

State of Florida
Department of Transportation
District Four, Procurement Office
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

INVITATION TO NEGOTIATE REGISTRATION

PLEASE COMPLETE AND RETURN THIS FORM ASAP

E-MAIL TO Joe Ricardo at D4CS@dot.state.fl.us

ITN Number: ITN-DOT-17/18-4007JR

Title: Districts Four and Six Commuter Services

Sealed Reply Due Date & Time: _____

Vendors should notify our office by returning this Registration Form as soon as possible after downloading. Complete the information below and email this sheet only to the Florida Department of Transportation Procurement Office at the address above.

THE INVITATION TO NEGOTIATE DOCUMENT YOU RECEIVED IS SUBJECT TO CHANGE. Notice of changes (Addenda), will be posted on the Florida Vendor Bid System at www.myflorida.com, under this ITN number (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", then click on "Search Advertisements", click on the drop-down arrow beside the box under Advertisement Type, select Competitive Solicitation, click on the drop-down arrow beside the box under Agency, select DEPARTMENT OF TRANSPORTATION, then go to the bottom of the same page and click on Advertisement Search. It is the responsibility of all potential vendors to monitor this site for any changing information prior to submitting your reply.

Company Name: _____

Address: _____

City, State, Zip: _____

Telephone: () _____ Fax Number: () _____

Contact Person: _____

Internet E-Mail Address: _____

For further information on this process, e-mail: Joe Ricardo at D4CS@dot.state.fl.us

**State of Florida
Department of Transportation**



INVITATION TO NEGOTIATE
Districts Four and Six Commuter Services

ITN-DOT-17/18-4007JR

CONTACT FOR QUESTIONS:

Joe Ricardo, Procurement Agent
D4CS@dot.state.fl.us
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

INTRODUCTION SECTION

1) INVITATION

The State of Florida Department of Transportation (hereinafter referred to as the "Department") is soliciting written replies from vendors interested in participating in competitive negotiations to establish a term contract to provide **Districts Four and Six Commuter Services**. It is anticipated that the term of the agreement will be from the date of contract execution through **60 months**.

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2) TIMELINE

Provided below is a list of critical dates and actions. These dates are subject to change. Notices of changes (Addenda) will be posted on the Florida Vendor Bid System at www.myflorida.com (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", click on "Search Advertisements") under this ITN number. It is the responsibility of all potential vendors to monitor this site for any changing information prior to submitting your reply.

ACTION / LOCATION	DATE	LOCAL TIME
DEADLINE FOR TECHNICAL QUESTIONS - (There is no deadline for administrative questions)	1-10-2018	5:00 PM
INITIAL REPLIES/QUALIFICATIONS QUESTIONNAIRES DUE 3400 West Commercial Boulevard Fort Lauderdale, FL 33309	1-22-2018	10:30 AM
PUBLIC OPENING (Initial Replies) - 3400 West Commercial Boulevard Fort Lauderdale, FL 33309	1-22-2018	11:00 AM
PUBLIC MEETING TO SHORTLIST- 3400 West Commercial Boulevard Fort Lauderdale, FL 33309	1-30-2018	2:30 PM
PUBLIC SELECTION MEETING (Reading of Shortlist) 3400 West Commercial Boulevard Fort Lauderdale, FL 33309	2-5-2018	9:00 AM
POSTING OF SHORTLIST ON VBS-	2-5-2018	4:00 PM
ORAL PRESENTATIONS- (Start date) & PRELIMINARY PRICE PROPOSALS DUE (not open to the public) 3400 West Commercial Boulevard Fort Lauderdale, FL 33309	Week of 2-19-2018	
PUBLIC MEETING TO RANK VENDORS - 3400 West Commercial Boulevard Fort Lauderdale, FL 33309	2-23-2018	2:30 PM
PUBLIC SELECTION MEETING (Reading of Ranking) 3400 West Commercial Boulevard Fort Lauderdale, FL 33309	3-5-2018	9:00 AM
POSTING OF RANKING ON VBS -	3-5-2018	4:00 PM
PUBLIC SELECTION MEETING (Intent to Award) 3400 West Commercial Boulevard Fort Lauderdale, FL 33309	4-16-2018	9:00 AM
POSTING OF INTENT TO AWARD ON VBS-	4-16-2018	4:00 PM

3) PUBLIC MEETING AGENDA

Agenda – Public Opening (Initial Replies)

Agenda for Public Opening of initial replies to ITN-DOT-17/18-4007JR:

Starting Time: see “Timeline” in ITN solicitation

- Opening remarks of approx. 2 minutes by Department Procurement Office personnel.
- Public input period – To allow a maximum of 15 minutes total for public input related to the ITN solicitation.
- At conclusion of public input or 15 minutes, whichever occurs first, the initial replies received timely will be opened, with respondent’s name read aloud and tabulated.
- Announce time and date of the Meeting to Summarize and Shortlist firms.
- Adjourn meeting.

Agenda – Meeting to Summarize and Shortlist

Agenda for Meeting to Summarize and Shortlist firms for ITN-DOT-17/18-4007JR:

Starting Time: see Timeline in ITN solicitation

- Opening remarks of approx. 2 minutes by Department Procurement Office personnel.
- Public input period – To allow a maximum of 15 minutes total for public input related to the ITN solicitation.
- At conclusion of public input or 15 minutes, whichever occurs first, the evaluations of Initial Replies received will be summarized.
- Determine firms to be recommended for the Shortlist.
- Announce the firms to be recommended for the Shortlist.
- Announce time and date of the Public Selection Meeting (Reading of Shortlist) Selection Committee Meeting for the Reading of Shortlist.
- Adjourn meeting.

Agenda – Public Selection Meeting (Reading of Shortlist)

Agenda for Public Selection Meeting (Reading of Shortlist) for ITN-DOT-17/18-4007JR:

Starting Time: see “Timeline” in RFP solicitation

- Opening remarks of approx. 2 minutes by Department Procurement Office personnel.
- Public input period – To allow a maximum of 15 minutes total for public input related to the RFP solicitation.
- At conclusion of public input or 15 minutes, whichever occurs first, the Shortlist will be read.
- Selection Committee will express concurrence.
- Announce time and date of the Posting of the Shortlist and Public Meeting to Rank Vendors.
- Adjourn

Agenda – Meeting to Summarize & Rank Vendors

Agenda for Meeting to Summarize & Rank Vendors for ITN-DOT-17/18-4007JR:

Starting Time: see Timeline in ITN solicitation

- Opening remarks of approx. 2 minutes by Department Procurement Office personnel.
- Public input period – To allow a maximum of 15 minutes total for public input related to the ITN solicitation.
- At conclusion of public input or 15 minutes, whichever occurs first, recap and discussion among evaluation team(s) to determine recommendations for Ranking of Shortlisted firms.
- Announce recommended for Ranking of Shortlisted Firms.
- Announce time and date the Public Selection Meeting (Reading of Ranking).
- Adjourn meeting.

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Agenda – Public Selection Meeting (Reading of Ranking)

Agenda for Public Selection Meeting (Reading of Ranking) for ITN-DOT-17/18-4007JR:

Starting Time: see “Timeline” in RFP solicitation

- Opening remarks of approx. 2 minutes by Department Procurement Office personnel.
- Public input period – To allow a maximum of 15 minutes total for public input related to the RFP solicitation.
- At conclusion of public input or 15 minutes, whichever occurs first, the Ranking of Shortlisted firms will be read.
- Selection Committee will express concurrence.
- Announce time and date of the Posting of the Ranking and Final Selection Meeting.
- Adjourn

Agenda – Public Selection Meeting to Summarize & Determine Intended Award

Agenda for Public Selection Meeting to Summarize & Determine Intended Award for ITN-DOT-17/18-4007JR:

Starting Time: see Timeline in ITN solicitation

- Opening remarks of approx. 2 minutes by Department Procurement Office personnel.
- Public input period – To allow a maximum of 15 minutes total for public input related to the ITN solicitation.
- At conclusion of public input or 15 minutes, whichever occurs first, recap and discussion among evaluation team(s) to determine “best value”.
- Announce Proposer determined to be “best value” as the Intended Award.
- Announce time and date the decision will be posted on the Vendor Bid System (VBS).
- Adjourn meeting.

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- **—Remainder of page intentionally left blank—**

4) **SPECIAL ACCOMMODATIONS**

Any person with a qualified disability requiring special accommodations at a pre-reply conference, public meeting, oral presentation and/or opening shall contact the contact person at the phone number, e-mail address or fax number provided on the title page at least five (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services which can be reached at 1 (800) 955-8771 (TDD).

SPECIAL CONDITIONS

1) **MyFloridaMarketPlace**

VENDORS MUST BE ACTIVELY REGISTERED IN THE STATE OF FLORIDA'S MYFLORIDAMARKETPLACE SYSTEM BY THE TIME AND DATE THE SEALED REPLIES ARE DUE OR THEY MAY BE CONSIDERED NON-RESPONSIVE (see Special Condition 16). All prospective vendors that are not registered, should go to <https://vendor.myfloridamarketplace.com/> to complete on-line registration, or call 1-866-352-3776 for assisted registration.

All payment(s) to the vendor resulting from this competitive solicitation **WILL** be subject to the MFMP Transaction Fee in accordance with the attached Form PUR 1000 General Contract Condition #14. . However, all vendors should be aware, that effective July 1, 2016 through June 30, 2017, in accordance with House Bill 5003 Sec.73, the Transaction Fee will be seven-tenths of one percent (.70%) of the payment issued. The Transaction Fees imposed shall be based upon the date of issuance of the payment.

2) **Florida Department of Financial Services (DFS) W-9 INITIATIVE**

The Florida Department of Financial Services (DFS) requires all vendors that do business with the state to submit an electronic Substitute Form W-9. Vendors must submit their W-9 forms electronically at <https://flvendor.myfloridacfo.com> to receive payments from the state. Contact the DFS Customer Service Desk at (850) 413-5519 or FLW9@myfloridacfo.com with any questions.

3) **QUESTIONS & ANSWERS**

In accordance with section 287.057(23), Florida Statutes, respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

Any technical questions arising from this Invitation to Negotiate must be forwarded, in writing, to the procurement agent identified below. Questions must be received no later than the time and date reflected on the Timeline. The Department's written response to written inquiries submitted timely by vendors will be posted on the Florida Vendor Bid System at www.myflorida.com (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", click on "Search Advertisements"), under this ITN number. It is the responsibility of all potential vendors to monitor this site for any changing information prior to submitting their reply.

WRITTEN TECHNICAL QUESTIONS should be submitted to: **Joe Ricardo** at D4CS@dot.state.fl.us

Questions regarding administrative aspects of the procurement process should be directed to the Procurement Agent in writing at the address above.

4) CHANGES TO THE INVITATION TO NEGOTIATE (ADDENDA)

Notices of changes (Addenda) will be posted on the Florida Vendor Bid System at www.myflorida.com (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", click on "Search Advertisements") under this ITN number. It is the responsibility of all potential vendors to monitor this site for any changing information prior to submitting your reply. All Addenda will be acknowledged by signature and subsequent submission of Addenda with reply when so stated in the Addenda.

5) BEST VALUE SELECTION & PUBLIC MEETINGS

The Department intends to contract with the responsive and responsible Vendor whose proposal is determined by the Technical Review Committee to provide the best value to the Department. "Best value", as defined in Section 287.012(4), F.S., means the highest overall value to the state based on objective factors that include price, quality, design, and workmanship.

Specific events in the competitive negotiation process will be conducted at a public meeting of the Technical Review Committee. The specific events are noted in the Timeline (see Section 2 of Introduction Section). Minutes will be taken at all Public Meetings and will be retained in the procurement file.

6) TECHNICAL REVIEW COMMITTEE (TRC)

The Technical Review Committee (TRC) and the Negotiations Team will each be composed of at least three (3) persons who collectively have experience and knowledge in contract procurement and in the program area for which the commodities and/or contractual services are sought. Due to the complexity of certain procurements, the teams are authorized to consult with subject matter experts during the course of the procurement and negotiation processes for the purpose of gathering information. The team leader, usually the project manager, will ensure consistent scoring and documentation to facilitate and support a consensus decision for the intended award. A consensus decision is a collaborative general agreement among the members of the group that does not have to be unanimous but meets the concerns of all members as much as possible. The team leader will provide a short plain statement for the procurement file that explains the basis of vendor selection for the intended award and how the vendor's deliverables and price will provide the best value to the state.

7) SCOPE OF SERVICES

Details of the desired commodity/services, information and items to be furnished by the Vendor are described in Exhibit "A", Scope of Services/Specifications, attached hereto and made a part hereof. Documentation of any revisions that may occur during the competitive negotiation process will be retained in the procurement file.

The Department has a budgetary ceiling of **\$9,635,413.00** for this project. Vendors should be cognizant of that limitation in replies submitted for this solicitation.

8) PRE-REPLY CONFERENCE: A PRE-REPLY CONFERENCE WILL NOT BE HELD.

9) QUALIFICATIONS

9.1 Qualifications Questionnaire

Interested vendors must complete and submit the "Qualifications Questionnaire" to show that they have the necessary qualifications, prior relevant experience, and capabilities to meet the requirements of the Department in providing Districts Four and Six Commuter Services, as specified in the Scope of Services/Specifications. The replies to the "Qualifications Questionnaire" and the information provided by the vendors in their submittals will be reviewed and evaluated to determine the short-list of vendors that are best

able to meet the requirements of the Department and proceed to Step 3 in the competitive negotiation process.

9.2 Authorized To Do Business in the State of Florida

In accordance with sections 607.1501, 608.501, and 620.9102, Florida Statutes, out-of-state corporations, out-of-state limited liability companies, and out-of-state limited partnerships must be authorized to do business in the State of Florida. Such authorization should be obtained by the reply due date and time, but in any case, must be obtained prior to posting of the intended award of the contract. For authorization, contact:

Florida Department of State
Tallahassee, Florida 32399
(850) 245-6051

9.3 Licensed to Conduct Business in the State of Florida

If the business being provided requires that individuals be licensed by the Department of Business and Professional Regulation, such licenses should be obtained by the reply due date and time, but in any case, must be obtained prior to posting of the intended award of the contract. For licensing, contact:

Florida Department of Business and Professional Regulation
Tallahassee, Florida 32399-0797
(850) 487-1395

9.4 E-VERIFY

Vendors/Contractors:

1. 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; and
2. shall expressly require any subcontractors performing work or providing services pursuant to the state 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.

10) DIVERSITY ACHIEVEMENT

DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

The Department, in accordance with ***Title VI of the Civil Rights Act of 1964, 42 USC 2000d- 2000d-4, Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21***, Nondiscrimination in federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that the Department will affirmatively ensure that in any contract/agreement entered into pursuant to this advertisement, minority and disadvantaged business enterprises will be afforded the full opportunity to submit bids in response to this invitation and will not be discriminated on the basis of race, color, national origin, or sex in consideration for an award.

The Department encourages DBE firms to compete for Department contractual services projects, and also encourages non-DBE and other minority contractors to use DBE firms as sub-contractors. The Department, its contractors, suppliers, and consultants shall take all necessary and reasonable steps to ensure that disadvantaged businesses have an opportunity to compete for and perform contract work for the Department in a nondiscriminatory environment. The Department shall require its contractors, suppliers, and consultants to not discriminate on the basis of race, color, national origin, religion, gender, age, or disability in the award and performance of its contracts.

Federal law requires states to maintain a database of all firms that are participating or attempting to

participate in DOT-assisted contracts. To assist the Department in this endeavor, vendors are requested to submit the **Bidder's Opportunity List** with their technical proposal. The list should include yourself as well as any prospective sub-contractor that you contacted or who has contacted you regarding the project.

Vendors are requested to indicate their intention regarding DBE participation on the **Anticipated DBE Participation Statement** and to submit that Statement with their technical proposal. After award of the contract resulting from this ITN, the awarded Vendor will need to complete the "Anticipated DBE Participation Statement" online through the Equal Opportunity Compliance (EOC) system within 3 business days after award of the contract. The link to access the EOC system is: <https://www3.dot.state.fl.us/EqualOpportunityCompliance>. This will assist the Department in tracking and reporting planned or estimated DBE utilization.

During the contract period, the Vendor will be required to report actual payments to DBE and MBE subcontractors through the web-based EOC system. All DBE payments must be reported whether or not you initially planned to utilize the company. In order for our race neutral DBE Program to be successful, your cooperation is imperative. If you have any questions, please contact EOOHelp@dot.state.fl.us.

Additional information about the EOC system can be found on the Equal Opportunity Office (EOO) website at <http://www.dot.state.fl.us/equalopportunityoffice/eoc.shtm>. A help manual on how to use the system will be available within the EOC application. If you have any questions or technical issues, please contact the EOO help desk at EOOHelp@dot.state.fl.us.

To request certification or to locate DBEs, call the Department of Transportation's Equal Opportunity Office at (850) 414-4747, or access an application or listing of DBEs on the Internet at www.dot.state.fl.us/equalopportunityoffice/.

11) CONTRACT DOCUMENT

STANDARD WRITTEN AGREEMENT

The Department's "Standard Written Agreement" is attached hereto and made a part hereof. The terms and conditions contained therein will become an integral part of the contract resulting from this solicitation. In submitting a reply, the vendor agrees to be legally bound by these terms and conditions.

12) REVIEW OF VENDOR'S FACILITIES & QUALIFICATIONS

After the reply due date and prior to contract execution, the Department reserves the right to perform or have performed, an on-site review of the Vendor's facilities and qualifications. This review will serve to verify data and representations submitted by the Vendor and may be used to determine whether the Vendor has an adequate, qualified, and experienced staff, and can provide overall management facilities. The review may also serve to verify whether the Vendor has financial capability adequate to meet the contract requirements.

Should the Department determine that the reply / proposed negotiations have material misrepresentations or that the size or nature of the Vendor's facilities or the number of experienced personnel (including technical staff) are not adequate to ensure satisfactory contract performance, the Department has the right to reject the reply / proposal.

13) PROTEST OF INVITATION TO NEGOTIATE SPECIFICATIONS

Any person who is adversely affected by the contents of this Invitation to negotiate must file the following with the Department of Transportation, Clerk of Agency Proceedings, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0450:

1. A written notice of protest within seventy-two (72) hours after the posting of the solicitation, (the notice of protest may be Faxed to 850-414-5264), and

2. A formal written protest in compliance with Section 120.57(3), Florida Statutes, within ten (10) days of the date on which the written notice of protest is filed.

Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

14) UNAUTHORIZED ALIENS

The employment of unauthorized aliens by any contractor is considered a violation of Section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of the contract.

15) SCRUTINIZED COMPANIES LISTS

Responses of \$1 million or more must include a completed [Vendor Certification Regarding Scrutinized Companies Lists](#) to certify the respondent is not on either of those lists. The Form should be submitted with the Price Proposal.

Section 287.135, Florida Statutes, requires that at the time a vendor submits a bid or proposal for a contract for goods or services of \$1,000,000 or greater, the vendor must certify that the company is not on Scrutinized Companies with Activities in the Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List.

For Contracts \$1,000,000 and greater, if the Department determines the Vendor submitted a false certification under Section 287.135(5) of the Florida Statutes, or if the Vendor has been placed on the Scrutinized Companies with Activities in the Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List, the Department shall either terminate the Contract after it has given the Vendor notice and an opportunity to demonstrate the Department's determination of false certification was in error pursuant to Section 287.135(5)(a) of the Florida Statutes, or maintain the Contract if the conditions of Section 287.135(4) of the Florida Statutes are met.

16) RESPONSIVENESS OF REPLIES

16.1 Responsiveness of Replies

Replies will not be considered if not received by the Department on or before the date and time specified as the due date for submission.

16.2 Other Conditions

Other conditions which may cause rejection of replies include, but are not limited to, evidence of collusion among Vendors, obvious lack of experience or expertise to perform the required work, failure to perform or meet financial obligations on previous contracts, or in the event an individual, firm, partnership, or corporation is on the General Services Administration Excluded Parties List.

17) COPYRIGHTED MATERIAL

Copyrighted material will be accepted as part of the reply or a negotiation session only if accompanied by a waiver that will allow the Department to make paper and electronic copies necessary for the use of Department staff and agents. It is noted that copyrighted material is not exempt from the Public Records Law, Chapter 119, Florida Statutes. Therefore, such material will be subject to viewing by the public, but copies of the material will not be provided to the public.

18) ATTACHMENT TO ITN SUBMITTALS - CONFIDENTIAL MATERIAL

The Vendor must include any materials it asserts to be exempted from public disclosure under Chapter 119, Florida Statutes, in a separate bound document labeled "Attachment to Invitation to Negotiate, Number ITN-DOT-17/18-4007JR - Confidential Material". The Vendor must identify the specific Statute that authorizes exemption from the Public Records Law. Any claim of confidentiality on materials the Vendor asserts to be exempt from public disclosure and placed elsewhere in the reply will be considered waived by the Vendor upon submission, effective after opening.

19) COSTS INCURRED IN RESPONDING

This Invitation to Negotiate does not commit the Department or any other public agency to pay any costs incurred by an individual firm, partnership, or corporation in the submission of a reply or subsequent negotiations or to make necessary studies or designs for the preparation thereof, nor to procure or contract for any articles or services.

20) MAIL OR DELIVER REPLIES TO: (DO NOT FAX OR SEND BY E-MAIL)

**Florida Department of Transportation
District 4, Procurement Office
Attn: Joe Ricardo, RFP-DOT-17/18-4003JR
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309**

Submit **one original and Three (3) copies** of your reply. Replies must be submitted in a sealed envelope/package that should be labeled with the ITN number and the opening date and time. It is the vendor's responsibility to assure that the reply is delivered to the proper place on or before the Reply Due date and time (See Introduction Section 2 Timeline). Replies which for any reason are not so delivered will not be considered.

21) MODIFICATIONS, RESUBMITTAL AND WITHDRAWAL

Vendors may modify submitted replies at any time prior to the reply due date. Requests for modification of a submitted reply shall be in writing and must be signed by an authorized signatory of the vendor. Upon receipt and acceptance of such a request, the entire reply will be returned to the vendor and not considered unless resubmitted by the due date and time. Vendors may also send a change in a sealed envelope to be opened at the same time as the reply. The ITN number, due date and time should appear on the envelope of the modified reply.

22) OPENING OF SEALED REPLIES

All reply openings are open to the public. Replies will be opened by the Department at the date, time and location in the Timeline (See Introduction Section 2 Timeline). The public may attend the opening but may not review any replies submitted until they become public records in accordance with Section 119.07, Florida Statutes.

23) QUALIFICATIONS QUESTIONNAIRE/SHORT-LIST EVALUATION CRITERIA

The initial replies received timely will be evaluated qualitatively for each of the criteria addressed in the "Qualifications Questionnaire" for the purpose of determining the short-list of vendors that best meet the requirements of the Department and are reasonably susceptible of award. The grades or points resulting from the review/evaluation of the responses to this questionnaire will not be included in decisions beyond determining the initial short-list of vendors to proceed in the ITN process.

24) ORAL PRESENTATIONS

The vendors selected for the short-list will each be scheduled to meet with the Technical Review Committee to provide an oral technical presentation and answer interview questions of their firm's capabilities and approach to the Scope of Services beginning on the date in the Timeline (See Introduction Section 2 Timeline). Short-listed vendors will be notified of a time and date for oral technical presentation. Oral technical presentation and interview sessions are not open to the public.

These oral technical presentations and interview questions will be used to present the vendor's approach and understanding about the Department's needs and expectations. The Technical Review Committee will participate in all presentations. After each oral technical presentation, each individual on the Technical Review Committee will complete a written summary evaluation of each vendor's technical approach, capabilities, and prior relevant experience.

INSTRUCTIONS TO PROPOSER

1. Proposer will present a summary of the firm's experience and capabilities.
2. Each team member shall introduce themselves and describe their role and experience as it relates to their duties and responsibilities on this contract.
3. The proposed Project Director shall describe their approach to managing the contract including Transportation Demand Management, Carpooling, Marketing, School Pools and other services as listed in the scope. Also, their experience handling special events, campaigns, and ideas as well as utilization of website development & maintenance.
4. The proposed Project Director shall describe the team's approach when developing a proposed outreach strategy for a cost efficient yet progressive Commuter services program unique to SE Florida counties, including Monroe, Miami-Dade, Broward, Palm Beach, Martin St. Lucie, Indian River.
5. The proposed Special Project Coordinator/ Marketing Manager shall describe their team's strategy and innovative ideas that can be used to perform maximum public outreach along with results based follow up.
6. During the oral presentation, attendance of the Proposer will be limited to a maximum of (8) members. Listed below are the Proposer's team members that are required to attend. Proposers may include up to (5) additional attendees/presenters not identified in the below classifications:
 - a. Proposed Project Director (1 team member)
 - b. Proposed Program administrator (1 team member)
 - c. Proposed Full time Transportation Management Initiative coordinator (1 team member)
7. A maximum time limit of **30 minutes** shall be allowed for Oral Presentation and **30 minutes** for interview questions. Time may be redistributed at the discretion of the Department, as long as the net total for both sessions is maximum of (1) hour, and the same redistribution is applied to all vendors.

Questions can be both standard (asked to all vendors) and clarifying (related to a point addressed by the Vendor in the Oral Presentation).

25) PROPOSED NEGOTIATION PROCESS

The Department intends to negotiate separately with competing vendors, as set out below. The participating vendors should be cognizant of the fact that the Department, upon completion of each step, reserves the right to finalize the negotiation process at any time in the proposed process that the Department determines such selection would be in the best interest of the state. Replies should be prepared to provide a straightforward, concise description of the vendor's ability to meet the requirements and to allow the Department to properly evaluate the vendor's reply.

Step 1) Interested vendors must submit the following to the "Procurement Agent" identified on the cover page by the date, time and location in the Timeline:

- Qualifications Questionnaire - with additional sheets as needed to address and respond to all questions completely (see Special Condition 9)
- Preliminary Price Proposal or Pricing Scheme

Step 2) There will be a public meeting of the Technical Review Committee, composed of at least three members, for the purpose of evaluating the initial replies received timely and selecting the shortlist of vendors that best meet the requirements of the Department and are reasonably susceptible of award. The Technical Review Committee will complete a written summary evaluation of each vendor's response to the criteria addressed in the Qualifications Questionnaire (see Special Condition 9) to determine the short-list of vendors to proceed to Step 3 in the competitive negotiation process. The public meeting will be held at the date, time and location in the Timeline. The short-list selection of vendors that best meet the requirements of the Department will be posted in accordance with law and rule (See Special Condition 26).

Step 3) The vendors selected for the shortlist will each be scheduled to meet with the Technical Review Committee to provide an oral technical presentation of their firm's capabilities and approach to the Scope of Services and submit their Preliminary Price Proposal using the attached Exhibit C and **must** include sufficient back-up documentation to support amounts for Field Office Expenses, and Other Expenses. These oral technical presentations will be used to present the vendor's approach and improve understanding about the Department's needs and expectations with questions and answers at the end of the vendor's oral technical presentation. The Technical Review Committee will participate in all presentations. After each oral technical presentation, each individual on the Technical Review Committee will complete a written summary evaluation of each vendor's technical approach, capabilities, and prior relevant experience.

Step 4) Following oral technical presentations by all short-listed vendors, there will be a public meeting of the Technical Review Committee at the date, time and location in the Timeline. The Technical Review Committee will review the individual summary evaluations, discuss, and come to consensus about ranking the vendors in order of preference based on consideration of their technical approach, capabilities, and prior relevant experience.

Step 5) The ranking will be posted, in accordance with the law (see Special Condition 26), stating the Department's intent to negotiate with the first-ranked vendor.

Step 6) Once the posting period has ended, the Technical Review Committee will undertake negotiations with the first-ranked vendor until an acceptable contract is established, or it is determined an acceptable agreement cannot be achieved with such vendor. If negotiations fail with the first-ranked vendor, negotiations with that vendor will be formally terminated and negotiations may begin with the second-ranked vendor, and so on until there is an agreement on an acceptable contract. Negotiation sessions are not open to the public and all negotiation sessions will be recorded by the Department.

Step 7) The Technical Review Committee will write a short plain statement for the procurement file that explains the basis for vendor selection and how the vendor's deliverables and price will provide the best value to the state.

Step 8) The decision will be posted, in accordance with the law (see Special Condition 26), stating the Department's intent to award a contract to the highest ranked vendor that reaches an acceptable agreement with the Department.

Step 9) Once the posting period has ended, the Department will contract with the successful vendor.

26) POSTING OF SHORTLIST, RANKING AND / OR INTENDED AWARD

26.1 The Shortlist, Ranking and / or Intended Award, as applicable, will be made to the responsive and responsible vendor(s) which are determined to be capable of providing the best value and best meet the needs of the Department. The Shortlist, Ranking, or Intended Award decision will be announced at the date, time and location in the Timeline.

26.2 The Department's decision will be posted on the Florida Vendor Bid System, at www.myflorida.com, (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", on date and time in the Timeline, and will remain posted for a period of seventy-two (72) hours. Any vendor who is adversely affected by the Department's recommended award or intended decision must file the following with the Department of Transportation, Clerk of Agency Proceedings, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0450:

1. A written notice of protest within seventy-two (72) hours after posting of the Intended Award, (the notice of protest may be Faxed to 850-414-5264), and
2. A formal written protest and protest bond in compliance with Section 120.57(3), Florida Statutes, within ten (10) days of the date on which the written notice of protest is filed. At the time of filing the formal written protest, a bond (a cashier's check or money order may be accepted) payable to the Department must also be submitted in an amount equal to one percent (1%) of the estimated contract amount based on the contract price submitted by the protestor.

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

3. If the Department is unable to post as defined above, the Department will notify all vendors by electronic notification on the Florida Vendor Bid System (see special condition 26.2, above) or by mail, fax, and/or telephone. The Department will provide notification of any future posting in a timely manner.

27) AWARD OF THE CONTRACT

Services will be authorized to begin when the Vendor receives the following document(s), as appropriate, indicating the encumbrance of funds and award of the contract:

A Standard Written Agreement executed by both parties.

28) RENEWAL

Upon mutual agreement, the Department and the Contract Vendor may renew the Contract for a period that may not exceed 3 years or the term of the original contract, whichever is longer. The renewal must be in writing and signed by both parties, and is subject to the same terms and conditions set forth in the initial contract and any written amendments signed by the parties. Any renewal shall specify the renewal price, as set forth in the solicitation response except that an agency may negotiate lower pricing. Renewal is contingent upon satisfactory performance evaluations and subject to the availability of funds.

29) ATTACHED FORMS

DBE Participation Statement
Bid Opportunity List
Vendor Certification Regarding Scrutinized Companies Lists (Form 375-030-60) (proposals of \$1 million or more)

30) ATTACHED TERMS AND CONDITIONS

Standard Written Agreement
Appendix I (Terms for Federal Aid Contracts) and/or Appendix II (Information Technology Resources)
General Conditions (PUR 1000)
Instructions to Respondents (PUR 1001)

31) TERMS AND CONDITIONS

All responses are subject to the terms and conditions of this solicitation, which, in case of conflict, shall have the following order of precedence listed:

Standard Written Agreement
Appendix I (Terms for Federal Aid Contracts)
Instructions to Respondents (PUR 1001)
General Conditions (PUR 1000)
Introduction Section

32) TERMS AND CONDITIONS

32.1 General Contract Conditions (PUR 1000)

The State of Florida's General Contract Conditions are outlined in form PUR 1000, which is a downloadable document incorporated into this ITN by reference. Any terms and conditions set forth in this ITN document take precedence over the PUR 1000 form where applicable.

<http://www.dms.myflorida.com/content/download/2933/11777/1000.pdf>

The following paragraphs do not apply to this ITN:

Paragraph 31, Dispute Resolution - PUR 1000
Paragraph 40, PRIDE – PUR 1000, when federal funds are utilized.

32.2 General Instructions to Respondents (PUR 1001)

The State of Florida's General Instructions to Respondents are outlined in form PUR 1001, which is a downloadable document incorporated into this ITN by reference. Any terms and conditions set forth in this ITN document take precedence over the PUR 1001 form where applicable.

<http://www.dms.myflorida.com/content/download/2934/11780/1001.pdf>

The following paragraphs do not apply to this ITN:

Paragraph 3, Electronic Submission – PUR 1001
Paragraph 4, Terms and Conditions – PUR 1001
Paragraph 5, Questions – PUR 1001

32.3 MFMP Purchase Order Terms and Conditions

All MFMP Purchase Order contracts resulting from this solicitation will include the terms and conditions of this solicitation and the State of Florida's standardized Purchase Order Terms and Conditions, which can be

found at the Department of Management Services website at the following link:

http://www.dms.myflorida.com/content/download/117735/646919/Purchase_Order_Terms_Sept_1_2015.pdf

Section 8(B), PRIDE, is not applicable when using federal funds.

33) LIABILITY INSURANCE

The Vendor shall not commence any work until they have obtained the following types of insurance, and a certificate of such insurance has been received by the Department. Nor shall the Vendor allow any subcontractor to commence work on this project until all similar insurance required of the subcontractor has been so obtained. The Vendor shall submit the required Certificates of Insurance to the **Florida Department of Transportation, Procurement Office, Joe Ricardo** within ten (10) days after the ending date of the period for posting the intended award decision.

The Vendor must carry and keep in force during the period of this contract a general liability insurance policy or policies with a company authorized to do business in the state of Florida, affording public liability insurance with combined bodily injury limits of at least \$200,000.00 per person and \$300,000.00 each occurrence, and property damage insurance of at least \$200,000.00 each occurrence, for the services to be rendered in accordance with this contract.

With respect to any general liability insurance policy required pursuant to this Agreement, all such policies shall be issued by companies licensed to do business in the State of Florida. The Vendor shall provide to the Department certificates showing the required coverage to be in effect with endorsements showing the Department to be an additional insured prior to commencing any work under this Contract. The certificates and policies shall provide that in the event of any material change in or cancellation of the policies reflecting the required coverage, thirty days advance notice shall be given to the Department or as provided in accordance with Florida law.

The Department shall be exempt from, and in no way liable for, any sums of money which may represent a deductible in any insurance policy. The payment of such deductible shall be the sole responsibility of the Vendor or subcontractor providing such insurance. Policies that include Self Insured Retention (SIR) will not be accepted.

ITN CHECKLIST
(DOES NOT NEED TO BE RETURNED WITH YOUR PROPOSAL)

This Checklist is provided as a guideline, only, to assist Vendors in the preparation of their ITN response. Included are some important matters that the vendor should check. This checklist is just a guideline, and is not intended to include all matters required by the ITN. Vendors are responsible to read and comply with the ITN in its entirety.

Check off each the following:

- ___ 1. The Qualification Questionnaire has been completed, as specified, and enclosed in the ITN response.
- ___ 2. The Federal Employers Identification Number or Social Security Number has been entered in the space provided.
- ___ 3. The “Drug-Free Workplace Program Certification” form has been read, signed, and enclosed in the ITN response, if applicable.
- ___ 4. “Scrutinized Companies Lists” certification form has been read, signed, and enclosed in the bid response, if applicable (contracts of \$1 million or more).
- ___ 5. The “Bid Opportunity List” and the “DBE Participation Statement” forms have been read, completed, and enclosed in the ITN response, if applicable.
- ___ 6. The Scope of Services, Exhibit “A”, has been thoroughly reviewed for compliance to the ITN requirements.
- ___ 7. The Technical Proposal (one (1) original and the specified number of copies) has been completed, as specified, and enclosed in the ITN response.
- ___ 8. A letter from a surety company to document your ability to obtain the required Performance Bond, as per Section 10 of the Special Condition, is included in the Technical Proposal (if applicable).
- ___ 9. The www.myflorida.com website has been checked and any Addendums posted have been completed, signed, and included in the ITN response.
- ___ 10. The ITN response must be received, at the location specified, prior to the Opening Date and Time designated in the ITN.
- ___ 11. On the Lower Left Hand Corner of the Envelope transmitting your ITN response, write in the following information:

ITN No.: _____

Title: _____

Opening Date & Time: See “TIMELINE” in INTRODUCTION SECTION