

SECTION 2
SPECIAL TERMS AND CONDITIONS

2.1 PURPOSE

This Request to Qualify (RTQ) will establish a Prequalified Pool of Vendors (Pool) that will be used to solicit Room Air Conditioners (A/Cs) and related products and services. Placement in the Pool is not a contract between the County and the Vendor, but an acknowledgement that the Vendor meets the qualifications as outlined throughout this RTQ. Vendor Submittals are accepted throughout the term of the RTQ for placement in such Pool.

2.2 DEFINITIONS

Energy Star® – Shall refer to the government-backed symbol for energy efficiency which goal is to help consumers, businesses, and industry save money and protect the environment through the adoption of energy-efficient products and practices.

Invitation to Quote (ITQ) – Shall refer to the solicitation of quotes from the Pool for specific goods and/or services; and awarded based on lowest price, or other quantifiable criteria.

Prequalified Pool of Vendors (Pool) – Shall refer to business entities/individuals determined by the County's Internal Services Department, Strategic Procurement Division, as meeting the minimum standards of business competence, financial ability, and/or product quality for placement in the Pool, and which may submit quote or proposal, at the time of need.

Submittal – Shall refer to all information, attachments and forms submitted in response to this RTQ.

Vendor – Shall refer to a business entity/individual responding to this RTQ.

2.3 TERM OF CONTRACT

This contract shall commence on the first calendar day of the month succeeding approval by the Board of County Commissioners, or designee, unless otherwise stipulated in the Purchase Order issued by the County. The contract shall expire on the last day of the last month of the five-year term.

2.4 QUALIFICATION CRITERIA

Vendors shall meet the following criteria to be considered for placement on the Pool, and for participation in future competitions for the following groups:

Group 1: Purchase of room A/Cs and related products

Group 2: Purchase of room A/Cs and related products including installation and/or de-manufacturing.

Qualification for all Groups:

- A. Vendor(s) shall provide the contact information of a designated representative to provide the County with support and information concerning orders placed and to receive future spot market competitions. Vendor shall provide the representative's name, phone number, and email address. The email address provided must be available twenty-four (24) hours a day to provide support and to receive spot market quotations and orders from the County.

Additional Qualification for Group 1:

- B. Vendor(s) shall provide three signed professional references on the reference's company letterhead and/or emails from the reference providers. The references should clearly demonstrate that the Vendor is regularly engaged in the business of providing room A/Cs and/or related products for government entities and/or commercial businesses. The references shall contain the reference provider's name, phone number, email address, company name, and position title. The County must be able to ascertain from the Vendor provided references, to its satisfaction and at the County's sole discretion, that the Vendor holds sufficient experience and capacity to provide room A/Cs and/or related products.

Additional Qualification for Group 2:

- C. Vendor(s) shall provide three signed professional references on the reference's company letterhead and/or emails from the reference providers. The references should clearly demonstrate that the Vendor is regularly engaged in the business of providing room A/Cs and related products including installation and/or de-manufacturing for government entities and/or commercial businesses. The references shall contain the reference provider's name, phone number, email address, company name, and position title. The County must be able to ascertain from the Vendor provided references, to its satisfaction and at the County's sole discretion, that the Vendor holds sufficient experience and capacity to provide Room A/Cs and related products including installation and/or de-manufacturing.

Vendors shall provide all of the specified information, documents and attachments listed above with their Submittal as proof of compliance with the requirements of this RTQ. However, the County may, at its sole discretion and in its best interest, allow Vendors to complete, supplement or supply the required documents throughout the term of the RTQ. It shall be the sole right of the County to determine the number of Vendors who will be included in the List. During the term of the RTQ, the County reserves the right to add or delete Vendors as it deems necessary and in its best interest.

2.5 INSURANCE

Insurance is not required in order to be prequalified under this RTQ. Insurance requirements will be detailed in the subsequent ITQ or WOPR.

2.6 SPOT MARKET QUOTES

Vendors on the List will be invited to participate in spot market competitions, as needed. The spot market competitions will be in the form of an ITQ or WOPR that will include the specific goods and/or services required, and may include provisions, as applicable, such as:

- Small Business Measures
- Warranty Requirements
- Liquidated Damages
- Living Wage

2.7 COMPLIANCE WITH FEDERAL REGULATIONS DUE TO USE OF FEDERAL FUNDING

Since the 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.

All items to be purchased under this contract using federal funds 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).

2.8 FEDERALLY FUNDED AGENCIES - EXEMPTION TO CERTAIN CLAUSES

Spot market quotations issued off this request to qualify may be done by federally funded agencies, including Public Housing and Community Development Department. As federally funded agencies, certain clauses within this request to qualify will not apply to subsequent spot market quotations: The following provisions from Section 1, General Terms and Conditions shall be exempted from such solicitations, as indicated in the ITQ or WOPR.

- Local Preferences
- User Access Program (UAP) Fee
- Small Business Enterprises (SBE) Measure
- Local Certified Service-Disabled Veteran's Business Enterprise Preference
- First Source Hiring Referral Program
- Prompt Payment Terms
- Office of Inspector General Fee
- Any other clause that is not allowed due to the funding source.

2.9 HUD SECTION 3 REQUIREMENT

In order to be considered for award for spot market competitions issued by the Miami-Dade Public Housing and Community Development Department, vendors must provide the documents listed below for review and approval by Housing. Therefore, the documents mentioned below are not a requirement to become prequalified under this pool; however, it is a requirement to be considered for an award for spot market competitions issued by the Miami-Dade Public Housing and Community Development Department.

a. HUD Instructions to Offerors Non-Construction (Form HUD-5369-B)

This provision is designed to provide information to prospective contractors about the solicitation stage of the procurement process. Terms and conditions which apply to the contract upon award are referred to as contract clauses. Form HUD-5369-B contains provisions to be included in all solicitations for non-construction work.

b. Certifications and Representations of Offerors Non-Construction Contract (Form HUD-5369-C)

Form HUD-5369-C includes clauses required by OMB's common rule on bidding/offering procedures, implemented by HUD in 2 CFR Part 200, and those requirements set forth in Executive Order 11625 for small, minority, women-owned businesses, and certifications for independent price determination, and conflict of interest.

c. General Conditions for Non-Construction Contracts Section I – (With or without Maintenance Work) (Form HUD-5370-C)

This form is applicable to any contract agreement entered into between Miami-Dade County, as represented by PHCD, and the successful offeror(s). Form HUD-5370-C includes clauses required by 24 CFR 85.36(i) necessary for non-construction contracts.

2.10 SECTION 3 OF THE HUD ACT OF 1968 - REQUIREMENTS FOR PUBLIC HOUSING AND COMMUNITY DEVELOPMENT (PHCD) PROJECTS ONLY.

Section 3 is a provision of the United States Department of Housing and Urban Development (USHUD) Act of 1968 that helps foster local economic development, neighborhood economic improvement and individual self-sufficiency.

Spot market quotations issued off this request in whole or in part, will be assisted through the Miami-Dade County Public Housing and Community Development with Federal Funding and is covered under 24 CFR Part 75, Section 3 Economic Opportunities. Section 3 requires that job training, employment and contracting opportunities be directed to very low and low-income persons or businesses owners who lives in the project area.

For more information on the Section 3 requirements, or to request and application you may contact Public Housing and Community Development (PHCD) Section 3 Coordinator by email at Section3@miamidade.gov, or visit PHCD's website at <http://www.miamidade.gov/housing/section-3.asp>.

2.11 MIAMI-DADE HOUSING MINIMUM WAGES BASED ON THE MAINTENANCE WAGE RATE DETERMINATION

Since this Request to Qualify and subsequent sport market quotations are being processed in conjunction with federal funding, the wage rate paid to all classifications of employees of the bidder for the work under specific spot market quotations, issued by PHCD, shall not be less than the maintenance wage rates for similar classification of work in Dade County, Florida, as established in the Federal Wage Decision HUD form 52158 by the United Sates Department of Labor. Additionally, all federal regulations and statutes adopted by U.S. Department of Labor as a result of the Maintenance Wage Rate Determination shall prevail during the term of this RTQ and shall be used only when federal funds are utilized for specific project.

SECTION 3
SCOPE OF WORK/TECHNICAL SPECIFICATIONS

3.1 SCOPE OF WORK

This RTQ is intended to establish a pool of pre-qualified vendors to provide room A/Cs for Miami-Dade County on an as-needed basis.

3.2 CATEGORIES

The following is a representative listing of the categories of room air conditioners and related products as well as the brands/makes typically used by the County. These lists are neither exclusive nor complete.

2.9.1 Product categories may include:

- Air Purifiers
- Dehumidifiers
- Ductless Mini-Split
- Humidifiers
- Package Terminal A/Cs
- Portable A/Cs
- Portable Fans
- Space Heaters
- Window/Wall Mount A/Cs

3.2.2 Brands may include:

- Airrex
- Amana
- American Comfort
- Carrier
- Coleman / Airxcel
- Comfort-Aire
- Daikin
- Friedrich
- Frigidaire
- G.E.
- Honeywell
- LG
- Sharp
- Soleus Air
- SPT
- Trane
- Thermal Zone

3.3 INDUSTRY AND PRODUCT STANDARDS

All items to be purchased throughout subsequent ITQs/WOPRs shall be in accordance with all governmental standards, to include, but not limited to those issued by the Department of Energy (DOE), American National Standards Institute (ANSI), the American Society for Testing and Materials (ASTM), the Environmental Protection Agency (EPA), the Instrument Society of America (ISA), the International Standards Organization (ISO), the National Institute of Safety Hazards (NIOSH), the National Sanitation Foundation (NSF), and the Occupation Safety and Health Administration (OSHA).

It shall be the responsibility of all pre-qualified vendors to be regularly informed to conform to any changes in standards issued by any regulatory agencies that govern the products applicable to this solicitation during the contract term.

3.4 AIR CONDITIONER DE-MANUFACTURING (GROUP 2 ONLY)

Air conditioner de-manufacturing may apply if so defined in the spot market quotation. Vendors will need to haul away existing unit (remove from the grid) and provide the County Department with a signed de-manufacturing certificate. The de-manufacturing certificate must be signed by an authorized County representative.

3.5 INSTALLATION (GROUP 2 ONLY)

Air conditioner and/or related products installation will apply if so defined in the spot market quotation.

3.6 ENERGY EFFICIENT PRODUCTS

Vendors shall provide products that earn the Energy Star® label and meet the Energy Star® specifications for energy efficiency, or any other equal energy efficiency designation. The Vendor is encouraged to visit <http://www.energystar.gov> for complete product specifications and updated lists of qualifying products.

**SECTION 4
SUBMITTAL FORM**

Bidder: _____

4.1 BID/SUBMITTAL REQUIREMENTS

QUALIFICATION CRITERIA TO BE COMPLETED BY ALL VENDORS		
Reference	Requirements	Copy Attached
2.4 (A)	<p>Vendor(s) shall provide the contact information of a designated representative to provide the County with support and information concerning orders placed and to receive future spot market competitions. Vendor shall provide the representative's name, phone number, and email address. The email address provided must be available twenty-four (24) hours a day to provide support and to receive spot market quotations and orders from the County.</p> <p>Designated company representative name: _____</p> <p>Phone Number: _____</p> <p>E-mail address: _____</p>	<input type="checkbox"/>
2.4 (B) Group 1 Only	<p>Vendor(s) shall provide three signed professional references on the reference's company letterhead and/or emails from the reference providers. The references should clearly demonstrate that the Vendor is regularly engaged in the business of providing room A/Cs and/or related products for government entities and/or commercial businesses. The references shall contain the reference provider's name, phone number, email address, company name, and position title. The County must be able to ascertain from the Vendor provided references, to its satisfaction and at the County's sole discretion, that the Vendor holds sufficient experience and capacity to provide room A/Cs and/or related products.</p>	<input type="checkbox"/>
2.4 (C) Group 2 Only	<p>Vendor(s) shall provide three signed professional references on the reference's company letterhead and/or emails from the reference providers. The references should clearly demonstrate that the Vendor is regularly engaged in the business of providing room A/Cs and related products including installation and/or de-manufacturing for government entities and/or commercial businesses. The references shall contain the reference provider's name, phone number, email address, company name, and position title. The County must be able to ascertain from the Vendor provided references, to its satisfaction and at the County's sole discretion, that the Vendor holds sufficient experience and capacity to provide Room A/Cs and related products including installation and/or de-manufacturing.</p>	<input type="checkbox"/>