

**State of Florida
Department of Transportation**



INVITATION TO BID
FUEL TANK REPAIR AT
BROOKSVILLE OPERATIONS CENTER

DOT-ITB-20-7010-EG

CONTACT FOR QUESTIONS:

Enrique Garcia, Purchasing Agent
enrique.garcia@dot.state.fl.us
Phone: (813) 975-6156 or (800) 226-7220 x6156
Fax: (813) 975-6473
Florida Department of Transportation
Procurement Office, MS 7-700
11201 North McKinley Drive
Tampa, Florida 33612-6456

State of Florida
Department of Transportation
Procurement Office, MS 7-700
11201 North McKinley Drive
Tampa, Florida 33612-6456

INVITATION TO BID REGISTRATION

PLEASE COMPLETE AND RETURN THIS FORM ASAP
FAX TO (813) 975-6473 OR E-MAIL TO ENRIQUE.GARCIA@DOT.STATE.FL.US

Bid Number: DOT-ITB-20-7010-EG

Title: FUEL TANK REPAIR AT BROOKSVILLE OPERATIONS CENTER

Bid Due Date and Time (On or Before): SEE TIMELINE IN THE INTRODUCTION SECTION.

Potential bidders should notify our office by returning this Bid Registration Form as soon as possible after downloading. Complete the information below and fax this sheet only to the Florida Department of Transportation (FDOT) Procurement Office at (813) 975-6473 or email to enrique.garcia@dot.state.fl.us.

THE INVITATION TO BID DOCUMENT YOU RECEIVED IS SUBJECT TO CHANGE. Notice of changes (Addenda) will be posted on the Florida Vendor Bid System, under this bid number, at http://www.myflorida.com/apps/vbs/vbs_main_menu (click on "Search Advertisements", click on the drop-down arrow beside the box under "Advertisement Type", select "Competitive Solicitation", click on the drop-down arrow beside the box under "Agency", select "Department of Transportation", then go to the bottom of the same page and click on "Advertisement Search"). It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting your bid.

Company Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____ Fax Number: _____

Contact Person: _____

Internet E-Mail Address: _____

For further information on this process, e-mail or telephone: Enrique Garcia, Purchasing Agent at enrique.garcia@dot.state.fl.us or (813) 975-6156 or (800) 226-7220 x6156.

INTRODUCTION SECTION

1) INVITATION

The State of Florida Department of Transportation (hereinafter referred to as the "Department") is soliciting written bids from qualified bidders to establish a contract to repair the fuel containment box at the Brooksville Operations Center, located at 16411 Spring Hill Drive, Brooksville, FL 34604. It is anticipated that the term of the contract will begin upon contract execution date and be effective until April 30, 2020.

For the purpose of this document, the term "bidder" means the bidder acting on their own behalf and those individuals, partnerships, firms, or corporations comprising the bidder team. The term "bid package" means the complete response of the bidder to the Invitation to Bid (ITB), including properly completed forms and supporting documentation. After the award, said bidder will be referred to as the "Vendor".

2) TIMELINE

Provided below is a list of critical dates and actions. These dates are subject to change. Notices of changes (Addenda) will be posted on the Florida Vendor Bid System (VBS), under this bid number, at http://www.myflorida.com/apps/vbs/vbs_main_menu (click on "Search Advertisements", click on the drop-down arrow beside the box under "Advertisement Type", select "Competitive Solicitation", click on the drop-down arrow beside the box under "Agency", select "Department of Transportation", then go to the bottom of the same page and click on "Advertisement Search"). It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting your bid.

ACTION / LOCATION	DATE	LOCAL TIME
SITE VISIT Brooksville Operations Center 16411 Spring Hill Drive Brooksville, Florida 34604	2-13-2020	10:30 AM
DEADLINE FOR TECHNICAL QUESTIONS There is no deadline for administrative questions.	2-14-2020	4:30 PM
BIDS DUE (ON OR BEFORE) Florida Department of Transportation Attn: Enrique Garcia, MS 7-700 11201 North McKinley Drive Tampa, Florida 33612-6456	2-19-2020	10:00 AM
PUBLIC OPENING Florida Department of Transportation Pelican Conference Room 11201 North McKinley Drive Tampa, Florida 33612-6456	2-19-2020	11:00 AM
POSTING OF INTENDED DECISION/AWARD	2-24-2020	3:00 PM

3) **BID OPENING AGENDA**

The sealed bids will be opened by the Department's Procurement Office personnel at the date, time and location in the Timeline. All bid openings are open to the public and will be conducted according to the following agenda:

- Opening remarks – Approximate time of two minutes by Department Procurement Office personnel.
- Public input period – To allow a maximum of 15 minutes total for public input related to the bid solicitation.
- Bids opened – At conclusion of public input or 15 minutes, whichever occurs first, bids received timely will be opened with bidder's name and prices to be read aloud.
- Adjourn - After all bids received timely have been opened, the meeting will be adjourned.

4) **SPECIAL ACCOMMODATIONS**

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

SPECIAL CONDITIONS

1) **MYFLORIDAMARKETPLACE**

BIDDERS MUST BE REGISTERED IN THE STATE OF FLORIDA'S MYFLORIDAMARKETPLACE SYSTEM BY THE TIME AND DATE OF THE BID OPENING OR THEY MAY BE CONSIDERED NON-RESPONSIVE (see Special Condition 21). All prospective bidders that are not registered should go to <https://vendor.myfloridamarketplace.com/> to complete on-line registration, or call (866) 352-3776 for assisted registration.

All payment(s) to the vendor resulting from this competitive solicitation **WILL** be subject to the MFMP Transaction Fee in accordance with the referenced Form PUR 1000 General Contract Condition #14. The Transaction Fee imposed shall be based upon the date of issuance of the payment.

2) **FLORIDA DEPARTMENT OF FINANCIAL SERVICES W-9 REQUIREMENT**

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

3) **QUESTIONS AND ANSWERS**

In accordance with section 287.057(23), Florida Statutes (F.S.), respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative

branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

Any technical questions arising from this ITB must be forwarded, in writing, to the procurement agent identified below. Questions must be received no later than the time and date reflected on the Timeline. The Department's written response to written inquiries submitted timely by bidders will be posted on the Florida VBS at http://www.myflorida.com/apps/vbs/vbs_www.main_menu (click on "Search Advertisements", click on the drop-down arrow beside the box under "Advertisement Type", select "Competitive Solicitation", click on the drop-down arrow beside the box under "Agency", select "Department of Transportation", then go to the bottom of the same page and click on "Advertisement Search"), under this bid number. It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting their bid.

WRITTEN TECHNICAL QUESTIONS should be submitted to:

Enrique Garcia, Purchasing Agent
enrique.garcia@dot.state.fl.us
Fax: (813) 975-6473
Florida Department of Transportation
Procurement Office, MS 7-700
11201 North McKinley Drive
Tampa, Florida 33612-6456

Questions regarding administrative aspects of the bid process should be directed to the Purchasing Agent in writing at the address above or by phone: (813) 975-6156 or (800) 226-7220 x6156.

4) ORAL INSTRUCTIONS / CHANGES TO THE ITB (ADDENDA)

No negotiations, decisions, or actions will be initiated or executed by a bidder as a result of any oral discussions with a State employee. Only those communications which are in writing from the Department will be considered as a duly authorized expression on behalf of the Department.

Notices of changes (Addenda) will be posted on the Florida VBS, under this bid number, at http://www.myflorida.com/apps/vbs/vbs_www.main_menu (click on "Search Advertisements", click on the drop-down arrow beside the box under "Advertisement Type", select "Competitive Solicitation", click on the drop-down arrow beside the box under "Agency", select "Department of Transportation", then go to the bottom of the same page and click on "Advertisement Search"). It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting their bid. All Addenda will be acknowledged by signature and subsequent submission of Addenda with bid when so stated in the Addenda.

5) DIVERSITY ACHIEVEMENT

MINORITY BUSINESS ENTERPRISE (MBE) UTILIZATION

The Department, in accordance with **Title VI of the Civil Rights Act of 1964, 42 USC 2000d-2000d-4, Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21**, Nondiscrimination in federally-assisted programs of the

Department of Transportation issued pursuant to such Act, hereby notifies all bidders that the Department will affirmatively ensure that in any contract/agreement entered into pursuant to this advertisement, minority and disadvantaged business enterprises will be afforded the full opportunity to submit bids in response to this invitation and will not be discriminated on the basis of race, color, national origin, or sex in consideration for an award.

The Department encourages small, minority, women, and service-disabled veteran businesses to compete for Department contracts, both as "Vendor" and as subcontractors. The Department, its vendors, suppliers, and consultants should take all necessary and reasonable steps to ensure that small, minority, women, and service-disabled veteran businesses have the opportunity to compete for and perform contract work for the Department in a nondiscriminatory environment. Bidders are requested to indicate their intention regarding MBE participation on the MBE Planned Utilization form and to submit the completed form with their Bid Sheet. The contract vendor will be asked to submit payment certification for MBE subcontractors used.

To request certification or to locate certified MBEs, call the Office of Supplier Diversity, Department of Management Services at (850) 487-0915, or access their MBE directory on the Internet at www.osd.dms.state.fl.us/.

6) SCOPE OF SERVICES

Details of the services, information and items to be furnished by the Vendor are described in Exhibit "A", Scope of Services, attached hereto and made a part hereof.

7) INTENDED AWARD

The Department intends to award this contract to the responsive and responsible bidder that submits the lowest responsive bid. If the Department is confronted with identical pricing or scoring from multiple vendors, the Department shall determine the order of award using the following criteria, in the order of preference listed below (from highest priority to lowest priority):

1. Section 295.187(4), F.S.; Veteran Business Enterprise
2. Section 287.087, F.S.; Drug Free Work Place
3. Section 287.057(11); Minority Business Enterprise

In the event that the application of the above referenced preferences does not resolve the identical replies, the Department shall determine the award by means of random drawing.

8) SITE VISIT

Each bidder must fully acquaint themselves with the conditions which may in any manner affect the work to be done or the equipment, materials and labor required to perform the services required under the conditions of this bid. This may require an on-site visit. Ignorance of the conditions or requirements will not relieve the Vendor from their liability and obligation under the contract. Any technical question arising from this visit shall be submitted in writing to Enrique Garcia at enrique.garcia@dot.state.fl.us **before** the technical questions **due date** (see Timeline in Introduction Section).

9) QUALIFICATIONS

9.1 GENERAL

Bidder must meet the following minimum qualifications:

9.1.1 Been actively engaged in the type of business being requested for a minimum of three years.

9.1.2 Must be a certified distributor of Fuel Master Products.

9.2 BIDDER QUALIFICATIONS

When submitting the bid, each bidder must submit a written statement (“Minimum Qualifications Statement” form), detailing their qualifications that demonstrate they meet the minimum qualifications contained in Special Condition 9.1.1 and 9.1.2 above. Failure by the bidder to provide the above item(s) will constitute a non-responsive determination. Bids found to be non-responsive will not be considered.

9.3 AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA

In accordance with sections 607.1501, 605.0211(2)(b), and 620.9102, F.S., out of state corporations, out of state limited liability companies, and out of state limited partnerships must be authorized to do business in the State of Florida. Such authorization should be obtained by the bid due date and time, but in any case, must be obtained prior to posting of the intended award of the contract. For authorization, contact:

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

9.4 LICENSE TO CONDUCT SERVICES IN THE STATE OF FLORIDA

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

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

10) WARRANTY/SUBSTITUTIONS

When performance of the services requires the supply of commodities, a warranty is required on all items provided against defective materials, workmanship, and failure to perform in accordance with required industry performance criteria, for a period of not less than five years from the date of acceptance by the purchaser. Any deviation from this criterion must be documented in the bid response or the above statement shall prevail. Delivery of substitute commodities requires prior written approval from the ordering location.

Replacement of all materials found defective within the warranty period shall be made without cost to the purchaser, including transportation if applicable. All fees associated with restocking cancelled orders shall be the responsibility of the vendor.

All items provided during the performance of the contract found to be poorly manufactured will not be accepted, but returned to the vendor, at their expense, for replacement. Replacement of all items found defective shall be made without cost to the Department, including transportation, if applicable. As it may be impossible for each facility to inspect all items upon arrival, a reasonable opportunity must be given to these facilities for inspection of the items, and returning those that are defective.

11) LIABILITY INSURANCE

The Vendor shall not commence any work until they have obtained the following types of insurance, and certificates of such insurance have been received by the Department. Nor shall the Vendor allow any subcontractor to commence work on this project until all similar insurance required of the subcontractor has been so obtained. The Vendor shall submit the required Certificates of Insurance (COI) to the **Florida Department of Transportation, Procurement Office, MS 7-700, Enrique Garcia, Purchasing Agent, enrique.garcia@dot.state.fl.us, 11201 North McKinley Drive, Tampa, Florida 33612-6456** within 10 days after the ending date of the period for posting the intended award decision.

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

With respect to any general liability insurance policy required pursuant to this Agreement, all such policies shall be issued by companies licensed to do business in the State of Florida. The Vendor shall provide to the Department certificates showing the required coverage to be in effect with endorsements showing the Department to be an additional insured prior to commencing any work under this Contract. The certificates and policies shall provide that in the event of any material change in or cancellation of the policies reflecting the required coverage, 30 days advance notice shall be given to the Department or as provided in accordance with Florida law.

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

12) PERFORMANCE BOND

A Performance Bond is not required for this project.

13) METHOD OF COMPENSATION

For the satisfactory performance of these services the Vendor shall be paid a Lump Sum Amount. Payment shall be made to the Vendor upon completion of all services, as approved by the

Department.

14) CONTRACT DOCUMENT

PURCHASE ORDER

The MyFloridaMarketPlace "Purchase Order Terms and Conditions" and the Department's "Purchase Order Terms & Conditions" are referenced or attached hereto and made a part hereof. The terms and conditions contained therein will become an integral part of each Purchase Order issued for this solicitation. In submitting a bid, the bidder agrees to be legally bound by these terms and conditions.

15) REVIEW OF BIDDER'S FACILITIES AND QUALIFICATIONS

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

Should the Department determine that the bid package has material misrepresentations or that the size or nature of the bidder's facilities, equipment, management capabilities, or the number of experienced personnel (including technical staff) are not adequate to ensure satisfactory contract performance, the Department has the right to reject the bid.

16) PROTEST OF ITB SPECIFICATIONS

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

1. A written notice of protest within 72 hours after the posting of the solicitation, (the notice of protest may be faxed to (850) 414-5264, and
2. A formal written protest in compliance with Section 120.57(3), F.S., within 10 days of the date on which the written notice of protest is filed.

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

17) UNAUTHORIZED ALIENS

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

18) SCRUTINIZED COMPANIES LISTS

ALL Responses, regardless of dollar value, must include a completed [Vendor Certification Regarding Scrutinized Companies Lists](#) to certify the respondent is not on either of those lists. The form should be submitted with the price proposal.

A Vendor is ineligible to enter into a contract with the Department for goods or services of any amount if, at the time of entering into such contract, the Vendor is on the Scrutinized Companies that Boycott Israel List, created pursuant to Section 215.4725, F.S., or is engaged in a boycott of Israel.

Section 287.135, F.S., also prohibits companies from entering into a contract for goods or services of \$1 million or more that are on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector Lists which were created pursuant to s. 215.473, F.S.

If the Department determines the Vendor submitted a false certification under Section 287.135 F.S., the Department shall either terminate the Contract after it has given the Vendor notice and an opportunity to demonstrate the Department's determination of false certification was in error pursuant to Section 287.135 F.S., or maintain the Contract if the conditions of Section 287.135 F.S. are met.

19) RESERVATIONS

The Department reserves the right to accept or reject any or all bids received and reserves the right to make an award without further discussion of the bids submitted. Therefore, the bidder should make sure that the bid package submitted is complete and accurate and submitted to ensure delivery on or before the bid opening time and date specified in this solicitation. It is understood that the bid will become a part of the Department's official file, without obligation to the Department.

20) ADDITIONAL TERMS AND CONDITIONS

No conditions may be applied to any aspect of the ITB by the bidder. Any conditions placed on any aspect of the bid documents by the bidder may result in the bid being rejected as a conditional bid (see "RESPONSIVENESS OF BIDS"). **DO NOT WRITE IN CHANGES ON ANY ITB SHEET.** The only recognized changes to the ITB prior to bid opening will be a written Addenda issued by the Department.

21) RESPONSIVENESS OF BIDS

Bids will not be considered if not received by the Department **on or before** the date and time specified as the due date for submission. All bids must be typed or printed in ink. A responsive bid is an offer to provide the services specified in this ITB in accordance with all requirements of this Invitation to Bid. Bids found to be non-responsive will not be considered. Bids may be rejected if found to be irregular or not in conformance with the requirements and instructions herein contained. A bid may be found to be irregular or non-responsive by reasons that include, but are not limited to, failure to utilize or complete prescribed forms, modifying the bid requirements, submitting conditional bids or incomplete bids, submitting indefinite or ambiguous bids, or executing forms or the bid sheet with improper and/or undated signatures. Other conditions which may cause rejection of bids include, evidence of collusion among bidders, obvious lack of experience or expertise to provide the required services, and failure to perform or

meet financial obligations on previous contracts. ALL determinations of responsiveness will be the responsibility of the FDOT Procurement Office.

22) BID SHEET

The bidder must use the attached bid sheet to submit its bid. The bid sheet must be signed and dated in ink by a representative who is authorized to contractually bind the bidder. All bid sheets and other documentation submitted in response to this solicitation must be executed and submitted in a sealed envelope. **Indicate the bid number, with the time and date of the bid opening, on the envelope used to return the bid.**

23) "DRUG-FREE WORK PLACE" PREFERENCE

Whenever two or more bids which are equal with respect to price, quality, and service are received, the Department shall determine the order of award first in accordance with section 295.187(4), F.S., giving preference to "Veteran Business Enterprise" then to bid responses from vendors that certify the business has implemented a drug-free workplace program in accordance with Section 287.087, F.S. The "Drug-Free Workplace Program Certification" must be completed and submitted with the bid response to be eligible for this preference.

24) COPYRIGHTED MATERIAL

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

25) ATTACHMENT TO ITB SUBMITTAL - CONFIDENTIAL MATERIAL

The Bidder must include any materials it asserts to be exempted from public disclosure under Chapter 119, F.S., in a separate bound document labeled "Attachment to ITB, Number DOT-ITB-20-7010-EG - Confidential Material". The Bidder must identify the specific statute that authorizes exemption from the Public Records Law. Any claim of confidentiality on materials the Bidder asserts to be exempt from public disclosure and placed elsewhere in the bid will be considered waived by the Bidder upon submission, effective after opening.

26) MAIL OR DELIVER BIDS TO: (DO NOT FAX OR SEND BY E-MAIL)

**Florida Department of Transportation
Procurement Office, MS 7-700
Attn: Enrique Garcia, Purchasing Agent
11201 North McKinley Drive
Tampa, Florida 33612-6456
Phone: (813) 975-6156 or (800) 226-7220 x6156**

It is the bidder's responsibility to assure that the bid is delivered to the proper place **on or before** the bid due date and time (See Introduction Section 2 Timeline). Bids which for any reason are not so delivered, will not be considered.

27) MODIFICATIONS, RESUBMITTAL AND WITHDRAWAL

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

28) POSTING OF INTENDED DECISION/AWARD

28.1 - General:

The Department's decision will be posted on the Florida VBS, under this bid number, at http://www.myflorida.com/apps/vbs/vbs_www.main_menu (click on "Search Advertisements", click on the drop-down arrow beside the box under "Advertisement Type", select "Agency Decisions", click on the drop-down arrow beside the box under "Agency", select "Department of Transportation", then go to the bottom of the same page and click on "Advertisement Search"), on date and time in the Timeline, and will remain posted for a period of 72 hours. Any bidder who is adversely affected by the Department's recommended award or intended decision must file the following with the Department of Transportation, Clerk of Agency Proceedings, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0450:

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

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

28.2 - Inability to Post:

If the Department is unable to post as defined above, the Department will notify all bidders by electronic notification on the Florida VBS (see special condition 28.1, above) or by mail, fax, and/or telephone. The Department will provide notification of any future posting in a timely manner.

28.3 - Request to Withdraw Bid:

Requests for withdrawal will be considered if received by the Department, in writing, within 72 hours after the bid opening time and date. Requests received in accordance with this provision will be granted by the Department upon proof of the impossibility to perform based upon obvious error on the part of the bidder. Bidders that do not withdraw as stated above will forfeit their bid bond, if applicable.

29) AWARD OF THE CONTRACT

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

A Purchase Order issued by the Department, and a written Notice to Proceed, issued by the Department's Contract Manager.

30) ATTACHED FORMS

Exhibit "B", Bid Sheet

Minimum Qualifications Statement

Drug-Free Workplace Program Certification (Form 375-040-18)

Vendor Certification Regarding Scrutinized Companies Lists (Form 375-030-60)

MBE Planned Utilization (Form 375-040-24)

31) TERMS AND CONDITIONS

31.1 General Contract Conditions (PUR 1000)

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

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

The following paragraphs do not apply to this ITB:

Paragraph 31, Dispute Resolution - PUR 1000

Paragraph 40, PRIDE – PUR 1000, when federal funds are utilized.

31.2 General Instructions to Respondents (PUR 1001)

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

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

The following paragraphs do not apply to this ITB:

Paragraph 3, Electronic Submission – PUR 1001

Paragraph 4, Terms and Conditions – PUR 1001

Paragraph 5, Questions – PUR 1001

31.3 MFMP Purchase Order Terms and Conditions

All MFMP Purchase Order contracts resulting from this solicitation will include the terms and conditions of this solicitation and the State of Florida's standardized Purchase Order Terms and Conditions, which can be found at the Department of Management Services website at the following link:

http://www.dms.myflorida.com/content/download/117735/646919/Purchase_Order_Terms_Sept_1,_2015_.pdf

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

32) ORDER OF PRECEDENCE

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

Special Conditions

Exhibit "A", Scope of Services

Exhibit "B", Bid Sheet

MFMP Purchase Order Terms and Conditions – Section 8(B), PRIDE, is not applicable when using federal funds

Instructions to Respondents (PUR 1001)

General Conditions (PUR 1000)

Introduction Section

33) REPLACEMENT/RESTOCKING

Replacement of all materials found defective within the warranty period shall be made without cost to the purchaser, including transportation if applicable. All fees associated with restocking cancelled orders shall be the responsibility of the Vendor.

34) ALTERNATES

Alternate brands will be considered for this bid. The "Department" reserves the right to require each bidder to demonstrate to the satisfaction of the "Department" that the items/materials will perform in a completely acceptable manner. In the event the "Department" judges that the demonstrated performance is unsatisfactory, the "Department" may reject the bid. The bidder must be prepared to demonstrate the materials within 14 days after the bid opening date. Demonstration time and place is subject to agreement of the "Department" and the bidder.

Bidders submitting a bid that is based on an alternate brand of equipment must submit, with their bid, complete specifications and descriptive technical literature for the equipment proposed.

35) PRODUCT REQUIREMENTS/SPECIFICATIONS

Any deviation from specifications indicated herein must be clearly pointed out; otherwise, it will be considered that items offered are in strict compliance with these specifications, and successful bidder will be held responsible, therefore. Deviations must be explained in detail on separate attached sheet(s).

EXHIBIT "A"

SCOPE OF SERVICES

FUEL TANK REPAIR AT BROOKSVILLE OPERATIONS CENTER

I. OBJECTIVE

The Florida Department of Transportation (FDOT) District Seven, herein after referred to as the "Department", is seeking a responsible Vendor to repair the fuel containment box at the Brooksville Operations Center, located at 16411 Spring Hill Drive, Brooksville, FL 34604, which provides bio-diesel (B-20) and E10 (10% Ethanol and 90% unleaded gasoline) to fuel the Department vehicles and equipment. The project will also include the repair and upgrade of the existing fueling facility/system (including the underground piping and dispensers).

II. SERVICES TO BE PROVIDED BY THE VENDOR

The Vendor shall provide the following services:

- A. Environmental site survey and testing due to transition sump hydro test results.
- B. Replace existing above ground to below ground transition piping sump.
- C. Replace existing flex pipe product line with Ameron LCX 3000, or "approved equivalent", 2" double wall fiberglass pipe.
- D. Replace existing dispenser sumps and double wall boots with new ones. All new/replaced sumps and double wall boots shall be fiberglass.
- E. Blow back existing product lines to be abandoned in place.
- F. Sawcut from the existing tank farm to the two existing dispensers on the fuel island.
- G. Trench new piping run from tank farm to dispensers.
- H. Remove dispensers, existing transition sump and dispenser sumps.
- I. Provide and install new transition sump at tank farm and new dispenser sumps at fuel island.
- J. Install new Ameron, or "approved equivalent", double wall pipe from transition sump to dispenser sumps and install double wall boots.
- K. Install new 6" bollards to protect transition sumps.
- L. Install location tape and survey area per Florida State Code requirements to mark location and site of the pipe drawing.
- M. Hydro test each containment to verify integrity per Florida Department of Environmental Protection (FDEP) regulation.
- N. Perform line test per FDEP regulation. Fill and compact excavated area with clean fill sand. Pour back with 6" concrete fiber mesh. Finish fill and pour bollards.

NOTE: “Approved Equivalents” will be determined by the Department’s Contract Manager.

III. VENDOR RESPONSIBILITIES

- A. The Vendor shall provide all personnel, labor, supervision, expertise, vehicles, equipment, materials, parts, licenses, certifications, supplies and incidentals necessary to complete the services described in this contract. All services performed under this contract shall be conducted in accordance with all applicable federal, state, and local laws.
- B. The Vendor shall provide the items listed in the chart below. This list is not inclusive of all the parts, materials, and services needed for the contract. Other brand of equipment will be allowed, as approved by the Department’s Contract Manager, if it is a comparable grade to what has been listed in this scope.

<u>Items:</u>
2” Full Port Bronze Ball Valve
2”x18 Male (M) x M National Pipe Thread (NPT) Flexible Connector with Swivel
1 ½” x 18” M x M NTP Flex Connector with Swivel
Shear Valve Bracket
Gasboy Fiberglass Dispenser Sump
Fiberglass Double Wall Piping Boots
Fiberglass Conduit Boots (.75”-1”)
2 Line Transition Sump Fiberglass Re-enforced Polyethylene (FRP), Single Wall, ML Laminating Kit for 2-Piece Sump.
Fiberglass Glue Kits for Entry Fittings
1 ½” Emergency Shear Valve
6” Pipe Bollards (7’ Over All Length)
Set of Engineer Stamped Drawings on Petroleum System for Permitting.

- C. The Vendor shall be responsible for hauling off the removed equipment from working site and properly disposing of the items according to Florida State laws and codes.

- D. The Vendor shall keep the Department's Contract Manager informed by email during the performance of all work stated herein on a daily basis as to the status of the work. The Vendor shall provide a weekly progress report designated as "Weekly Activity Report" that shall be completed and submitted to the Department's Contract Manager during the first business day of each week. The report shall be typewritten, or computer generated in a form approved by the Department's Contract Manager and shall include, but not necessarily be limited to, the following:
- Purchase Order Number, Financial Project Identification Number, location and date(s) on which the work is performed.
 - Description of work performed under each task listed in this scope.
 - Name, title, and the number of the expended hours of each person assigned for such work.
- E. The Vendor shall obtain and pay for all required permits, testing, and inspections, required at each site, and make available any inspection certificates during the progress of work.
- F. The Vendor shall locate, protect, and relocate all utilities (including underground utilities) necessary to complete the work specified in Section II, Services to be Provided by the Vendor, and verify all field conditions and measurements.
- G. The Vendor shall be responsible for all dewatering and related water discharge activities at the site, including securing the proper dewatering permit from the Authority Having Jurisdiction (AHJ).
- H. The Vendor shall perform the operation in a manner not to damage any equipment, remediation system (including piping and wells), structure and/or surrounding areas; shall grade and sod any disturbed areas; and shall repair or replace damaged pavement, sidewalk, signs, equipment or structures caused by the operation at no additional cost to the Department.
- The Vendor shall use the proper shoring (sheet piling) as necessary to prevent damage to structures or to minimize destruction of paved areas resulting from excavation activities during the course of the project.
- I. The Vendor shall contain any generated debris during all operations. All debris shall be removed from the Department's property and disposed of at locations provided by the Vendor, at no additional cost to the Department. The Vendor shall dispose of materials, equipment, and debris in compliance with all federal, state, and local codes and regulations.

- J. The Vendor shall install all chain link barriers to protect the Department's staff from work activities (including excavation), materials, equipment, tools, and debris.
- K. The Vendor's employees shall always wear safety vests with reflective stripes and orange safety hats when working exposed to vehicular traffic or areas accessible by the public. Hard hats, safety helmet caps, shall be used in areas of overhead hazards. All safety equipment shall meet or exceed American National Standards Institute (ANSI) 2020 standards.
- L. The Vendor shall always maintain safe accessibility to pedestrian and vehicular traffic to eliminate hinderance of maintenance workers accessing the maintenance yard. Perform work in a way not to affect or interrupt the Department's daily operation. All shutdowns, disconnects, disengaging, or de-energizing of utility services to any Department utility/facility shall be restricted to weekends, and to 6:30P.M. to 6:00A.M., Monday through Friday. Vendor will be allowed to work 24 hours per day, seven days per week, except on State Holidays, as approved by the Department's Contract Manager. Coordination efforts with the Department will be through the Department's Contract Manager. All work shall be performed under the supervision of a qualified and licensed superintendent. Traffic flow through the facility must remain accessible for work and emergency vehicles.
- M. The Vendor shall always, during the progress of the work, have on the worksite as the Vendor's agent, a competent superintendent capable of interpreting the specification and thoroughly experienced in the type of work being performed. He/she shall have full authority to take corrective action in response to any deficiencies noted by the Department's Contract Manager. He/she shall promptly supply any labor, tools, materials, transportation, equipment and any other incidentals required. Such superintendent shall be furnished regardless of the amount of work sublet and shall not be replaced without written notice to the Department's Contract Manager, except under extraordinary circumstances. The Vendor's superintendent shall speak and understand English and have authority to act on behalf of the Vendor.

IV. CODES, INSPECTIONS, AND TESTING

The Vendor shall perform all work under this scope of services in strict compliance with all applicable federal, state and local laws, codes, regulations, standards, and the project specifications as the minimum.

The Vendor shall call for required inspections from all AHJ during the normal phases of installation and, following each inspection phase, the Department's Contract Manager shall be furnished with Certificates of Inspections from all AHJ. After the completion of the work, the Vendor shall deliver all certifications or letters of approval to the Department's Contract Manager. Following the successful

completion of the final inspection, the Vendor shall furnish the Department with a certificate of final approval from all AHJ.

The system will not be accepted until all equipment satisfies the acceptance test requirements. The Vendor shall perform service tests on the completed system in the presence of the Department's Contract Manager or his designee to demonstrate that the system is in good working order and will function as intended a minimum of three consecutive times. Each performance test shall be separated by a minimum of 30 minutes. Any and all defective material and workmanship disclosed as a result of these tests shall be corrected and the system retested.

V. DEPARTMENT REPOSIBILITIES

The Department will designate Timothy Brown as the Contract Manager for administering the terms of this contract. The Contract Manager or his designee will be available to answer any questions or help with any test Monday through Thursday from 8:00am to 5:00pm. The Department reserves the right to change the Contract Manager at any time deemed necessary. All instructions or clarifications by the Contract Manager or his designee will be in a written format either by letter/memorandum or via e-mail.

VI. FINANCIAL CONSEQUENCES

Payment shall be made only after receipt and approval of goods and services unless advance payments are authorized by the Chief Financial Officer of the State of Florida under Chapters 215 and 216, Florida Statutes. Deliverable(s) must be received and accepted in writing by the Contract Manager on the Department's invoice transmittal forms prior to payment. If the Department determines that the performance of the Vendor is unsatisfactory, the Department shall notify the Vendor of the deficiency to be corrected, which correction shall be made within a timeframe to be specified by the Department. The Vendor shall, within five days after notice from the Department, provide the Department with a corrective action plan describing how the Vendor will address all issues of contract non-performance, unacceptable performance, failure to meet the minimum performance levels, deliverable deficiencies, or contract non-compliance. If the corrective action plan is unacceptable to the Department, the Vendor shall be assessed a non-performance retainage equivalent to 10% of the total invoice amount. The retainage shall be applied to the invoice for the then-current billing period. The retainage shall be withheld until the vendor resolves the deficiency. If the deficiency is subsequently resolved, the Vendor may bill the Department for the retained amount during the next billing period. If the Vendor is unable to resolve the deficiency, the funds retained may be forfeited at the end of the agreement period.

VII. DAMAGES

Vendor personnel shall use care to prevent damage to the Department's property. The Vendor shall be responsible for any damages caused by its employees.

VIII. BEGINNING AND LENGTH OF SERVICES

Project completion date is April 30, 2020. A written Notice to Proceed with start dates and times will be drafted and sent to Vendor via email.

IX. TERMINATION ACTION

Any necessary default action will be processed in accordance with Department of Management Services Rule 60A-1.006(3).

EXHIBIT "B"

BID SHEET

FUEL TANK REPAIR AT BROOKSVILLE OPERATIONS CENTER

SERVICES TO BE PROVIDED AS SPECIFIED IN EXHIBIT "A", SCOPE OF SERVICES			
Item No.	Service	Unit	Unit Rate
1	Fuel Tank Repair at Brooksville Operations Center as specified in Exhibit "A", Scope of Services	Lump Sum Amount	\$ _____

Unit rate shall contain all costs to include labor, travel, materials, equipment, overhead, general and administrative incidental expenses, operating margin and subcontractor cost, if any.

MFMP Transaction Fee:

All payment(s) to the vendor resulting from this competitive solicitation **WILL** be subject to the MFMP Transaction Fee in accordance with the referenced form PUR 1000 General Contract Condition #14. The Transaction Fee imposed shall be based upon the date of issuance of the payment.

NOTE: In submitting a response, the bidder acknowledges they have read and agree to the solicitation terms and conditions and their submission is made in conformance with those terms and conditions.

ACKNOWLEDGEMENT: I certify that I have read and agree to abide by all terms and conditions of this solicitation and that I am authorized to sign for the bidder. I certify that the response submitted is made in conformance with all requirements of the solicitation.

Bidder: _____ FEID# _____

Address: _____ City, State, Zip: _____

Phone: _____ Fax: _____ E-mail: _____

Authorized Signature: _____ Date: _____

Printed/Typed: _____ Title: _____

DOT-ITB-20-7010-EG

MINIMUM QUALIFICATIONS STATEMENT

1) How many years has your business performed the type of services being requested? _____

2) Are you a certified distributor of Fuel Master Products? _____

Provide a written statement detailing your qualifications:

Multiple horizontal lines for writing a written statement detailing qualifications.

WORK REFERENCES

List the names of three references for which your business has provided similar services.

BUSINESS NAME ADDRESS CONTACT PERSON PHONE NO.

1. _____

2. _____

3. _____

BID CHECKLIST(DOES NOT NEED TO BE RETURNED WITH YOUR BID)

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

Check off each the following:

- ___ 1. The "Bid Sheet" has been filled out completely, signed, and enclosed in the bid response.
- ___ 2. The Federal Employers Identification Number or Social Security Number has been entered in the space provided.
- ___ 3. "Drug-Free Workplace Program Certification" form has been read, signed, and enclosed in the bid response, if applicable.
- ___ 4. "Scrutinized Companies Lists" certification form has been read, signed, and enclosed in the bid response.
- ___ 5. The Scope of Services section has been thoroughly reviewed for compliance to the bid requirements.
- ___ 6. The prices bid have been reviewed for accuracy and all price corrections have been initialed in ink.
- ___ 7. The http://www.myflorida.com/apps/vbs/vbs_main_menu website has been checked and any Addendums posted have been completed, signed, and included in the bid response.
- ___ 8. The bid response must be received, at the location specified, **on or before** the Bid Due Date and Time designated in the ITB.
- ___ 9. On the lower left-hand corner of the envelope transmitting your bid response, write in the following information:

Bid No.: DOT-ITB-20-7010-EG

Title: FUEL TANK REPAIR AT BROOKSVILLE OPERATIONS CENTER.

Opening Date & Time: See "TIMELINE" in INTRODUCTION SECTION.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
DRUG-FREE WORKPLACE PROGRAM CERTIFICATION

375-040-18
PROCUREMENT
03/17

287.087 Preference to businesses with drug-free workplace programs. --Whenever two or more bids, proposals, or replies that are equal with respect to price, quality, and service are received by the state or by any political subdivision for the procurement of commodities or contractual services, a bid, proposal, or reply received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

(1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

(2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.

(3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).

(4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than 5 days after such conviction.

(5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by, any employee who is so convicted.

(6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

Does the individual responding to this solicitation certify that their firm has implemented a drug-free workplace program in accordance with the provision of Section 287.087, Florida Statutes, as stated above?

YES

NO

NAME OF BUSINESS: _____

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**VENDOR CERTIFICATION REGARDING
SCRUTINIZED COMPANIES LISTS**

Respondent Vendor Name: _____

Vendor FEIN: _____

Vendor's Authorized Representative Name and Title: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

Email Address: _____

Section 287.135, Florida Statutes prohibits a company from bidding on, submitting a proposal for, or entering into or renewing a contract for goods or services of any amount if, at the time of contracting or renewal, the company is on the Scrutinized Companies that Boycott Israel List, created pursuant to Section 215.4725, Florida Statutes, or is engaged in a boycott of Israel. Section 287.135, Florida Statutes, also prohibits a company from bidding on, submitting a proposal for, or entering into or renewing a contract for goods or services of \$1,000,000 or more, that are on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector Lists which were created pursuant to s. 215.473, Florida Statutes.

As the person authorized to sign on behalf of Respondent, I hereby certify that the company identified above in the section entitled "Respondent Vendor Name" is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List. I further certify that the company is not engaged in a boycott of Israel. I understand that pursuant to section 287.135, Florida Statutes, the submission of a false certification may subject company to civil penalties, attorney's fees, and/or costs.

Certified By: _____

who is authorized to sign on behalf of the above referenced company.

Authorized Signature Print Name and Title: _____

Date: _____

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
MBE PLANNED UTILIZATION

375-040-24
PROCUREMENT
03/17

PROCUREMENT NO. DOT-ITB-20-7010-EG FINANCIAL PROJECT NO. 2591041A102
(DEPARTMENT USE ONLY)

DESCRIPTION: FUEL TANK REPAIR AT BROOKSVILLE OPERATIONS CENTER

I, _____ , _____
(name) (title)

of _____

plan to subcontract at least _____ % (percent) of the project costs on the above referenced project to Minority Business Enterprises.

If I have indicated above that a portion of the project costs will be subcontracted to MBE(s), the firms considered as proposed subconsultants/contractors and the types of services or commodities to be subcontracted are as follows:

MBE SUBCONSULTANTS/CONTRACTORS

TYPES OF SERVICES/COMMODITIES

I understand that I will need to submit Minority Business Enterprises (MBE) payment certification forms to the Department for reporting purposes only.

Signed: _____

Title: _____

Date: _____