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SUBJECT: RFQ FOR DESIGN–BUILD SERVICES FOR MULTIPLE ADA CURB RAMP IMPROVEMENTS DESIGN-BUILD PROJECTS

BID # CDB-0158-21 **OPEN DATE: 2021-10-27**

COMPETITIVE SEALED PROPOSAL EVALUATION COMMITTEE

KIND AND BASIS OF CONTRACT: CONSTRUCTION – DESIGN/BUILD- PRE-QUALIFICATIONS

AGENCY: PUBLIC WORKS

BASIS OF AWARD: EVALUATION CRITERIA

NUMBER OF BIDS INVITED: 9 **NUMBER RECEIVED: 2** **OTHER: 0**

SUMMARY OF BIDS AND RECOMMENDED ACTIONS:

The City of Jacksonville received two (2) proposals for Design–Build Services for Multiple ADA Curb Ramp Improvements Design-Build Projects. The two (2) proposals received were from ACON Construction Co., Inc. and Baker Consulting & Engineering LLC, dba, Baker Design Build.

Recommend approval to move forward with the evaluation of the two (2) proposals received from ACON Construction Co., Inc. and Baker Consulting & Engineering LLC, dba, Baker Design Build in accordance to section 126.701 of the procurement code. Department has determined no advantage would be gained by the re-solicitation of this bid.

ATTACHMENTS: Recommendation Memo, Section 2.6, Attachment B- Evaluation Criteria

ANALYST: _____
BRYAN MATUS

RESPECTFULLY SUBMITTED: _____
GREGORY PEASE, CHIEF
PROCUREMENT DIVISION

CONCURRENCE BY: **Robin G. Smith, P.E., Chief, Engineering and Construction Management**

(ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS)
ACTION OF CSPEC COMMITTEE ON RECOMMENDATIONS ABOVE

MEMBERS APPROVING_____ MEMBERS DISAPPROVING_____ DATE:_____

_____ _____ OTHER_____

_____ _____

_____ _____

_____ _____

_____ _____

ACTION OF AWARDING AUTHORITY DATE _____

APPROVED_____ DISAPPROVED: _____

OTHER: _____

SIGNATURE OF AUTHENTICATION _____

ONE CITY ONE JACKSONVILLE.

City of Jacksonville, Florida

Lenny Curry, Mayor

Department of Public Works
Engineering & Construction Management Division
214 N. Hogan Street, 10th Floor
Jacksonville, FL 32202
(904) 255-8762
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October 28, 2021

TO: Gregory W. Pease
Chief of Procurement

THRU: John P. Pappas, P. E.
Director

FROM: Robin G. Smith, P. E.
Chief, Engineering and Construction Management

SUBJECT: Request to Proceed with Evaluation of Two Respondents – CDB-0158-21 Multiple ADA Curb Ramp Improvements Design Build Projects

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Only two proposals were received from the solicitation for the Design-Build RFQ for Multiple ADA Curb Ramp Improvements Design Build Projects. Public Works respectfully requests that we be allowed to proceed with the evaluation of the two respondents. No advantage would be gained by the re-solicitation of this bid.

Should you have any questions, please give me a call at 255-8710.

RG/lw

cc: Lori West, Engineering and Construction Management
Richard Cooper, Engineering and Construction Management

B. Contractor shall submit:

1) One (1) original signed version of its Response clearly marked as "ORIGINAL." The Response must be signed by an officer or employee having authority to legally bind Contractor.

2) Five (5) hard copies of the entire Response.

3) One (1) digital scanned copy (in pdf format) of entire Response, on a separate CD-ROM or flash drive. Large files may be scanned as several separate PDF files.

4) One (1) REDACTED scanned copy of the Response (if necessary pursuant to Section 2.12). This copy should be marked "Confidential - Trade Secret" or something comparable to alert the reader of Contractor's claim of a public records exemption.

All copies are to be placed in a sealed package. The outside must be marked with (i) the RFQ title and number, and (ii) Contractor's name, address, contact person, and telephone number.

It is the sole responsibility of each Contractor to assure all copies are EXACT duplicates of the original Response. Photocopies or CD copies will be used for the purpose of evaluating the Responses. Any information contained in the original Response which has not been transferred to the CDs or photocopies will NOT be considered. The original document will be used solely for official record keeping and auditing purposes.

2.5 Evaluation of Statement of Qualifications.

A. City will determine the qualifications, interest and availability of Design-Build Firms by reviewing all SOQ Responses and by conducting formal interviews of selected Design-Build Firms that are determined to be the best qualified based upon evaluation of the SOQ Responses.

B. The determination of which Design-Build Firms are "best qualified" will be based upon the evaluation criteria set forth in this RFQ on Attachment B, which criteria includes qualifications in accordance with Section 287.055, F.S. , and Part 7 of Chapter 126, Ordinance Code.

C. Before making an award, City reserves the right to seek clarifications, revisions, and information it deems necessary for the proper evaluation of the SOQ Responses. Failure to provide any requested clarifications, revisions or information may result in rejection of the SOQ Responses.

D. City reserves the right to accept or reject any and all SOQ Responses, or separable portions thereof, and to waive any minor irregularity, technicality, or omission if City determines that doing so will serve City's best interests. City may reject any Response not submitted in the manner specified by the RFQ.

2.6 Award of Design-Build Contract.

A. The process for contract award is set forth in Section 287.055, Florida Statutes, and Jacksonville Ordinance Code Chapter 126, Part 7. Generally, City will evaluate, select and rank, based on the highest to lowest evaluation score, three Design-Build Firms determined based on the evaluation to be the most qualified and advantageous to the City of Jacksonville, and conduct formal interviews with the each of the three-top ranked Firms. The relative importance (i.e., maximum scoring points) assigned to the Evaluation Criteria is set forth on Attachment B.

B. The three top-ranked Design-Build Firms may also be scheduled to make presentations before CSPEC, in its sole discretion, regarding their qualifications, organization, development documents, and ability to furnish the required design-build services in

accordance with Section 287.055, F.S. and Chapter 126, Part 7. Once the presentations, if any, are completed, the CSPEC will forward their recommendation of rankings (first, second, and third ranked Firms) to the Mayor's Office for approval.

C. Once the City has obtained approval of the rankings, the City shall negotiate with the highest ranked Firm for professional design services pursuant to Section 287.055(5), F.S., at compensation which the City determines is fair, competitive and reasonable for the Project. Should the City be unable to negotiate satisfactory compensation with the highest ranked Firm, the City will terminate negotiations with the highest ranked Firm. The City shall then undertake negotiations with the second highest ranked Firm for compensation which the City determines is fair, competitive and reasonable for the Project. Should the City be unable to negotiate satisfactory compensation with the second highest ranked Firm, the City will terminate negotiations with the second highest ranked Firm. The City shall then undertake negotiations with the third highest ranked Firm, and should the City be unable to negotiate satisfactory compensation with the third highest ranked Firm, the City may terminate this RFQ and reissue the RFQ in its sole discretion. Notwithstanding this 2.6(C), pursuant to Section 2.2 above, the City reserves the right to cancel or reissue this RFQ at any time in its sole discretion.

D. Once the City has negotiated satisfactory compensation for professional design services with one of the three top-ranked Design-Build Firms, the CSPEC will forward a recommendation to the Mayor's Office for a Design-Build Contract award, whereby the Design-Build Firm and the City will subsequent to the execution of the Contract, negotiate via a two-step approach payment for the preliminary design (60%) performed by Design-Builder for a specific project based on the Design Criteria Package, and then the guaranteed maximum price (GMP) and guaranteed completion date (GCD) for each Specific Project and incorporate such terms into the Contract by written amendments executed by the parties.

E. City may make an award within sixty (60) days after the date of the Responses are due, during which period the Responses shall remain firm and shall not be withdrawn. Any Response that expresses a shorter duration may, in City's sole discretion, be accepted or rejected. If award is not made within sixty (60) days, the Response shall remain firm until either the Contract is awarded or City receives from Contractor written notice that the Response is withdrawn. [Note: Withdrawal of a Response may be requested within 72 hours (excluding State holidays, Saturdays and Sundays) after the date and time Responses are due. City will not accept an amended Response after the date and time Responses are due.]

F. Except as may otherwise be expressly set forth in the RFQ, City intends to award one contract, but reserves the right to reject all Responses.

G. Based on the evaluation results, City shall electronically post a notice of intended award at City's website. Please contact the Contact Person if you are uncertain of City's website address or if you experience problems accessing it. Any person who is adversely affected by the decision shall file with City a notice of protest in accordance with the Protest provisions of the RFQ. City does not intend to provide tabulations or notices of award by telephone.

H. Subsequent to the award of the Design-Build Contract, in the event the City is unsuccessful in negotiating a GMP and GCD for a Specific Project with the Design-Build Firm, the City reserves the right to terminate the Contract and proceed with a separate solicitation for the identified project or any projects intended for this RFQ.

2.7 <u>Terms of Agreement</u>. After award to the successful Design-Build Firm in accordance with Section 2.6 above, City and Design-Build Firm will promptly enter into a Contract incorporating the terms of this RFQ, the requirements of Section 287.055, F.S. to negotiate a GMP and GCD for each Individual Project, and other terms and conditions as may be agreed to between the parties. To the extent the Response contains exceptions to or modifications of the RFQ, such exceptions or modifications are stricken unless City affirmatively accepts the exceptions or modifications in the Contract. The Contract will be substantially in the form set forth in Form 5 of this RFQ, subject to

Attachment B– Evaluation Criteria

General:

Upon approval of the ranking of DBF responses under each category, the City shall conduct oral interviews for the top ranked firms in accordance with Section 287.055, F.S.. The QES will again serve as the selection committee under the auspices of CSPEC. Separate criteria and schedules will be provided to the top ranked firms under consideration for the interviews.

At the conclusion of the ranking process, the City intends to select the top-ranked DBF as specified within this RFQ. The City intends to contract with the top-ranked DBF.

The City reserves its right to terminate the design build solicitation for any proposed project and transfer it for execution through the design-bid-build delivery method.

A DBF selected to receive a DCP for a specific project shall be required to retain all employees, consultants, sub-consultants, contractors, sub-contractors, and suppliers necessary for the proper execution of the project as it has been listed in the DBF SOQ submitted in response to this solicitation unless otherwise agreed between the parties and approved by the City.

I. EXPERIENCE, COMPETENCE IN, AND APPROACH TO SIMILAR DESIGN-BUILD PROJECTS (ABILITY OF PROFESSIONAL PERSONNEL). (30 Point Value)

Provide concise information pertaining to professional qualifications, experience, and competence of the Design Build Team or individual firms of the Design Build Team as follows:

1. Identify the lead organization and primary members of the Design Build Team. Name the DBF with whom the City will be contracting and identify if this will be a partnership, corporation, joint venture, etc.
2. Provide an organizational chart of the DBF team describing the role and responsibilities of each team member. Identify all team members that are pre-qualified by the City as a Jacksonville Small Emerging Business.
3. Provide proof of insurance and bonding capacity adequate to complete projects. (Appendix item)
4. Provide proof of licensing including occupational license tax for all business entities and individual professional members of the DBF team. (Appendix item)
5. The DBF team must include at a minimum the following Key Individuals in order for the SOQ to be deemed technically responsive. Identify the Key Individuals and the business entities (firms) by which those individuals are employed. Provide a clear definition of the role and responsibility of each Key Individual relative to the member firm.
   a. Project Principal – The Project Principal (Director) shall be the primary person in charge of and responsible for delivery of the Project in accordance with the Design Build Contract requirements. The Project Principal must have full authority to make the final decisions on behalf of the DBF and have responsibility for communicating these decisions to the City of Jacksonville, Florida. The Project Principal must have at least ten (10) years of requisite experience and provide at least five representative projects.
   b. Lead Design Professional – The Lead Design Professional shall be in charge of and responsible for all aspects of the design of the Project and shall be a Florida Registered Engineer or Architect or Landscape Architect. The Lead Design Professional shall have a minimum of ten (10) years of post-registration experience in design of similar public or private facility projects, including five (5) years of supervisory experience. The Lead Design Professional shall have coordination and project management responsibilities over the Project Design Team.
   c. Specialty Design Engineer, Architect, and Landscape Architect – The Specialty Design Engineers such as Civil, Traffic, Drainage, Structural, Electrical, as well as any other

necessary design professional shall comprise the Project Design Team and be responsible for preparation of construction drawings, calculations and specifications in their respective specialty. Each Specialty Engineer and other design professional shall be licensed in the State of Florida with at least five (5) years of post-registration design experience. Each design professional shall provide at least five representative projects.

d. Construction Manager - The Construction Manager shall report directly to the Project Principal and shall be responsible for the overall coordination of projects at each location including participation in the design and primary on-site responsibility for construction. The Construction Manager shall have at least five years' experience in this role and provide at least five representative projects while serving as a Construction Manager or Site Superintendent.

e. Design Quality Control Manager - The Design Quality Control Manager shall be responsible for assuring that the design of each project is in compliance with the requirements of the Design Build Contract. The Design Quality Control Manager shall be a Professional Engineer, Registered Architect, or Registered Landscape Architect licensed in the State of Florida and shall report directly to the Project Principal. The Design Quality Control Manager shall have at least 10 years of post-registration experience in design and construction. The Design Quality Control Manager will provide at least three (3) examples of requisite experience in this role.

f. Construction Quality Control Manager - The Construction Quality Control Manager shall be responsible for assuring that all workmanship and materials are in compliance with the Design Build Contract Requirements. The Construction Quality Control Manager shall have at least ten (10) years of experience in building construction, utility construction, or other representative experience related to the project type offering. The Construction Quality Control Manager will provide at least three (3) examples or requisite experience in this role.

6. All members and personnel of the Design Build Project Team shall hold licenses required for performing work on a specific project under the State of Florida or the City of Jacksonville law and ordinances including occupational tax licenses.
7. Provide information demonstrating that the DBF personnel possess the required minimum qualifications specified in Item 5.
8. Design Build Firm's design team shall have the necessary equipment and personnel to provide the design plans and specifications in a timely manner.
9. Provide one-page resumes of the Key Individuals and other personnel that the Design Builder considers critical to the successful completion of the Project including all team members discussed above in the appendix.
10. Modification to the Design Build Firm's Team or Key Individuals and other personnel listed above is discouraged. The City will not approve requests for modification without justification. Examples of justification include changes in employment status, bankruptcy, inability to perform, organizational conflict of interest, or death of a team member. Replacement team members must be submitted to the City for approval demonstrating equivalent experience to the individual being replaced.
11. For the Project Principal, Lead Design Engineer, and Construction Manager compose a list of projects that they managed in the past. Each list shall consist of a brief description of the projects managed by each of them, name of the owner the work was performed for, the owner's representative's telephone number, total construction cost, duration of construction, and any unusual features.

II. PAST PERFORMANCE AND RECORD OF PROFESSIONAL ACCOMPLISHMENTS (20 Point Value).

Provide concise information describing:

1. For the DBF including the Design Build team, provide information demonstrating the firm's qualifications for performing work included in this

RFQ. The information shall consist of a list of project experience in the past five (5) years, including year(s) of design and/or construction experience. Provide a separate list of design and construction projects performed by members of the DBF team for the City. (This information may be included in the appendices and will not be counted against the 25-page limit.)

2. For each project listed, provide:
    a. A brief description of the project,
    b. Name of owner for whom the work was performed,
    c. Name, title, and phone numbers of owner's representatives who can verify and discuss the firm's participation in these projects.

    (This information may be included in the appendices and will not be counted against the 25-page limit.)

3. Provide brief answers and explanations to the following questions:
    a. Has any member of the DBF team defaulted and/or been terminated on any project within the last (5) years?
    b. In the past five (5) years, has any member of the DBF team been suspended, debarred, disqualified from bidding, or declared ineligible for work by any entity or are any such action pending against them?
    c. How many contract claims were submitted in the past five (5) years by members of the DBF team and how were they resolved?
    d. Does any member of the DBF team have active projects that are behind schedule? If so, why are the projects behind schedule?
    e. Has any member of the DBF team been assessed erosion and sediment control violations and/or fines within the last five (5) years?
    f. Within the last five (5) years, how many projects were constructed by the Design Builder's team that were completed three (3) or more months before the target completion date of these projects? Provide details.
4. Provide the current National Council on Compensation Insurance (NCCI) Experience Modification Rate (EMR) for each DBF team member and all major sub-contractors. Note that the minimum acceptable EMR rating cannot exceed 1.0. If the EMR rating submitted is more than 1.0, the respondent will be regarded as nonresponsive.
5. Provide DBF safety goals for the Project.

III. AVAILABILITY OF ADEQUATE PERSONNEL, EQUIPMENT, AND FACILITIES (10 Point Value).

Provide concise information pertaining to the DBF team's ability to provide adequate personnel, equipment, and facilities in order to provide required design, construction, and quality control services for the Project:

1. Provide the Team Organizational Chart listing available personnel, equipment, and facilities in the design, construction, and quality control activities.
2. Demonstrate the team's ability to commit necessary resources to successfully complete the Project.
3. Demonstrate project team's leadership capability and relevant management experience for the design, construction, and quality control requirements of the Project.

IV. RECENT, CURRENT AND PROJECTED WORKLOAD (5 Point Value)

Provide the number and size of the projects currently being performed. Discuss past ability to deliver projects on a timely basis under similar current workload conditions.

V. OVERALL WILLINGNESS TO MEET BOTH TIME AND BUDGET REQUIREMENTS FOR THE PROJECTS (10 Point Value).

In an effort to remain consistent with Chapter 287, Florida Statutes, responding to this evaluation criterion necessitates that a proposer include statements and references demonstrating that the proposer met both time and budget requirements on projects of similar size and scope that were completed by the proposer within the past three years and that the proposer is meeting both time and budget requirements on projects of similar size and scope that are currently being performed by the proposer ("Reference Projects"). As part of its response to this evaluation criterion, the proposer:

1. must submit an expressed statement of its overall willingness to meet both time and budget requirements for the project in question; and
2. should submit, without limitation, project narratives, schedules, design and construction cost and fee summaries and owner references for any Reference Projects. Any Reference Project which has been completed or for which construction is underway will segregate and identify any design-related schedule or budget impacts. Design schedule and budget information will include both the original and the current or completed schedule and cost data.

During contract negotiations, successful proposers will be required to provide a Schedule of Proposed Rates on the forms provided as "Form 6". Such rates and costs will be used in the negotiation of fees and shall remain in effect throughout the length of the contract, except – **at the sole discretion of the City** - such rates may be adjusted when an amendment to the original agreement is being negotiated; provided any increases in rates shall not exceed actual increases In the appropriate index (CPI or PPI) for the service being provided since the date of the Original Agreement (Contract). Any allowable rate adjustments for subconsultants shall also follow this procedure.

Schedule A is provided in the RFQ for information only. **Do not return this form with your proposal.**

Proposed overhead rate is limited to 175% of direct labor. Proposed overhead rates in excess of 175% shall conform to Federal Acquisition Regulations as established by a governmental audit certified to by a Certified Public Accountant. However, under no circumstances shall the overhead rate exceed 200%. Profit rate shall only be applied to direct labor plus overhead. No mark-up or profit shall be paid on non-labor related costs, reimbursables or on services provided by subconsultants or others.

VI. THE VOLUME OF CURRENT AND PRIOR WORK PERFORMED FOR USING AGENCIES SHALL BE CONSIDERED A MINUS FACTOR. (5 Point Value)

Provide a list of all local government projects on which Contractor has been awarded fees during the past five (5) years. Include only those projects on which Contractor was the Prime Contractor (do not delete fees paid to subcontractors or others). Such list shall include all work for the City of Jacksonville and its various "using agencies," which is defined in the Jacksonville Ordinance Code as "a department, division, office, board, agency, commission or other unit of Buyer and independent agency required by law or voluntarily requesting to utilize the services of the [Procurement] Department"; and with any of Buyer's Independent Authorities"; and on projects undertaken with others that are similar in nature to the size and scope of professional services and/or work required for the project solicitation herein. If the Contractor has not performed work for any of these agencies during the past five (5) years, the response should so clearly state.

VII. FINANCIAL RESPONSIBILITY (10 Point Value)

Provide concise information pertaining to the DBF team's financial responsibility:

A. Indicate the DBF form of business, e.g., corporation, partnership, joint venture, or sole proprietor. Provide information about years in business, change in ownership, bank references, and any other information the DBF may wish to submit to allow the City to verify financial responsibility of each member of the DBF team.

B. Provide the latest DBF Dunn & Bradstreet rating, and financial statement including current balance sheet, and a bank letter indicating the status of all accounts for each principle entity in the DBF team.

C. For a joint venture, provide pertinent complete financial information for each joint venture partner.

D. Disclose any unpaid judgments in excess of $100,000.

E. Disclose any disputed or un-adjudicated claims in excess of $500,000.

F. If the DBF or a Partner in the Joint Venture requires any financial information to be held in confidence, such information shall be submitted in sealed envelopes.

G. Provide evidence that the DBF current bonding capacity is at least $6,000,000. This evidence shall be in the form of a commitment letter from a licensed bonding company (surety).

H. The DBF (and joint venture partners) shall provide a comparison of the anticipated gross monthly billings for the next twelve months for uncompleted work presently under contract, with monthly gross billings for design and construction over the past 24 months.

VIII. LOCATION (5 Point Value).

Document the location of Contractor's corporate headquarters, which, if located in Jacksonville, Florida, no further information is required under this criterion and maximum points will be awarded. If Contractor's corporate headquarters are not located in Jacksonville, Florida, please document the location and the nature of business of Contractor's branch office(s), if any, that are located in and/or that are closest to Jacksonville, Florida, the number of employees assigned thereto and the period of continuous existence thereof. Additionally, Contractors are requested to demonstrate, define and provide examples of their ability to provide the services contemplated herein in a manner comparable to having a local office in Jacksonville, Florida or to show that a local office is not necessary to satisfactorily perform the services required for this project, in which event maximum points may be awarded

IX. QUALITY CONTROL PLAN (DESIGN & CONSTRUCTION) (5 Point Value)

The Quality Control Program is a critical component of the design and construction of the Project. It represents assurances to the City that the DBF is executing in accordance with the contract documents. The City will provide the quality assurance and independent testing, but the established Quality Control Program is the backbone for which the City will gauge compliance. The City shall negotiate the provisions of the acceptable Quality Control Program and finalize it prior to contract award.

Describe how the DBF proposes to incorporate the City's quality assurance requirements into his/her Quality Control Program.

The City's quality assurance requirements consist of the following elements: (a) Design Reviews by the Public Works Department, using agency, and/or design consultants hired by the City at the 30%, 60%, 90%, and 100% design completion stages or as determined by the City's PM; (b) Permits and Inspections required by local, state, and Federal regulatory agencies; (c) Reviews and Approvals by Utility Companies; (d) Submittal Reviews by the Department of Public Works or designated consultant; (e) Regular Construction Inspections performed by the Department of Public Works or designated consultant; and (f)

Construction Material Testing conducted by the City's Testing Consultant.

X. SOQ POINT VALUE FOR EACH EVALUATION CRITERION

The maximum number of points as shown below may be awarded by the QES of the CSPEC to the DBF based on verifiable information provided in the SOQ for each evaluation category listed and described herein.

Failure to provide adequate information on any criterion will result in lower scores and could result in rejection of the Statement of Qualification as non-responsive.

The responses to each of the criterion will be evaluated relative to other responses received and awarded a score as listed in the table below.

Item in Attach B	Item's Title	Maximum Number of Points
I	Experience, competence in and approach to the design and construction of various similar design-build projects	30
II	Past professional accomplishments and performance	20
III	Availability of adequate personnel, equipment, and facilities	10
IV	Current Workload	5
V	Overall willingness to meet time and budget requirements for the projects	10
VI	The volume of current and prior work performed for using agencies shall be considered a minus factor	5
VII	Financial responsibility	10
VIII	Location	5
IX	Quality control plan (design & construction)	5
Maximum Score		**100**

XI. ORAL INTERVIEWS

The Oral Interviews will have an additional value of thirty (30) points which will be added to the DBF Score from the evaluation of the SOQ. The three top-ranked DBFs from the SOQ Evaluation Process will be provided the criteria and scheduling information for the Oral Interviews. Final Ranking of the top three firms will be based upon the combination of scores combined from the SOQ Evaluation and the Evaluation of the Oral Interviews.