

**Section 5.40 Proximity and Response Plan, Projected Work Load, and Willingness to Meet Time & Budget Requirements:**

The evaluation committee will include evaluation of proposer’s repair service address. The committee will assign up to a **total of 10 points** of which up to 4 points are based on the proximity (0 - 4 points) and up to 6 points are based on Response Plan including Disaster Recovery, Projected Work Load, and Willingness to Meet Time & Budget Requirements (0 - 6 points). (Combined 0 – 10 points)

- Based on your response to Section #5.401, the following proximity evaluation points will be assigned as follows:
  - 0-50 Miles            4 points
  - 51-100 Miles        2 points
  - 101+ Miles           0 points

5.401 Local Service Address: Define below the # of miles of **your most local current service address to the College at 501 W. State St., Jacksonville, FL 32202. If more than one location, list the one closest to 501 West State Street Jacksonville, FL. 32202.**

# of miles \_\_\_\_\_ (Provide with your proposal evidence of distance by attaching a copy of MapQuest (or equivalent) driving directions from point to point with your submittal.)

**Projected Work Loads, Willingness to Meet Time & Budget Requirements:** The committee evaluation will include the proposers’ current and projected workloads as the extent of experience in adequate demonstrating the ability to complete this project along with their current backlog of projects. The committee evaluation will also include the applicants’ current and past projects as the extent of experience in providing a willingness and demonstration of meeting time restraints and budget requirements. The committee will assign up to 6 points based on the capacity to manage current workload/backlog on projects currently working on and anticipated projects, and commitment to meet a clients’ time and budget restraints defined services at FSCJ. **(0 – 6 points)**

5.402 Response Time (**Note:** Response time is defined as the amount of time/hours to have your Emergency Repair/Licensed Technician to arrive on campus from notification of emergency.):

- A. Proposers are to list the response time during standard working hours Monday – Friday (6:00 a.m. – 5:00 p.m.) from time of call: \_\_\_\_\_
- B. Proposers are to list below the response time during Non-standard working hours Monday – Friday (5:01 p.m. – 5:59 a.m.) from time of call: \_\_\_\_\_
- C. Proposers are to list the response time during Non-standard working hours (Saturday, Sunday and College Holiday’s) from time of call: \_\_\_\_\_
- D. Proposers are to list the WORKER ON-SITE response time during standard working hours (6:00 a.m. – 5:00 p.m.) from time of call: \_\_\_\_\_
- E. Proposers are to list the WORKER ON-SITE response time during Non-standard working hours (5:01 p.m. – 5:59 a.m.) from time of call: \_\_\_\_\_
- F. Proposers are to list the WORKER ON-SITE response time during Non-standard working hours (Saturday, Sunday and College Holiday’s) from time of call: \_\_\_\_\_

5.403 Does your firm have 24/7 Emergency call availability? **Yes**\_\_\_\_\_ **No**\_\_\_\_\_

If yes, provide an explanation below.

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5.404 Include the current and projected workloads as the extent of experience in adequate demonstrating the ability to complete this project along with their current backlog of projects. Also include the current and past projects as the extent of experience in providing a willingness and demonstration of meeting time restraints and budget requirements.

5.404.1 How in detail identifying current workload/backlog and anticipated projects, utilizing the assumptions in Section 7.00 "Schedule", would affect your firm in being able to accomplish the defined scope of work herein.

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5.404.2 History in Project Performance in Cost and Scheduling - Applicants shall list below 3-5 related of your providing Elevator Maintenance and Repair services as defined in this RFP you have managed within the least three (3) years. (Preferably Florida public governmental/institutional/K-20 educational clients.)

Project	Contract Amount *		Completion Date		Client's Name
	Original	Final	Planned	Actual	

\* The Original/Final Contract Amount is the Total Dollar Amount in which your firm was contracted to perform the scope of work for the listed project.

5.405 Describe below in detail your company's proposed Disaster Recovery Proposal (DRP) services to provide the College immediate access to disaster recovery services. (Including defining if services would be available on a 7-day 24-hour basis, defining how many hours after a disaster your company would commit to having licensed staff on campus beginning to provide DRP services and your firm's ability to contract with out-of-state subcontractors to complete the disaster recovery if local NE Florida subcontractors are unable to perform such as an event of a hurricane hitting Jacksonville, etc.)

5.406 ALTERNATE FUNDING SOURCE REQUIREMENTS: Whenever applicable such as an event of a hurricane hitting Jacksonville, etc. , the Contractor will adhere to all applicable Federal, State, and local ordinances, to include, but not limited to:

- Federal Civil Rights Act of 1964
- Immigration Reform and Control Act of 1986
- State of Florida Workers' Compensation Act
- Davis-Bacon Act
- Occupational Health and Safety Act
- Environmental Protection Agency Laws
- Florida Environmental Protection Division Regulations
- Florida Department of Transportation Regulations
- Copeland Anti-Kick Back Act
- FEMA 2 C.F.R. Part 2 Appendix II and C.F.R. Part 3002

Agreed? Yes \_\_\_\_\_ No \_\_\_\_\_

**(If yes, please submit Section 5.40, Attachment A, Signed and dated.**

**(If no, please provide certification statement on company letterhead stating such.)**

**NOTE: ONLY Applies to Lot #2 Costing**

**Appendix II to Code of Federal Regulations (C.F.R. Part 200)—****Contract Provisions for Non-Federal Entity Contracts Under Federal Awards**

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

(A) Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See §200.322 Procurement of recovered materials.

A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75888, Dec. 19, 2014]

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Authorized Signature (Print & Sign)

Date

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Florida State College at Jacksonville is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award the baccalaureate and associate degree. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097, or call (404) 679-4500 for questions about the accreditation of Florida State College at Jacksonville. The Commission is to be contacted only if there is evidence that appears to support an institution's significant non-compliance with a requirement or standard.