL PAGES AND AFFIDAVITS.

FAILURE TO SIGN THE BID SUBMITTAL FORM IN SECTION 4 WILL RENDER YOUR BID NON-RESPONSIVE.

**SECTION 4
BID SUBMITTAL FOR:**

RENTAL OF PORTABLE CHEMICAL TOILETS

FIRM NAME: _____

4.1 EMERGENCY CONTACT

Section 3 Paragraph 3.11	For emergency services pursuant to the referenced section, Bidder shall provide an emergency contact person and telephone number.
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REFERENCE # 1	
Contact Person/Title:	
Telephone Number:	

4.2 MINIMUM REQUIREMENTS

Section 2 Paragraph 2.4	The awarded Bidder shall have been in business providing Portable Chemical Toilets for at least one (1) year. Bidder shall provide three (3) Commercial Business and/or Government Agency references for which Portable Chemical Toilets were provided to verify minimum 1 year experience.
------------------------------------	---

REFERENCE # 1	
Company Name:	
Business Address:	
Contact Name:	
Telephone Number:	
E-Mail Address:	
Brief description of services provided:	

REFERENCE # 2	
Company Name:	
Business Address:	
Contact Name:	
Telephone Number:	
E-Mail Address:	

SECTION 4
 BID SUBMITTAL FOR:

RENTAL OF PORTABLE CHEMICAL TOILETS

FIRM NAME: _____

Brief description of services provided:	
---	--

REFERENCE # 3	
Company Name:	
Business Address:	
Contact Name:	
Telephone Number:	
E-Mail Address:	
Brief description of services provided:	

4.3 CERTIFICATE OF COMPETENCY

<p>Section 2 Paragraph 2.5</p>	<p>Bidder shall attach their Certificate of Competency for Portable Chemical Toilets issued by Miami-Dade County – Construction Trades Qualifying Board (Business Certificate of Competency), per the provisions of Chapter 10 of Miami-Dade County Code.</p> <p><i>(If work for other trades is required in conjunction with this solicitation and will be performed by a subcontractor(s), an applicable Certificate of Competency issued to the subcontractor(s) should also be submitted with the prime Bidder(s) offer.)</i></p>	<p>INITIAL AS COMPLETED</p> <p>_____</p>
--	---	---

4.4 SECTION 3 ECONOMIC OPPORTUNITY AND AFFIRMATIVE MARKETING PLAN

<p>Section 2 Paragraph 2.22</p>	<p>Bidder(s) offering a price for PHCD (see Section 4.6, Pricing for Public Housing and Community Development) shall execute and attach Document 00400, "Section 3 Economic Opportunity and Affirmative Marketing Plan".</p>	<p>INITIAL AS COMPLETED</p> <p>_____</p>
---	--	---

SECTION 4
BID SUBMITTAL FOR:

RENTAL OF PORTABLE CHEMICAL TOILETS

FIRM NAME: _____

4.5 PRICING: For all departments except Public Housing and Community Development

A. Unit and Trailer Pricing

The below descriptions provide section references for informational purposes. Refer to Section 3 for complete technical specifications. The rental rates include all services required and described herein including but not limited to delivery, installation, and maintenance.

Item	Description	Number of Daily Unit Rentals	Number of Weekly Unit Rentals	Number of Monthly Unit Rentals	Rental Rate Per Day Per Unit or Trailer	Rental Rate Per Week Per Unit or Trailer	Rental Rate Per Month Per Unit or Trailer
1	Single (1) toilet unit (refer to Para. 3.1)	124	9	567	\$ _____	\$ _____	\$ _____
2	Accessible single (1) toilet unit (refer to Para. 3.2)	116	7	17	\$ _____	\$ _____	\$ _____
3	Two (2) station sink unit (refer to Para. 3.3)	1	N/A	N/A	\$ _____	N/A	N/A
4	Small portable sanitation trailer (refer to Para. 3.4)	N/A	N/A	10	N/A	N/A	\$ _____
5	Medium portable sanitation trailer (refer to Para. 3.5)	1	1	8	\$ _____	\$ _____	\$ _____
6	Large portable sanitation trailer (refer to Para. 3.6)	1	N/A	N/A	\$ _____	N/A	N/A

SECTION 4
BID SUBMITTAL FOR:

RENTAL OF PORTABLE CHEMICAL TOILETS

FIRM NAME: _____

B. Additional Maintenance Service

The below descriptions provide section references for informational purposes. Refer to Section 3 for complete technical specifications. These prices shall be to provide additional maintenance service that exceeds the maintenance schedule which is included in the rental rates above per Section 3.7. (This pricing will not be utilized as a basis of award as the additional maintenance will be an optional service the County may request from the Bidder awarded the corresponding item in Section A.)

Item	Description	<u>Each Additional Maintenance Service</u> (performing all services in 3.7 A-E)	<u>Each Additional Maintenance Service</u> (performing all services in 3.7 B-E and not including emptying holding tanks as described in 3.7A)
1	Single (1) toilet unit (refer to Para. 3.1)	\$ _____	\$ _____
2	Accessible single (1) toilet unit (refer to Para. 3.2)	\$ _____	\$ _____
3	Two (2) station sink unit (refer to Para. 3.3)	\$ _____	\$ _____
4	Small portable sanitation trailer (refer to Para. 3.4)	\$ _____	\$ _____
5	Medium portable sanitation trailer (refer to Para. 3.5)	\$ _____	\$ _____
6	Large portable sanitation trailer (refer to Para. 3.6)	\$ _____	\$ _____

SECTION 4
BID SUBMITTAL FOR:

RENTAL OF PORTABLE CHEMICAL TOILETS

FIRM NAME: _____

4.6 PRICING: For Public Housing and Community Development

A. Unit pricing

The below descriptions provide section references for informational purposes. Refer to Section 3 for complete technical specifications. The rental rates include all services required and described herein including but not limited to delivery, installation, and maintenance. Refer to Paragraphs 2.21 for clauses that do not apply to Public Housing and Community Development and 2.22 for special provisions regarding Public Housing and Community Development.

Item	Description	Number of Monthly Unit Rentals	Rental Rate Per Month Per Unit
1	Single (1) toilet unit (refer to Para. 3.1)	5	\$ _____
2	Two (2) toilet unit (refer to Para. 3.1)	2	\$ _____
3	Accessible single (1) toilet unit (refer to Para. 3.2)	2	\$ _____

SECTION 4
 BID SUBMITTAL FOR:

RENTAL OF PORTABLE CHEMICAL TOILETS

FIRM NAME: _____

B. Additional Maintenance Service

The below descriptions provide section references for informational purposes. Refer to Section 3 for complete technical specifications. These prices shall be to provide additional maintenance service that exceeds the maintenance schedule which is included in the rental rates above per Section 3.7. (This pricing will not be utilized as a basis of award as the additional maintenance will be an optional service the County may request from the Bidder awarded the corresponding item in Section A.)

Item	Description	Each Additional Maintenance Service (performing all services in 3.7 A-E)	Each Additional Maintenance Service (performing all services in 3.7 B-E and not including emptying holding tanks as described in 3.7A)
1	Single (1) toilet unit (refer to Para. 3.1)	\$ _____	\$ _____
2	Two (2) toilet unit (refer to Para. 3.1)	\$ _____	\$ _____
3	Accessible single (1) toilet unit (refer to Para. 3.2)	\$ _____	\$ _____

SECTION 4
BID SUBMITTAL FOR:

RENTAL OF PORTABLE CHEMICAL TOILETS

ACKNOWLEDGEMENT OF ADDENDA

INSTRUCTIONS: COMPLETE PART I OR PART II, WHICHEVER APPLIES

PART I:

LIST BELOW THE DATES OF ISSUE FOR EACH ADDENDUM RECEIVED IN CONNECTION WITH THIS BID

Addendum #1, Dated _____

Addendum #2, Dated _____

Addendum #3, Dated _____

Addendum #4, Dated _____

Addendum #5, Dated _____

Addendum #6, Dated _____

Addendum #7, Dated _____

Addendum #8, Dated _____

PART II:

NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS BID

FIRM NAME: _____

AUTHORIZED SIGNATURE: _____

DATE: _____

TITLE OF OFFICER: _____



Bid Title: RENTAL OF PORTABLE CHEMICAL TOILETS

By signing this Bid Submittal Form the Bidder certifies that it satisfies all legal requirements (as an entity) to do business with the County, including all Conflict of Interest and Code of Ethics provisions in Section 2-11 of the Miami-Dade County Code. Any County employee or member of his or her immediate family seeking to contract with the County shall seek a conflict of interest opinion from the Miami-Dade County Ethics Commission prior to submittal of a Bid response or application of any type to contract with the County by the employee or his or her immediate family and file a copy of that request for opinion and any opinion or waiver from the Board of County Commissioners with the Clerk of the Board. The affected employee shall file with the Clerk of the Board a statement in a form satisfactory to the Clerk disclosing the employee's interest or the interest of his or her immediate family in the proposed contract and the nature of the intended contract at the same time as or before submitting a Bid, response, or application of any type to contract with the County. Also a copy of the request for a conflict of interest opinion from the Ethics Commission and any corresponding opinion, or any waiver issued by the Board of County Commissioners, must be submitted with the response to the solicitation.

In accordance with Sec. 2-11.1(s) of the County Code as amended, prior to conducting any lobbying regarding this solicitation, the Bidder must file the appropriate form with the Clerk of the Board stating that a particular lobbyist is authorized to represent the Bidder. Failure to file the appropriate form in relation to each solicitation may be considered as evidence that the Bidder is not a responsible contractor.

The Bidder confirms that this Bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a Bid for the same goods and/or services and in all respects is without collusion, and that the Bidder will accept any resultant award. Further, the undersigned acknowledges that award of a contract is contingent upon vendor registration. Failure to register as a vendor within the specified time may result in your firm not being considered for award.

Pursuant to Miami-Dade County Ordinance 94-34, any individual, corporation, partnership, joint venture or other legal entity having an officer, director, or executive who has been convicted of a felony during the past ten (10) years shall disclose this information at the time of bid or proposal submission.

Place a check mark here only if bidder has such conviction to disclose.

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 execute the proposal through a duly authorized representative and shall also initial this space: In such event, the proposer 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.

LOCAL PREFERENCE CERTIFICATION: For the purpose of this certification, a "local business" is a business located within the limits of Miami-Dade County (or Broward County in accordance with the Interlocal Agreement between the two counties) that conforms with the provisions of Section 1.10 of the General Terms and Conditions of this solicitation and contributes to the economic development of the community 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 to the County's tax base.

Place a check mark here only if affirming bidder meets requirements for Local Preference. Failure to complete this certification at this time (by checking the box above) may render the vendor ineligible for Local Preference.

LOCALLY-HEADQUARTERED BUSINESS CERTIFICATION: For the purpose of this certification, a "locally-headquartered business" is a Local Business whose "principal place of business" is in Miami-Dade County, as defined in Section 1.10 of the General Terms and Conditions of this solicitation.

Place a check mark here only if affirming bidder meets requirements for the Locally-Headquartered Preference (LHP). Failure to complete this certification at this time (by checking the box above) may render the vendor ineligible for the LHP. The address of the locally-headquartered office is



LOCAL CERTIFIED SERVICE-DISABLED VETERAN BUSINESS ENTERPRISE CERTIFICATION: A Local Certified Service-Disabled 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 bid submission 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.

Place a check mark here only if affirming bidder is a Local Certified Service-Disabled Veteran Business Enterprise. A copy of the certification must be submitted with this proposal.

COUNTY USER ACCESS PROGRAM (UAP): Joint purchase and entity revenue sharing program

For the County's information, the bidder is requested to indicate, at 'A' and 'B' below, its general interest in participating in the Joint Purchase Program of the County User Access Program (UAP) described in Section 2.21 of this contract solicitation, if that section is present in this solicitation document. Bidder participation in the Joint Purchase portion of the UAP is voluntary, and the bidder's expression of general interest at 'A' and 'B' below is for the County's information only and shall not be binding on the bidder.

A. If awarded this County contract, would you be interest in participating in the Joint Purchase portion of the UAP with respect to other governmental, quasi-governmental or not-for-profit entities located within the geographical boundaries of Miami-Dade County?

Yes _____ No _____

B. If awarded this County contract, would you be interested in participating in the Joint Purchase portion of the UAP with respect to other governmental, quasi-governmental or not-for-profit entities located outside the geographical boundaries of Miami-Dade County?

Yes _____ No _____

Firm Name: _____

Street Address: _____

Mailing Address (if different): _____

Telephone No.: _____ Fax No.: _____

Email Address: _____ FEIN No. / - / / / / / /

Prompt Payment Terms: % days net days (Please see paragraph 1.2 H of General Terms and Conditions)

Signature: _____ (Signature of authorized agent)

*"By signing this document the bidder agrees to all Terms and Conditions of this Solicitation and the resulting Contract."

Print Name: _____ Title: _____

THE EXECUTION OF THIS FORM CONSTITUTES THE UNEQUIVOCAL OFFER OF PROPOSER TO BE BOUND BY THE TERMS OF ITS PROPOSAL. FAILURE TO SIGN THIS SOLICITATION WHERE INDICATED ABOVE BY AN AUTHORIZED REPRESENTATIVE SHALL RENDER THE PROPOSAL NON-RESPONSIVE. THE COUNTY MAY, HOWEVER, IN ITS SOLE DISCRETION, ACCEPT ANY PROPOSAL THAT INCLUDES AN EXECUTED DOCUMENT WHICH UNEQUIVOCALLY BINDS THE PROPOSER TO THE TERMS OF ITS OFFER.



APPENDIX

AFFIDAVITS FORMAL BIDS

APPENDIX BPUBLIC HOUSING AND COMMUNITY DEVELOPMENT (PHCD)
SECTION 3 OF THE HUD ACT OF 1968

CONE OF SILENCE EXEMPTION. PHCD staff and bidders may communicate orally while a bid is in progress and prior to award of bid to clarify Section 3 definitions, requirements and business preference procedures, pursuant to the Miami-Dade Commission on Ethics opinion on March 10, 2004.

I. GENERAL REQUIREMENTS FOR PHCD ONLY

This contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968 and the implementing regulations in 24 Code of Federal Regulations (CFR) Part 135, as amended by interim rule published on June 30, 1994 (59 FR 33866). Bidders interested in receiving copy of this regulation may email their request to Public Housing and Community Development (PHCD) Resident Services Unit at section3@miamidade.gov. Section 3 requires that, to the greatest extent feasible and consistent with Federal, State and local laws and regulations, job training, employment, and contracting opportunities be directed to low and very-low income persons. Contractors must familiarize themselves with Section 3 regulations and requirements.

This contract is also subject to federal affirmative marketing plan requirements, which require the contractor to take all necessary affirmative marketing steps to ensure small, minority and women-owned business enterprises are used only, if subcontracting is applicable to this contract.

II. SECTION 3 DEFINITIONS

The term "Section 3 business" is defined as follows:

Firms owned by Miami-Dade County (M-DC) residents who meet M-DC's low income household limits (see "Miami-Dade Income Limits") or whose firms include 30% of these persons as full-time employees.

The term "new hires" is defined as follows:

New hires means full-time employees for permanent, temporary or seasonal employment opportunities and include, but are not necessarily limited to, all management, maintenance, clerical and administrative jobs arising in connection with the development(s) stipulated in the contract award.

The term "Section 3 Resident" is defined as follows:

A **Section 3 Resident** is an individual who lives in Miami-Dade County and (a) is a resident of public housing; **or** (b) is a resident of another federally assisted housing program (Section 8, Section 202, etc.); **or** is a current recipient or participant in a public assistance program (TANF, JTPA, etc.); **or** (c) whose family household income meets the definition of a low-or very-low income family (see no. 5, below).

The current Miami-Dade Income Limits are as follows:

MIAMI-DADE 2011 INCOME LIMITS

	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Very Low Income (50%)	\$24,150	\$27,600	\$31,050	\$34,500	\$37,300	\$40,050	\$42,800	\$45,550
Low-Income (80%)	\$38,650	\$44,200	\$49,700	\$55,200	\$59,650	\$64,050	\$68,450	\$72,900

III. SECTION 3 BID PREFERENCE TERMS AND REQUIREMENTS

Preference in the award of PHCD requests for quotes under this contract will be provided as follows:

1. Bids are being solicited from all businesses. If no responsive bid by a PHCD pre-certified Section 3 business meets the "X" factor, as defined below, the contract may be awarded to the lowest responsive, responsible bidder.
2. Where applicable, an award will be made to the LOWEST responsive, responsible pre-certified Section 3 business, with the highest priority ranking, as stipulated under Section III, "Section 3 Business Priority Rankings", if that bid: is within the maximum total contract price established in PHCD's budget, and is not more than "X" higher than the total bid price of the lowest responsive bid from any responsible bidder. "X" is determined as follows:

Bid Amount	X = Lesser of:
When the lowest responsive bid is less than \$100,000	10% of that bid, up to \$9,000
When the lowest responsive bid is between:	
\$100,000, but less than \$200,000	9% of that bid, up to \$16,000
\$200,000, but less than \$300,000	8% of that bid, up to \$21,000
\$300,000, but less than \$400,000	7% of that bid, up to \$24,000
\$400,000, but less than \$500,000	6% of that bid, up to \$25,000
\$500,000, but less than \$1 million	5% of that bid, up to \$40,000
\$1 million, but less than \$2 million	4% of that bid, up to \$60,000
\$2 million, but less than \$4 million	3% of that bid, up to \$80,000
\$4 million, but less than \$7 million	2% of that bid, up to \$105,000
\$7 million or more	1 %of lowest/responsive bid, with no dollar limit

3. For information on how to become a PHCD-certified Section 3 business, download application at www.miamidade.gov/housing/section3 or email, PHCD Resident Services Unit, at section3@miamidade.gov.
4. **In order for bidder to qualify for a Section 3 contracting preference**, bidder must be pre-certified by PHCD as a Section 3 business, at least two weeks prior to the bid opening date, and submit **Document 00200-B, "Section 3 Business Preference Claim"** (Attachment 2) with bid quote.
5. Section 3 businesses are required to comply with procedures listed under Section IV, "Section 3 Required Documents to Be Submitted with Each PHCD Bid (When Subcontracting is Not Applicable)", page 3, and Section VI

"Section 3 Required Contractor and Subcontractor Post-Award Procedures (PHCD Projects Only)".

6. **SECTION 3 BUSINESS PRIORITY RANKINGS:** (The highest priority ranking (PR) is #1.)

PR#1: 51% or more owned by PHCD public housing residents, or whose full-time, permanent work force includes 30 percent of these persons as employees (**Category 1 Businesses**);

PR#2: Business owners who are or were participants (within last three years) in HUD Youth build programs currently operating in Miami-Dade County. For more information, contact YWCA of Greater Miami, Inc., at 305- 377-9922, or Fax 305-373-9922 (**Category 2 Businesses**);

PR#3: 51% or more owned by residents of a federally assisted housing program, such as Section 8, Section 202, HOME, etc., or whose full-time, permanent work force includes no less than 30 percent of those persons as employees (**Category 3 Businesses**);

PR#4: a) 51 percent or more owned by low or very low-income persons who reside in Miami-Dade County; or whose permanent, full-time work force includes no less than 30 percent of low-income Miami-Dade County persons as employees, including persons that are not currently low or very low-income persons but were low or very-low-income persons, as long as the date of first employment with the business concern has not exceeded a period of three years (see Section II. no. 4", for current Miami-Dade low and very-low income limits); or

b) Provide evidence of a commitment to subcontract in excess of 25 percent of the total amount of subcontracts to be awarded to business concerns identified under Priority # 1 (category 1 businesses only (PR#4 a and b above are **Category 4 Businesses**).

IV. **SECTION 3 REQUIRED DOCUMENTS TO BE SUBMITTED WITH EACH PHCD BID (WHEN SUBCONTRACTING IS NOT APPLICABLE)**

This contract is a Section 3 covered activity (PHCD only). Section 3 requires that job training, employment and contracting opportunities be directed toward low and very-low income persons and to businesses that provide economic opportunities to those persons.

All bidders are required to execute and submit Document 00400, "Section 3 Economic Opportunity and Affirmative Marketing Plan (Plan)", with the bid (see Appendix Attachment 1). An executed Plan document is the bidder's certification that he or she will take all necessary affirmative marketing steps required, in connection with PHCD project award, to (a) meet Section 3 training and employment goals, where feasible, when filling vacant or new positions resulting from PHCD awards, and also seek to recruit qualified minorities and women to fill vacant or new positions resulting from PHCD awards; and (b) meet Section 3 subcontract goals and ensure small minority and women subcontractors are used (where applicable is permitted).

V. SECTION 3 OPTIONAL DOCUMENT (TO BE SUBMITTED WITH BID)

Bidders who wish to claim a Section 3 bid preference, are required to submit *Document 00200-B, "Section 3 Business Preference Claim"* (Attachment 2), with the bid (see Section II., Section 3 Bid Preference Terms and Requirements, page 2). Only bidders who have been pre-certified by PHCD as a Section 3 business shall be eligible to claim a Section 3 business preference.

VI. SECTION 3 POST-AWARD PROCEDURES (PHCD PROJECTS ONLY)

1. The contractor must submit required PHCD post-award forms (presented at a PHCD post-award meeting), during the performance of the contract in the frequency and format requested by PHCD.
2. Contractor will be required to submit documentation to PHCD of efforts and results made to train and employ Section 3 residents (resulting from PHCD awards only) in accordance with his or her Plan during the performance of the contract in the format and frequency required by PHCD.
3. Contractor, including any Section 3, small, minority or women-owned business concern awarded work through this PHCD project, must commit to train and employ qualified Section 3 residents (only where vacant or new positions exist in connection with this award) to the greatest extent feasible, not less than **30% of the total number of new hires, but no less than one, whichever is greater**, within their labor force during the term of the contract, in the priority order indicated under Section VII, "Section 3 Resident Priority Order for Training and Employment Opportunities", no.8, below.
4. Contractor is also required to undertake efforts to hire public housing, Section 8 and other Section 3 residents (only where vacant or new positions exist in connection with this award), in part-time positions, for permanent, temporary, or seasonal employment.
5. In addition to nos. 1 and 2 above, contractors must solicit to all minorities and women when filling vacant or new full-time or part-time positions generated through PHCD projects.
6. Contractor must explain to all job applicants how to claim a Section 3 preference (using PHCD forms provided at each pre-construction meeting) and show them the Miami-Dade income chart, included under Section II, page 1.
7. When there is a need for new hires, contractor must include Section 3 preference language in job news ads, flyers, and community notice. Notices must be placed at the site where work is to take place and in the surrounding community.
8. When there is a need for new hires resulting from PHCD awards, contractor must carry out recruitment in accordance with the training and employment recruitment requirements listed in Contractor's Plan (see Document 00400, Attachment 1).

VII. SECTION 3 RESIDENT PRIORITY ORDER FOR TRAINING AND EMPLOYMENT OPPORTUNITIES

1. PHCD public housing residents (Category 1 residents);
2. Participants in HUD Youth build programs currently operating in Miami-Dade County. For more information, contact YWCA of Greater Miami, Inc. at 305-377-9922, or Fax 305-373-9922 (Category 2 residents);
3. Recipients of federal government housing assistance programs, such as Section 8, Section 202, HOME, etc., or who are participants in a federally funded job training program, such as J.T.P.A., etc. (Category 3 residents); or
4. Other individuals who reside in Miami-Dade County, and meet the definition of a low, or very low-income person, as defined, in the current Miami-Dade Income limits (Category 4 residents).

VIII. WELFARE-TO-WORK TAX INCENTIVE AND WORK OPPORTUNITY TAX CREDIT PROGRAM

For information and application assistance, contact the South Florida Workforce, at 305-693-2060, 7900 NW 27 Avenue, Miami, FL 33147.

IX. SECTION 3 CLAUSE

The *Section 3 Clause* found at Section 3 regulation, 24 CFR Part 135, p.135.38, must be included in all Section 3 covered contracts. The awarded contractor and subcontractors (where applicable) will be bound by its provisions and the *Clause* and must be included in all subcontractor agreements.

SECTION 3 CLAUSE

- a. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that the employment and other economic opportunities generated by HUD assistance of HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low and very low income persons, particularly persons who are recipients of HUD assistance for housing.
- b. The parties to this contract agree to comply with HUD's regulations in 24 CFR Part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the Part 135 regulations.
- c. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or worker's representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- d. The contractor agrees to include this Section 3 clause in every subcontract subject to be in compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR Part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.
- e. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed; and (2) with persons other than those to whom the regulations of 24 CFR Part 135 require employment opportunities to be

directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

- f. Noncompliance with HUD's regulations in 24 CFR Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
- g. With respect to work performed in connection with Section 3 covered Indian housing assistance, Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises Parties to this contract that are subject to the provisions of Section 3 and Section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with Section 7(b).

Section 3 Economic Opportunity and Affirmative Marketing Plan (Plan)

Firm Name: _____ Contact Name: _____

The individual above, (consultant), is responsible for planning, implementing and tracking firm's Section 3 (S-3) and affirmative marketing training, employment and contracting goals applicable to Public Housing and Community Development (PHCD) projects and must comply with United States Housing and Urban Development's (USHUD) S-3 regulation at 24 CFR Part 135.

Recruitment Procedures Required to Fill Vacant or New Contractor or Consultant or Subcontractor Positions (only if subcontracting is permitted) Resulting from all PHCD Project Awards

1. The PHCD Section 3 Coordinator may assist by providing referrals for economic opportunities from public housing, other housing program recipients and Section 3 residents.
2. Advertise at job site and surrounding neighborhood for targeted workers and use *Document 00404, "Section 3 Language for News Ads, Flyers and Job Notices"* in all job notices & flyers.
3. Schedule a time and place convenient for public housing, other S-3 residents (listed under no. 1 above), minorities and women to complete job applications.
4. Contact YWCA of Greater Miami, Inc. at 305-377-9922, or fax 305-373-9922, for HUD Youth build employment referrals.
5. Send notices about S-3 training and employment obligations and opportunities required for Miami-Dade Public Housing Agency projects to labor organizations, where applicable (review **Section 3 Clause**).
6. Present *Document 00401, "Section 3 Resident Preference Claim Form"* to all job applicants, explaining S-3 residents will receive preference in the recruitment process, if they meet minimum job eligibility criteria.
7. Ensure applicants that claim a S-3 preference provide proof as described in Document 00401, or complete *Document 00402, "Section 3 Resident or Employee Household Income Certification Form"* (Public housing residents must receive the highest preference points during the interview/selection process.)
8. Consultant and sub consultants are required to: (a) establish files to document all recruitment efforts and results when filling vacancies or new positions in connection with PHCD projects; (b) use Document 00403, "Training & Employment Outreach Documentation" form to document agency referral responses, and (c) produce evidence of recruitment efforts to PHCD as requested.
9. Consultant is responsible for collection of sub consultant(s) training and employment documentation outreach efforts (described under no. 8), new hire reports (required) and weekly employment forms (only when sub consultant(s) hire workers for vacant or new positions in connection with PHCD awards).

Forms described above, under nos. 2 and 6-8, are post-award forms, applicable to successful PHCD bidder only, and will be distributed at each pre-construction meeting.

Contractor's Recruitment of Section 3, Small, Minority and Women-Owned Businesses (Solicitation Requirements Applicable only on Projects which permit Subcontracting).

Consultant will follow Plan's affirmative marketing steps for each PHCD award, when he or she subcontracts work, to award a minimum goal of 10% of the overall award amount to S-3 businesses, where feasible, and ensure small, minority and women-owned businesses are used (definitions of a S-3 business and a small, minority and/or women-owned business may overlap, permitting S-3 and affirmative marketing goals in these awards to be simultaneously met). Consultants who subcontract work are required to provide PHCD with a written explanation if the S-3 minimum subcontracting goal is not met.

Consultant shall demonstrate compliance in solicitation to the business categories, listed above, by following the steps described on page two of this Plan and providing evidence to PHCD when requested.

1. Refer any interested sub consultants that may meet the criteria to become a certified S-3 business to *PHCD Resident Services Unit* for S-3 business application assistance. The application to become a Section 3 pre-certified business is available at <http://www.miamidade.gov/housing/section3.asp>.
2. You may solicit Section 3 pre-certified businesses from PHCD S-3 business lists by emailing a request to the Section 3 Coordinator at section3@miamidade.gov.
3. Contact *Division of Small Business Development (SBD)*, 305-375-3111 or via email miamidade.gov to obtain lists of small, minority and/or women-owned businesses. Solicitations and awards must be made, where feasible, to various minority-owned firms, including minorities other than firm's own minority, and to women firms.
4. Advertise for S-3 sub consultants/subcontractors (subs) in construction trade journals, such as "The Dodge Reports", and post notices and distributes flyers at work site and surrounding neighborhood. The purpose of such advertisements is to make prospective subs aware of the Section 3 preference requirements applicable to PHCD project awards.
5. Fax, send or deliver "***Sub consultant Solicitation to Section 3, Small, Minority and Women Businesses***" form, to all prospective sub consultant firms solicited for each PHCD award.
6. Allow each sub consultant *a minimum of five business days* to respond to consultant's solicitation request. Include all "***Letters of Intent***" forms received from S-3, small, and minority, and women-owned sub consultants. Request sub consultants not interested or unavailable to bid to provide consultant with "***Certificate of Unavailability***" form.
7. Use the "***Outreach Documentation Form***" to document recruitment and follow-up with sub consultants. Make a second attempt to solicit to any S-3 firms who did not respond to the first solicitation attempt, using a variety of communication methods, i.e. facsimile, telephone, pager, e-mail, etc.
8. Consultants are required to negotiate with S-3 businesses, first and small, minority and women-owned businesses; second, if the sub consultant's bid amount would make the project infeasible.
9. Submit the following evidence to PHCD when requested (described under nos. 3-8 above and under "Contractors Recruitment of S-3, Small, Minority and Women businesses", page one, para. one). Other post-award required submittals include *Document 00430, "List of Subcontractors/Sub consultants"*, and, from consultant and its sub consultants or subcontractors, *Documents 00450, 00452 and 00453, "Estimated Workforce Breakdown", "Employee List" and "Consultant/Sub consultant Certification"*.

10. For each PHCD project award, retain documentation of outreach efforts and responses received from any organizations and sub consultants contacted for three years after project is completed.

Forms described above, under nos. 5-9, are post-award forms, applicable only if successful bidder will be subcontracting (where subcontracting is permitted)

(To obtain copies or additional information send request to PHCD Section 3 Coordinator at email section3@miamidade.gov).

Sign and Print Firm Official's Name and Title

Submission Date ____ / ____ / ____

Firm Name/Address

Firm Telephone and Fax Numbers: _____

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DOCUMENT REQUIRED WITH BID
DOCUMENT 00200-B

ATTACHMENT 2

SECTION 3 BUSINESS PREFERENCE CLAIM FORM

This document applies to current PHCD certified Section 3 (S-3) businesses who wish to claim a bidder's preference. S-3 businesses must become certified at least two weeks prior to bid opening date to be eligible to claim S-3 bidder's preference. The S-3 Business application is available at <http://www.miamidade.gov/housing/section3.asp> or by request to the Section 3 Coordinator, at email section3@miamidade.gov.

Only initial those items applicable to your firm.

1. ____ (Initial) _____ (Firm Name) was certified by PHCD as a S-3 Business on ____ (Date). Said firm is claiming a preference for the bid, identified below.
2. ____ (Initial) Firm's original business certification was based on proof that firm owner was low or very low income. Firm owner's current family income meets the definition of a very-low or low-income household.
3. ____ (Initial) Said firm certifies, below, with the firm president's signature, that the full-time employee composition, and the ratio of S-3 full-time employees to non-S-3 employees continues to be at least 30% or higher.
4. ____ (Initial) Said firm has attached Document 00452, "Employee List". This list includes all current employees and is back-up for item no. 3 above.
5. ____ (Initial) Said firm has attached, for each new S-3 employee (hired since original business certification date shown under item one above, if this proof has not previously been provided to PHCD Office of Compliance staff), Documents 00401, "Resident or Employee Preference Claim" and 00402, "Household Income Verification", or other applicable documentation, to demonstrate whether any new employees who have been hired after date of business certification meet the definition of a low or very-low income Miami-Dade family (based on household size and family income).

If items 4 and 5 above are initialed by bidder and/or applicable to bidder, bidder must attach the listed S-3 documentation. FAILURE TO DO SO SHALL INVALIDATE BIDDER'S S-3 BUSINESS PREFERENCE CLAIM.

BID NUMBER _____ BID NAME _____

FIRM NAME (Please print or type) _____

PRESIDENT'S NAME (Please print or type) _____

PRESIDENT'S SIGNATURE: _____

PHONE AND FAX NUMBERS: _____

DATE: ____ / ____ / ____