

**Charlie Liem**, Secretary

**Rick Scott**, Governor

**DATE: February 18, 2011**

**ADDENDUM NO: 3**

**INVITATION TO NEGOTIATE (ITN) NO: 790:0094**

**ITN TITLE: JACKSONVILLE OFFICE LEASE**

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Please be advised that the following changes are applicable to the above Invitation to Negotiate.

ITEM 1: Page 20 of 70, Attachment A: Agency Specifications, has been revised to include a glass window for one office and additional cable drops for various areas. Please reference the attachment for specific changes.

Item C. has been revised to read:

B. 20 Partition Office(s) not to exceed ~~84~~ 80 sq. ft. each

Please replace page 20 of the above Invitation to Negotiate with the attached page.

ITEM 2: Page 31 of 70, Modular Workstations Specifications, has been revised to read:

Information on Modulars

New or reconditioned professional modular workstations as shown. Size will be 8' x 8' 10' as specified in ITN.....

Please replace page 31 of the above Invitation to Negotiate with the attached page.

ITEM 3: The Questions and Answers document is attached for your consideration.

ITEM 4: Corrections and/or changes to the ITN are attached.

All other terms and conditions of the ITN remain the same.

This addendum will become part of your bid.

Sincerely,

*Traci Gerrell*

Traci Gerrell  
General Services Specialist

FAILURE TO FILE A PROTEST WITHIN THE TIME PRESCRIBED IN 120.57(3) OF THE FLORIDA STATUTES OR FAILURE TO POST THE BOND OR OTHER SECURITY REQUIRED

BY LAW WITHIN THE TIMEFRAME ALLOWED FOR FILING THE BOND SHALL CONSTITUTE A WAIVER OF PROCEEDINGS UNDER CHAPTER 120 OF THE FLORIDA STATUTES.

**N. DISCLAIMER**

**This Invitation to Negotiate is an invitation to negotiate and is for discussion purposes only. It is neither an offer, contract nor agreement of any kind. Neither the Agency nor the Offeror/Lessor shall have any legal rights or obligations whatsoever between them and neither shall take any action or fail to take any action in reliance upon any part of these discussions until the proposed transaction and a definitive written lease agreement is approved in writing by the Agency.**

**This Invitation to Negotiate shall not be considered an offer to lease. The terms of any transaction, if consummated, shall not be final nor binding on either party until a Lease Agreement is executed by all parties. This Invitation to Negotiate may be modified or withdrawn by the Agency at any time.**

**Offeror understands and agrees with the Disclaimer set forth in this Section ⊖ (use an X to mark one of the following):** YES  or NO

**V. REPLY EVALUATION AND NEGOTIATION PROCESS; PROPOSAL EVALUATION CRITERIA**

**Reply Evaluation and Negotiation Process:** Using the evaluation criteria specified below, the Agency shall evaluate and rank Replies and, at the Agency's sole discretion, proceed to negotiate with Offerors as follows:

- The highest ranked Offeror(s) will be invited to negotiate a contract. If necessary, the Agency/Tenant Broker shall request revisions to the approach submitted by the top-rated Offeror(s) until it is satisfied that the contract will serve the State's needs. The process will continue until a contract or contracts are negotiated and executed.
- The Agency reserves the right to negotiate with all responsive and responsible Offerors, serially or concurrently, to determine the best-suited solution. The ranking of Replies indicates the perceived overall benefits of the proposed solution, but the Agency/Tenant Broker retains the discretion to negotiate with other qualified Offerors as deemed appropriate.
- Before award, the Agency reserves the right to seek clarifications, to request Reply revisions, and to request any information deemed necessary for proper evaluation of Replies. Offerors may be requested to make a presentation, provide additional references, provide the opportunity for a site visit, etc. The Agency reserves the right to require attendance by particular representatives of the Offeror. Any written summary of presentations or demonstrations shall include a list of attendees, a copy of the agenda, and copies of any visuals or handouts, and shall become part of the Offeror's Reply. Failure to provide requested information may result in rejection of the Reply.
- The focus of the negotiations will be on achieving the solution that provides the best value to the State.
- In submitting a Reply an Offeror agrees to be bound to the terms contained in that Reply for a minimum of thirty (30) days. Offered prices/rates should assume those terms

## VIII. Required Documentation Checklist

In order for a proposal to be accepted, Items A through ~~X~~ U shall be included in the proposal.

Checklist: Please note that the items requested shall conform to the specifications and requirements contained in this ITN. Items supplied, which do not meet the specified requirements, may be determined non-compliant.

- A. \_\_\_\_\_ One (1) original ITN form properly completed.
- B. \_\_\_\_\_ Attachment B - Map (annotated with location of proposed facility)
- C. \_\_\_\_\_ Scaled Floor plan showing present layout with dimensions
- D. \_\_\_\_\_ Square footage calculations.
- E. \_\_\_\_\_ Scaled Site layout with all parking spaces and utilization of spaces shown
- F. \_\_\_\_\_ Disclosure of Ownership Statement
- G. \_\_\_\_\_ Energy Performance Calculation Method
- H. \_\_\_\_\_ Sustainable Building Rating and FEMP
- I. \_\_\_\_\_ Special Power of Attorney
- J. \_\_\_\_\_ Documentation showing Offeror as controller of property
- K. \_\_\_\_\_ Letter from the current Zoning Authority stating the property is suitably zoned
- L. \_\_\_\_\_ Authorization for corporation to conduct business in Florida
- M. \_\_\_\_\_ Certification letter from an HVAC contractor or engineer
- N. \_\_\_\_\_ Public transportation schedule
- O. \_\_\_\_\_ Tenant acknowledgment of the Offeror's proposal (if applicable)
- P. \_\_\_\_\_ Proof of Historical Property designation (if applicable)
- Q. \_\_\_\_\_ Certification of multi-story building live load by a structural engineer registered with the State of Florida upon the bid award.
- R. \_\_\_\_\_ Offeror to supply Crime statistics from local Law Enforcement Agency for a one mile radius around proposed location, for all crimes in the last reported year.
- S. \_\_\_\_\_ Broker – Tenant Commission Agreement (Attachment G)
- T. \_\_\_\_\_ Evidence of control of parking
- U. \_\_\_\_\_ Employment Eligibility Verification (Attachment K)

## ATTACHMENT A: AGENCY SPECIFICATIONS

### OFFICE AND ROOM SIZES FOR THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION SPACE REQUIREMENTS FOR: Jacksonville Office

**Please Note: The Department reserves the right to make adjustments to accommodate additional staff.**

Approx. Quantity		Type of space & size needed	Square Feet	Special Requirements
A.	5	Office(s) not to exceed <u>150</u> sq. ft. each	750	Data and Phone Drop Dedicated Outlets
B.	25	Office(s) not to exceed <u>100</u> sq. ft. each <span style="color: red;">1 office needs a glass window to view reception area</span>	2,500	Data and Phone Drop Dedicated Outlets
C.	20	Partition Office(s) not to exceed <del>84</del> <u>80</u> sq. ft. each	1,600	Same as above – See Agency Unique Specs. and Attachment A
E.	3	Reception (1 per suite/floor) @ <u>100</u> sq. ft. each	300	Data and Phone Drop Dedicated Outlets
F.	1	Telecom Room/LAN Equip. Room	100	Separate Climate Controlled Elec/Data drops
G.	3	Supply & Storage Rooms <u>100</u> sq. ft. each	300	Electric Outlets
H.	3	Copy Room/Printer/Fax/Shred Rooms @ 100 SF each	300	Multiple Electric Outlets/Multi Data/Phone Drops
I.	1	Conference/Meeting Room	350	Mult. Data Drops/Elec. Outlets/Phone Drops
J.	1	Pantry	200	Mult. Data Drops/Elec. Outlets/Phone Drops
<b>Sub Total</b>			6,400	
<b>Circulation space for the above offices (35%)</b>			2,240	
<b>Special Use Space (K through W)</b>				
K.	1	Interview Room (Regulation/H&R)	150	Electric/Phone/Data drops
L.	1	Interview Room (AB&T)	150	Electric/Phone/Data drops
N.	1	Evidence Vault (AB&T-Enf)	350	Electrical/ <span style="color: red;">2 phone &amp; 2 data drops</span>
M.	1	Equipment Room (AB&T-Enf)	100	Electrical/ <span style="color: red;">1 voice and 1 data drop</span>
O.	1	Squad Bay Area (AB&T-Enf)	200	Electrical and Phone drops <span style="color: red;">&amp; data drop</span>
P.	1	Audit Vault (AB&T-Auditing)	250	Electrical/ <span style="color: red;">1 voice and 1 data drop</span>
Q.	1	Evidence Room (Regulation)	100	Electrical/ <span style="color: red;">1 voice and 1 data drop</span>
R.	1	AB&T (Auditing) Secured File Storage	200	Electrical/ <span style="color: red;">1 voice and 1 data drop</span>
S.	1	AB&T (Licensing) Secured File Storage	350	Electrical/ <span style="color: red;">1 voice and 1 data drop</span>
T.	1	AB&T (Enforcement) Secured File Storage	100	Electrical/ <span style="color: red;">1 voice and 1 data drop</span>
U.	1	H&R Secured File Storage	400	Electrical/ <span style="color: red;">1 voice and 1 data drop</span>
V.	1	Real Estate Secured File Storage	100	Electrical/ <span style="color: red;">1 voice and 1 data drop</span>
W.	1	Regulation Secured File Storage	100	Electrical/ <span style="color: red;">1 voice and 1 data drop</span>
<b>Sub Total</b>			2,600	
<b>Circulation space (30%) for items K through W</b>			780	
<b>TOTAL SQUARE FEET:</b>			12,020	

## **MODULAR WORKSTATIONS SPECIFICATIONS**

The following are examples of what typical workstations might look like. The actual workstations may not be exactly like any one of the samples shown.

### **SPECIFICATIONS FOR STANDARD WORKSTATIONS**

#### Information on Modulares

New or reconditioned professional modular workstations as shown. Size will be 8' x 8' 10' as specified in ITN. Height to be a minimum of 6'. Modular partitions should include all work surfaces and two separate 2 drawer units. Drawer units to consist of one 6-inch box drawer with pencil tray and one 12-inch file drawer. (Total of four (4) drawers per office.) All drawers shall have locks. Two overhead shelving units with locking flipper doors and task lighting under the shelving units (for both units). Partitions shall be wired for computers and telephone service at Lessor's expense, with the same specifications as the fully built out offices. The electrical, computer wire and telephone wiring for the panel partitions shall be in the base of the panel system and shall have 4 electrical outlets. Workstations shall be installed per conceptual drawings. Work surface shall include a retractable computer keyboard tray and mouse pad holder. Fabric, work surfaces, and panel colors are to be selected by DBPR staff from Lessor's samples prior to the procurement and installation. Partitions shall offer a high performance acoustical noise reduction co-efficient (NRC) rating of a least .75 and a sound transmission co-efficient (STC) of a least 20.

Proposed Model Type: \_\_\_\_\_

New or recondition modular(s): \_\_\_\_\_

Recondition: \_\_\_\_\_

#### Structural Panels:

1. Shall be constructed of a rigid metal frame with a center septum for lateral stability. Septum shall be covered with a minimum of two layers acoustical material and finished with Class A fire rated fabric on each side. The entire assembly shall carry a Class A fire rating, when installed.
2. Shall be capable of supporting as many fully loaded components, including work surfaces, as can physically be hung on the panel.
3. Shall have rigid panel connections to ensure strong, stable connections and straight panel run. Connectors shall be self-aligning.
4. Shall include slotted standards with slots a maximum of 1" apart to enable height adjustment of work surfaces and all hanging components at increments of 1" or less.
5. Shall have raceway covers which are flush with the panel surface. Raceway covers shall fit tightly in place when closed and shall not be dislodged by kicking, vacuum cleaning or other incidental contact.
6. Shall include a hollow raceway and cover trim on all non-powered panels which matches that of powered panels; they shall be capable of being converted to power in the field.

FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
Division of Administration  
1940 North Monroe Street  
Tallahassee, FL 32399

February 18, 2011

Questions and Answers for DBPR Solicitation No. 790:0094 Invitation to Negotiate (ITN) for Leased Space in the Greater Jacksonville Area of Florida

**\*\* Please note there was a small typo on the ITN. The top of Page 19 of 70 should state "A through U" not "A through X." Additionally, the last sentence on Page 15 of 70 should not reference Section "O". Please reference and include the revised ITN pages located on the VBS with your ITN response.\*\***

The following Questions were raised by prospective contractors through e-mails received. The Answers are herein provided for your consideration in responding to the above referenced solicitation.

1. What are the furniture requirements for the "Special Use Spaces (K-W)"?

**Answer:** No furniture requirements, with the exception of shelving for the Evidence Vault and Auditing Vault.

1. The Evidence Vault shall have floor to ceiling shelves on 3 walls that are 18" wide and 18" between shelving.
2. The Audit Vault shall have floor to ceiling shelves on 2 walls that are 18" wide and 18" between shelving.

2. Why are 3 reception areas required? Do they have 3 departments within this agency that need separate entrances?

**Answer:** 3 divisions share a lobby and need 2 windows. The 4<sup>th</sup> division needs 2 reception areas (1 for auditing and 1 for licensing). Yes, 3 separate entrances are needed.

3. Has a program been developed explaining the adjacency requirements for the layout of the space or will the architectural firm be required to develop

this program by meeting with the tenant? If more programming information is available can we see it to developing the test fit?

**Answer:** The Division of Alcoholic Beverages & Tobacco must be locked down from other divisions. They also need additional employee entrances other than the lobby. Attached is a layout of the current Premises to assist with adjacencies, however, the build out specifications in the ITN prevail.

4. What are the furniture requirements in the reception areas?

**Answer:** None

5. Are there any furniture requirements for the offices?

**Answer:** No

6. The project is described as "Turn-key Build Out" we assume the equipment like telephone systems, copiers, fax machines... are going to be provided by the tenant. Please identify any equipment that is the land lord's responsible.

**Answer:** Security equipment as specified on Page 23-24, Section F.

7. Are all the secured storage rooms to be built to the standards of a "Security room" defined under the Telecommunications and Server Equipment Room or do they have different standards?

**Answer:** No, the storage rooms are built likes office but they must lock.

8. What is the overall expectation of the finish level of the desired space? Class A, B or C

**Answer:** The state requires the best value as it relates to the build out of the space and prefers the utilization of building standards materials unless otherwise outlined in the ITN.



9. Will a Test Fit be required with the Reply?

Answer: No but its encouraged.

10. Page 12, Article IV, Section G, second Paragraph – Is the determination called for in this paragraph to be established by use of the estimated costs presented in the ITN Reply or by bid costs based on the approved construction documents?

Answer: Estimated costs.

11. In the event the State exercises its rights to cancel the lease and/or surrender space, is the landlord entitled to recover unamortized real estate commissions?

Answer: No.

12. Page 15 – the last sentence of Section N refers to Section O.

Answer: This is a typo. The letter “O” should not be referenced. Please see revised ITN attached.

13. Regarding cubes: points of clarification

a. The lessor pays to acquire and install, correct?

Answer: Yes.

b. Are the cubes to be the property of the lessor and will they remain so throughout and beyond the term of the lease?

Answer: Yes.

c. Attachment “A” calls for cubes that are at most 81 sf, the spec on Page 31 calls for cubes that are 8 X 8 (64 sf). Does that mean that, notwithstanding the maximum size cited in Attachment A, the State wants cubes that are 8X8?

Answer: This is a typo – pages 20 and 31 should specify 8 x 10 cubes. Please see revised ITN attached.

14. Page 20 - Attachment A – What does “AB&T” mean?

Answer: Division of Alcoholic Beverages and Tobacco

15. Page 24 – Signs, Section B.1 refers to Signage in Attachment A, but there is no reference to Signage in Attachment A.

Answer: Attachment A (Department Provided Decals for DBPR Signs) is located on Page 34

16. Page 25 – Floor Coverings – should landlord choose to use a higher grade carpet, may re-carpeting occur less frequently than every five years?

Answer: Although lessee will not waive its right to new carpeting every five years, lessee will not unreasonably request replacement should carpet be in satisfactory condition to the lessee.

17. Page 46 Surrender Option

a. Does Article 8(A) of the lease applies to the Surrender Space in the proportion the surrendered space has to the total space?

Answer: No

b. Will the State retain any rights, such as a right of first refusal, to the surrendered space?

Answer: No

18. For cubes that do not feed off a wall are power poles acceptable?

Answer: Yes

19. What are the estimated dimensions of the training/conference room that is to have the folding partition?

Answer: Dimensions are not specific, however, the total open area must be 350 square feet

20. (a) May we propose more than one building, each capable of meeting the State's requirements?

Answer: Yes, however, a separate ITN reply must be completed for each building.

(b) If one of the buildings proposed for this ITN has been submitted to the State for consideration in connection with another ITN for which an award has not been made by the time this ITN is submitted, may the building winning the other ITN be withdrawn from this ITN with the other buildings submitted for this ITN remaining eligible for consideration?

Answer: Each ITN submittal will be evaluated separately and cannot be replaced at offeror's discretion.

21. Regarding L. Surrender Option: If the respondent chooses to not agree with the Surrender Option, due to building configuration, is the response found to be non-compliant?

Answer: Should offeror not agree with the Surrender Option, it would not be an automatic rejection of the ITN response, however, it could be the (or a) factor for a non-bid award.

22. If the building is not Energy Star rated at the time of the submittal, to what extent is Attachment F to be "followed and the appropriate information returned with the reply," as per Page 5 of 70?

Answer: The requirements of Attachment F are not required to be provided with the ITN response. The information required in attachment "F" must be submitted and approved prior to award. The building does not have to be an Energy Star rated building.

23. As per the example lease, Page 39 of 70, 5. Utilities: if the space is greater than 5,000 sf:

a. Will the State pay to separately meter the space?

Answer: No

b. Does the State intend to pay the electric directly; thereby reducing the full service platform?

Answer: No

24. When there are existing restrooms on a proposed 2<sup>nd</sup> floor (ladies-4 stalls; men's-3 stalls, 2 urinals) but which are not handicapped, will the addition of a Unisex Handicap on the 2<sup>nd</sup> floor meet DCA/ADA Accessibility Requirements?

Answer: Yes

25. Are Constant Volume Systems acceptable in lieu of VAV?

Answer: No

26. Is it required that the proposed leased facility be fire sprinkled?

Answer: Only if required by code.

27. Is public access required by the DBPR for their clients or other visitors (they have requested interview rooms, etc.)? If so, we would like an estimate on the average number of visitors per week and if they would be "repeat" clients or walk-in's.

Answer: Yes, public access is required for clients and visitors. The weekly visitor total may vary due to license renewals. On a monthly basis DBPR services approximately 333 customers, both repeats and walk-ins.

28. Is the DBPR responsible for the regulation or oversight responsibilities of Depository Financial Institutions (banks, credit unions, etc.)?

Answer: No

29. We are not clear on what build out costs will be reimbursed by DBPR and how the reimbursement will be made (lump sum payment, amortized over term of lease, etc.).

Answer: All renovations will be amortized over the term of the lease.

30. We noted an "Evidence Room" and "Evidence Vault" under Attachment A. We would be interested in what type of material will stored in these areas.

Answer: The Evidence Vault will house alcohol and cigarettes. The Evidence Room will house case files, cameras, radios and other equipment.

31. If building has limited exterior glass --are all exterior offices required to have glass when the structure limits the amount of glass available?

Answer: No

32. Is the space proposed required to have sprinklers when the building is not required to be sprinklered?

Answer: Only if required by code.

33. If the building prohibits the use of exterior monument signage can the requirement for outside signage be waived?

Answer: This will be evaluated on a case-by-case basis during the site evaluations.

34. If the proposed building has an Energy Star rating of less than 50 can it still qualify?

Answer: Yes

35. Building owner has workstations available---all are 9' x 9' (81sf)--spec'd requirement is 8' x 8' but states (81sf)--will these still qualify --also--will color other then spec'd be acceptable?

Answer: Yes, 9 x 9 is satisfactory. Colors shall be evaluated on a case-by-case basis.

36. The proposed building uses a mix of sheetrock hard walls and moveable hard walls-----are moveable hard walls acceptable as well?

Answer: Yes

37. I have a space available in a shopping center we own in Jacksonville that fits the request. Would this present a problem for the State?

Answer: No

38. Will you require a separate ITN for each property?

Answer: Yes

39. List of Items, Schedule of Requirements, Scope of Work, Terms of Reference, Bill of Materials required.

Answer: Please reference the Invitation to Negotiate

40. Soft Copy of the Tender Document through email.

Answer: Please reference the Invitation to Negotiate

41. Names of countries that will be eligible to participate in this tender.

Answer: Unless otherwise prohibited by law, there are no restrictions to who may participate in the ITN solicitation.

42. Information about the Tendering Procedure and Guidelines

Answer: Please reference the Invitation to Negotiate

43. Estimated Budget for this Purchase

Answer: The selected ITN will be based on what's in the best interests of the state.

44. Any Extension of Bidding Deadline?

Answer: Not at this time.

45. Any Addendum or Pre Bid meeting Minutes?

Answer: Addendums are posted with the Invitation to Negotiate  
There are no Pre-bid meetings

46. Does the space have to be located in Duval County?

Answer: The facility must be located within or immediately abutting the boundaries located in the ITN.