

**REQUEST FOR QUALIFICATIONS FOR DESIGN &
PERMITTING SERVICES AND CONSTRUCTION ENGINEERING
AND INSPECTION SERVICES FOR ROADWAY
IMPROVEMENTS TO COWBOY WAY FROM SR80 TO BRIDGE
STREET IN HENDRY COUNTY**

Financial Project # 436655-1-54-01/02

RFQ No. 2020-21

OPENING DATE AND TIME: JULY 1, 2020 at 2:00 p.m.



Prepared by: Hendry County Engineering Department
Dated: May 29, 2020

**HENDRY COUNTY
BOARD OF COUNTY COMMISSIONERS
LABELLE, FL 33935**

RFQ No. 2020-21

**EMMA BYRD
DARRELL R. HARRIS
MITCHELL WILLS, CHAIRMAN
MICHAEL SWINDLE
KARSON TURNER**

**JENNIFER DAVIS, COUNTY ADMINISTRATOR
MARK F. LAPP, COUNTY ATTORNEY**

**REQUEST FOR QUALIFICATIONS FOR DESIGN & PERMITTING SERVICES AND
CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR ROADWAY
IMPROVEMENTS TO COWBOY WAY FROM SR80 TO BRIDGE STREET IN HENDRY
COUNTY**

Financial Project # 436655-1-54-01/02

RFQ No. 2020-21

Opening Date and Time: July 1, 2020 @ 2:00 p.m.

Hendry County is seeking engineering firms interested in providing professional services in connection with design and permitting services and construction engineering and inspection services for roadway improvements to Cowboy Way from SR80 to Bridge Street in Hendry County, Florida. Firms submitting must have expertise in roadway and drainage design permitting services, and construction engineering and inspection services. Proposers shall have all services available in-house or may propose multiple firms, which have joined together to provide the various required disciplinary services in order to offer a complete submission. Individuals and firms properly registered in the State of Florida are encouraged to submit their qualifications for consideration. All submittals (see Section IV, Submission Requirements) received in response to this RFQ will be reviewed by a County Evaluation Committee. In order to be considered, submittals must be received by the Board of County Commissioners at the C. E. Hall Building (Clerk's Office) in the Hendry County Courthouse Complex, 25 E. Hickpochee Avenue, LaBelle, Florida by 2:00 p.m., July 1, 2020, at which time all responses to this request will be recorded in the presence of one (1) or more witnesses.

A copy of the Instructions and RFQ Documents can be obtained from the Hendry County website, www.hendryfla.net under the Public Information tab.

The solicitation does not commit Hendry County to award any contracts, to pay any costs incurred in the preparation of a response to this solicitation, or to contract for any services. The County retains the right to cancel this solicitation or reject any or all responses for any reason set forth in the County's Procurement Policy and may choose to re-procure at the discretion of the Board of County Commissioners.

Hendry County is an Equal Opportunity Provider and Employer.

Si necesita la asistencia de un interprete que hable espanol para participar un esta reunion, por favor pongase en contacto con Veronica Gonzalez al (863) 675-5324.

SECTION I

GENERAL INFORMATION

All responses which comply with the requirements of this procurement will be considered.

Submittals must be made in the official name of the firm or individual under which business is conducted (showing official business address) and must be signed in ink by a person duly authorized to legally bind the person, partnership, company, or corporation submitting the response.

One (1) clearly identified original and three (3) copies (four (4) total) of your submittal are required along with an electronic version of the submittal on a jump/thumb drive. At least one (1) submittal must have an original signature. If only one original signature is submitted, please mark on the outside of the submittal which one is the original.

Submittals will be received by the Clerk's Office until **2:00 p.m. on July 1, 2020.**

Submittals are to be mailed to:

Clerk of Circuit Court,
Attn: Kimberley Barrineau, Ad Interim Clerk of Circuit Court
Hendry County Administration Building
PO Box 1760
LaBelle, Florida 33975

Or hand-delivered and/or Express Mailed to:

Hendry County Complex,
Clerk of Circuit Court
Attn: Kimberley Barrineau, Ad Interim Clerk of Circuit Court
C. E. Hall Bldg., Administration Wing, 2nd Floor, Room A-226,
25 E. Hickpochee Avenue
LaBelle, Florida 33935

The submitting respondent is required to have printed on the outer sealed envelope or wrapping containing its submission, the procurement number, title, opening date and time, and its company name and address. Facsimile submissions will not be accepted.

Submittals received after the date and time specified above shall be returned to the sender unopened and will not be considered.

All Submittals shall remain in effect for a period of ninety (90) days after submittal deadline.

Respondents shall be fully acquainted with the conditions relating to the execution of work required in this procurement. Failure of the respondent to become acquainted with existing conditions and the scope of services will in no way relieve the respondent of any obligation with respect to its submittal.

SECTION II

BACKGROUND

Purpose: Hendry County, hereinafter referred to as the “County”, is requesting submittals from qualified engineering firms interested in following project:

Resurface Cowboy Way (CR80A) from SR80 eastward to Bridge Street, approximately 1.45 miles.

Individuals or firms must have expertise in design phase services to include design surveys, geotechnical services, construction plans, permits, utility relocation, right-of-way plans, final bidding and contract documents, advisory services during bidding, construction administration, and construction engineering and inspection services. The engineer or his representative must be properly registered to provide these services in the State of Florida. All submittals will be reviewed by a County Evaluation Committee, ranked and submitted to the Board of County Commissioners for consideration.

Site: Cowboy Way (CR80A) is located in western Hendry County.

Hendry County is issuing this RFQ in order to solicit proposals from qualified engineering firms or individual’s interested in providing design and permitting services or construction engineering and inspection services for this project. The County **will select two** engineering firms or individuals to perform these services. The County is not permitted per its funding agreement to award the design and permitting services and the construction engineering and inspection services to the same engineering firm or individual for this construction project. Therefore, **two (2) firms or individuals will be selected**, one for the design and permitting services and one for the construction engineering and inspection services of the project.

SCOPE OF WORK

FINANCIAL PROJECT NUMBER: 436655-1-54-01/02

The Hendry County BOCC desires to resurface Cowboy Way (CR80A) from SR80 to Bridge Street, approximately 1.45 miles. General improvements desired include milling and resurfacing of the roadway with necessary safety upgrades throughout the project limits.

The general objective is for one selected consultant to provide design and permitting services in order to develop a set of construction plans, and bid documents. A second consultant will be selected to provide construction engineering and inspection services and quality acceptance reviews of all work associated with the design and permitted plans and any associated improvements.

A. SCOPE OF SERVICES

The selected engineering consultant(s) will provide design drawings for the Construction of the above projects.

Engineering services shall include, but not be limited to:

- Land Surveying Services under the responsible charge of a Professional Land Surveyor registered in the State of Florida and in accordance with the Florida Department of Transportation Policy 760.00-760.012 and the Florida Department of Transportation Location Manual necessary for the subject project including referencing all centerline survey control points.
- Geotechnical evaluations by a Geotechnical Engineer registered in the State of Florida for the purpose of establishing design criteria for the proposed improvements.
- Preparation of Construction Documents including constructions plans and specifications in accordance with current FDOT design criteria including but not limited to: FDOT Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways; FDOT Plan Preparation Manual; FDOT Design Standards; FDOT Drainage Manual and specific FDOT Standard Specifications. Plans will be submitted in 60, 90, and 100% formats to Hendry County and FDOT, when applicable, for review and comment.
- The Consultant will provide three (3) paper copies of signed and sealed construction plans (11" x 17"), eight (8) bound sets of plans (11" x 17") and a CD containing all electronic drawing files. Electronic drawing files will be produced in a manner suitable to Hendry County using state plane coordinates with a logical layering and layer naming convention. Layer names shall be approved by Hendry County.
- The drawing will include a cover with location map, a drawing key map, typical section and detail sheets, summary of pay item sheet, summary of quantities sheet(s), quantity computation booklet, general note sheet, special conditions, technical specifications, alignment plans, and detailed signing and pavement marking plans for the entire project.
- Prepare Engineer's Opinion of Probable Construction Cost.
- Assist the County with the bidding process including the preparation of the bid document, attending the pre-bid conference, answering bidders questions, preparing addenda, responding to RFI's, and evaluating the bids and preparing the bid tabulations for qualified bidders.
- Attend pre-application meetings, when required, to all local, State, and Federal agencies having permit jurisdiction including, but not limited to, South Florida Water Management District and FDOT.
- Preparing permit applications, when required, to all local, State, and Federal agencies having permit jurisdiction including, but not limited to, South Florida Water Management District and Florida Department of Transportation.
- Prepare "Record Documents" based on the Contractor's Surveyor following completion of the construction in an AutoCad format that is usable by the

County. The Record Documents shall be signed and sealed by a Professional Engineer, registered in the State of Florida.

- Review and approve shop drawings and material lists.
- Identify utility services and provide technical assistance, when necessary for the coordination and/or negotiation with utility owners or other public agencies affected by the project, including utility plans, if necessary, for location adjustments.
- Answer any design questions during the construction phase related to the project.
- Provide Construction Engineering and Inspection (CEI) Services and Quality Assurance Testing.

B. ADDITIONAL SERVICES

If authorized in writing by the County, the Consultant will furnish or obtain from specialty consultants the following services in connection with the projects.

- Prepare to serve as a consultant, witness or representative for the County in any public hearing, public information meeting or administrative proceeding involving the project. Such consultation and representation in connection with litigation or other legal proceeding involving the projects shall be covered under subsequent supplemental agreements.
- Assist the County in performing any inspections of facilities constructed under this Agreement after final acceptance of the work but prior to the expiration of any contractor's warranty periods imposed in construction contract documents.
- Perform services involving the preparation or rate schedules, earnings, and expense statements, feasibility studies, appraisals, evaluations or other similar detail analysis that are not normally required in the scope of the projects.
- Prepare drawings from field measurements or existing construction when required for planning additions or alterations thereto where they are not included in the original scope of the projects.
- Perform additional or extended services during construction made necessary by (1) work damaged by fire or other cause during construction, (2) prolongation of the construction contract time due to causes beyond the control of Consultant, (3) acceleration of the work schedule involving service beyond normal working hours, and (4) contract default due to delinquency of insolvency of the Contractor(s).
- Perform additional engineering surveys as may be necessary for the proper design and construction of the projects, to include excavating and surveying of buried utilities.
- Perform other than routine services when required by audit subsequent to the completion of the projects.
- Additional services not otherwise provided as may be determined as necessary to accomplish the projects and authorized in writing by the County. Compensation for additional services or additional work is subject to negotiations between the County and the Consultant.

Any questions regarding these projects or the technical requirements of engineering services sought by this solicitation may be directed to:

Kelly A. O’Nan, Engineering Department

Phone: (863) 612-4727

Email: konan@hendryfla.net

ALL CONSULTANTS shall hold all State, Federal and County/City licenses required to perform the above referenced scope of work. This Consultant shall ensure compliance with all laws, rules, codes, ordinances, and licensing requirements that are applicable to the conduct of its business, including those of Federal, State, and local agencies having jurisdiction and authority. The County expressly desires the Consultant to keep all the files and records that pertain to the solicitation to relieve the County of the task of filing and record keeping.

SECTION IV

SUBMISSION REQUIREMENTS

Respondents should include the following information in their submittals in the exact order listed here with separating page tabs in an 8.5 by 11 page format. PLEASE INCLUDE THE PAGE TABS so that those evaluating your submittal can compare each section with others that are submitted.

Tab 1: Letter of Interest: A letter stating your interest in this project signed by the person who will have contract authority over this project and stating that the contents of the submittal are true and accurate. Provide an overview of the key areas of the proposal and summarize the proposer's position as to why the company should be selected. Please state in this letter that you can meet the insurance/bonding requirements of the County and that you are willing to execute a standard agreement with Hendry County, Florida.

Tab 2: Professional Experience: Describe experience completing most recent and similar work for other entities as Design Engineer of Record, including contract amounts and dates of at least five most similar and current projects. Also, include short bios of key staff to be **assigned** to the project.

Tab 3: Project Understanding/Approach: Describe your understanding of the scope and your organization's intended approach to this specific project. Indicate your current workload and the availability of resources within your organization to perform the work required. Describe any innovative or value-added processes or approaches that may be applicable to this project.

Tab 4: Project Personnel: Indicate the depth and breadth of the project team based on individual professional experience in the service each team member provides.

Tab 5: Professional Capabilities: Demonstrate you have sufficient resources and adequate size project team to perform the work outlined in the Scope of Work and that said team has experience in project scheduling, project management, and project coordination.

Tab 6: References: Include the name of a responsible individual along with their address, phone number, fax number and email. Provide a minimum of three (3) client references for most similar projects.

Tab 7: Forms: Attachment 1 – Proposer's Affidavit;
Attachment 2 – Proposer's Qualification Questionnaire;
Attachment 3 – Completed Projects;
Attachment 4 – Current Projects;
Attachment A – No Lobbying Acknowledgement;
Attachment B – Anti-Collusion & No Gifts Affidavit;
Attachment C – Public Entity Crime Affidavit;
Attachment D – Conflict of Interest Disclosure Affidavit;

Attachment E – Immigration Law Affidavit;
Attachment F – Drug Free Workplace Affidavit;
Attachment G – Exceptions to Solicitation (if needed);
Attachment H – Sample Ranking Sheet

The Respondent to this procurement needs to clearly state in the procurement submittal whether they are pursuing the design & permitting services or the construction engineering and inspection services of this project. Please note a respondent can be considered for both phases of the project in the same submittal to the RFQ, but will only be chosen for one, as long as the selection committee ranks them number one. The respondent will need to be clear in their submittal package that they would like to be considered for both tasks. No one respondent will be awarded both tasks at the conclusion of the ranking.

SECTION V

CONTRACTUAL REQUIREMENTS

CONTRACTS: A sample copy of the contract document may be obtained by contacting the County Attorney's office at (863) 675-5295.

FLORIDA LAW CLAUSE: Upon award of a contract under this RFQ, the person, partnership, association, or corporation to whom the award is made must comply with local and State laws which require such person or entity to be authorized and/or licensed to do business in Hendry County. Notwithstanding the fact that applicable statutes may exempt or exclude the successful offeror from requirements that it be authorized and/or licensed to do business in Hendry County, by submission of a signed RFQ response the offeror agrees to subject itself to the jurisdiction and process of the Courts of Hendry County, as to all matters and disputes arising or to arise under any contract and the performance thereof including any questions as to the liability for taxes, licenses, or fees levied by State or local government.

AFFIRMATIVE ACTION: The offeror will comply with all Federal and State requirements concerning fair employment and employment of the handicapped and concerning the treatment of all employees, without regard or discrimination by reason of race, religion, sex, national origin, or physical handicap.

PRIME VENDOR RESPONSIBILITIES: The offeror will be required to assume sole responsibility for the complete effort as required by this RFQ. The County will consider the offeror to be the sole point of contact with regard to contractual matters.

SECTION VI

EVALUATION OF THE SUBMITTALS

Submittals will be reviewed in accordance with the County's Procurement Policy.

PLEASE NOTE THAT QUALIFICATIONS WILL BE EVALUATED ON CONTENT, NOT VOLUME. Points will be deducted for not following instructions. – Submittals should be limited to no more than 60 pages, not including required attachments.

The selection of the architectural/engineering firm is intended to be completed in accordance with Florida Statutes 255.20.

The County will comprise a committee in order to review the qualifications submitted and will rank the firms accordingly.

Submitting firms will be ranked by a committee by the following criteria:

1. Professional experience of Respondent in designing and permitting roadway improvements in accordance with Florida Department of Transportation (FDOT) Guidelines. Firms must be able to demonstrate knowledge and experience with standards of design and construction. (25 points) – **TAB 2**;
2. Project understanding and approach (15 points) – **TAB 3**;
3. Project personnel (Qualifications and abilities of key professional personnel working on project) - Depth and breadth of Respondent's project team based on individual professional experience in the service each team member provides (25 points) – **TAB 4**;
4. Professional capabilities – Respondent has sufficient resources and adequate size project team to perform the work outlined in the Scope of Work of the RFQ. Professional experience of Respondent in project scheduling, project management and project coordination (30 points) – **TAB 5**;
5. Client References (5 points) – **TAB 6**.

Presentations **will be** necessary.

The selection committee members will individually award points to the various Respondents based on the aforementioned criteria, after hearing the Respondent's presentations, and after a group discussion among committee members. The committee members are not allowed to award points to Respondents where the total points awarded to Respondents are tied. No ties will be permitted.

The various Respondents will be assigned a ranking (ordinal score) in order of total points awarded by the individual committee members. The Respondent with the highest number of points awarded will receive an ordinal score of 1 and the Respondent with the second highest number of points will receive an ordinal score of 2, and so on.

All individual committee members will have their ordinal scores entered into a master spreadsheet along with the total points each Respondent received. The ordinal scores provided by each committee member for the various Respondents will be totaled and the total points each Respondent received will also be totaled, but separately.

The Respondent with the **lowest** ordinal score received based on the cumulative total of the ordinal scores will be recommended as the desired Consultant to the Hendry County Board of County Commissioners. If there is a tie in the cumulative ordinal scores between Respondents then the tie will be broken based on which Respondent has the highest cumulative points.

See Attachment H for a SAMPLE master ranking spreadsheet.

PROPOSED PROJECT SCHEDULE FOR DESIGN SERVICES

Request for Qualifications Opening – July 1, 2020

Selection Committee Meeting with Presentations – no later than August 14, 2020

Selection Committee Recommendation to Hendry County BOCC for approval – August 25, 2020

Contract approval to Hendry County BOCC and FDOT for approval – October 30, 2020

Anticipated Project Deadline for Design– June 30, 2021

PROPOSED SELECTION COMMITTEE MEMBERS

Selection Committee Member #1 – R. Shane Parker, Hendry County Public Works Director

Selection Committee Member #2 – Ron Zimmerly/Gary Hull, City of LaBelle

Selection Committee Member #3 – John C. Anderson/Steven McCormick, FDOT

SECTION VII

REJECTION OF PROPOSALS

7-1. REJECTION OF PROPOSALS

The County Administrator or the Board of County Commissioners may cancel this solicitation or reject any or all of the responses, as set forth in the County's Procurement Policy.

7-2. CORRECTION OR WITHDRAWAL OF RESPONSES; MATERIAL MISTAKES; CANCELLATION OF AWARDS.

- A. Responses containing mistakes discovered before the competitive procurement opening may be modified or withdrawn by written notice by the respondent received in the office designated in the procurement notice prior to the time set for opening.

- B. After the competitive procurement opening, corrections of mistakes shall be permitted only to the extent that the vendor can show by clear and convincing evidence that a material mistake of a factual or mathematical nature was made, the nature of the mistake, and the price actually intended. The assigned unit price, when applicable, will be the determining factor when an extension price is in error. In place of correction, a low bidder establishing a material mistake of a factual or mathematical nature may be permitted to withdraw its bid if:
 - 1. The response was submitted in good faith;
 - 2. The magnitude of the error made would make enforcement a severe hardship;
 - 3. The miscalculation was not the result of gross negligence;
 - 4. The error was reported immediately to the County; and
 - 5. It is not later than twenty-four (24) hours after the competitive procurement opening, except that if the following day is not a business day for the County. In such case, a withdrawal may be made until 12:00 noon the next County business day.

All decisions to permit the correction or withdrawal of responses, or to cancel awards or contracts based on material mistakes, shall be supported by a written determination by the County Administrator.

7-3. COMPETITIVE PROCUREMENT DISPUTE RESOLUTION PROCEDURE.

- A. Any competitive procurement award decision may be challenged on the grounds of material irregularities in the procurement procedure or material irregularities in the evaluation of the response. To initiate a challenge, the vendor must file a notice of intent to challenge the procurement in writing with the Office of Management and Budget within three (3) business days of e-mailing of the notice of intent to award in accordance with the County's Procurement Policy. A formal written procurement challenge shall be filed in the County Administrator's Office within ten (10) calendar days of the notice of intent to award. Failure to file a timely notice of intent to challenge or failure to file a timely formal written procurement challenge shall constitute a waiver of procurement challenge proceedings.
- B. The notice of intent to challenge shall contain at a minimum: the name of the vendor, the vendor's address, e-mail address, fax number and phone number, the name of the vendor's representative to whom notices may be sent, the name and procurement number of the competitive procurement, and a brief factual summary of the basis of the intended challenge.
- C. The formal written procurement challenge shall contain at a minimum: the vendor and the competitive procurement involved, a clear statement of the grounds on which the challenge is based, reference to the statutes, laws, ordinances or other legal authorities which the vendor deems applicable to such grounds, and the specific relief to which the vendor deems itself entitled by application of such authorities to such grounds. The vendor shall mail a copy of the notice of intent to challenge and the formal written procurement challenge to the selected vendor. The County Administrator shall, within ten (10) calendar days of receipt of the formal written procurement challenge, investigate the challenge claim. If the challenge is found to be lacking in legitimate legal grounds, or if the challenge is incorrect factually, the County Administrator shall inform the vendor of such finding. If the challenge is found to be meritorious, the County Administrator shall inform all vendors who submitted responses of such finding. In the event the challenge is not resolved to all affected parties' satisfaction, the Board shall, within a reasonable time, be presented with the written challenge and the County Administrator's findings. The procurement which is the subject of the protest shall not proceed until a final decision has been made, unless the Board makes a determination that the contract must proceed without delay to protect the substantial interests of the County. The Board's decision on the challenge shall be final.
- D. Nothing herein relinquishes the County's rights to waive irregularities and formalities. Further, nothing herein shall create any rights in the unsuccessful vendor.

SECTION VIII

LOCAL PREFERENCE

This project is being funded by FDOT via a SCRAP/SCOP Agreement; therefore, local vendor preference will **NOT** apply to this solicitation.

SECTION IX

MISCELLANEOUS

- A. **No Lobbying:** All respondents are hereby placed on notice that any communication, whether written or oral, with Hendry County elected officials or any County staff or outside individuals working with the County in respect to this procurement (with the exception of the Contract/Purchasing personnel designated to receive requests for interpretation or corrections or technical questions) is prohibited. These persons shall not be lobbied, either individually or collectively, regarding any request for bids, proposals, qualifications and/or any other solicitation released by the County. To do so is grounds for immediate disqualification from the selection process. All respondents must submit the attached No Lobbying Acknowledgement with their submittal stating that they and their subcontractors, sub-consultants and other agents agree to abide by the no lobbying restrictions in order to be considered for this request. Any respondent that does not submit the required No Lobbying Acknowledgement will be automatically disqualified from further consideration.

NOTE: For respondents' convenience, this certification form is attached and made a part of the procurement package.

- B. **Collusion, Gratuities and Kickbacks:** It shall be unethical for any respondent to collude with any other respondent or offer, give or agree to give any County Commissioner, County employee or County representative (including selection committee members) a gift, gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation or preparation of any part of the procurement process.

NOTE: For respondents' convenience, this affidavit is attached and made a part of the procurement package.

- C. **Modifications:** The County reserves the right to modify, alter or change the scope or other aspects of this solicitation.
- D. **Level Playing Field:** The contents of this solicitation are intended to provide a level playing field on which firms or individuals may base their responses.

E. **Public Entity Crime Affidavit:** As provided in Florida Statute 287.133(2)(a), 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 bid on a contract to provide any goods or services to a Public Entity, may not submit a bid on a contract with a Public Entity for the construction or repair of a public building or a public work, may not submit bids 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 s. 287.017 for Category Two for a period of 36 months from the date of being placed on the convicted vendor list. Any person must notify the County within 30 days after a conviction of a Public Entity Crime applicable to that person or to an affiliate of that person.

NOTE: For respondents' convenience, this affidavit is attached and made a part of the procurement package.

F. **Conflict of Interest:** The award hereunder is subject to the provisions of Chapter 112, Florida Statutes. All respondents must disclose with their submission the name of any officer, director, employee or agent who is also a public officer, employee or an agent of the Hendry County Board of County Commissioners, or any of its agencies.

Furthermore, all respondents must disclose the name of any County officer, employee or agent who owns, directly or indirectly, an interest of five percent (5%) or more in the firm or any of its parent companies or subsidiaries.

NOTE: For respondents' convenience, this affidavit is attached and made a part of the procurement package.

G. **Immigration Laws:** Respondents must comply with all applicable immigration laws in their employment practices.

NOTE: For respondents' convenience, this affidavit is attached and made a part of the procurement package.

H. **Grant Provisions:**

This Contract is part of a FDOT SCOP or SCRAP Grant and the following provisions also apply:

The Contractor shall comply and require its subcontractors to comply with all terms and conditions of the agreements and all federal, state, and local laws and regulations applicable to this Project.

Right of Inspection: Contractors and subcontractors are required to permit the Department's authorized representatives to inspect all work, materials, payrolls,

and records, and to audit the books, records, and accounts pertaining to the financing and development of the Project.

Indemnification: To the fullest extent permitted by law the Contractor shall indemnify and hold harmless the County, the State of Florida, Department of Transportation, and its officers and employees, from liabilities, damages, losses and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness or intentional wrongful misconduct of Contractor and persons employed or utilized by Contractor in the performance of this Contract.

This indemnification shall survive the termination of this Contract. Nothing contained in this paragraph is intended to nor shall it constitute a waiver of the State of Florida and the County's sovereign immunity.

E-Verification: Contractor shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the Contract.

Contractor shall expressly require any subcontractors performing work or providing services pursuant to the Contract to likewise utilize the U.S Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the Contract term.

Inspector General Cooperation: The Contractor agrees to comply with s.20.055(5), Florida Statutes, and to incorporate in all subcontracts the obligation to comply with s.20.055(5), Florida Statutes.

RFQ No. 2020-21

**ATTACHMENT 1
PROPOSER'S AFFIDAVIT**

I have carefully examined this solicitation, which includes scope, requirements for submission, general information and the evaluation and award process.

I acknowledge receipt of the following addenda.

Addendum # _____	Date: _____	Addendum # _____	Date: _____
Addendum # _____	Date: _____	Addendum # _____	Date: _____
Addendum # _____	Date: _____	Addendum # _____	Date: _____

I hereby propose to provide the services requested in the solicitation and, if awarded the project, to enter into a contract with the County. I agree that the terms and conditions of the solicitation shall take precedence over any conflicting terms and conditions submitted with my response and agree to abide by all conditions of the solicitation, unless a properly completed Exceptions to Solicitation form is submitted. I acknowledge that the County may not accept the response due to any exceptions.

I certify that all information contained in my response is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this response on behalf of the company as its agent and that the company is ready, willing and able to perform if awarded a contract.

Name of Business

Mailing Address

City, State & Zip Code

Authorized Signature

Telephone Number/Fax Number

Name & Title, Printed

Email Address

State of Florida
County of _____

This foregoing instrument was acknowledged before me this ____ day of _____, 2020, by _____, who is personally known to me or produced _____ as identification.

Signature of Notary Public – State of Florida

ATTACHMENT 2
RFQ No. 2020-21 PROPOSER'S QUALIFICATION QUESTIONNAIRE

Contractor must be certified/licensed by the State of Florida prior to submitting the type of work required by this project.

SUBMITTED BY: _____ () Individual
Company
_____ () Partnership
Street or PO Box
_____ () Corporation
City, State & Zip Code
_____ () Joint Venture
Phone/Fax/Email

The undersigned guarantees the truth and accuracy of all statements and all answers to questions hereinafter made.

1. Person to Contact _____ Title _____
Telephone # _____ Fax # _____ Email _____

2. How many years has your organization been in business as a licensed Contractor under your present name: _____ Year established : _____

3. Under what other names has your organization operated? _____

4. List below the names, titles and addresses of officers, owners and partners:

5. Prepare a list as indicated on Attachment 3 – Completed Projects (attached) of the last five (5) projects of this type your organization has completed.

6. Prepare a list as indicated on Attachment 4 – Current Projects (attached) of projects of this type that your organization is currently engaged in.

Have you ever failed to complete any work awarded to you? _____

When? _____

Where? _____

Why? _____

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**ATTACHMENT 3
COMPLETED PROJECTS**

1. Project Title and Location _____

Your Contract Amount _____

Contractor or Sub _____

Required Completion Date _____

Actual Completion Date _____

Owner's Contact's Name, Address & Phone Number _____

2. Project Title and Location _____

Your Contract Amount _____

Contractor or Sub _____

Required Completion Date _____

Actual Completion Date _____

Owner's Contact's Name, Address & Phone Number _____

3. Project Title and Location _____

Your Contract Amount _____

Contractor or Sub _____

Required Completion Date _____

Actual Completion Date _____

Owner's Contact's Name, Address & Phone Number _____

**ATTACHMENT 3
COMPLETED PROJECTS
(Continued)**

4. Project Title and Location _____

Your Contract Amount _____

Contractor or Sub _____

Required Completion Date _____

Actual Completion Date _____

Owner's Contact's Name, Address & Phone Number _____

5. Project Title and Location _____

Your Contract Amount _____

Contractor or Sub _____

Required Completion Date _____

Actual Completion Date _____

Owner's Contact's Name, Address & Phone Number _____

1. Project Title and Location _____

Your Contract Amount _____

Contractor or Sub _____

Required Completion Date _____

Actual Completion Date _____

Owner's Contact's Name, Address & Phone Number _____

2. Project Title and Location _____

Your Contract Amount _____

Contractor or Sub _____

Required Completion Date _____

Actual Completion Date _____

Owner's Contact's Name, Address & Phone Number _____

3. Project Title and Location _____

Your Contract Amount _____

Contractor or Sub _____

Required Completion Date _____

Actual Completion Date _____

Owner's Contact's Name, Address & Phone Number _____

**ATTACHMENT 4
CURRENT PROJECTS
(Continued)**

4. Project Title and Location _____

Your Contract Amount _____

Contractor or Sub _____

Required Completion Date _____

Actual Completion Date _____

Owner's Contact's Name, Address & Phone Number _____

5. Project Title and Location _____

Your Contract Amount _____

Contractor or Sub _____

Required Completion Date _____

Actual Completion Date _____

Owner's Contact's Name, Address & Phone Number _____

RFQ No. 2020-21

**ATTACHMENT A
NO LOBBYING ACKNOWLEDGEMENT**

_____ is the authorized representative of
_____.

(Name of contractor, firm or individual)

vendor to the subject solicitation issued by Hendry County. The vendor and any of its agents agrees to abide by the Hendry County no lobbying restrictions in regard to this solicitation.

Date

Signature

RFQ No. 2020-21 **ATTACHMENT B**
ANTI-COLLUSION & NO GIFTS AFFIDAVIT

STATE OF FLORIDA
COUNTY OF _____

_____ being first duly sworn, deposes and says that he/she is the authorized representative of _____ (name of respondent) and certifies as true the following statements.

Anti-collusion statement: The respondent has not divulged to, discussed, or compared his/her/its submission with other respondents and has not colluded with any other respondent or party to the solicitation whatsoever.

No gifts statement: The respondent understands that no rebates, gifts, gratuities or offers of employment are permitted with, prior to, or after the submission. Any such violation will result in rejection of the submission and removal from the procurement list(s).

Affiant

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 2020, by _____.

(stamp)

Signature of Notary Public
State of Florida

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

ATTACHMENT C

RFQ No. 2020-21

PUBLIC ENTITY CRIME AFFIDAVIT

Public Entity Crime Affidavit: As provided in Florida Statute 287.133(2)(a), 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 bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies 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 s. 287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.

SWORN STATEMENT PURSUANT TO FLORIDA STATUTE 287.133 ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to HENDRY COUNTY, FLORIDA

by: _____

(print individual's name and title)

for: _____

(print name of entity submitting sworn statement) whose business address is:

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid, proposal, reply, or contract for goods or services, any lease for real property, or any contract for the construction or repair of a public building or public work, involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

A. A predecessor or successor of a person convicted of a public entity crime; or

B. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or any entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.
6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Indicate which statement applies.)
 - Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity, has been charged with and convicted of a public entity crime subsequent to July 1, 1989.
 - The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity, has been charged with and convicted of a public entity crime subsequent to July 1, 1989.
 - The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity, has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list (attach a copy of the Final Order).

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

Affiant

STATE OF FLORIDA
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 2020, by _____.

Signature of Notary Public

(stamp)

State of Florida

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

SEAL OR STAMP

ATTACHMENT D
RFQ No. 2020-21 CONFLICT OF INTEREST DISCLOSURE AFFIDAVIT

STATE OF FLORIDA
COUNTY OF _____

_____ being first duly sworn, deposes and says that he/she is the authorized representative of _____ (Name of contractor, firm or individual) and certifies as true the following statements:

For purposes of determining any possible conflict of interest, all respondents must disclose if any Hendry County Board of County Commissioners' employee(s), elected official(s), or any of its agents is also an owner (5% or greater interest), corporate officer, director, employee, agent, etc., of their business.

Indicate either "yes" (a county employee, elected official or agent is associated with your business) or "no". If yes, give person(s) name(s) and position(s) with your business.

YES _____

NO _____

Name(s)

Position(s)

Affiant

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 2020, by _____.

Signature of Notary Public

(stamp)

State of Florida

RFQ No. 2020-21

**ATTACHMENT E
IMMIGRATION LAW AFFIDAVIT**

Hendry County will not intentionally award county contracts to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324 a(e) (Section 274a(e) of the Immigration and Nationality Act ("INA").

Hendry County may consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the INA. Such violation by the recipient of the employment provisions contained in Section 274A(e) of the INA shall be grounds for unilateral cancellation of the contract by Hendry County.

_____ being first duly sworn, deposes and says that he/she is the authorized representative of _____

(Name of contractor, firm or individual)

and certifies as true that this business is fully compliant with all applicable immigration laws, specifically relating to the INA and subsequent amendments.

STATE OF FLORIDA
COUNTY OF _____

Affiant

Sworn to (or affirmed) and subscribed before me this _____ day of _____,
2020, by _____.

Signature of Notary Public

(stamp)

State of Florida

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

ATTACHMENT F
RFQ No. 2020-21 DRUG-FREE WORKPLACE AFFIDAVIT

THE BELOW SIGNED respondent CERTIFIES that it has implemented a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the work place and specifying the actions that will be taken against employees for violation of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services associated with this project a copy of the statement specified in subsection 1.
4. In the statement specified in subsection 1, notify the employees that, as a condition of working on the commodities or contractual services associated with this project, the employee will abide by the terms of the statement and will notify the employer of any conviction or plea of guilty or nolo contendere to any violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in, drug abuse assistance or rehabilitation program if such is available in the employee's community, by an employee who is convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign this statement, I certify that this firm complies fully with the above requirements.

Affiant

STATE OF FLORIDA
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 2020, by _____.

Signature of Notary Public

(stamp)

State of Florida

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

RFQ No. 2020-21 **ATTACHMENT G**
EXCEPTIONS TO SOLICITATION

Each respondent may submit this form, as necessary, to sufficiently list all exceptions and variations from specifications. Please list, as shown, by page and item, if respondent is unable to supply the specified item or chooses to provide the specified item in an alternative manner. The County shall be the sole judge of a proposed substitution equivalency.

<u>Specification</u>	<u>Page</u>	<u>Item</u>	<u>Not Available/Explanation</u>
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ATTACHMENT H
SAMPLE RANKING SHEET

SAMPLE

RFQ Number and Title		Professional Experience	Project Understanding & Approach	Project Personnel	Professional Capabilities	Client References	Total	Rank
Reviewer	Applicant	25 points	15 points	25 points	30 points	5 points	100 points	
	Firm #1							
	Firm #2							
	Firm #3							
Selection Committee Member #1	Firm #1							
	Firm #2							
	Firm #3							
Selection Committee Member #2	Firm #1							
	Firm #2							
	Firm #3							
Selection Committee Member #3	Firm #1							
	Firm #2							
	Firm #3							

Total of Ordinal Scores

Company	Selection Committee Member #1	Selection Committee Member #2	Selection Committee Member #3	Total	Rank
Firm #1					
Firm #2					
Firm #3					

Total Points - Tie-Breaker (if required)

Company	Selection Committee Member #1	Selection Committee Member #2	Selection Committee Member #3	Total	Rank
Firm #1					
Firm #2					
Firm #3					