

**REQUEST FOR STATEMENT OF QUALIFICATIONS**

**FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES  
FLORIDA FOREST SERVICE**

**TERMS, CONDITIONS AND SPECIFICATIONS**

**I. PURPOSE**

The Florida Department of Agriculture and Consumer Services (FDACS or Department) issues this Statement of Qualifications (SOQ) to obtain a pre-qualified vendor pool that will provide the Department with environmental engineering services pursuant to Section 287.055, Florida Statutes and related statutes and rules. The anticipated budget is \$5,000,000.

**II. SCOPE OF PROJECT**

The scope of work of this SOQ encompasses the following services:

- Prepare Environmental Site Assessments (ESA) and Baseline Documentation Reports (BDR) on land under contract with FDACS Florida Forest Service (FFS) for fee acquisition and easement acquisition under the Rural and Family Lands Protection Program (RFLPP).
- As a component of the BDR or as a stand-alone product, conduct non-native invasive species mapping on RFLPP project lands and on state-owned lands.
- Prior to the appraisal of RFLPP project lands, prepare significant natural areas maps.

The Department will establish a pre-qualified vendor pool and enter into continuing contracts with each member of the pre-qualified vendor pool to provide the services referenced above and further detailed below in Section IV of this SOQ. FDACS would then request services on an as needed basis from the qualified, contracted vendor pool by issuing task orders through a formal Request for Quote (RFQ) selection process. Factors influencing the award of task orders to specific vendors will include, but not be limited to, vendor workloads, vendor availability, bonding capacity, critical timelines and special technical requirements.

FDACS will engage pre-qualified vendors for specific task orders through the use of the model task assignment form included in this SOQ as **APPENDIX I, TASK ASSIGNMENT NOTIFICATION FORM**. Further, the standard scopes of services for ESA, BDR and related services are set forth in the following attachments to this SOQ: **(1) APPENDIX II, SCOPE OF SERVICES - ENVIRONMENTAL SITE ASSESSMENT SERVICES, (2) APPENDIX III, BASELINE DOCUMENTATION REPORTS** and **(3) APPENDIX IV, COMBINATION BASELINE DOCUMENTATION / ENVIRONMENTAL SITE ASSESSMENT REPORTS**. The language contained within these attached scopes of services represents the approved project contract language to be applied in providing services under task orders.

**III. REQUIREMENTS OF RULE 51-7, FLORIDA ADMINISTRATIVE CODE**

The primary purpose of this SOQ is to create a list of qualified vendors to perform work for the Department, under the RFLPP, codified in Rule 51-7, Florida Administrative Code, and under land acquisition guidelines contained in Sections 570.71 and 570.715, Florida Statutes. The intent of this SOQ is to comply with the requirements in Section 287.055, Florida Statutes, which requires the selection of vendors to be performed in compliance with the qualifications-based selection requirements of that section.

**IV. SERVICES TO BE PROVIDED**

Task orders issued under this contract will be for fee acquisitions and projects in the RFLPP. Continuity of operations and uninterrupted use of the property may necessitate that work be performed outside of normal business hours. Length of site inspection should be minimized and must be approved in advance by FDACS and coordinated with the landowner or landowner’s designee.

The Department will award respondents based on the service categories listed below. The Department reserves the right to award each respondent all categories, a single category or any combination of categories thereof. The service categories are as follows:

- Category 1 – Environmental Site Assessment
  - a. Produce an ESA for fee acquisitions and for projects in the RFLPP as required in **APPENDIX II, SCOPE OF SERVICES - ENVIRONMENTAL SITE ASSESSMENT SERVICES** and as specified in future proposal requests. This includes Phase I and Phase II ESA’s.
  
- Category 2 – Baseline Documentation Report
  - a. Produce a BDR for projects in the RFLPP as required in the **APPENDIX III, BASELINE DOCUMENTATION REPORTS** and as specified in future proposal requests.
  
- Category 3 – Significant Natural Areas (SNA) Mapping

Meet with the landowner and/or their representative to discuss the concept of SNAs and how they receive additional protection under the terms of the Deed of Easement. Work with the landowner and/or their representative to determine natural community areas to be set aside as Significant Natural Areas (SNAs) as defined in Rule 5I-7, Florida Administrative Code.

  - a. Delineation of natural communities will be at an appropriate scale given the size of the parcel. Some smaller natural communities or transition areas may be mapped as the larger community type in which the smaller community is imbedded. Exceptions to this would be unique features, such as larger sinkholes, seepage streams, shell middens or smaller wetlands containing a rookery. In this case, these smaller communities should be mapped separately. Unless approved by the Department, the contractor shall use the mapping/naming protocol described in the Guide to the Natural Communities of Florida (Florida Natural Areas Inventory, 2010).
  - b. Using a current aerial photo base layer, develop a SNA map of a quality acceptable to be used as an exhibit to the Deed of Easement and the Option Agreement for Sale and Purchase.
  - c. Provide shape files of the SNAs and a Microsoft Excel table documenting total SNA acreage for each of the natural communities and the property as whole.
  - d. Any other component related to SNA mapping and approved by the Department.
  - e. And as specified in future proposal requests.
  
- Category 4 – Non-Native Invasive Plant Species Mapping

During a site visit to the property, work with the landowner and their representative to determine areas where there are non-native invasive plant species present. Determine the location, size of population, efforts to treat and trends. Confirm and map sites or polygons during the field visit.

  - a. Also during site visit, confirm and map sites (individual specimens) or polygons (for larger populations) of Florida Exotic Pest Plant Council (FLEPPC) Category 1 and Category 2 Non-Native Invasive Plant Species. Photograph representative samples. Provide anecdotal summary of



October 13, 2017	The Department's written response to any questions received shall be posted as an addendum.
<b>October 25, 2017 @2:00 p.m.</b>	Proposals must be received by the Department by this date and time. Proposals shall be opened at the Department's purchasing office, SB-8, Mayo Building, 407 South Calhoun Street, Tallahassee, Florida, 32399-0800.
November 13, 2017 (on or about)	Oral presentations from selected firms in Tallahassee, Florida.
November 17, 2017	Final selection results posted on the Vendor Bid System at <a href="http://myflorida.com">http://myflorida.com</a> , click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements. Tabulations will remain posted for a period of seventy-two (72) hours. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Failure to file the proper bond at the time of filing the formal protest will result in denial of the protest.
November 27, 2017 (on or about)	Negotiations with selected firm begins.
December 2017 (on or about)	Expected date contract will officially begin.

**B. Contact Persons**

If additional information is required, please contact:

Vianka Colin, Purchasing Director  
Florida Department of Agriculture and Consumer Services - Purchasing Office  
407 South Calhoun Street, SB-8 Mayo Building  
Tallahassee, Florida 32399-0800  
Telephone: (850) 617-7181  
Email: [Vianka.Colin@FreshFromFlorida.com](mailto:Vianka.Colin@FreshFromFlorida.com)

**C. Number of Copies Required**

One (1) original and five (5) copies of the SOQ proposal must be completed and submitted to the purchasing office in accordance with the proposal deadlines stated herein. The original must contain an original signature of an official of the potential service provider who is authorized to bind the service provider to the proposal (in blue ink).

**D. How to Submit a Proposal**

Proposals must be submitted in a sealed envelope to the address listed on the proposal form by the time and date listed on the form. In addition to the address, the face of the envelope shall be marked with the date and time of the proposal opening and the proposal number.

NOTE: Proposals received by the Department after the proposal opening time and date shall be rejected as untimely and shall not be opened. A late proposal notice

shall be sent to the proposing firm upon posting of award notice with instructions for its return. Unclaimed late proposals shall be destroyed after forty-five (45) days. Offers from contractors listed on the Department's posted award notice are the only offers received in accordance with the Department's proposal opening time and date.

E. Cost of Preparation

The Department is not liable for any costs incurred by a proposer in response to this SOQ, including any oral presentations.

F. Standard Solicitation Terms and Conditions:

Term

The initial term of the continuing contract(s) with the pre-qualified vendors will be five (5) years with one five (5) year renewal. The continuing contract(s) may be renewed in whole or in part for a period that will not exceed the renewal years.

Independent Capacity of Contractor

The contractor, its officers, agents, and employees, in performance of this contract, shall act in the capacity of an independent contractor and not as an officer, employee, or agent of the state.

Public Entity Crimes

A person or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime; may not submit a proposal on a contract to provide any goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for category two, for a period of 36 months from the date of being placed on the convicted vendor list.

Auditing Duties

The contractor will comply with Section 20.055, Florida Statutes.

Employment of Unauthorized Aliens

Pursuant to Executive Order 96-236, effective October 1, 1996, the following standard provision shall apply to any contract awarded as a result of this SOQ.

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.

Discrimination

An entity or affiliate, who has been placed on the discriminatory vendor list, may not submit a proposal on a contract to provide goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real

property to a public entity; may not award or perform work as a contractor, supplier, subcontractor or consultant under contract with any public entity and may not transact any business with any public entity.

#### Annual Appropriations

The State of Florida's performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature.

#### Disqualification of Respondents

More than one proposal from an individual, firm, partnership, corporation, or association, under the same or different names, will not be considered. Reasonable grounds for believing that a respondent is interested in more than one proposal for the same work will cause the rejection of all proposals in which such respondents are believed to be interested.

If there is reason to believe that collusion exists among the respondents, any or all proposals will be rejected. No participants in such collusion will be considered in future proposals for the same work. Falsifications of any entry made on the respondent's offer will be deemed a material irregularity and will be grounds for rejection.

#### Rejection of Responses

The Department reserves the right to reject any and all proposals, when such rejection is in the interest of the state of Florida, and to reject the proposal of a respondent who the Department determines is not in a position to perform the contract.

#### Late Responses

Proposals received by the Department after the opening time and date will be rejected as untimely and will not be opened. A late proposal notice will be sent to the respondent upon the posting of award notice with instructions for its return. Unclaimed late proposals will be destroyed after 45 days. Offers from vendors listed on the Department's posted award notice are the only offers received timely in accordance with the Department's opening time and date.

#### Posting of Solicitation Tabulations

Tabulations with recommended award(s) will be posted for review by interested parties on the Florida Bid System located at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements. Tabulations will remain posted for a period of seventy two (72) hours. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Failure to file the proper bond at the time of filing the formal protest will result in denial of the protest.

## **VI. STANDARD QUALIFYING DATA AND FORMS REQUIRED**

The following items (A through E) must be completed and submitted in order for responses to be deemed responsive. Responses that are deemed incomplete will be rejected as non-responsive and will not be evaluated by the Department. Failure to submit any of the listed requirements will result in rejection of that response.

A. STATEMENT OF QUALIFICATIONS:

ENGINEER QUALIFICATIONS AND EXPERIENCE

Each respondent shall submit the following:

- A company narrative that describes the companies organizational structure and illustrates the respondent’s related and specialized experience. This narrative shall not be more than two (2) single sided pages using 12-point font.
- Resumes for key project team personnel, including principals, contract managers, on-site project leaders, project engineers and project support staff, as applicable. Resumes shall not be more than two (2) single sided pages using 12-point font.
- The project experience (i.e., sample projects) of the corporation, joint venture (JV), or project team, which shall demonstrate experience on at least two relevant projects in which Respondent provided Category 1 through Category 5 services as defined in section IV above and that were completed within the last five (5) years. No more than five (5) sample projects should be submitted. Provide the project title, a brief description, whether the company was prime contractor or a sub-contractor, approximate contract value, date completed and a client point of contact. The respondent shall also discuss how time and budget challenges were addressed in each project. Each project description shall not be more than two (2) single sided pages using 12-point font.

PROJECT APPROACH AND METHODOLOGY

The corporation, Joint Venture or project team shall submit a narrative describing its capabilities and describing how it would organize and complete task orders awarded to it with emphasis on the points below:

- The amount and type of work the respondent would self-perform and what work might be subcontracted to other firms, or other respondents.
- Whether the respondent can perform work statewide or whether it would prefer to restrict its work to a smaller geographic region of the state.
- The specific measures or technologies the respondent has specialized experience with and if they would only compete for those task orders.
- How the respondent will facilitate the project.

A respondent that restricts its level of effort to only a limited service category or categories or a specific geographic area will not be penalized during the evaluation process. This section shall not be more than five (5) single sided pages using 12-point font.

B. PROFESSIONAL REGISTRATION CERTIFICATES

A reproduction of the firm’s current professional registration certificate(s) is required for the services offered and must be in the name of the firm offering said services. Firms must be properly registered, at the time of application, to practice their profession in the state of Florida and with the appropriate state board governing the services offered. A verification of the current status with the appropriate state board shall be made before the recommendation and approval of a firm’s selection is finalized.

C. CORPORATE CHARTER REGISTRATION

If the firm offering services is a corporation, it must be properly chartered with the Florida Department of State to operate in Florida, and a copy of the firm’s current Florida Corporate Charter must be provided.

D. CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS FOR EXPENDITURE OF FEDERAL FUNDS

Any person submitting a response to this SOQ **MUST** execute the enclosed form FDACS-01522, CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS FOR EXPENDITURE OF FEDERAL FUNDS, and enclose it with his/her bid or proposal (**ATTACHMENT A, CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS FOR EXPENDITURE OF FEDERAL FUNDS**). The Certification for Lobbying is required by 7 CFR Part 3018 for expenditures \$100,000 and above. The Certification for Debarment and Suspension and Other Responsibility Matters is required by 7 CFR Part 3017 for expenditures \$25,000 and above.

E. FORM 1 – ADDENDUM ACKNOWLEDGEMENT FORM

**VII. SELECTION PROCEDURES**

The selection of the most highly qualified firm(s) to provide the profession services sought in this competitive solicitation shall proceed through a competitive section phase and a competitive negotiation phase.

A. Competitive Selection

A selection committee appointed by the Commissioner of the Florida Department of Agriculture and Consumer Services or designee will review the Statement of Qualifications provided by each applicant in depth and rate the applicants in each of the following categories:

Written Proposals

1. Experience and Ability (30 maximum points)

In the evaluation of experience and ability, the Department will consider the following questions:

- How well did the respondent convey the ability to provide the services sought? (10 points)
- How well did the respondent demonstrate the experience and ability to perform contracts of similar size and scope for the services sought? The respondent shall demonstrate a minimum of five (5) years of experience providing the services described in the SOQ. (10 points)
- How well did the respondent demonstrate the ability to meet the distinct time and budget requirements? (10 points)

2. Sample Projects (30 maximum points)

In the evaluation of sample projects, the Department will consider the following questions:

- How well do the sample projects demonstrate the ability of the respondent to provide the services sought? (10 points)
- How well do the sample projects demonstrate the respondent's experience and ability to perform contracts of similar size and scope for the services sought? (10 points)



- How well do the sample projects reflect the respondent’s ability to satisfy the financial requirements of task orders if awarded a contract from this proposal? (10 points)
3. Proposed Solution (30 maximum points)

In the evaluation of the proposed solution, the Department will consider the following factors:

- **Engineer Qualifications and Experience**  
The respondent’s corporate narrative, project experience and key personnel resumes will be evaluated as to how well they conform to the SOQ objectives and goals, project specific priorities and contractor technical requirements of this SOQ. (15 points)
- **Project Approach and Methodology**  
The respondent’s approach and methodology will be evaluated as to how well it conforms to the SOQ objectives and goals, project specific priorities and contractor technical requirements of this SOQ. (15 points)

The selection committee will review and rate each firm based on the scoring criteria provided above. The selection committee shall then determine the preliminary ratings of the firms under consideration based on the above factors and select a minimum of three (3) firms with the highest cumulative scores (total for preliminary) to present interviews. The selection committee may interview more than three firms. Interviews will be conducted in person.

Interviews

1. **Past Performance / References:** Respondent shall provide with his proposal a list of three (3) customers for whom they have provided services outlined in Section IV of the SOQ document (**SERVICES TO BE PROVIDED**) to within the last five (5) years. All references must be verified. It is the responsibility of the respondent to ensure that all submitted references are verified. The Department will attempt to verify references once via telephone or email. If the reference does not return the Department’s phone call or email within seventy-two (72) hours (exclusive of weekends and state holidays) of the time of the Department’s phone call or email, the reference will be deemed unverified. Responses with one or more unverified reference will be disqualified. References that indicate unsatisfactory performance will result in disqualification of that response. **References must be current or former clients of the responding firm. The Department will not accept subcontractor/proposed personnel or personal references of a member of the proposing firm as a substitute for respondent references (ATTACHMENT B – BUSINESS / CORPORATE REFERENCE).** Past performance with the Department will constitute a reference, whether listed or not, and will be used by the Department to determine the respondent’s ability to perform services similar to those described in this SOQ in a satisfactory manner. Unsatisfactory past performance with the Department will result in rejection of that response. The total number of points received from each of the three (3) references will be added, then divided by three (3) to receive an average number. The average number will be the total score for the references portion.

Each of the three (3) references provided shall be asked to evaluate the respondent as follows and shall be given points as scored by each reference.

- How would you rate the level of satisfaction with the performance of this company, in accordance with the following scale:  
3 Points - Exceeds Expectation  
2 Points - Meets Expectation  
1 Point - Does Not Meet Expectation  
0 Points - Does Not Comply

2. **Understand Program and Project Requirements:** The understanding that the applicant and his consultants demonstrate as to the requirements and needs of the project, including an evaluation of the thoroughness demonstrated in analyzing and investigating the scope of the project and in preparing for the interviews. A grading range of 0 – 9 will be used.
3. **Approach and Methodology:** Based on how the applicant and his consultants will approach the project and the methods they will use to plan, design and administer the project will be evaluated. A grading range of 0 – 9 will be used.

**B. Competitive Negotiation**

The selection committee will recommend those firm(s) most qualified to accomplish the work according to the final cumulative total points on the evaluation form, to begin negotiations and finalize a contract. The determination of most highly qualified firm(s) will be based on the criteria scored and evaluated above. The Department will conduct competitive negotiations with the most highly qualified firms.

Competitive negotiations will be conducted pursuant to Section 287.055(5), Florida Statutes in order to finalize a professional services contract. The firm or firms selected to engage in negotiations with the Department will be notified of such and will be provided additional information related to negotiations at that time. The Department will begin negotiations with the top ranked firm. The Department reserves the right to terminate negotiations with a firm considered to be the most highly qualified and enter into negotiations with another qualified firm.

**FORM 1 – ADDENDUM ACKNOWLEDGEMENT FORM**

This acknowledgment form serves to confirm that the respondent has reviewed, complied with and/or accepted all Addendum(s) to the SOQ posted on the Vendor Bid System (VBS).

Please list all Addendum(s) / Amendment(s) below.

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\_\_\_\_\_  
Name of Respondent's Organization

\_\_\_\_\_  
Signature of Authorized Representative  
and Date

\_\_\_\_\_  
Print Name



ADAM H. PUTNAM  
COMMISSIONER

## ATTACHMENT A

Florida Department of Agriculture and Consumer Services  
Division of Administration

### CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS FOR EXPENDITURE OF FEDERAL FUNDS

#### LOBBYING

As required by 7 CFR Part 3018, for persons entering into a contract, grant or cooperative agreement over **\$100,000** involving the expenditure of Federal funds, the undersigned certifies for itself and its principals that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement and the extension, continuation, renewal, amendment or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress, in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

\_\_\_\_\_  
PRINTED NAME/TITLE OF REPRESENTATIVE

\_\_\_\_\_  
CONTRACT / PURCHASE ORDER NUMBER

\_\_\_\_\_  
SIGNATURE OF REPRESENTATIVE / DATE

### DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

As required by 2 CFR Part 417, for persons entering into a contract, grant or cooperative agreement over **\$25,000** involving the expenditure of Federal funds, the undersigned certifies for itself and its principals that:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a Government entity (Federal, State, or local) with commission of any offenses enumerated in paragraph (b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and

Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

\_\_\_\_\_  
PRINTED NAME/TITLE OF REPRESENTATIVE

\_\_\_\_\_  
CONTRACT / PURCHASE ORDER NUMBER

\_\_\_\_\_  
SIGNATURE OF REPRESENTATIVE / DATE

### ATTACHMENT B

#### REFERENCES

This form must be completed by the person giving the reference on the Respondent. For purposes of this form, the Respondent is the business entity that currently or has previously provided services to your organization, and is submitting a response to a SOQ. Upon completion of this form, please return original to Respondent.

This business reference is for (Respondent's Name): \_\_\_\_\_

Name of the person providing the reference: \_\_\_\_\_

Title of person providing the reference: \_\_\_\_\_

Organization name of person providing the reference: \_\_\_\_\_

Telephone number of the person providing the reference: \_\_\_\_\_

Please identify your relationship with the Respondent (e.g., subcontractor, customer, etc.).  
\_\_\_\_\_

How many years have you done business with the Respondent? \_\_\_\_\_

Please provide dates: \_\_\_\_\_

If a customer, please describe the primary service the Respondent provides your organization:  
\_\_\_\_\_

Did the Respondent act as a primary provider or as a subcontractor? \_\_\_\_\_

Do you have a business, profession, or interest in the Respondent's organization? If yes, what is that interest?  
\_\_\_\_\_

Have you experienced any contract performance problems with the Respondent's organization?  
\_\_\_\_\_

Would you conduct business with the Respondent's organization again? \_\_\_\_\_

Are there any additional comments you would like to make regarding the Respondent's organization?  
\_\_\_\_\_  
\_\_\_\_\_

Dated this: \_\_\_\_\_ day of \_\_\_\_\_ 2017.

Name of Organization: \_\_\_\_\_

Signed by: \_\_\_\_\_

Print Name: \_\_\_\_\_

Being duly sworn deposes and says that the information herein is true and sufficiently complete so as not to be misleading.

Subscribed and sworn before me this: \_\_\_\_\_ day of \_\_\_\_\_ 2017

Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

APPENDIX I

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES  
FLORIDA FOREST SERVICE

TASK ASSIGNMENT NOTIFICATION FORM  
Via FDACS CONTRACT NO. PL \_\_\_\_\_

Task Assignment Number: \_\_\_\_\_ File Number: \_\_\_\_\_

Project Name: Rural and Family Lands Protection Program – \_\_\_\_\_

Owner's Name/Parcel #: \_\_\_\_\_ County: \_\_\_\_\_

Contractor Name: \_\_\_\_\_ FEID No. \_\_\_\_\_

Contractor Contract Manager: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Contractor Task Manager: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Subcontractors: (List, if any) \_\_\_\_\_ MBE: \_\_\_\_\_ Yes \_\_\_\_\_ No  
\_\_\_\_\_ MBE: \_\_\_\_\_ Yes \_\_\_\_\_ No  
\_\_\_\_\_ MBE: \_\_\_\_\_ Yes \_\_\_\_\_ No

FDACS / FFS Representative: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Task Description (Use additional sheets if necessary): See FDACS/FFS Task Description Attachment 1. This work will be performed in conformance with the general provisions of the Florida Department of Agricultural and Consumer Services Contract No. PL \_\_\_\_\_ and are incorporated by reference herein. The FDACS contract is in effect through \_\_\_\_\_.

Final Submittal Due Date: \_\_\_\_\_

Task Assignment Type:	Amount Not to Exceed:
Fixed Price	\$ _____
Fee Schedule	\$ _____
Cost Reimbursement	\$ _____
Total Task Assignment Value	\$ _____

CONTRACTOR

FL DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES /  
FLORIDA FOREST SERVICE

\_\_\_\_\_  
Contractor's Representative  
Authorized to execute Task  
Assignments

\_\_\_\_\_  
Date

\_\_\_\_\_  
FDACS / FFS Representative

\_\_\_\_\_  
Date

APPROVED:

\_\_\_\_\_  
FDACS / FFS Contractual Authority

\_\_\_\_\_  
Date

FOR DEPARTMENT USE ONLY:

Funding Information:

Org. Code	E.O.	Object Code	Fund	Spec. Cat.	Year	Amount
_____	_____	_____	_____	_____	_____	\$ _____

**FDACS/FFS TASK DESCRIPTION, ATTACHMENT 1  
FDACS CONTRACT PL \_\_\_\_\_**

Task Description:

For ESA/BDR Services: \_\_\_\_\_ is selected to complete an Environmental Site Assessment and a Baseline Documentation Report for the perpetual conservation over the \_\_\_\_\_ property in \_\_\_\_\_ County. Provide a **Combination Baseline Inventory Report/Phase I Environment Site Assessment** for the above-referenced parcel in accordance with Division of State Lands (DSL) standards. In addition, the Contractor must comply with the most current American Society of Testing and Materials (ASTM) 1527 standard. If the DSL standards and ASTM requirements for Phase I ESAs conflict, then the Contractor must perform to the more stringent of the requirements. Specifically, the Contractor must adhere to the scope and limitations of (ASTM) Designation: E 1527-05; Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM scope and limitations will be provided to the Contractor upon request). The signatory on the report must be an “environmental professional”, as that term is defined ASTM. The Contractor is allowed to deviate from the DSL standards (item #2), regarding the 50-year chain of title search, however, Contractor must report on the Environmental Lien and AUL Search.

Property Description: \_\_\_\_\_ property consists of \_\_\_\_\_ acres in \_\_\_\_\_ County.

Provide an electronic copy of the ESA and BDR reports on or before the due date. Upon approval by the reviewer or contract manager, provide a PDF version of the report electronically on 3 compact disks and 3 printed copies.

The ESA and BDR must satisfy the requirements of DEP, Division of State Lands (DSL) and the scope of services as set forth in FDACS Contract Number PL \_\_\_\_\_. This work is contracted directly with the Department of Agriculture and Consumer Services, Florida Forest Service, Rural and Family Lands Protection Program.

The contractor’s invoice must be submitted to: Florida Forest Service, c/o \_\_\_\_\_, 3125 Conner Boulevard, C-19, Tallahassee, Florida 32399 and contain the following: Contractor’s name, federal employers’ identification or social security number, invoice number, description of service, project identification, date work began and date work ended, as agreed. Invoice payment does not start until a proper and correct invoice has been received. Invoices which have to be returned to the Contractor for correction(s) will result in a delay in payment.

Failure to adequately respond in writing to the Contract Manager within four working days may result in a one percent of the total fee per day penalty.

## APPENDIX II

### SCOPE OF SERVICES ENVIRONMENTAL SITE ASSESSMENT SERVICES

The Contractor shall provide Environmental Site Assessment (ESA) services, on a task assignment basis, for the Florida Department of Agriculture and Consumer Services (FDACS). These services may include, but not be limited to, the performance of all levels of ESAs (i.e. Phase I, Phase II, and updates) in compliance with the Florida Department of Environmental Protection, Division of State Lands requirements (see Exhibits I, II, III and IV below); summarizing recommendations and conclusions; preparing recommendations and conclusions; remediation coordination; remediation activities; clerical staff assistance for ESA and related document processing, project assessment, and remediation consultation.

All sampling and analyses performed under this Contract must conform to the requirements set forth in Chapter 62-160, Florida Administrative Code (F.A.C.).

The Contractor shall also be involved in the preparation of scopes of services for tasks to be assigned by FDACS at no cost to FDACS. This may include compilation of information and products, and research and office work necessary for identification of tasks.

No minimum amount of work is guaranteed under this Contract.

#### Additional Services

The Contractor may be requested to provide additional services related to an ESA or remediation services, as deemed necessary by FDACS. In the event that such additional services are needed, and based on the availability of funding, the Contractor shall be compensated at rates mutually acceptable to FDACS and the Contractor, as evidenced by an executed Task Assignment Notification or Task Assignment Change Order Form.

#### Cost Proposals

FDACS may issue informal cost proposal requests to its ESA contractors for specific projects to be conducted under a task assignment although final selection for task assignment award may not be based solely on price. All cost proposals prepared by the Contractor must be submitted to FDACS on or before the date and time set for receiving cost proposals in order to be considered for task assignment award.

#### Performance Measures

Deliverables reviewed to ensure compliance requirements set forth in Chapter 62-160, Florida Administrative Code (F.A.C.).



## APPENDIX II - EXHIBIT A

### STANDARDS FOR ENVIRONMENTAL SITE ASSESSMENT SERVICES

#### INSTRUCTIONS FOR ENVIRONMENTAL SITE ASSESSMENTS

#### SCOPE OF SERVICES REQUIRED IN PERFORMING THE PHASE I ENVIRONMENTAL SITE ASSESSMENT (PHASE I ESA)

The Environmental Site Assessment of the property (Property) to be acquired or encumbered by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Board of Trustees) must meet the requirements of the Florida Department of Environmental Protection, Division of State Lands (DSL), Bureau of Land Acquisition (BLA).

For purposes of performing the ESA the term "hazardous materials" shall mean any hazardous or toxic substances, material or waste of any kind or other substances which is designated pursuant to and/or regulated by any environmental law. The term "environmental law" shall mean any and an applicable federal, state, tribal or local laws, statutes, ordinances, rules, regulations, or other governmental restrictions regulating, relating to, or imposing liability or standards of conduct concerning hazardous materials. In addition, the Contractor must comply with the most current American Society of Testing and Materials (ASTM) E 1527 standards. If the DSL standards and ASTM requirements for Phase I ESAs conflict, then the Contractor must perform to the more stringent of the requirements. Specifically, the Contractor must adhere to the current scope and limitations of ASTM Designation: E 1527-05; Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

Please see the Contractor's Itemized Checklist which will be attached to the Task Assignment (see Exhibit V)

The Florida Department of Agriculture and Consumer Services (FDACS) required components and scope of the ESA beyond the above are as follows:

1. Requests for deviation from the DSL requirements as set forth must be approved in writing by the FDACS prior to the issuance of a Task Assignment.
2. Certify the ESA to the Board of Trustees and any other parties requested by FDACS. If the report is not certified to the Board of Trustees and other requested parties, the product will not be accepted. The certification shall state the following:
  - a. The date the Task Assignment was signed by the Contactor (also insert a copy of the signed Task Assignment in the report following the certification page);
  - b. The date the Contractor began the work on the ESA;
  - c. The ESA meets the requirements of the Department of Environmental Protection, Division of State Lands, the current ASTM E 1527 standard, and therefore the federal Environmental Protection Agency's All Appropriate Inquiry Rule;
  - d. The accuracy, correctness, and completeness of the ESA is provided with the knowledge of the ASTM; and
  - e. The Board of Trustees is entitled to rely on the information set forth in the ESA.
3. Determine if prior ESAs have been done or any other environmental work and, if so, what was disclosed. Include all found information in the report as an Appendix for the independent review.

4. Contractor agrees to notify FDACS immediately, or as soon as feasible, if any substantial problems of significant magnitude unfold or are discovered at any point during the Phase I ESA that impact the Property.
5. Determine the potential existence of federal, state, tribal, and local environmental cleanup liens and Activity and Use Limitations (AUL) of enforcement actions against the Property. The FDACS contracts with the Contractor to fulfill these obligations on behalf of the user(s) /FDACS.
6. Identify adjoining property landowners.
7. Interview the applicable adjoining neighbors if it is determined by the Contractor that an adjoining landowner is involved in an industrial use (an activity requiring the application of labor and capital for the production or distribution of a product or article, including, without limitation, manufacturing, processing, extraction, refining, warehousing, transportation, and utilities of hazardous substances or petroleum products), or if the adjoining site shows current or historical issues in the regulatory database search. Applicable sites would include gas stations; motor repair facilities; commercial printing facilities; dry cleaners; photo developing laboratories; junkyards or landfills; or waste treatment storage, disposal, processing, or recycling facilities. Interviewing residential neighbors is not necessary *unless* the Contractor has cause for concern.
8. Review and provide a summary of current and historical aerial photographs of the Property and surrounding area for an evaluation of prior and current use. Copies of the photographs shall be placed in an appendix within the ESA for independent review.
9. Provide color photographs of the current site conditions in the ESA. All structures, wells, access roads, and trail paths leading onto the Property or impacting the Property, areas of concern, items of concern (including trash sites, borrow pits, stressed vegetation, and stained soil, business environmental risks, historical recognized environmental conditions, and recognized environmental conditions on the Property or impacting the Property shall be photographed. Enough photographs should be taken to show a good representation of the entire site's conditions. If access is available inside of each structure(s), enough photographs should be taken to show a good representation of the internal portion of the structure(s).
  - a. Include the corresponding Longitude and Latitude of each photograph, and an ArcGIS shapefile which also includes the latitudes and longitudes in the attribute table, in the ESA report for all indicated areas.
  - b. List manufacturer and model number of the GPS Unit used to collect data (i.e., Garmin, GPS map 76).
10. Orient all photograph points on a site map to scale or current aerial photograph.
11. Estimate depth of groundwater and direction of groundwater flow.
12. List all data failures, as defined in the current ASTM E 1527 standard, and explain why such failures exist.
13. The environmental assessment report shall contain a discussion and evaluation of the relevance of all the components listed above and other findings of the ESA, along with definite conclusions and specific recommendations for further work the Contractor deems necessary as pertinent to the Property.

14. Provide each report on double-sided pages.
15. Insert an aerial photograph or map of the entire Property at the front of the report.
16. Provide a Table of Contents and page numbers in the ESA report.
17. Provide corresponding page numbers to the Contractor's Itemized Checklist (see Exhibit V), attached to the Task Assignment, and include a completed copy in the ESA.
18. Separate out appendices clearly in the report.
19. Three (3) certified paper copies and three (3) certified CDs of the ESA shall be delivered to FDACS as set out below:

FDACS Contract Manager  
Florida Forest Service – Director's Office  
The Conner Building  
3125 Conner Boulevard  
Tallahassee, Florida 32399-1650

20. All professionals preparing or reviewing ESAs for the FDACS are required to carry a minimum of \$1,000,000 in professional liability Insurance.

**APPENDIX II - EXHIBIT B**

## STANDARDS FOR ENVIRONMENTAL SITE ASSESSMENT SERVICES

## INSTRUCTIONS FOR ENVIRONMENTAL SITE ASSESSMENTS

## SCOPE OF SERVICES REQUIRED IN PERFORMING THE PHASE I ENVIRONMENTAL SITE ASSESSMENT (ESA) FOR FORESTLAND OR RURAL PROPERTY

The Environmental Site Assessment of the property (Property) to be acquired or encumbered by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Board of Trustees) must meet the requirements of the Florida Department of Environmental Protection, Division of State Lands (DSL), Bureau of Land Acquisition (BLA).

For purposes of performing the ESA the term "hazardous materials" shall mean any hazardous or toxic substances, material or waste of any kind or other substances which is designated pursuant to and/or regulated by any environmental law. The term "environmental law" shall mean any and an applicable federal, state, tribal or local laws, statutes, ordinances, rules, regulations, or other governmental restrictions regulating, relating to, or imposing liability or standards of conduct concerning hazardous materials. In addition, the Contractor must comply with the most current American Society of Testing and Materials (ASTM) E 2247 standards. If the DSL standards and ASTM requirements for Phase I ESAs conflict, then the Contractor must perform to the more stringent of the requirements. Specifically, the Contractor must adhere to the current scope and limitations of ASTM Designation: E 2247-08; Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

Please see the Contractor's Itemized Checklist which will be attached to the Task Assignment (see Exhibit V)

The Florida Department of Agriculture and Consumer Services (FDACS) required components and scope of the ESA beyond the above are as follows:

1. Requests for deviation from the DSL requirements as set forth must be approved in writing by the FDACS prior to the issuance of a Task Assignment.
2. Certify the ESA to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and any other parties requested by FDACS. If the report is not certified to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and other requested parties, the product will not be accepted. The certification shall state the following:
  - a. The date the Task Assignment was signed by the Contactor (also insert a copy of the signed Task Assignment in the report following the certification page);
  - b. The date the Contractor began the work on the ESA;
  - c. The ESA meets the requirements of the Department of Environmental Protection, Division of State Lands, the current ASTM E 22477 standard, and therefore the federal Environmental Protection Agency's All Appropriate Inquiry Rule;
  - d. The accuracy, correctness, and completeness of the ESA is provided with the knowledge of the ASTM; and
  - e. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida is entitled to rely on the information set forth in the ESA.

3. Determine if prior ESAs have been done or any other environmental work and, if so, what was disclosed. Include all found information in the report as an Appendix for the independent review.
4. Contractor agrees to notify FDACS immediately, or as soon as feasible, if any substantial problems of significant magnitude unfold or are discovered at any point during the Phase I ESA that impact the Property.
5. Determine the potential existence of federal, state, tribal, and local environmental cleanup liens and Activity and Use Limitations (AUL) of enforcement actions against the Property. The FDACS contracts with the Contractor to fulfill these obligations on behalf of the user(s) / FDACS.
6. Identify adjoining property landowners.
7. Interview the applicable adjoining neighbors if it is determined by the Contractor that an adjoining landowner is involved in an industrial use (an activity requiring the application of labor and capital for the production or distribution of a product or article, including, without limitation, manufacturing, processing, extraction, refining, warehousing, transportation, and utilities of hazardous substances or petroleum products), or if the adjoining site shows current or historical issues in the regulatory database search. Applicable sites would include gas stations; motor repair facilities; commercial printing facilities; dry cleaners; photo developing laboratories; junkyards or landfills; or waste treatment storage, disposal, processing, or recycling facilities. Interviewing residential neighbors is not necessary *unless* the Contractor has cause for concern.
8. Review and provide a summary of current and historical aerial photographs of the Property and surrounding area for an evaluation of prior and current use. Copies of the photographs shall be placed in an appendix within the ESA for independent review.
9. Provide color photographs of the current site conditions in the ESA. All structures, wells, access roads, and trail paths leading onto the Property or impacting the Property, areas of concern, items of concern (including trash sites, borrow pits, stressed vegetation, and stained soil, business environmental risks, historical recognized environmental conditions, and recognized environmental conditions on the Property or impacting the Property shall be photographed. Enough photographs should be taken to show a good representation of the entire site's conditions. If access is available inside of each structure(s), enough photographs should be taken to show a good representation of the internal portion of the structure(s).
  - a. Include the corresponding Longitude and Latitude of each photograph, and an ArcGIS shapefile which also includes the latitudes and longitudes in the attribute table, in the ESA report for all indicated areas.
  - b. List manufacturer and model number of the GPS Unit used to collect data (i.e., Garmin, GPS map 76).
10. Orient all photograph points on a site map to scale or current aerial photograph.
11. Estimate depth of groundwater and direction of groundwater flow.
12. List all data failures, as defined in the current ASTM E 2247 standard, and explain why such failures exist.
13. The ESA report shall contain a discussion and evaluation of the relevance of all the components listed above and other findings of the ESA, along with definite conclusions and

specific recommendations for further work the Contractor deems necessary as pertinent to the Property.

14. Provide each report on double-sided pages.
15. Insert an aerial photograph or map of the entire Property at the front of the report.
16. Provide a Table of Contents and page numbers in the ESA report.
17. Provide corresponding page numbers to the Contractor's Itemized Checklist (see Exhibit V), attached to the Task Assignment, and include a completed copy in the ESA.
18. Separate out appendices clearly in the report.
19. Three (3) certified paper copies and three (3) certified CDs of the ESA shall be delivered to FDACS as set out below:

FDACS Contract Manager  
Florida Forest Service – Director's Office  
The Conner Building  
3125 Conner Boulevard  
Tallahassee, Florida 32399-1650

20. All professionals preparing or reviewing ESAs for the FDACS are required to carry a minimum of \$1,000,000 in professional liability insurance.

**APPENDIX II - EXHIBIT C**

## STANDARDS FOR ENVIRONMENTAL SITE ASSESSMENT SERVICES

## INSTRUCTIONS FOR UPDATED ENVIRONMENTAL SITE ASSESSMENTS

SCOPE OF SERVICES REQUIRED IN PERFORMING AN UPDATED  
PHASE I (ASTM E 1527 or E 2247) ENVIRONMENTAL SITE ASSESSMENT (ESA)

The updated environmental site assessment of the property (Property) to be acquired or encumbered by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Board of Trustees) must meet the requirements of the Florida Department of Environmental Protection, Division of State Lands (DSL), Bureau of Land Acquisition (BLA).

For purposes of performing the environmental site assessment, the term "hazardous materials" shall mean any hazardous or toxic substances, material or waste of any kind or other substances which is designated pursuant to and/or regulated by any environmental law. The term "environmental law" shall mean any and an applicable federal, state, tribal or local laws, statutes, ordinances, rules, regulations, or other governmental restrictions regulating, relating to, or imposing liability or standards of conduct concerning hazardous materials. In addition, the Contractor must comply with the most current American Society of Testing and Materials (ASTM) E 1527 or current E 2247 standards, whichever is applicable to the update. If the DSL standards and ASTM requirements for Phase I ESAs conflict, then the Contractor must perform to the more stringent of the requirements. Specifically, the Contractor must adhere to the current scope and limitations of ASTM Designation: E 1527-05; Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, or ASTM Designation: E 2247-08; Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, whichever is applicable to the update.

Please see the Contractor's Itemized Checklist which will be attached to the Task Assignment (see Exhibit V)

The Florida Department of Agriculture and Consumer Services (FDACS) required components and scope of the environmental site assessment beyond the above are as follows:

1. Requests for deviation from the DSL requirements as set forth must be approved in writing by the FDACS prior to the issuance of a Task Assignment.
2. Certify the updated environmental site assessment to the Board of Trustees and any other parties requested by FDACS. If the updated ESA report is not certified to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and other requested parties, the product will not be accepted. The certification shall state the following:
  - a. The date the Task Assignment was signed by the Contractor (also insert a copy of the signed Task Assignment in the report following the certification page);
  - b. The date the Contractor began the work on the updated ESA;
  - c. The updated environmental site assessment meets the requirements of the Department of Environmental Protection, Division of State Lands, the current ASTM standard, and therefore the federal Environmental Protection Agency's All Appropriate Inquiry Rule;

- d. The accuracy, correctness, and completeness of the updated environmental site assessment is provided with the knowledge of the ASTM; and
  - e. The Board of Trustees is entitled to rely on the information set forth in the updated environmental site assessment.
3. Determine if prior environmental site assessments have been done or any other environmental work and, if so, what was disclosed. Include all found information in the report as an Appendix for the independent review.
  4. Contractor agrees to notify FDACS immediately, or as soon as feasible, if any substantial problems of significant magnitude unfold or are discovered at any point during the updated Phase I ESA that impact the Property.
  5. Determine the potential existence of federal, state, tribal, and local environmental cleanup liens and Activity and Use Limitations (AUL) of enforcement actions against the Property. The FDACS contracts with the Contractor to fulfill these obligations on behalf of the user(s) / FDACS.
  6. Identify adjoining property landowners.
  7. Interview the applicable adjoining neighbors if it is determined by the Contractor that an adjoining landowner is involved in an industrial use (an activity requiring the application of labor and capital for the production or distribution of a product or article, including, without limitation, manufacturing, processing, extraction, refining, warehousing, transportation, and utilities of hazardous substances or petroleum products), or if the adjoining site shows current or historical issues in the regulatory database search. Applicable sites would include gas stations; motor repair facilities; commercial printing facilities; dry cleaners; photo developing laboratories; junkyards or landfills; or waste treatment storage, disposal, processing, or recycling facilities. Interviewing residential neighbors is not necessary *unless* the Contractor has cause for concern.
  8. Review and provide a summary of current and historical aerial photographs of the Property and surrounding area for an evaluation of prior and current use. Copies of the photographs shall be placed in an appendix within the updated environmental site assessment for independent review.
  9. Provide color photographs of the current site conditions in the updated ESA. All structures, wells, access roads, and trail paths leading onto the Property or impacting the Property, areas of concern, items of concern (including trash sites, borrow pits, stressed vegetation, and stained soil, business environmental risks, historical recognized environmental conditions, and recognized environmental conditions on the Property or impacting the Property shall be photographed. Enough photographs should be taken to show a good representation of the entire site's conditions. If access is available inside of each structure(s), enough photographs should be taken to show a good representation of the internal portion of the structure(s).
    - a. Include the corresponding Longitude and Latitude of each photograph, and an ArcGIS shapefile which also includes the latitudes and longitudes in the attribute table, in the ESA report for all indicated areas.
    - b. List manufacturer and model number of the GPS Unit used to collect data (i.e., Garmin, GPS map 76).
  10. Orient all photograph points on a site map to scale or current aerial photograph.
  11. Estimate depth of groundwater and direction of groundwater flow.



12. List all data failures, as defined in the current ASTM standard, and explain why such failures exist.

13. The updated environmental assessment report shall contain a discussion and evaluation of the relevance of all the components listed above and other findings of the updated ESA, along with definite conclusions and specific recommendations for further work the Contractor deems necessary as pertinent to the Property.

14. Provide each report on double-sided pages.

15. Insert an aerial photograph or map of the entire Property at the front of the report.

16. Provide a Table of Contents and page numbers in the updated ESA report.

17. Provide corresponding page numbers to the Contractor's Itemized Checklist (see Exhibit V), attached to the Task Assignment, and include a completed copy in the updated ESA.

18. Separate out appendices clearly in the report.

19. Three (3) certified paper copies and three (3) certified CDs of the ESA shall be delivered to FDACS as set out below:

FDACS Contract Manager  
Florida Forest Service – Director's Office  
The Conner Building  
3125 Conner Boulevard  
Tallahassee, Florida 32399-1650

20. All professionals preparing or reviewing Environmental Site Assessments for the FDACS are required to carry a minimum of \$1,000,000 in professional liability Insurance.

## APPENDIX II - EXHIBIT D

### STANDARDS FOR ENVIRONMENTAL SITE ASSESSMENT SERVICES

#### INSTRUCTIONS FOR PHASE II ENVIRONMENTAL SITE ASSESSMENTS

#### STANDARDS FOR CONDUCTING PHASE II ENVIRONMENTAL SITE ASSESSMENT (PHASE II ESA)

1. Certify the Phase II ESA to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and any other parties requested by Florida Department of Agriculture and Consumer Services (FDACS). If the report is not certified to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and other requested parties, the product will not be accepted. The certification shall state the following:
  - a. The date the Task Assignment was signed by the Contactor (also insert a copy of the signed Task Assignment in the report following the certification page);
  - b. The Phase II ESA meets the requirements of the Department of Environmental Protection, Division of State Lands, the current ASTM standard, and therefore the federal Environmental Protection Agency's All Appropriate Inquiry Rule;
  - c. The accuracy, correctness, and completeness of the Phase II ESA is provided with the knowledge of the Comprehensive Environmental Response Compensation and Liability Act as set forth in 42 U.S.C. Section 9601 et seq., as amended ("CERCLA"); and
  - d. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida is entitled to rely on the information set forth in the Phase II ESA.
  
2. Requests for deviation from the DSL requirements as set forth must be approved in writing by the FDACS prior to the issuance of a Task Assignment.
  
3. Contractor agrees to notify FDACS immediately, or as soon as feasible:
  - a. If any substantial problems of significant magnitude unfold or are discovered at any point during the Phase II ESA that impact the Property, or
  - b. If any new Recognized Environmental Conditions (RECs) that were not listed as an REC in the corresponding Phase I ESA are discovered during the course of the Phase II ESA.
  
4. Contractor agrees to communicate to FDACS, by e-mail and/or telephone, all of the data results once received from the laboratory prior to submittal of the written report.
  
5. Provide color photographs of the Phase II ESA work and any onsite conditions that may have changed since the Phase I ESA that may be of concern. Enough photographs should be taken to show a good representation of the site's RECs that are associated with the Phase II ESA.
  - a. Orient all photographs on a site map to scale or current aerial photograph.
  
6. Provide correlating GPS points for all existing wells, sample points, monitor wells, and newly discovered recognized environmental conditions, items of concern or business environmental risks.
  - a. Orient GPS points on a site map to seas or current aerial photograph.
  
7. All Phase II ESAs shall be approved and certified by a professional engineer or professional geologist licensed by the State of Florida.

8. Submit a written report which shall include a description of the RECs identified in the Phase I ESA (and any other RECs identified during the course of the Phase II ESA), the correlating work performed; observations; all back up documentation including, but not limited to, the results of the laboratory analysis, waste manifests, receipts and chain of custody documentation; monitoring well construction data; findings; conclusions, and specific recommendations based on the conditions encountered during the assessment.
9. Provide each report on double-sided pages.
10. Insert an aerial photograph or map of the entire Property at the front of the report.
11. Separate out appendices clearly in the report.
12. Three (3) certified paper copies and three (3) certified CDs of the ESA shall be delivered to FDACS as set out below:

FDACS Contract Manager  
Florida Forest Service – Director’s Office  
The Conner Building  
3125 Conner Boulevard  
Tallahassee, Florida 32399-1650

**APPENDIX II - EXHIBIT E**

CONTRACTOR'S ITEMIZED CHECKLIST

PHASE I ESA (ASTM E 1527 and ASTM E 2247);  
 UPDATED PHASE I ESA (ASTM E 1527 and ASTM E 2247)

Directions: Please fill in each blank with the appropriate response. An appendix may be indicated instead of page number(s), if appropriate.

1. YES/NO \_\_\_\_\_ Have any requests for deviation to the FDACS Scope of Services been approved?
2. Page # \_\_\_\_\_ Certification to the Board of Trustees, with subsections a, b, c, d, and e.
3. Page # \_\_\_\_\_ Determination of whether other or previous ESAs or environmental work has been performed at the Property. If other ESAs or environmental work exists, state the Appendix in which copies of the previous ESAs or environmental work can be found in the report: Appendix \_\_\_\_\_
4. Page # \_\_\_\_\_ Determination of existing environmental liens and AULs on the Property.
5. Page # \_\_\_\_\_ Adjoining property landowner identification.
6. YES/NO \_\_\_\_\_ Were any adjoining landowners interviewed?  
 If so, what page number can this information be found on in the report?  
 Page # \_\_\_\_\_
7. Page # \_\_\_\_\_ Summary of current and historical aerial photographs.
8. Page # \_\_\_\_\_ GPS points and GPS manufacturer and model.
9. Page # \_\_\_\_\_ Photograph points oriented on a site map to scale or current aerial photograph.
10. Page # \_\_\_\_\_ Groundwater information.
11. Page # \_\_\_\_\_ Data failure information.
12. Page # \_\_\_\_\_ Discussion and evaluation of findings, conclusions, and recommendations.

## APPENDIX III

### BASELINE DOCUMENTATION REPORTS

For less-than-fee-simple land acquisitions made on behalf of the Board of Trustees of the Internal Improvement Trust Fund ("Board"), the Florida Department of Agriculture and Consumer Services (FDACS) will task the Contractor to perform a baseline documentation study. The results should be provided in a report by the Contractor. The Baseline Documentation Report (BDR) is to satisfy the Florida Department of Environmental Protection, Division of State Lands requirements regarding documentation of conditions, at the time of acquisition, of properties over which a conservation easement or other less-than-fee-simple real estate interest is acquired.

The purpose of the BDR is to identify natural resources on site, land use activities present at the time of the BDR, threatened or endangered species present, and describe the property adequately to establish baseline conditions from which future monitoring may occur and management recommendations may be made.

#### Scope of Services

The Contractor shall:

1. Conduct interviews with the landowner and employees or other pertinent individuals who may have knowledge of the on-site presence of listed species, unique features, and historical or archaeological sites. Obtain any information available on fire history, grazing history and timbering history.
2. Review current and historical aerial photographs of the Property and surrounding area for an evaluation of current use. Include National Wetland Inventory maps for the purpose of conducting community mapping activities.
3. Interpret the aerial photography and soil maps of the site to prepare an initial natural communities map based on the Florida Natural Areas Inventory (FNAI) Natural Communities Descriptions. Review surveys and ground-truth to finalize the maps and include ground water characteristics and general topography.
4. Review pertinent, readily available literature and databases (including, but not limited to: Florida Fish and Wildlife Conservation Commission publications, CARL or Florida Forever project assessment documents, Florida Natural Areas Inventory, Florida Breeding Bird Atlas) for known on-site species occurrences and to identify listed species that are known to occur in the region.
5. Prepare a list of Florida Natural Areas Inventory listed animals and plants that potentially inhabit the project site based on current or previous sightings.
6. Comply with the following Property investigation requirements:
  - a. A field survey shall be conducted concurrently with the site inspection for the purposes of determining the likelihood of presence or absence of animal or plant species and verifying the boundaries and the condition of existing upland and wetland communities. Field surveys will be carried out at the appropriate times (early morning and late evening) and will include representative coverage of all habitat types with the potential for supporting listed plant and animal species. The field surveys should be of adequate depth to maximize the chances of identifying listed

species present on the Property. Florida Natural Areas Inventory listed plant species will be surveyed concurrently with the habitat surveys. When Florida Natural Areas Inventory listed species are observed on the Property, provide a qualitative estimate of abundance (e.g., common, rare, etc.).

- b. Man-made improvements such as residences, farm buildings, storage tanks, signs, dikes/dams, canals/ditches, roads, bridges, etc., shall be photographed.

### Reporting Requirements

A written BDR shall be prepared which contains a summary of the documentation. The BDR shall be submitted no later than the date specified in the Task Assignment Notification form. The report shall include, at a minimum, the following:

1. A description of the Property, including a general location map, specific location, size, legal description and owner information.
2. A map delineating the community types (per FNAI or both FLUCCS and FNAI) present on the site, along with the estimated acreage of each habitat tract. Habitat acreages will be computed and provided either on the map or on a separate table that is included in the report. Habitat types will be recorded in the report text according to their dominant species by stratum (overstory, midstory, groundcover) and the quality of the habitat. Unique features found, such as springs, caves, sinkholes, artesian wells, rookeries, eagle nests, etc., will be noted and mapped on aerial photographs or referenced to the natural communities map. A description of the general condition and health of waterways, wetlands, and natural communities will be included. The habitat map and description will also include a summary of the type, location and aerial extent of nuisance or exotic plant species. The map should also indicate any agricultural, wetland, upland, or other areas specifically referenced in the BDR.
3. A map and/or aerial photograph marked with the locations of any man-made improvements such as residences, farm buildings, storage tanks, signs, dikes/dams, canals/ditches, roads, bridges, etc., and marked with the locations of any historical or archaeological sites known or suspected.
4. Color photographs of the current site conditions oriented to specific locations on the Property. All trash sites on or impacting the Property shall be photographed, with enough photographs to document the overall condition of the Property.
5. Color photographs of all man-made improvements such as residences, farm buildings, storage tanks, signs, dikes/dams, canals/ditches, roads, bridges, etc.
6. Indexed photographs representative of each habitat type and, if practicable, of listed species identified on site. Include photographs and descriptions of all agricultural uses and include intensity of use, such as grazing intensity or crop types.
7. A table summarizing the Florida Natural Areas Inventory listed wildlife and plant species (common and scientific name) found during the assessment, along with their designated state and federal status.
8. A discussion of the type and location of listed plant and animal species found, including a discussion of the probability of on-site occurrences not observed.
9. Ensure that all site characteristics or features specifically referenced in the conservation easement (e.g., wetlands, natural communities, agricultural or silvicultural

areas, certain man-made features) are described in the text and/or indicated on appropriate maps.

10. Recommendations, if any, regarding appropriate management practices suggested to be employed on the Property consistent with the purposes and conditions of the easement. These recommendations should be included as an appendix and clearly marked as non-binding unless specifically required by the terms of the easement.

11. Any requests for deviation from the above requirements must be approved in advance, in writing, by FDACS.

12. Three (3) certified paper copies and three (3) certified CDs of the BDR shall be delivered to DACS as set out below:

FDACS Contract Manager  
Florida Forest Service – Director’s Office  
The Conner Building  
3125 Conner Boulevard  
Tallahassee, Florida 32399-1650

**APPENDIX IV****COMBINATION BASELINE DOCUMENTATION / ENVIRONMENTAL SITE ASSESSMENT REPORTS**

For less-than-fee-simple land acquisitions made on behalf of the Board of Trustees of the Internal Improvement Trust Fund ("Board"), the Florida Department of Agriculture and Consumer Services (FDACS) will task the Contractor to perform a combined phase one environmental site assessment and baseline documentation study. The results should be provided in two (2) separate reports by the Contractor. One report must satisfy the requirements of Florida Department of Environmental Protection, Division of State Lands (DSL), and those of the Comprehensive Environmental Response Compensation and Liability Act as set forth in 42 U.S.C., Section 9601 (CERCLA) regarding environmental assessments (Environmental Site Assessment Report - ESA). The second is to satisfy the DSL requirements regarding documentation of conditions, at the time of acquisition, of properties over which a conservation easement or other less-than-fee-simple real estate interest is acquired (Baseline Documentation Report - BDR).

The purposes of two reports are to perform the required services of an environmental assessment as described below, including summarizing recommendations and conclusions, remediation activities where needed, consultation on assessment implications and remediation, and expert witness activities as required. In addition, the reports will identify natural resources on site, land use activities present at the time of the report, threatened or endangered species present, and describe the property adequately to establish baseline conditions from which future monitoring may occur and management recommendations be made.

**Scope of Services**

The Contractor shall:

1. Provide certification of the environmental assessment/documentation report to the Board and any parties requested by FDACS. If the report is not certified to the Board and other requested parties, no review of the assessment/documentation report will be performed. The certification shall state the following:
  - a. The date the original report was completed and the date of any update that is required;
  - b. The Environmental Site Assessment and Baseline Documentation Report meet the requirements of DSL;
  - c. The accuracy, correctness and completeness of the environmental assessment portion of the report is provided with the knowledge of the CERCLA requirements as set forth in 42 U.S.C. Section 9601, as amended; and
  - d. The Board is entitled to rely on the information set forth in the environmental assessment/documentation report.
  
2. Search the recorded chain of title documents regarding the Property, including, but not limited to, all deeds, easements, leases for oil, gas, mineral, lumber, timber, turpentine rights and agricultural purposes, and other uses, restrictions, reverters, and covenants, and rights-of-way for roads, railroads and utilities. The chain of title shall be of a sufficient length of time to account for previous ownership and uses of the property and uses of the Property that are likely



to have an adverse environmental impact on the Property but in no event for a period of less than 50 years. The history shall be summarized in chronological order from the earliest instrument to the latest instrument listing all parties in the instrument, type of instrument and official record book and page number for each instrument.

3. Conduct interviews with the landowner and his/her employees or other pertinent individuals who may have knowledge of the on-site presence of listed species, unique features, and historical or archaeological sites. Obtain any information available on fire history, grazing history and timbering history. Interview prior owners and neighbors as necessary.

4. Determine the past and present uses of the Property.

5. Review current and historical aerial photographs of the Property and surrounding area for an evaluation of prior and current use. Include National Wetland Inventory maps and information from the Water Management District, Florida Department of Transportation of local counties for the purpose of conducting community mapping activities.

6. Interpret the aerial photography and soil maps of the site to prepare an initial natural communities map based on the Florida Natural Areas Inventory (FNAI) Natural Communities Descriptions. Review surveys and ground-truth to finalize the maps and include ground water characteristics and general topography.

7. Review pertinent, readily available literature and databases (including, but not limited to: Florida Fish and Wildlife Conservation Commission publications, CARL or Florida Forever project assessment documents, FNAI, Florida Breeding Bird Atlas) for known on-site species occurrences and to identify listed species that are known to occur in the region.

8. Prepare a list of FNAI listed animals and plants that potentially inhabit the project site based on current or previous sightings.

9. Determine the existence of any federal, state and local environmental cleanup liens or enforcement actions against the Property.

10. Review reasonably obtainable federal, state and local records of existing and potentially contaminated sites, including site investigation reports for such contaminated sites; reasonably obtainable federal, state and local environmental records of activities on nearby properties that are likely to have an adverse environmental impact on the subject Property (including records of environmental problem sites, landfill and other disposal site records, underground storage tank records and known hazardous waste handler and generator records); and such other reasonably obtainable federal, state and local environmental records which report incidents of sources of contamination on the subject Property. At least the following agency records should be review: Federal NPL site list; Federal CIRCUS list; Federal RCRA TSD facilities list; Federal RCRA generators list; Federal ERNS list; State list of hazardous waste identified for investigation or remediation; State landfill and/or solid waste disposal site lists; state leaking UST lists; State registered UST lists. The minimum search distance for these lists shall be as follows and shall be measured from the nearest property boundary:

- a. Federal NPL site list - 1.0 mile
- b. Federal CIRCLI list - 0.5 mile

- c. Federal RCRA TSD facilities list - 1.0 mile
  - d. Federal RCRA generators list - property and adjoining properties
  - e. Federal ERNS list property only
  - f. State lists of hazardous waste sites -1.0 mile
  - g. State leaking UST lists -0.5 list
  - h. State registered UST lists - property and adjoining properties
  - i. State landfill and /or solid waste disposal site lists - 0.5 mile
11. Comply with the following Property investigation requirements:
- a. A visual site inspection of the Property and all facilities and improvements on the Property, and a visual inspection of properties immediately adjacent to the Property, to determine or discover the obviousness of the of the presence or likely presence of contaminants on the Property (including chemical use, storage, treatment, and disposal practices, past and present). This inspection shall be conducted in such a manner that insures uniform coverage so that all the Property is viewed. The Property may be inspected by use of a helicopter or plane. However, all items of concern noted during the aerial inspection shall be ground-truthed. Additionally, all roadways and trails leading into the Property and all roads abutting the Property shall be inspected on the ground.
  - b. A field survey shall be conducted concurrently with the site inspection for the purposes of determining the likelihood of presence or absence of animal or plant species and verifying the boundaries and the condition of existing upland and wetland communities. Field surveys will be carried out at the appropriate times (early morning and late evening) and will include representative coverage of all habitat types with the potential for supporting listed plant and animal species. The field surveys should be or adequate depth to maximize the chances of identifying listed species present on the Property. FNAI listed plant species will be surveyed concurrently with the habitat surveys. When FNAI listed species are observed on the Property, provide a qualitative estimate of abundance (e.g., common, rare, etc.).
  - c. Man-made improvements such as residences, farm buildings, storage tanks, signs, dikes/dams, canals/ditches, roads, bridges, etc., shall be photographed.
  - d. Any debris, mounds, trash piles; stressed vegetation or similar features or deposits that may indicate old dump sites shall be inspected. Other areas that demand careful examination are sinkholes, ravines, rights-of-way, edges of fields and watercourses.
  - e. Organic vapor analyses of any conditions that would warrant this type of testing where there appears to be the presence of potentially hazardous materials should be performed.

### Reporting Requirements

Written reports shall be prepared which contains a summary of the assessment/documentation. The reports shall be submitted no later than the date specified in the Task Assignment Notification form.

The reports shall include, at a minimum, the following:

- 1. A description of the Property, including a general location map, specific location, size, legal description and owner information. (BDR, ESA)

2. A map delineating the community types (per FNAI or both FLUCCS and FNAI) present on the site, along with the estimated acreage of each habitat tract. Habitat acreages will be computed and provided either on the map or on a separate table that is included in the report. Habitat types will be recorded in the report text according to their dominant species by stratum (overstory, midstory, groundcover) and the quality of the habitat. Unique features found, such as springs, caves, sinkholes, artesian wells, rookeries, eagle nests, etc., will be noted and mapped on aerial photographs or referenced to the natural communities map. A description of the general condition and health of waterways, wetlands, and natural communities will be included. The habitat map and description will also include a summary of the type, location and aerial extent of nuisance or exotic plant species. The map should also indicate any agricultural, wetland, upland or other areas specifically referenced in the baseline documentation/environmental site assessment report. (BDR)
3. A map and/or aerial photograph marked with any items or locales of concern, numbered and described. The degree of concern regarding hazardous materials at these locations should be addressed. (ESA)
4. A map and/or aerial photograph marked with the locations of any man-made improvements such as residences, farm buildings, storage tanks, signs, dikes/dams, canals/ditches, roads, bridges, etc., and marked with the locations of any historical or archaeological sites known or suspected. (BDR)
5. Color photographs of the current site conditions oriented to specific locations on the Property. All trash sites on or impacting the Property shall be photographed, with enough photographs to document the overall condition of the Property. (ESA, BDR)
6. Color photographs of all man-made improvements such as residences, farm buildings, storage tanks, signs, dikes/dams, canals/ditches, roads, bridges, etc. (BDR)
7. Indexed photographs representative of each habitat type and, if practicable, of listed species identified on site. Include photographs and descriptions of all agricultural uses (include intensity of use, such as grazing intensity or crop types). (BDR)
8. A discussion of all findings and specific conclusions regarding the site contamination probability. (ESA)
9. Recommendations for further action based on the results of the inspection and estimated costs if further assessment is deemed necessary. (ESA)
10. A table summarizing the FNAI listed wildlife and plant species (common and scientific name) found during the assessment, along with their designated state and federal status. (BDR)
11. A discussion of the type and location of listed plant and animal species found, including a discussion of the probability of on-site occurrences not observed. (BDR)
12. Recommendations, if any, regarding appropriate management practices suggested to be employed on the Property consistent with the purposes and conditions of the easement. These

recommendations should be included as an appendix and clearly marked as non-binding unless specifically required by the terms of the easement.

13. The report shall be approved and certified by either a professional engineer or professional geologist licensed by the State of Florida. (ESA)

14. It is the responsibility of the firm performing the ESA / BDR to obtain 50-year chain of title documents unless otherwise arranged. (ESA)

15. All updates of the original report must include a field inspection of the site and surrounding vicinity and recertification. If the field inspection reveals any changes in the Property that may have adverse environmental impacts, the update report shall be expanded to address those issues. (ESA)

16. Any requests for deviation from the above requirements must be approved in advance, in writing, by FDACS. (ESA, BDR)

17. Three (3) certified paper copies and three (3) certified CDs of the ESA shall be delivered to FDACS as set out below and three (3) certified paper copies and three (3) certified CDs of the BDR shall be delivered to FDACS as set out below:

FDACS Contract Manager  
Florida Forest Service – Director’s Office  
The Conner Building  
3125 Conner Boulevard  
Tallahassee, Florida 32399-1650

Cost Proposals

FDACS may issue informal cost proposal requests to its combination BDR / ESA contractors for specific projects to be conducted under a task assignment, although final selection for task assignment award may not be based solely on price. All cost proposals prepared by the Contractor must be submitted to the FDACS on or before the date and time set for receiving cost proposals in order to be considered for task assignment award.

Performance Measures

Deliverables reviewed to ensure compliance with the DSL standards in the scope of services and the American Society of Testing and Materials requirements.

Financial Consequences

No payment will be made for unsatisfactory deliverables. In the event that a deliverable is deemed unsatisfactory by the FDACS, Contractor shall re-perform the services needed for submittal of a satisfactory deliverable, at no additional cost to the FDACS, within thirty (30) days of being notified of the unsatisfactory deliverable. If a satisfactory deliverable is not submitted within the specified timeframe, the FDACS may, in its sole discretion, either: 1) terminate the Contract for failure to perform, or 2) FDACS Contract Manager may, by letter specifying the failure of performance under the Contract, request that a proposed Corrective Action Plan (CAP) be submitted by Contractor to the FDACS. All CAPs must be able to be implemented and performed in no more than sixty (60) days.

1. A CAP shall be submitted within ten (10) calendar days of the date of the letter request from the FDACS. The CAP shall be sent to the FDACS Contract Manager for review and approval. Within ten (10) calendar days of receipt of a CAP, the FDACS shall notify the Contractor in writing whether the CAP proposed has been accepted. If the CAP is not accepted, Contractor shall have ten (10) calendar days from receipt of the FDACS letter rejecting the proposal to submit a revised proposed CAP. Failure to obtain FDACS approval of a CAP as specified above shall result in the FDACS's termination of the Contract for cause as authorized in the Contract.

2. Upon FDACS's notice of acceptance of a proposed CAP, Contractor shall have ten (10) calendar days to commence implementation of the accepted plan. Acceptance of the proposed CAP by FDACS does not relieve the Contractor of any of its obligations under the Contract. In the event the CAP fails to correct or eliminate performance deficiencies by Contractor, the FDACS shall retain the right to require additional or further remedial steps, or to terminate the contract for failure to perform. No actions approved by FDACS or steps taken by Contractor shall estop the FDACS from subsequently asserting any deficiencies in performance. Contractor shall continue to implement the CAP until all deficiencies are corrected. Reports on the progress of the CAP will be made to the FDACS as requested by the FDACS Contract Manager.

3. Failure to respond to a FDACS request for a CAP or failure to correct a deficiency in the performance of the Contract as specified by the FDACS may result in termination of the Contract.

The remedies set forth above are not exclusive and the FDACS reserves the right to exercise other remedies in addition to or in lieu of those set forth above, as permitted by the Contract.