

DEPARTMENTAL INPUT
CONTRACT/PROJECT MEASURE ANALYSIS AND RECOMMENDATION

<input checked="checked" type="checkbox"/> <u>New contract</u>	<input type="checkbox"/> <u>OTR</u>	<input type="checkbox"/> <u>CO</u>	<input type="checkbox"/> <u>SS</u>	<input type="checkbox"/> <u>BW</u>	<input type="checkbox"/> <u>Emergency</u>	Previous Contract/Project No.: EPP-RFP704
<input type="checkbox"/> <u>Re-Bid</u>	<input type="checkbox"/> <u>Other</u>					

LIVING WAGE APPLIES: ___ YES ___ ☒ NO

Requisition/Project No: EPRFP-00792

TERM OF CONTRACT: Two Years plus two ,2-year OTR

Requisition/Project Title: Operation of a Convenience Store at the Robert King High Towers Public Housing

Description: Miami-Dade County Housing Agency is seeking proposals from experienced and sufficiently financed organizations, businesses, or individuals, to operate a convenience store located at the Robert King High Tower Public Housing Development located at 1405 NW 7th Street. Successful proposer will compensate the County with a Monthly Rent. The County anticipates a contract for five years, with one three-year option to renew.

User Department: PHCD

Issuing Department: ISD / PM

Estimated Cost: \$230,000

Contact Person: Marta Fernandez; 305-375-4946; Marta.Fernandez@miamidade.gov

Funding Source: Revenue Generating

ANALYSIS

Commodity/Service No: 958-70 – Outsourcing Services for Management, Operation etc.; 393 Foods: Staple Grocery and Grocer's Miscellaneous SIC:			
Trade/Commodity/Service Opportunities			
Contract/Project History of Previous Purchases For Previous Three (3) Years Check Here if this is a New Contract/Purchase with no Previous History			
EXISTING 2ND YEAR 3RD YEAR			
Contractors:	Milagros AAA Grocery's Inc.	Milagros AAA Grocery's Inc.	Milagros AAA Grocery's Inc.
Small Business Enterprise:			
Contract Value (Revenue):	\$14,400 (Revenue)	\$14,400 (Revenue)	\$14,400 (Revenue)
Comments:			
Continued on another page (s): ___ Yes ___ <input checked="checked" type="checkbox"/> No			

RECOMMENDATIONS

SBE	Set-Aside	Sub-Contractor Goal	Bid Preference	Selection Factor
		%		
		%		
		%		
		%		

Basis of Recommendation:

Signed: Marta Fernandez

Date to DBD: 04/12/18

Date Returned to DPM: _____



**REQUEST FOR PROPOSALS (EPPRFP) No. 00792
FOR
OPERATION OF A CONVENIENCE STORE FOR THE ROBERT KING HIGH TOWERS PUBLIC HOUSING DEVELOPMENT**

PRE-PROPOSAL CONFERENCE TO BE HELD:

April 13, 2018 at 10:00 AM (local time)
1405 NW 7 Street, Miami, Florida , Miami, Florida

ISSUED BY MIAMI-DADE COUNTY:

Internal Services Department, Procurement Management Services Division
Through the Expedited Purchasing Program
for
Miami-Dade Public Housing and Community Development

COUNTY CONTACT FOR THIS SOLICITATION:

Marta Fernandez, Procurement Contracting Officer
111 NW 1st Street, Suite 1300, Miami, Florida 33128
Telephone: (305) 375-4946
E-mail: marta.fernandez@miamidade.gov

PROPOSAL RESPONSES DUE:

April 27, 2018 at 6:00pm

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)

Notwithstanding Sections 2 and 9 of the Instructions to Offerors Non-Construction form attached hereto, electronic proposal responses to this RFP are to be submitted through a secure mailbox at BidSync until the date and time as indicated in this document. It is the sole responsibility of the Proposer to ensure its proposal reaches BidSync before the Solicitation closing date and time. There is no cost to the Proposer to submit a proposal in response to a Miami-Dade County solicitation via BidSync. Electronic proposal submissions may require the uploading of electronic attachments. The submission of attachments containing embedded documents or proprietary file extensions is prohibited. All documents should be attached as separate files. All proposals received and time stamped through the County's third party partner, BidSync, prior to the proposal submittal deadline shall be accepted as timely submitted. The circumstances surrounding all proposals received and time stamped after the proposal submittal deadline will be evaluated by the procuring department in consultation with the County Attorney's Office to determine whether the proposal will be accepted as timely. Proposals will be opened promptly at the time and date specified. The responsibility for submitting a proposal on or before the stated time and date is solely and strictly the responsibility of the Proposer. The County will in no way be responsible for delays caused by technical difficulty or caused by any other occurrence. All expenses involved with the preparation and submission of proposals to the County, or any work performed in connection therewith, shall be borne by the Proposer(s).

A Proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal up until the proposal due date. The County will only consider the latest version of the proposal. For competitive bidding opportunities available, please visit the County's Internal Services Department website at: <http://www.miamidade.gov/procurement/>.

Requests for additional information or inquiries must be made in writing and submitted using the question/answer feature provided by BidSync at www.bidsync.com. The County will issue responses to inquiries and any changes to this Solicitation it deems necessary in written addenda issued prior to the

proposal due date (**see addendum section of BidSync Site**). Proposers who obtain copies of this Solicitation from sources other than through BidSync risk the possibility of not receiving addenda and are solely responsible for those risks.

1.0 PROJECT OVERVIEW AND GENERAL TERMS AND CONDITIONS

1.1 Introduction

Miami-Dade County, hereinafter referred to as the County, as represented by Miami-Dade Public Housing and Community Development (PHCD), is soliciting proposals from experienced and sufficiently financed organization(s), business(es), firm(s), individual(s), etc. to operate a convenience store at the Robert King High Towers Public Housing Development located at 1405 NW 7 Street, Miami, Florida. The County desires that the selected Proposer perform the following:

1. Make available for sale groceries and other related products.
2. Operate and maintain the Premises in accordance with the requirements detailed in the resultant contract.
3. Compensate the County with a Monthly Rent as established in the contract as a result of this RFP.

The County anticipates awarding a contract for a two-year period, with two, two-year options to renew, at the County's sole discretion. Renewal terms are contemplated in this Solicitation, but are not guaranteed as the building is scheduled to undergo property management changes after the initial two-year term.

The anticipated schedule for this Solicitation is as follows:

Solicitation Issued:	TBD
Pre-Proposal Conference:	See front cover for date, time, and place. Attendance is recommended but not mandatory. If you need a sign language interpreter or materials in accessible format for this event, please call the ADA Coordinator at (305) 375-2013 or email hjwrig@miamidade.gov at least five days in advance.
Deadline for Receipt of Questions:	April 17, 2018
Proposal Due Date:	See front cover for date and time.
Evaluation Process:	May 2018
Projected Award Date:	June 2018

1.2 Definitions

The following words and expressions used in this Solicitation shall be construed as follows, except when it is clear from the context that another meaning is intended:

1. The word "Contractor" to mean the Proposer that receives any award of a contract from the County as a result of this Solicitation, also to be known as "the prime Contractor".
2. The word "County" to mean Miami-Dade County, a political subdivision of the State of Florida.
3. The word "Premises" to mean the convenience store at the Robert King High Towers Public Housing Development located at 1405 NW 7th Street, Miami, Florida.
4. The word "Proposal" to mean the properly signed and completed written submission in response to this solicitation by a Proposer for the Services, and as amended or modified through negotiations.
5. The word "Proposer" to mean the person, firm, entity or organization, as stated on the Solicitation Submittal Form, submitting a response to this Solicitation.
6. The words "Scope of Services" to mean Section 2.0 of this Solicitation, which details the work to be performed by the Contractor.
7. The word "Solicitation" to mean this Request for Proposals (RFP) or Request for Qualifications (RFQ) document, and all associated addenda and attachments.
8. The word "Subcontractor" to mean any person, firm, entity or organization, other than the employees of the Contractor, who contracts with the Contractor to furnish labor, or labor and materials, in connection with the Services to the County, whether directly or indirectly, on behalf of the Contractor.
9. The words "Work", "Services", "Program", or "Project" to mean all matters and things that will be required to be done by the Contractor in accordance with the Scope of Services and the terms and conditions of this Solicitation.

1.3 General Proposal Information

The County may, at its sole and absolute discretion, reject any and all or parts of any or all responses; accept parts of any and all responses; further negotiate project scope and fees; postpone or cancel at any time this Solicitation process; or waive any irregularities

in this Solicitation or in the responses received as a result of this process. In the event that a Proposer wishes to take an exception to any of the terms of this Solicitation, the Proposer shall clearly indicate the exception in its proposal. No exception shall be taken where the Solicitation specifically states that exceptions may not be taken. Further, no exception shall be allowed that, in the County's sole discretion, constitutes a material deviation from the requirements of the Solicitation. Proposals taking such exceptions may, in the County's sole discretion, be deemed nonresponsive. The County reserves the right to request and evaluate additional information from any respondent regarding respondent's responsibility after the submission deadline as the County deems necessary.

The submittal of a proposal by a Proposer will be considered a good faith commitment by the Proposer to negotiate a contract with the County in substantially similar terms to the proposal offered and, if successful in the process set forth in this Solicitation and subject to its conditions, to enter into a contract substantially in the terms herein. Proposals shall be irrevocable until contract award unless the proposal is withdrawn. A proposal may be withdrawn in writing only, addressed to the County contact person for this Solicitation, prior to the proposal due date or upon the expiration of 180 calendar days after the opening of proposals.

As further detailed in the Proposal Submittal Form, Proposers are hereby notified that all information submitted as part of, or in support of proposals will be available for public inspection after opening of proposals, in compliance with Chapter 119, Florida Statutes, popularly known as the "Public Record Law."

Any Proposer who, at the time of proposal submission, is involved in an ongoing bankruptcy as a debtor, or in a reorganization, liquidation, or dissolution proceeding, or if a trustee or receiver has been appointed over all or a substantial portion of the property of the Proposer under federal bankruptcy law or any state insolvency law, may be found non-responsible. To request a copy of any ordinance, resolution and/or administrative order cited in this Solicitation, the Proposer must contact the Clerk of the Board at (305) 375-5126.

1.4 Aspirational Policy Regarding Diversity

Not applicable to this Solicitation.

1.5 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 each RFP or RFQ after advertisement and terminates at the time a written recommendation is issued. The Cone of Silence prohibits any communication regarding RFPs or RFQs between, among others:

- potential Proposers, service providers, lobbyists or consultants **and** the County's professional staff including, but not limited to, the County Mayor and the County Mayor's staff, County Commissioners or their respective staffs;
- the County Commissioners or their respective staffs **and** the County's professional staff including, but not limited to, the County Mayor and the County Mayor's staff; or
- potential Proposers, service providers, lobbyists or consultants, any member of the County's professional staff, the Mayor, County Commissioners or their respective staffs **and** any member of the respective Competitive Selection Committee.

The provisions do not apply to, among other communications:

- oral communications with the staff of the Vendor Services Section, the responsible Procurement Contracting Officer, provided the communication is limited strictly to matters of process or procedure already contained in the solicitation document;
- oral communications at pre-proposal conferences and oral presentations before Competitive Selection Committees during any duly noticed public meeting, public presentations made to the Board of County Commissioners during any duly noticed public meeting;
- recorded contract negotiations and contract negotiation strategy sessions; or
- communications in writing at any time with any county employees, official or member of the Board of County Commissioners unless specifically prohibited by the applicable RFP or RFQ documents.

When the Cone of Silence is in effect, all potential vendors, service providers, bidders, lobbyists and consultants shall file a copy of any written correspondence concerning the particular RFP or RFQ with the Clerk of the Board, which shall be made available to any person upon request. The County shall respond in writing (if County deems a response necessary) and file a copy with the Clerk of the Board, which shall be made available to any person upon request. Written communications may be in the form of e-mail, with a copy to the Clerk of the Board at clerkbcc@miamidade.gov.

All requirements of the Cone of Silence policies are applicable to this Solicitation and must be adhered to. Any and all written communications regarding the Solicitation are to be submitted only to the Procurement Contracting Officer with a copy to the Clerk of the Board. The Proposer shall file a copy of any written communication with the Clerk of the Board. The Clerk of the Board shall make copies available to any person upon request.

1.6 Communication with Competitive Selection Committee Members

Proposers are hereby notified that direct communication, written or otherwise, to Competitive Selection Committee members or the Competitive Selection Committee as a whole are expressly prohibited. Any oral communications with Competitive Selection Committee members other than as provided in Section 2-11.1 of the Miami-Dade County Code are prohibited.

1.7 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 may not submit a proposal for a contract to provide any goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and, may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

1.8 Lobbyist Contingency Fees

- a) 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.
- b) A contingency fee is a fee, bonus, commission or non-monetary benefit as compensation which is dependent on or in any way contingent upon the passage, defeat, or modification of: 1) any ordinance, resolution, action or decision of the County Commission; 2) any action, decision or recommendation of the County 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 which foreseeably will be heard or reviewed by the County Commission or a County board or committee.

1.9 Collusion

In accordance with Section 2-8.1.1 of the Code of Miami-Dade County, where two (2) or more related parties, as defined herein, each submit a proposal for any contract, such proposals shall be presumed to be collusive. The foregoing presumption may be rebutted by the presentation of evidence as to the extent of ownership, control and management of such related parties in preparation and submittal of such proposals. Related parties shall mean Proposer or the principals thereof which have a direct or indirect ownership interest in another Proposer for the same contract or in which a parent company or the principals thereof of one Proposer have a direct or indirect ownership interest in another Proposer for the same contract. Proposals found to be collusive shall be rejected. Proposers who have been found to have engaged in collusion may be considered non-responsible, and may be suspended or debarred, and any contract resulting from collusive bidding may be terminated for default.

1.10 Expedited Purchasing Program

Subject to terms and conditions as outlined in Section 2-8.1.6 of the Code of Miami-Dade County, the County created the Expedited Purchasing Program (EPP). Due to the expedited nature of County projects issued under the EPP, participating vendors should anticipate a shortened solicitation timeline for responding. Technical, professional and legal staff may be used to determine best value as set forth in the solicitation documents without the need to utilize the formal Competitive Selection Committee process established by the County. The County Mayor'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.

1.11 Requirements Due to Federally Funded Department

Since the services provided under this solicitation will be used, in part or in whole, by a federally funded department, the following applies:

- a) Instructions to Offerors Non-Construction form HUD-5369-B is attached hereto and incorporated herein by reference. In addition to the requirements set forth in this Solicitation, the Proposer shall comply with the Instructions to Offerors Non-Construction form attached hereto, unless otherwise noted in this Solicitation. In the event of conflict between this solicitation and Instruction to Offerors Non-Construction form, the Solicitation shall govern.
- b) Affirmative Action requirements for Handicapped

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 handicapped workers, is incorporated into this solicitation and resultant contract by reference.

- c) Section 3 Requirements

This solicitation 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). Section 3 requires that, employment and other economic opportunities generated by certain HUD financial assistance, to the greatest extent feasible and consistent with Federal, State and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons.

2.0 SCOPE OF SERVICES

2.1 Background

The convenience store located at 1405 NW 7 Street, Miami, Florida, shall serve approximately 790 elderly and disabled residents of the Robert King High Towers Public Housing Development that also includes the Haley Sofge Towers, and Martin Fine Towers. The residents at this development are of low income and are assisted with the rental of the units by Miami-Dade County's Public Housing Programs.

Approximately 1,445 square feet of space for the convenience store is located in units 123, 124 and 125 (ground floor of north end of building) at Robert King High Towers. The selected Proposer shall operate the convenience store in conformance with applicable federal, state, and local laws, acts, ordinances, and regulations; shall have and maintain all necessary licenses and permits; and shall pay all fees required in the performance of the operation.

The County desires that the selected Proposer compensate the County with a Monthly Rent as established in the contract as a result of this RFP. The Monthly Rent is payable by the first of the month, without advance billing. Reported Gross Revenue in 2017 for the existing convenience store was \$116,287.

It is the intent of the County that the best possible services are provided to the public, while gaining revenue. However, the County makes no guarantee that PHCD or the County will act, promote, approve, or assist in any manner to assure that this project is a financial success for the County or the selected Proposer.

2.2 Requirements and Services to be Provided

It is anticipated that the selected Proposer shall have a minimum of three years of experience in the operation of a convenience store or similar retail sales. The selected Proposer shall:

1. Provide all supplies, equipment and labor necessary to operate the Convenience Store.
2. Begin operation of the Convenience Store within 60 days of the execution date of any contract resulting from this RFP.
3. Sell groceries, related products, and other sundry items such as those sold at a typical convenience store and provide delivery service as requested by tenants. The selected Proposer shall ensure the pricing schedule submitted with its Proposal (subject to negotiations), or any subsequent price changes proposed, are comparable to market prices in the neighboring community. Prior to changing prices, products or services offered after award of any contract, the selected Proposer shall provide to the County a schedule of such proposed changes not later than ten (10) days prior to the intended implementation date for approval.
4. Maintain a sufficient inventory to minimize stock-outs and ensure the quality and freshness of products offered. Under no circumstances will the selected Proposer sell products after their expiration date.

5. Conduct its operation in an orderly manner so as not to annoy, disturb or be offensive to customers and other users of the convenience store.
6. Ensure the proper conduct and appearance of its employees, agents, and representatives by setting standards of behavior and appearance for these individuals. Upon objection by the PHCD Director concerning the conduct or appearance of any such person, the selected Proposer shall immediately remedy the situation.
7. Keep the Premises in a clean and orderly condition and appearance at all times, including all equipment, fixtures and personal property.
8. Operate the store during the hours of 8:00 AM to 6:00 PM (local time) Monday through Saturday (minimum) except holidays observed by the County. At the selected Proposer's option, the store may operate on Sundays, 8:00 AM to 2:00 PM (local time) (minimum). Selected Proposer shall post notices in advance announcing store closures. The Robert King High Towers Public Housing's Property Manager will approve, in advance, any changes in operating hours.
9. Per Section 3 requirements, give priority to hiring tenants from the Robert King High Towers Public Housing Development or other public housing residents.
10. Coordinate with the Robert King High Towers Public Housing's Property Manager, all activities including but not limited to, parking, delivery, and access to the Premises for selected Proposer, customers and suppliers.
11. Pay all Fees as applicable (including, but not limited to):
 - Florida Department of Professional Business Regulations – Business Occupational License; Beverage & Tobacco annual permits.
 - Department of Agriculture & Consumer Service – Division of Food Safety- Annual Food Permit.
 - City of Miami Certificate of Use – Fire Safety; Ice Cream Retail; Grocery Retail; Butchers' and Butcher shops Retail annual permits.
12. Prohibit the sale of alcoholic beverages in the Convenience Store.

2.3 Facilities/Utilities

1. Selected Proposer shall pay a Monthly Rent (Rent includes the cost for electricity, water, and waste disposal, which County will provide).
2. Selected Proposer shall use the Premises only for the use permitted. Any unapproved services or items shall be discontinued immediately by the selected Proposer upon written notice from PHCD. If the selected Proposer fails to perform in accordance with the Contract, the County can declare the selected Proposer in default and terminate the Contract per the provisions therein.
3. The convenience store extends to the interior faces of all exterior walls and the centerline of walls between the Premises and the common areas and public areas of the County's Robert King High Towers, but reserving and excepting to the County (i) the use of the exterior faces of the exterior walls and the space between the lower surface of the floor slab of any higher floor and the finished ceilings of the Premises; and (ii) the right to install, maintain, use, repair and replace pipes, ducts, conduits and wires leading through the Premises in locations which will not substantially interfere with the selected Proposer's use thereof.
4. Selected Proposer shall perform routine maintenance and repair work required to the interior of the Premises. Alterations, additions or changes to the interior must be approved in advance by the Department's Asset Management Director, through the Robert King High Towers Public Housing's Property Manager, and must be performed by licensed and insured workers, and in accordance with local building codes, at no cost to the Department or the County.

3.0 RESPONSE REQUIREMENTS

3.1 Submittal Requirements

In response to this Solicitation, Proposer should **complete and return the entire Proposal Submission Package**. Proposers should carefully follow the format and instructions outlined therein. All documents and information must be fully completed and signed as required and submitted in the manner described.

The proposal shall be written in sufficient detail to permit the County to conduct a meaningful evaluation of the proposed services. However, overly elaborate responses are not requested or desired.

4.0 EVALUATION PROCESS

4.1 Review of Proposals for Responsiveness

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in this Solicitation. A responsive proposal is one which follows the requirements of this Solicitation, includes all documentation, is submitted in the format outlined in this Solicitation, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in the proposal being deemed non-responsive.

4.2 Evaluation Criteria

Proposals will be evaluated by a Review Team which will evaluate and rank proposals on criteria listed below. The Review Team will be comprised of appropriate County personnel and members of the community, as deemed necessary, with the appropriate experience and/or knowledge, striving to ensure that the Review Team is balanced with regard to both ethnicity and gender. The criteria are itemized with their respective weights for a maximum total of one hundred (100) points per Review Team member.

<u>Technical Criteria</u>	<u>Points</u>
1. Proposer's relevant experience, qualifications, capabilities and past Performance in providing the type of services described in this RFP Including pro-forma and management and financial capability	45
2. Relevant experience and qualifications of key personnel, including key personnel of subcontractors, that will be assigned to this project, and experience and qualifications of subcontractors	15
3. Proposer's approach and plan to providing the services requested in this Solicitation	30
<u>Revenue Criteria</u>	<u>Points</u>
4. Proposer's proposed Monthly Rent	10

4.3 Oral Presentations

Upon evaluation of the criteria indicated above, rating and ranking, the Review Team may choose to conduct an oral presentation with the Proposer(s) which the Review Team deems to warrant further consideration based on, among other considerations, scores in clusters and/or maintaining competition. (See Affidavit – "Lobbyist Registration for Oral Presentation" regarding registering speakers in the proposal for oral presentations.) Upon completion of the oral presentation(s), the Review Team will re-evaluate, re-rate and re-rank the proposals remaining in consideration based upon the written documents combined with the oral presentation.

4.4 Selection Factor

Not applicable to this Solicitation.

4.5 Local Certified Veteran Business Enterprise Preference

Not applicable to this solicitation.

4.6 Price Evaluation

The price proposal will be evaluated subjectively in combination with the technical proposal, including an evaluation of how well it matches Proposer's understanding of the County's needs described in this Solicitation, the Proposer's assumptions, and the value of the proposed services. The pricing evaluation is used as part of the evaluation process to determine the highest ranked Proposer. The County reserves the right to negotiate the final terms, conditions and pricing of the contract as may be in the best interest of the County.

4.7 Local Preference

Not applicable to this solicitation

4.8 Negotiations

The Review Team will evaluate, score and rank proposals, and submit the results of the evaluation to the County Mayor or designee with its recommendation. The County Mayor or designee will determine with which Proposer(s) the County shall negotiate, if any, taking into consideration the Local Preference Section above. The County Mayor or designee, at their sole discretion, may direct negotiations with the highest ranked Proposer, negotiations with multiple Proposers, and/or may request best and final offers. In any event the County engages in negotiations with a single or multiple Proposers and/or requests best and final offers, the discussions may include price and conditions attendant to price.

Notwithstanding the foregoing, if the County and said Proposer(s) cannot reach agreement on a contract, the County reserves the right to terminate negotiations and may, at the County Mayor's or designee's discretion, begin negotiations with the next highest ranked Proposer(s). This process may continue until a contract acceptable to the County has been executed or all proposals are rejected. No Proposer shall have any rights against the County arising from such negotiations or termination thereof.

Any Proposer recommended for negotiations shall complete a Collusion Affidavit, in accordance with Sections 2-8.1.1 of the Miami-Dade County Code. (If a Proposer fails to submit the required Collusion Affidavit, said Proposer shall be ineligible for award.)

4.9 Contract Award

Any proposed contract, resulting from this Solicitation, will be submitted to the County Mayor or designee. All Proposers will be notified in writing of the decision of the County Mayor or designee with respect to contract award. The Contract award, if any, shall be made to the Proposer whose proposal shall be deemed by the County to be in the best interest of the County. Notwithstanding the rights of protest listed below, the County's decision of whether to make the award and to which Proposer shall be final.

4.10 Rights of Protest

A recommendation for contract award or rejection of all proposals may be protested by a Proposer in accordance with the procedures contained in Sections 2-8.3 and 2-8.4 of the County Code, as amended, and as established in Implementing Order No. 3-21.

5.0 TERMS AND CONDITIONS

The anticipated form of agreement is attached. The terms and conditions summarized below are of special note and can be found in their entirety in the agreement:

a) Vendor Registration

Prior to being recommended for award, the Proposer shall complete a Miami-Dade County Vendor Registration Package. For online vendor registration, visit the Vendor Portal: <http://www.miamidade.gov/procurement/vendor-registration.asp>. Then, the recommended Proposer shall affirm that all information submitted with its Vendor Registration Package is current, complete and accurate at the time it submitted a response to the Solicitation by completing an Affirmation of Vendor Affidavit form as requested by the County.

b) Insurance Requirements

The Contractor shall furnish to the County, Internal Services Department, Procurement Management Services Division, prior to the commencement of any work under any agreement, Certificates of Insurance which indicate insurance coverage has been obtained that meets the stated requirements.

c) Security Deposit

The Contractor shall furnish a security deposit in the amount of twice the Monthly Rent, as described in Article 11.

6.0 ATTACHMENTS

Form HUD5369-B Instructions to Offerors Non-Construction

Draft Form of Agreement (including Form HUD-5370-C as Appendix)

Proposal Submission Package:

Proposer Information Section

Form HUD-5369C

PHCD Document 00400

Web Forms – Proposal Submittal Form, Fair Subcontract Practices Affidavit, Subcontractor Listing,
Lobbyist Registration Form

Form 1 – Revenue Proposal Schedule