



Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

Purchasing Division
1800-3 Blair Stone Road
(corner of Miccosukee and
Blair Stone Roads)
Tallahassee, Florida 32308
(850) 606-1600

Commissioners

June 6, 2014

BILL PROCTOR
District 1

RE: ITN Title: Invitation to Negotiate for Consultant Services for the Development of the State Expenditure Plan Required by the RESTORE Act

JANE G. SAULS
District 2

ITN No: BC-06-17-14-33

JOHN DAILEY
District 3

Opening Date: Tuesday, June 17, 2014 at 2:00 p.m. Eastern Time

BRYAN DESLOGE
District 4

ADDENDUM #3

Dear Vendor:

KRISTIN DOZIER
District 5

This letter serves as Addendum #3 for the above referenced project.

MARY ANN LINDLEY
At-Large

1. Purchases by other Public Entities. With the consent and agreement of the successful vendors listed on the Short List, purchases may be made under this solicitation by other governmental agencies or political subdivisions within the State of Florida. Such purchases shall be governed by the same pricing, terms and conditions stated herein. This agreement in no way restricts or interferes with the right of any public agency or political subdivision to solicit any or all of the items or services independently.

NICK MADDOX
At-Large

2. Documentation Supporting Subcontract Arrangements. All respondents shall supply written proof of subcontract arrangements for this solicitation. Documentation shall be supplied for each subcontractor which the respondent intends to utilize and for which the respondent has identified the qualifications and experience of in their proposal. The written documentation shall be a one (1) page letter supplied by the subcontractor on its letterhead stationery, clearly identifying the Solicitation Number, the project title, and the prime contractor with whom the firm intends to subcontract. Failure to submit a letter of commitment from an intended subcontractor identified in the proposal shall result in the disallowance of the qualifications and experience of that subcontractor from consideration in the evaluation process.

VINCENT S. LONG
County Administrator

3. Questions submitted by vendors are answered in the attachment to this addendum for your consideration. The attached answers supersede any and all previous responses.

HERBERT W.A. THIELE
County Attorney

4. Attachment B, Vendor Reference Form is attached hereto.

Acknowledgment of this addendum is required as part of your bid submittal. Failure to acknowledge this addendum may result in rejection of your bid.

Should you have any questions, feel free to call me at (850) 606-1600.

Sincerely,

A handwritten signature in blue ink that reads "Shelly Kelley".

Shelly Kelley, PMP
Purchasing Director

Answers to Vendor Submitted Questions
RFP BC-06-17-14-33

Question #1:	Are there any font or margin size requirements or restrictions for the proposal?
Answer:	It is recommended that vendors utilize the following minimums when preparing their response: Font: Times New Roman, 10 pt. or equivalent Margins: 0.75 Page size: 8 ½ x 11 Cover page and forms not included in page limit.
Question #2:	Is the cover included in the 100-page limit for the proposal?
Answer:	No.
Question #3:	Please confirm that the required forms are not included in the 100-page limit.
Answer:	The required forms are not included in the page limit.
Question #4:	Who will the contracting entity – the Consortium or Leon County?
Answer:	The Gulf Consortium.
Question #5:	For which phases of the project (i.e. Draft Initial State Expenditure Plan; Draft Final State Expenditure Plan; or Draft Final State Expenditure Plan, Revision, Approval, and Submission) described in the Scope of Services should the Cost Proposal (Tab G) include?
Answer:	The cost proposal should include the individual cost components and pricing methodology of the services in paragraphs A through C in the Scope of Services Section IV.
Question #6:	Has the evaluation team been appointed? If so, who are the individuals on the team?
Answer:	No. However, communications between vendors and evaluation team members in relation to this solicitation are prohibited during the solicitation process and may be grounds for rejection of the vendor’s submission.
Question #7:	For the Request for Best and Final Offer process, will the short-listed firms be expected to prepare an entirely new proposal based on a new documented scope of services to be issued?
Answer:	Possibly. It will depend upon the revisions to the scope of services. If extensive, we may ask for an entirely new proposal. Otherwise, we may only ask vendors to respond to the changes that would build upon the original submission.
Question #8:	Will the Revised Scope of Services be presented to the entire Consortium for input before being included in a Request for Best and Final Offer?
Answer:	Yes. It is anticipated to be an agenda item for the Consortium.
Question #9:	What are the “Pricing Options” listed in Step 6 on page 19 of the ITN, will the Consortium be providing direction to the short-listed firms on Pricing Options?
Answer:	Pricing Options and information of the Request for Best and Final Offer (RBAFO) are not available at this time. This information will be developed after the initial proposals have been evaluated, a short-list determined and possible presentations. Detailed information will be included in the RBAFO document.
Question #10:	Will the full Consortium ultimately vote on the highest ranked firms in Step 9 of the ITN?
Answer:	An agenda item will be prepared for the Consortium Board of Directors to either approve the ranking and authorize negotiations, not approve the ranking, or provide Board direction. The action would be based upon a majority vote of the Board. The absence of Directors at the voting meeting would not be taken into consideration as long as there is a quorum at the meeting.

Question #11:	What are the factors that the Manager will consider for an acceptable negotiated contract?
Answer:	The draft contract is included as Attachment A to the ITN.
Question #12:	Are there any requirements beyond the insurance coverage that will be required of the subcontractors? If so, can you please list what those include?
Answer:	The prime contractor will need to ensure that subcontractors provide necessary insurance coverage and comply with the terms of their subcontract. Additionally, the revised submission requirements direct the prime submit a letter from each subcontractor stating that they are part of the project team.
Question #13:	The Scope of Services calls for a robust public engagement strategy that ensures the public's right to know and public participation in the nomination and selection process for projects. Since the State Expenditure Plan will cover a large 23 county area, are there any minimum requirements or activities that must be included in the public involvement plan?
Answer:	The ITN does not specify minimum requirements.
Question #14:	Draft U. S. Treasury Rules require certification that the 'Grantee has followed in every material respect the applicable procurement rules applying to contracts in the Grantee's State for each project, program, and activity funded under this Agreement, including rules for competitive bidding and audit requirements'. This ITN does not appear to be procured under Florida's procurement rules (Chapter 287, Florida Statutes), can the Gulf Consortium clarify if this procurement will meet the draft U. S. Treasury certification requirement?
Answer:	The Consortium is bound by the state laws which mandate compliance by a county or special district. The Consortium has adhered to the applicable provisions of State law. This solicitation is being conducted under the Gulf Consortium's Purchasing Policy.
Question #15:	Draft U. S. Treasury Rules require certification that 'a conflict of interest policy is in effect and covering each project, program, and activity funded under this agreement'. Has the Gulf Consortium considered whether an explicit conflict of interest policy can be incorporated into this ITN?
Answer:	The Consortium's Purchasing Policy and the ITN address the solicitation of a consultant for a State Expenditure Plan consultant. Neither the policy nor the ITN address the referenced conflict issue regarding implementing a plan by project, program or activity because no determination has been made as to the role of the Consortium in the implementation of the State Expenditure Plan.
Question #16:	Page 4, III. A. Procurement Instructions require responses to be submitted in a binder clip only. Since the Tab A Executive Summary will be distributed to Consortium Directors, Alternates and Ex-officio Members, is it permissible to prepare this in a booklet, center-stapled format?
Answer:	No.
Question #17:	Page 7, I. Public Records. Given that the procurement process may last 6 months or more, can the public disclosure exemption be extended for a similar duration?
Answer:	The initial submissions will be exempt from public disclosure until the short-list is posted or 30 days after the opening date, whichever comes first. After that any meetings/submissions will remain exempt until an intended decision is posted or 30 days after the BAFO's are submitted, whichever comes first.
Question #18:	Page 14, 4. Project Management Process. While we understand the purpose of the database, can you clarify what is expected by the words "all" and "contemplated"? Would projects/programs/activities currently in FDEPs RESTORE Act database (Deepwater Horizon Project Proposals database), listed in finalized county RESTORE expenditure/implementation plans and formally submitted through the development of the Consortium Expenditure Plan address the requirement of all and contemplated?
Answer:	The Consortium's database should include those projects, activities, and programs submitted through the FDEP website. The DEP will make its database of projects, and GIS mapping application, available to the selected consultant for this purpose. The Consortium's database does not need to be the same as the DEP database, but should allow for data from each to be readily shared.

Question #19:	Page 16, Item V. Required Submittals. Reference is made to the photocopies being printed double-sided. Is the original submittal intended to be printed single sided or can double-sided be used for the original as well?
Answer:	The original shall be single-sided and the copies shall be double-sided.
Question #20:	Page 16, Item V. Required Submittals. Does a double-sided page count as one or two pages as relates to the 100 page limit?
Answer:	A double-sided page counts as 2 pages of information.
Question #21:	Page 18, Item V.F. 4. Are 3 references required for each proposed subcontractor, as well as the prime firm?
Answer:	References are required for the prime firm.
Question #22:	Page 18, Item V. G. Given that the Consortium is inviting firms to submit “innovative ideas and approaches” (i.e., strategies for plan development and processes for project nomination and evaluation) and that the Evaluation Team will revise the Scope of Services as necessary prior to the RBAFO, will the Evaluation Team, in shortlisting firms in Step 2, potentially award fewer points under the Cost Proposal Evaluation Criteria due to a higher cost than other firms, even if its “innovative ideas and approaches” are incorporated into the revised Scope of Services? In other words, could a firm that provides a more superior approach than other firms, score lower on the Cost Proposal criterion if the cost for executing this approach is higher than that submitted by firms with lower rated approaches (Evaluation Criteria a, b, c. and d.) ?
Answer:	It is possible. However, the thought would be if the approach is superior, it would receive a higher rating on other areas of the evaluation while the cost points may be rated lower.
Question #23:	Page 18, Item VI. A, 3rd paragraph. Does the phrase “no less than 72 hours” mean “no less than 72 hours before the meeting”?
Answer:	Yes.
Question #24:	Page 19, Item VI. B. Step 8. Please clarify the meaning of this statement. There appear to be words missing after the word “capabilities”. Please clarify if “capabilities” is inclusive of qualifications, experience, and references (as identified in Item e. of the Evaluation Criteria in Section VI.C).
Answer:	Step 8 should read, “The Evaluation Team will review the summary evaluations and rank the firms, in order of preference, based upon their approach and capabilities. The team may repeat steps 3 through 6 as necessary.” The term “approach and capabilities” is inclusive of qualifications, experience, references, technical approach, and any other submission requirements in the ITN.
Question #25:	Page 19, Item VI. B. Step 9. How will the Consortium Board of Directors “consider” the highest firms on the ranked list? Will they approve the rankings and select the highest firm or reject the rankings as whole and ask the Evaluation Team to reconsider its evaluation and ranking? Will the Board be allowed to re-rank the highest firms based on a vote? Will the action taken be based on majority vote of the 23 directors? How will the absence of directors be handled in the voting? How will a tie be broken if that occurs? Will the Executive Committee serve a role in tie-breaking or determining how to resolve any objections from individual directors?
Answer:	See response to question 10.
Question #26:	Page 20, Item C. Will the identified Evaluation Criteria be used only to score the initial proposals (Step 2), or will the same Evaluation Criteria also be used to score/rank the firms on the BAFO (Step 8)? If not, how is cost considered in the evaluation of BAFO, given that it is not mentioned in Step 8?
Answer:	The evaluation criteria identified in the ITN will be used only to score the initial proposals. Any evaluation criteria used to score/rank the firms in the BAFO will be identified in the Request for BAFO provided to the applicable vendors. The term “approach and capabilities” in Step 8 is inclusive of qualifications, experience, references, technical approach, and any other submission requirements in the ITN, including cost.

Question #27:	Attachment A (page 30), Item 4. Is the contract sum to be provided for the 2-year term only, or also for the two 1-year extensions? Section V.G (Cost Proposal) refers to “individual cost components and pricing methodology” whereas Attachment A, Item 4 refers to “unit prices”. What is the distinction(s) between “individual cost components” and “unit prices”? Are the defined cost components and pricing methodology flexible for the proposal stage, and negotiable upon selection? If so, how will the Evaluation Team compare the costs and determine best value in the evaluation of the BAFOs from the shortlisted firms?
Answer:	The draft contract is a DRAFT. While the majority of the language is standard, there are some areas that will not be able to be finalized until the solicitation process is complete. The contract sum and other items in the draft contract will be finalized after award and updated accordingly. In the draft contract, “unit prices” is used as a generic term. Once the final pricing methodology is determined, the contract document will be updated appropriately. The defined cost components and pricing methodology flexible for the initial proposal stage, with the methodology more defined in the RBAFO. Evaluation criteria for the submitted BAFOs will be provided in the RBAFO document.
Question #28:	Attachment A (page 33), Item 12. Performance Bond. Bonds typically only apply to construction related services and not professional consulting services, therefore, it may not be possible to provide a bond for this. Can the Consortium clarify whether a performance bond will be required and if so, what the estimated project cost is for this contract?
Answer:	See the answer to question 27.
Question #29:	Attachment A (page 34), Item 14. Audits, Records, and Records Retention. The draft contract states that the Contractor will be an independent contractor but does not authorize the Contractor to act on behalf of the Consortium. Some of the public access requirements in Chapter 119, Florida Statutes, only apply to entities that are acting on behalf of a public agency. Can the Gulf Consortium clarify if the Contractor will be an agent of or act on behalf the Gulf Consortium, and specify which portions of this section are applicable when the contractor is not acting on behalf of the Gulf Consortium?
Answer:	The contractor will be required to meet the applicable public records requirements of section 119.0701, Florida Statutes.
Question #30:	P. 18 of the RFP requests three references be listed 'using the specified form'. No form is specified in the RFP. Is there a form we should use?
Answer:	Please see the form attached to this Addendum.
Question #31:	Will the cover letter count towards page count?
Answer:	No.
Question #32:	Can we use 11 x 17 inch pages in our response? If so, how will they be allocated towards the page limit?
Answer:	No.
Question #33:	The draft contract in the ITN states that a Performance Bond will be required for projects of this size. This is not a typical financial instrument for a consulting assignment. It is typically provided by construction contractors for construction type projects. What is the potential for this requirement to be removed?
Answer:	See answer to question 27.
Question #34:	Addendum #1 indicates that the second mandatory pre-proposal meeting is being held due to technical difficulties? Can you tell us what those technical difficulties were and how they impacted the mandatory pre-proposal meeting?
Answer:	Please see Addendum #2.
Question #35:	The posted addendum is titled Addendum #1 but the first sentence in the document states that “this letter serves as Addendum #2 for the above referenced project.” Is there a second addendum?
Answer:	There was a typo in Addendum #1, which is the document you are referencing. However, there is an Addendum #2 and this document is part of Addendum #3.

Question #36:	Vendors who attended the first mandatory pre-proposal meeting are not required to attend the second mandatory pre-proposal meeting. How can a mandatory pre-bid meeting not be mandatory?
Answer:	Please see Addendum #2.
Question #37:	Will any new information be presented at the second mandatory pre-proposal meeting? Will there be written and audio copies made available for both meetings?
Answer:	The second meeting was intended to be held so that anyone who was not timely notified of the first meeting could attend a duplicate of the original meeting with no new information provided. When the second meeting was held on May 14, 2014, there were no new attendees present or on the teleconference line, so the meeting was adjourned without any discussion.
Question #38:	<p>Please define whether or not the following are conflicts, thus precluding a potential bidder from responding to this ITN if they plan to participate in these future activities:</p> <ul style="list-style-type: none"> a. Working for a Florida County and the Consortium b. Working for the Consortium and another state c. Creating the State Expenditure Plan and designing or implementing projects contained in the State Expenditure Plan d. Creating the State Expenditure Plan and also working on further grant management and/or program implementation activities (in a potential Phase II of the State Expenditure Plan if it occurs) such as: grant management, contract management, program management system, work plans and schedules, project review and tracking, program and project budgets, progress metrics, and continued public engagement.
Answer:	<p>This question encompasses two ethical issues. The first concerns a conflict of interest, which prohibits a firm from representing two principals on the same matter. The second relates to an unfair competitive advantage, which prohibits contracting with a firm that obtained information not generally available to other firms. Subsection 17 of section 287.057, Florida Statutes, addresses both a conflict of interest and an unfair competitive advantage in State contracting. This statute does not apply to procurement by the Consortium. The Consortium has not adopted a policy addressing these ethical issues. Consequently, the Consortium will not automatically disqualify a firm based on these two ethical considerations. However, the forthcoming Gulf Coast Ecosystem Restoration Council regulation and the finalized United States Treasury rule may include provisions regarding these ethical issues or other issues that require a revision to the Consortium's procurement policy and ITN, which may result in disqualifying firms.</p> <p>Note that this answer is intended to address the Consortium's procurement policy and ITN. The answer is not intended to advise firms on ethical policies adopted by a Florida county, another state, or the State of Florida.</p>
Question #39:	Would the Consortium consider an extension of time commensurate with the time it takes to resolve these issues?
Answer:	No. At this time, it is the desire of the Consortium to move forward with the calendar as stated in the solicitation document.
Question #40:	Could you please clarify whether the 10 projects to be included as relevant experience must all be project completed by the prime consultant, or can they also include projects completed by major subconsultants? It is our position that the 10 projects should exemplify the relevant experience of the <u>entire proposed team</u> , not just the prime. Since this project requires a number of specialty services, each team will likely include multiple subconsultants. Therefore, allowing projects from subconsultants to be included would be a better way to comparatively evaluate the various proposed teams.
Answer:	The projects to be listed as relevant experience may include projects conducted by the prime or project conducted by a subconsultant, or projects conducted by both.

ATTACHMENT B
CLIENT REFERENCE FORMS

The respondent must list three (3) separate and verifiable projects for clients of the respondent. Information on each project must be provided on this Attachment. Any information not submitted on this attachment shall not be considered. The projects listed shall be for services similar in nature to that described in this solicitation. Confidential clients shall not be included. The same client may not be listed for more than one (1) reference (for example, if the respondent has completed one project for the Florida Department of Transportation – District One and one project for the Florida Department of Transportation – District Two, only one (1) of the projects may be listed because the client, the Florida Department of Transportation, is the same).

Name: _____

Address: _____

Contact Person: _____ Phone Number: _____

Website: _____

Project Term: _____ to _____
Dates should be in mm/yy format.

Location of Project: _____

Approximate Fee for Product/Services \$ _____