

REQUEST FOR STATEMENT OF QUALIFICATIONS

**FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
DIVISION OF ADMINISTRATION**

TERMS, CONDITIONS AND SPECIFICATIONS

I. PURPOSE

The Florida Department of Agriculture and Consumer Services (FDACS or Department) issues this Request for Statement of Qualifications (SOQ) to obtain the professional services of an architect/engineer (A/E) specializing in HVAC mechanical and control systems to survey and design drawings/specifications of the proposed HVAC and controls replacement at the BSL-3 laboratory located at the Bronson Animal Diagnostic and Disease Laboratory, 2700 North John Young Parkway, Kissimmee, Florida. The anticipated budget for Phase I is \$700,000.

II. SCOPE OF PROJECT

The Department intends to replace the chiller, air handler and supply duct system on the BSL3 during Phase I. With Phase II, the Department intends to seek funding to replace the control system exhaust equipment and duct system controls at the BSL-3 laboratory for the purpose of modulating the laboratory between BSL-2 and BSL-3 functionality, dependent upon need. The Department seeks the plans/specifications drawn for Phase I, as well as Phase II, for planning and funding request purposes.

At the completion of the design, specifications and construction documents for this project are required for bidding purposes.

III. REQUIREMENTS OF CHAPTER 60D-4, FLORIDA ADMINISTRATIVE CODE

To comply with the requirements of Sections 255.251, 255.252, 255.253, 255.254, 255.255 and 255.256, Florida Statutes, *The Florida Energy Conservation and Sustainable Buildings Act of 2008*, through Rule 60D-4, Florida Administrative Code, was promulgated by the Department of Management Services and shall apply to the design and construction of state-financed facilities, to the renovation of state-owned facilities, and to leased facilities larger than 5,000 square feet. These rules were promulgated to minimize the utilization of non-renewable energy, reduce greenhouse gasses, and improve sustainability by state agencies.

All designs, drawings, specifications and any other related documents must conform to the requirements of Rule 60D-4, Florida Administrative Code, if applicable.

IV. SERVICES TO BE PROVIDED

The architect/engineering company selected will perform the following services for the project:

- develop plans, drawings and specifications sufficient for all site permitting, approvals and construction;
- identify all permits and approvals required for the project that are related to the site, including local county requirements;
- submit all required application(s) for the approvals and/or permits required;
- construction administration for the construction and
- final inspection, approval and issuance of the record drawings for the project.

V. GENERAL INFORMATION - TERMS AND CONDITIONS

A. Calendar of Events -

Listed below are the important actions and dates/times by which the actions must be taken or completed. If the Department finds it necessary to change any of these fixed dates/times, an addendum shall be issued.

<u>DATE/TIME</u>	<u>ACTIVITY</u>
May 21, 2018	SOQ advertised on the Vendor Bid System and advertised in the Florida Administrative Register.
June 1, 2018	Written questions due to Department's purchasing director by 3:00 p.m. Questions can be faxed to (850) 617-7090, or emailed to Vianka.Colin@FreshFromFlorida.com . No questions shall be received/answered after this date.
June 7, 2018	The Department's written response to any questions reviewed shall be posted as an addendum.
June 22, 2018 @ 2:00 p.m.	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.
July 16, 2018 (on or about)	Oral presentations from selected firms in Tallahassee, Florida.
July 17, 2018 (on or about)	Final selection results posted on the Vendor Bid System at http://www.myflorida.com/apps/vbs/vbs_www.search_r2.criteria_form (choose Department under "Agency", scroll down and click "Advertisement Search"). 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.
July 2018 (on or about)	Negotiations with selected firm begins.
August 2018 (on or about)	Expected date that 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

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

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 bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids 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.

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 Vendor Bid System located at http://www.myflorida.com/apps/vbs/vbs_search_r2.criteria_form. 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. STANDARD FORMS 330 - ARCHITECT-ENGINEER QUALIFICATIONS

This form, not furnished by FDACS, may be obtained from the U.S. General Services Administration website: <http://www.gsa.gov/portal/forms/download/116486>.

B. PROFESSIONAL QUALIFICATIONS SUPPLEMENT (PQS): Respondents shall utilize the Professional Qualification Supplement (PQS) form as issued by the Florida Department of Management Services, Division of Real Estate Development and Management (Form AE12a). Form AE12a may be obtained from the Department of Management Services website under "Forms and Documents" https://www.dms.myflorida.com/business_operations/real_estate_development_and_management/building_construction/forms_and_documents. **The project listed herein will be administered directly by the Florida Department of Agriculture and Consumer Services.**

C. 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.

D. 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.

E. 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.

VII. SELECTION PROCEDURES

A. A selection committee appointed by the Commissioner of the Florida Department of Agriculture and Consumer Services or designee will review each application in depth and rate the applicants in each of the following categories, as listed on the Florida Department of Management Services Professional Services Evaluation Tables (PD12) **APPENDIX I, PROFESSIONAL SERVICE EVALUATION**, and located at https://www.dms.myflorida.com/business_operations/real_estate_development_and_management/building_construction/forms_and_documents:

1. **Location to Proposed Project.** A grading range of 0-3 Points. See Table A (APPENDIX I, PROFESSIONAL SERVICE EVALUATION).
2. **Previous Fee Volume for DMS and State Agency Work.** A grading range of 0-3 Points. See Table B (APPENDIX I, PROFESSIONAL SERVICE EVALUATION).
3. **Current Workload.** A grading range of 0-3 Points. See Table C (APPENDIX I, PROFESSIONAL SERVICE EVALUATION).
4. **Relevant Design Experience and Ability to Perform Contract Delivery.** The relative experience and qualifications of each applicant and their proposed team, with respect to the project scope will be judged and a relative rating assigned. A grading range of 0 - 9 is used.

The selection committee shall determine the preliminary ratings of the firms under consideration based on the above factors and select a minimum of three 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. The selection committee will review and rate each firm.

B. Firms Selected for Interview

1. **Past Performance/References:** Respondent shall provide with his proposal a list of three (3) customers for whom they have provided A/E services 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 - REFERENCES).** 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. The 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.
- C. Based on the above, the selection committee will recommend the firm most qualified to accomplish the work, according to the final cumulative total points on the evaluation form, to begin negotiations and finalize a contract.

In the event of an impasse in contractual negotiations with the top-ranked firm, the Department reserves the right to negotiate with the next highest-ranked firm.

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**

**ADAM H. PUTNAM
COMMISSIONER**

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



Florida Department of Agriculture and Consumer Services
Bureau of General Services

ADAM H. PUTNAM
COMMISSIONER

REFERENCES

As per the requirements of bid special condition References, each bidder is required to submit the names, addresses, and telephone numbers for the required three (3) references. References shall be listed below.

In order for your bid to be considered responsive this form must be completed and included in your SOQ package.

1. CLIENT NAME: _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
TELEPHONE NUMBER: () _____ EMAIL: _____

2. CLIENT NAME: _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
TELEPHONE NUMBER: () _____ EMAIL: _____

3. CLIENT NAME: _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
TELEPHONE NUMBER: () _____ EMAIL: _____

APPENDIX I

Department of Management Services
Division of Real Estate Development and Management
Professional Services Evaluation

Project Number: 0
Project Name: 0
Project Location: 0

Location to Proposed Project Table A	
Miles from Project Site (Column "A" Equals)	
Miles From Project	Points
0-200	3
201-400	2
401-600	1

Volume of DMS and other Agency Work - Table B	
DMS & Other State Agency Fee Volume (Column "D" Equals)	Points
\$0.00 - \$80,000.00	3
\$80,001 - \$250,000.00	2
\$250,001 - \$550,000.00	1
Above \$550,000.00	0

Current Workload - Table C	
Current Workload / Professional & Technical Staff (Column "I" Equals)	Points
\$0.00 - \$51,000.00	3
\$51,001.00 - \$90,000.00	2
\$90,001 - \$100,000.00	1
Above \$100,000.00	0

PD13 - Past Performance Reference Form Instructions

To Project Director for Interview Evaluation

Past Performance Reference Form PD13 or Form PD13 Alternate are both located on K-Drive at "Forms Active/Project Director Forms".

Complete the top and bottom portion of **PD13** per the "balloon notes" and then email the form to the Design Professional or directly to their identified client for completion and timely return.

OR

Complete **PD 13 Alternate** by calling the Owner's representative and filling in all sections according to notes at top of the form.

NOTE: Both forms have option of being typed or hand written.