



Florida Department of Law Enforcement

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Commissioner

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DATE: October 21, 2019
SOLICITATION NUMBER: FDLE ITN 710:0268
SOLICITATION TITLE: Florida Department of Law Enforcement Lease Space Needs
Escambia or Santa Rosa County
REPLY OPENING: November 19, 2019, 2:00 P.M. E.T.
ADDENDA NUMBER: 3

This addendum serves as notice of responses to questions received after the Pre-Bid Conference and within the prescribed date and time for question submission from potential Vendors relevant to the Invitation to Negotiate (ITN) and amended pages from the original ITN document.

Remove: Pages 23, 28, 38; and Program Area Requirements pages 9, 10 and 28 of the August 19, 2019 Invitation to Negotiate document.

Insert: Revised pages 23, 28, 38; and Program Area Requirements pages 9, 10 and 28 of the Invitation to Negotiate document marked Addenda No. 3 (10/21/19).

For convenience all changes are indicated as follows: additions are identified in purple, and indicated as underlined, bold and italicized; deletions are identified in red, and indicated in ~~strike through~~. All other terms and conditions of the ITN remain unchanged.

**THIS ADDENDUM NOW BECOMES PART OF YOUR REPLY RESPONSE.
THE ADDENDA ACKNOWLEDGEMENT FORM SHALL BE SIGNED BY AN AUTHORIZED COMPANY REPRESENTATIVE,
DATED AND RETURNED WITH THE REPLY RESPONSE.**

<u>ADDENDA ACKNOWLEDGEMENT</u>	
COMPANY NAME:	_____
FEDERAL TAX IDENTIFICATION NUMBER:	_____
ADDRESS:	_____
CITY:	STATE: _____ ZIP: _____
AUTHORIZED REPRESENTATIVE:	TITLE: _____
AUTHORIZED SIGNATURE:	DATE: _____
PHONE:	EMAIL: _____

FAILURE TO FILE A PROTEST WITHIN THE TIME PRESCRIBED IN FLORIDA STATUTE 120.57(3) OR FAILURE TO FILE A BOND OR OTHER SECURITY WITHIN THE TIME ALLOWED FOR FILING A BOND SHALL CONSTITUTE A WAIVER OF PROCEEDINGS UNDER CHAPTER 120 FLORIDA STATUTES.

IV. LEASE TERMS AND CONDITIONS

The following is an outline of required lease terms and conditions your team must submit for review and consideration.

Failure to follow the required format and to provide the information and affirmations required in Article IV may result in a Reply being deemed non-responsive.

A. DESCRIPTION AND MEASUREMENT OF PROPOSED SPACE

FDLE is seeking approximately **84,000 – 90,000 net usable gross** square feet and between 69,721 – 74,700 net usable square feet of space based on the 100% Construction Document (as defined below) within the Boundaries (as set forth in Attachment “B”).

The Reply should specify the amount of “net usable square feet” offered within the minimum-maximum range stated above. The Agency may accept a proposed location containing a lesser square footage if in the best interest of the Agency.

The Offeror of the Reply selected for award shall provide documentation **within one hundred eighty (180) business days** after notification of award, that the total net usable square feet offered in the Reply shall be provided to the Agency as contiguous space within a standalone single tenant secure facility. Failure to provide documentation shall render the offer null and void. The Offeror/Lessor shall be responsible for build-out and clean up and shall provide the Agency with clean, ready-to-operate space.

The space is to be used as a professional office and forensic laboratory for the Florida Department of Law Enforcement.

Any and all references to square feet of the Proposed Space contained in a Reply must be “usable square feet” in accordance with the Standard Method for Measuring Floor Area in Office Buildings (Florida Administrative Code 60H-2.003). FDLE and DMS reserve the right to independently verify the space measurement.

Each Reply should indicate below the type of space offered (existing or non-existing), the amount of 'usable square feet' of space offered, and location information for the space offered:

i. THE TYPE OF SPACE OFFERED IN THIS REPLY IS:

- An Existing Building YES__ or NO__
- A Non-Existing (Build-to-Suit) Building YES__ or NO__

ii. THE NUMBER OF NET USABLE SQUARE FEET (WITHIN THE MINIMUM/MAXIMUM RANGE) OFFERED IS: _____

Net Usable Square Feet Offered

iii. US POSTAL ADDRESS AND/OR POSTAL I.D. OF THE PROPOSED SPACE IS:

Street

City and Zip Code

iv. PROPOSED BUILDING:

Name of Building

Number of Floors

Suite Number (of Main Entrance)

N. PARKING

Adequate parking for Agency’s employees and visitors is mandatory. All Replies must include a site layout with all parking spaces and utilization of spaces shown, with minimum of four parking spaces per 1,000 SF (4:1,000) 170 staff parking spaces and 60 visitor spaces available to the Agency. The Agency will also require thirty (30) ‘on-site’ exclusive parking spaces within a screened area with obstructive views, secure and controlled area. Preference will be given to proposals offering all Agency staff needed parking ‘on-site’ exclusive spaces within a screened area with obstructive views, secure and controlled area. A Reply for Proposed Space in a multiple facility complex must include the total number of parking spaces and parking commitment to other tenants. ~~Preference will be given to offers which include ‘on-site’ exclusive parking screened from view, secure and controlled area. (Attachment A – Agency Design Criteria).~~

Offeror acknowledges the above and affirms that the Proposed Space meets the parking requirement set forth in this Section N. (Initial one of the following): YES ___ or NO ___

Offeror agrees to provide 170 ‘on-site’ exclusive staff parking spaces within a screened area with obstructive views, secure and controlled area.(Initial one of the following): YES ___ or NO ___

O. DISCLAIMER

This ITN is not an offer, contract or agreement of any kind. Neither the FDLE/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 ITN 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 ITN may be modified or withdrawn by the Agency at any time.

Offeror understands and agrees with the Disclaimer set forth in this Section O (Initial one of the following): YES ___ or NO ___

P. HAZARDOUS SUBSTANCES

The Offeror assures that the proposed site does not contain hazardous substances or electromagnetic fields, whether above or below ground level. Further, the Offeror agrees to prohibit the generation, storage or disposal of hazardous substances above or below ground level. Should hazardous substances be revealed during the term of this lease, the Offeror shall immediately remove material and restore the site in compliance with all applicable regulations, and reimburse the Agency for any and all relocation costs.

Offeror understands and agrees with the Hazardous Substance set forth in this Section P (Initial one of the following): YES ___ or NO ___

Q. REVISED CODES

The Offeror will ensure that the facility shall comply with the latest version of all applicable codes and standards. **(Initial one of the following):** YES ___ or NO ___

5. PARKING

A minimum number of parking spaces is required; more, if required by local zoning provisions. This parking is to be under the control of Offeror, off-street, suitably paved, lined, and identified for use by the Florida Department of Law Enforcement. Parking is to be provided as part of the lease cost to the Agency.

The Agency needs a minimum of ~~four parking spaces per 1,000 SF (4:1,000)~~ 170 staff parking spaces and 60 visitor spaces ~~for employees and visitors~~, and will also require thirty (30) 'on-site' exclusive parking spaces within a screened area with obstructive views, secure and controlled area. Preference will be given to proposals offering all Agency staff needed parking 'on-site' exclusive spaces within a screened area with obstructive views, secure and controlled area.

Offeror shall submit with this Reply:

- A. A notarized statement from the Offeror certifying the availability and agreement to provide with a minimum of ~~four parking spaces per 1,000 SF (4:1,000)~~ 170 staff parking spaces and 60 visitor spaces ~~for employees and visitors~~, and thirty (30) 'on-site' exclusive parking spaces within a screened area with obstructive view, secure and controlled area for use by the Agency. The notarized statement shall also include a statement indicating (a) the number of parking spaces to be provided; and, (b) the number of parking spaces per net rentable square feet of space as required by the local zoning jurisdiction.
- B. If the offered facility has other current or future tenants, the number of parking spaces obligated to each tenant based on their current or future lease agreement.
- C. A site plan and four (4) copies of the parking lot identifying the parking spaces that will be provided to the Agency for its' use and the parking spaces assigned to specific other tenants.
- D. The total number and configuration of ADA accessible parking spaces must comply with the United States Department of Justice ADA Standards for Accessible Design (28 C.F.R. Part 36). These ADA parking spaces must be located adjacent to the proposed building. One of every six accessible parking spaces, or fraction thereof, must be "van-accessible." Accessible spaces must connect to the shortest possible accessible route to the accessible building entrance or facility they serve.

6. RECYCLING PROGRAM

Section 403.714, Florida Statutes, mandates that each agency shall have a resource recovery (recycling) program in effect for all space occupied, including private sector space. The State is required by law to collect all high-grade office paper, aluminum and corrugated paper. The Offeror will be responsible for the recycling program for the Agency's office(s) acquired thru this ITN.

7. FINAL A/E DESIGN PLANS (prior to State Fire Marshal (SFM) plans preparation)

- A. Within one hundred eighty (180) business days after notification of award, the successful Offeror shall provide five (5) sets of architectural/engineer 'test fit' plans for use to arrive at approved space use and design which is to be achieved through a series of design/space planning meetings between the Agency and the successful Offeror. Space use shall be consistent with the ITN specifications and must be equal to or greater to the 100% Construction Plans and Project Manual by Rolland, DelValle & Bradley. *This 'test fit' A/E plans may be a different set of plans than the plans specified in Article III, (which are required to be submitted at the time of negotiations).*
- B. Approved/Accepted Space Use and Design: Within one hundred eighty (180) business days after the Agency's approval and acceptance of the space use and design plans, the successful Offeror shall provide five (5) sets architectural drawings to the Agency. The drawing shall be:

FDLE - Pensacola
Program Requirements
C. Shared Facilities

August, 2019

JOB TITLE OR ROOM NAME	S.F.	Required Qty	Staff	Total S.F.	References and Notes
13 Chemical Waste Room FU Mechanical - hi/low general exhaust, negatively pressurized Plumbing - Hot and cold water hose station Electrical - No electrical receptacles or data outlets desired in this room. Lighting - Provide light fixture with wet location rating (IP-66). Provide lighting controls with wet location cover.	100	1	0	100	Narrative Piping & Fire Protection-Cylinder Gases
14 Gas Room Outdoors, ventilated; lockable chain link fence and gate Plumbing - provide Nitrogen, Hydrogen & helium cylinders Electrical - No electrical receptacles or data outlets. Lighting - Provide light fixture with wet location rating (IP-66). Provide lighting controls with wet location cover. Lighting fixture and controls are to be explosion proof type.	150	1	0	150	Narrative Piping & Fire Protection-Cylinder Gases
15 Surplus Property Staging FU Electrical - No electrical receptacles or data outlets.	400	1	0	400	
TOTALS					
TOTAL STAFF			0	4,420	
CIRCULATION 35%				1,547	
TOTAL USEABLE SQUARE FOOTAGE (includes circulation)				5,967	

FDLE - Pensacola
Program Requirements
C. Shared Facilities

August, 2019

JOB TITLE OR ROOM NAME	S.F.	Required Qty	Staff	Total S.F.	References and Notes
16 Multi-Purpose Room FC Mechanical - provide relative humidity control Technology - Area secured with proximity card reader (11) TV Outlets required (4) Floor boxes with (2) Data ports each Ceiling outlets for projector connectivity Cabling infrastructure to support wireless access points & projectors	600	2	0	1200	Narrative Architectural-Visual Display Boards See Millwork Plan
17 BAS Office House air and generator air	120	1	0	120	
TOTALS					
TOTAL STAFF			0	14,204	5,740
CIRCULATION 35%				4,974	2,009
TOTAL USEABLE SQUARE FOOTAGE (includes circulation)				19,175	7,749

**FDLE - Pensacola
Program Requirements**

I. Crime Scene

August, 2019

JOB TITLE OR ROOM NAME	S.F.	Required Qty	Staff	Total S.F.	References and Notes
7 Compound with Canopy; 10' walls Chain link enclosures; (2) 20x30x8 ft. h with double 5ft w gates each; canopy to cover (4) parking spaces; sized to allow access to Crime Scene garage, access to chain link enclosures, access to canopy covered parking; and to accommodate (15) (26) uncovered parking spaces Electrical - At least (7) WP/GFCI receptacles on emergency power (optional branch #2). Electrical - (1) 20A/1P, 120V circuit for rolling gate on emergency power (Emergency/Life Safety).		1	0		Narrative Site/Civil - Compound with Canopy Narrative Architectural - Insulated Rolling Service
TOTALS					
TOTAL STAFF			3	4,182	
CIRCULATION 15%				627	
TOTAL USEABLE SQUARE FOOTAGE (includes circulation)				4,809	

Florida Department of Law Enforcement
ITN 710:0268 – Escambia and Santa Rosa County
Written Answers
October 21, 2019

Question 32: Program on page 9, and 10 appears to not coincide with the cover page summary for the “C” shared facility. Can an amended page 9 and 10 be provided?

Answer 32: Yes. See attached revised Program Requirements pages 9 & 10 marked Addenda No. 3 (10/21/19).

Question 33: Additionally, the total Page 1 Program Requirements when added to not equate to the ITN areas requirements, can an amended one be provided?

Answer 33: The 84,000 – 90,000 requested square footage identified within the ITN and the 100% construction documents is the Gross square footage, which will be addressed within an Addendum to the ITN document. The 65,516 square footage shown on the Program Area Requirements uses inside dimensions and does not include walls, stairs, bathrooms, elevators, etc.

See attached revised page 23 marked Addenda No. 3 (10/21/19).

Question 34: Page 10 of the Program requirements has 19,175 usable square footage listed however, the there are no listed room names that equate to the total. If the square footage is correct, can the room names associated please be provided along with any pertinent requirements as is indicated for the other spaces?

Answer 34: Page 10 calculations have been corrected. See attached revised Program Requirements page 10 marked Addenda No. 3 (10/21/19).

Question 35: Evaluation Criterion #5 says “including floor plans”, however page 20 of 148 indicates plans will not be required until after 180 after submittal, which if either is accurate?

Answer 35: Refer to Article III, Section A. 2. (A) page 18. Offers for an existing building are to provide scaled floor plans showing the present configurations. The reference to “including floor plans” in this question would apply to such scenario.

Page 20 is in reference to full architectural/engineering plans with final design/layout as arrived at between the awarded Offeror and Agency. It is not the Agency’s expectation that such final design would be available or presented as part of the on-site presentation referenced in Evaluation Criterion #5.

Question 36: If floor plans required for the initial submittal, and if so what requirements are required of them, such as dimensions, labels, etc?

Answer 36: See answer to question 35.

Question 37: Are the 30 Spaces that are to be secured included in the 4/1000 and is the ratio to be used on gross square footage of all structures including garage bays and and warehouse? Is there a minimum number of spaces required regardless of ratios?

Answer 37: The agency has determined that a total of 260 parking spaces (including ADA spaces) are required. Thirty (30) spaces within the compound, One Hundred Seventy (170) for staff parking and Sixty (60) spaces for visitors. FDLE will provide an addendum to the ITN for this requirement.

See attached revised pages 28 and 38 marked Addenda No. 3 (10/21/19).

Question 38: Are there any specific areas within the boundaries that are preferred over the another such as Downtown Pensacola?

Answer 38: No.

Question 39: Evaluation Criterion #5 suggest floor plans will be considered in ranking, however floor plans for a turn key according to page 20 of the ITN are not required until 180 days after Award. Will additional points be given to an offeror that provides floor plans with the initial reply of the ITN?

Answer 39: See answer to question 35. Again, the reference to page 20 of the ITN is a reference to full architectural / engineering (A/E) plans which FDLE is not requiring until within 180 business days after notification of Award.

Full A/E plans as referenced in the question would not be practical with the ITN Reply and not practical to be presented during the site evaluation so additional points would not be given.

Under Criterion 5, the evaluators will be considering several factors in rating the Offeror who will be responsible to show through its ITN Reply and on-site presentation that it can sufficiently deliver a facility and premises that will meet or exceed the minimum standards in the ITN. While proposed floor plans are not required and would not provide for additional points alone, an Offeror's ability to show they have a strong understanding of the requirements and space adjacencies will be considered in the evaluation.

Question 40: Page 84 of the ITN states video surveillance of “all public and sensitive area”. What does FDLE consider public & sensitive?

Answer 40: Public areas are generally open and accessible whereas sensitive areas are locations that require a higher degree of protection. FDLE will work with its vendor to locate cameras based on the floor plan.

Question 41: Is Chiller system a closed loop or open loop?

Answer 41: Closed loop utilizing air cooled chillers.

Question 42: Low Voltage is this by FDLE?

Answer 42: No. To be provided by awarded Offeror.

Question 43: Security is this by FDLE?

Answer 43: Refer to Attachment A. Section VIII. Technology Systems Requirement – Electronic Security Systems on pages 83 – 84. Offerors’ are requested to provide \$350,000.00 allowance for an agency Integrated Security Access System, which encompass the Electronic Security System, Electronic Access Control, Video Surveillance System and Intrusion Detection System (excluding door boxes and conduit), with FDLE appointed vendor.

Question 44: Helium shown to lab – What for?

Answer 44: Gas is utilized in the Gas Chromatograph equipment

Question 45: 3rd party testing. Is this a Developer/Contractor requirement or will this be by FDLE?

Answer 45: This is a Developer/Contractor requirement.

Question 46: Furniture/Lab Equipment books – will this provided prior to construction for coordination?

Answer 46: FDLE is unaware of the referenced books.

Question 47: Fire Protection – Is this delegated design?

Answer 47: The specifications require a performance based system design and installation by a Licensed Fire Protections Contractor meeting the

requirements of the specifications. Please be aware that there are Pre-Action and Clean Agent Systems that are required to meet the user's requirements.

It is FDLE's understanding that the Board of Professional Engineers require signed and sealed engineered drawings be provided at the time the permit is applied for. The Fire Marshal requires signed and sealed shop drawings by the fire protection subcontractor.

Question 48: Retaining wall – Is this delegated design?

Answer 48: If a retaining wall is required, it can be a delegated design if the Authority Having Jurisdiction (AHJ) approves that method.

Question 49: Will VE be accepted or is it plans and specs and no exceptions?

Answer 49: Refer to Attachment A. Section I. General Building Requirements, bullet 7 A. on page 38.

Variances must be consistent with the ITN specifications and must be equal to or greater to the 100% Construction Documents and Project Manual by Rolland, DelValle & Bradley.

Question 50: Door schedule? – Are there specific FDLE vendors?

Answer 50: No.

Question 51: Finish schedule?

Answer 51: Refer to Attachment A. Section III. Architectural Requirements – List of Finishes are identified on pages 54 – 56.

Question 52: Lighting package. Do we have any room for alternates?

Answer 52: Refer to Attachment A. Section I. General Building Requirements, bullet 7 A. on page 38.

Alternates must be consistent with the ITN specifications and must be equal to or greater to the 100% Construction Documents and Project Manual by Rolland, DelValle & Bradley.

Question 53: Does the State need the requirements all under the same roof, i.e. labs, office warehouse all included in one building?

Answer 53: The desire is for one building, except for the separate warehouse.

Question 54: There seems to be a discrepancy in total square footage required. The program area requirements add to 65,675 the ITN is seeking 84,000 to 90,000?

Answer 54: See reply to Question 33

Question 55: We are considering a site that has frontage one of the roads that is the area boundary for the project. The access to this site will not be right on the main highway but has a traffic signal at the street to the main road to the entrance to our site. Please confirm logistically this site would be acceptable since it abuts the stated boundary.

Answer 55: If any portion of the proposed site's property line is abutting the stated boundary, the location would be considered.

Question 56: We are finding a discrepancy in the number of vehicles to be in the secured compound. Pg 28 of the Program Requirements states 4 covered and 15 uncovered spaces, while pg 28 and 38 of the ITN states a total for 30 spaces. Please clarify.

Answer 56: The request is for space for 30 vehicles within the Secure Compound (4 of which will be covered for over-sized vehicles), plus 2 cages described in the ITN.

See attached revised Program Requirements page 28 marked Addenda No. 3 (10/21/19).

Question 57: Why are you requesting that we supply refrigerators and other portable equipment on a potential 40 year lease? Who has the warranty on these?

Answer 57: Due to installation of this equipment (i.e. plumbing) it was determined that it would be best to have this equipment installed during the construction phase. Warranty would be held by the awarded Offeror. This is a requirement of the ITN.

Question 58: Likewise, the fume hoods. These break down and we don't want the responsibility for maintenance. We want to stop at the receptacle.

Answer 58: Fume hoods are considered a fixed part of the building and will be required to be maintained by the awarded Offeror. This is a requirement of the ITN.

Question 59: Who owns the land on Reus St?

Answer 59: The State

Question 60: It has always been a problem when trying to attract bids for existing space and new space. We have existing space and would entertain a bid providing that new space is not included in the offering. There are however other considerations. There will be no kick out clauses in the bid documents and these have to go. There will be no right to terminate either. Why would you not remove these on such a large bid?

Answer 60: The statutorily required termination options must remain in the lease with the awarded Offeror.

Question 61: There is insufficient information in the bid documents to formulate a bid. Why is that?

Answer 61: FDLE's position is that there is enough information in the specifications and construction drawings to formulate a bid.

Question 62: Why do you wish to set up an escrow system? This is very costly. Who holds the escrow?

Answer 62: An escrow is seen as a financial instrument whereby money is held by an impartial third party who ensures the accounting and usage of funds. The awarded Offeror would hold the escrow and is to provide an annual accounting statement of the escrow account to FDLE.

Question 63: I have seen the plans and flipped through the documents. Why are they so detailed at this point in time?

Answer 63: They are 100% Construction documents. In 2016 the Florida Legislature appropriated money for the design work for the FDLE Pensacola Regional Operation Center.

Question 64: Have the drawings been paid for or is there a potential for a lien?

Answer 64: Yes, the drawings have been paid for.

Question 65: Is this an attempt to build a signature building?

Answer 65: FDLE is not aware of the term "signature building". This Invitation to Negotiate is seeking a solution for FDLE's operational requirements as outlined in the specifications.

Question 66: Section II, U: Please add the term "negligent" between words "Offeror's performance" as the current statement is uninsurable.

Answer 66: Legal counsel has advised against this requested modification.

Question 67: Section IV, A: Please clarify if the 84,000 – 90,000 net usable square feet of space identified is actually a gross building area measurement.

Answer 67: See reply to Question 33.

Question 68: Attachment A, Section III, Custom Casework: Please confirm that casework listed as noted in this section does not include the laboratory casework.

Answer 68: Attachment A, Section III, Custom Casework is intended to refer to millwork used for break rooms, copy areas, mail room, etc. It is entirely separate from Modular Laboratory Casework.

Question 69: ITN page 66 of 148: To minimize distribution of hydrogen and other specialty gasses through the building, is it acceptable to provide gas cylinder closets on the individual laboratory floors?

Answer 69: Hydrogen should not be stored in the building. The preference is that gas cylinders be stored outside so the vendors do not have to enter the building.

Question 70: ITN Page 96 of 148: The Laboratory Modular Furnishing manufacturers do not all meet Scientific Equipment and Furniture Association (SEFA) requirements for durability and functionality. Is a SEFA compliant manufacturer required.

Answer 70: Modular furniture needs to be equivalent standards in quality for durability and functionality required or recommended by the SEFA standards. However, the manufacturer does not need to be a SEFA member company.