BID SOLICITATION NOTICE – District 3
FLORIDA DEPARTMENT OF TRANSPORTATION, Procurement
1074 Hwy 90 Chipley, Florida 32428
August 29, 2019

REQUEST FOR PROPOSALS FOR BEST VALUE PERFORMANCE MAINTENANCE CONTRACT

This is a District-wide performance-based project requiring management and performance of maintenance components for the transportation facilities identified in the RFP & Scope of Services.

The Department intends to award this project to responsive and responsible Proposers. The Proposers will be the ones whose proposal package receives the highest score (Technical Proposal Score plus Price Score). Each project will be scored on its own merit.

PROPOSAL ID: E3S98-R0 **PROJECT(S): 422122-2-72-13** **COUNTY: Jackson & Washington**

DESCRIPTION: This performance-based contract that involves performing roadside maintenance work activities including turf management, litter removal, mowing, edging and sweeping, and tree trimming.

The work area is the Department's rights-of-way, including Department owned vacant property, fenced and unfenced storm water and mitigation facilities in Jackson and Washington Counties. Performance contract to begin on January 1, 2020. Contractor is expected to mobilize and begin work effective January 1, 2020. RENEWAL OPTION. A MANDATORY PRE-PROPOSAL MEETING will be held at the Florida Department of Transportation, Marianna Operations Center, Conference Room, 2956 State Correctional Road, Marianna, Florida 32448 on Tuesday, September 17, 2019 at 10:00 AM Central Time. **Bids for this project will not be received through Bid Express.**

- Contract Days: 5 Years
- Acquis/Flexible Start Time: N/A
- Contract Execution Days: 10
- Budget Amount: $9,300,000.00

Technical and Price Proposals are due on Monday, November 4, 2019 before 10:00 A.M. (Local Time).

Location	**Address**	**Room Number**
District 3	1074 Hwy 90 Chipley, Florida 32428	Administration Blg., Procurement Services Conference Room

There will be a separate opening for the Technical and for the Price Proposal. The names of companies submitting will be read publicly in the Administration Building, Procurement Conference Room, 10:00 a.m. on Wednesday, November 13, 2019.

Agenda: a) Opening Remarks; b) 15 minutes of public input; c) Reading of technical and prices; d) Closing. Anyone needing special accommodations under the Americans with Disabilities Act of 1990 should send an email to contracts.admin@dot.state.fl.us **or call telephone number (850) 330-1364. Special accommodation requests under the Americans with Disabilities Act should be made at least seven days prior to the public meeting. Proposer's names can be obtained at:** https://www.fdot.gov/contracts/d3/bestvalue/best-value-performance-contracts **after the reading.**

DEADLINE for PROPOSALS and PROPOSAL HOLDERS LIST

The deadline for obtaining proposal packages shall be 24 hours prior to scheduled letting date and time. A list of plan holders may be obtained by visiting the District Contracts Administration website at:

https://www.fdot.gov/contracts/d3/bestvalue/best-value-performance-contracts. For compliance with Florida Statute 337.168(2), additional bidders and plan and specifications holders are not published beginning three working days prior to the letting.

NOTE: Proposals will not be issued after 2:00 P.M. Local Time on Friday November 1, 2019.

DOCUMENT ORDERING INFORMATION

Orders for documents are placed using the Contract Proposal Processing Online Ordering System at https://fdotwp1.dot.state.fl.us/contractproposalprocessingonlineordering/. There is no charge for ordering/downloading documents. Online Ordering is available Monday through Friday from 6 AM to 9 PM and Saturday from 6 AM to 7 PM.

To Place An Order

- A current State of Florida Vendor Number is required prior to first-time registration; please visit http://dms.myflorida.com/egovernment_tools/myflorida_marketplace for more information. Please allow 24 to 48 hours for the receipt of a new vendor number.

- Prior to placing orders, an individual shall register and establish an Internet Subscriber Account with the Department of Transportation at https://www3.dot.state.fl.us/ContractProposalProcessingOnlineOrdering/. Please allow 48 to 72 hours (excluding weekends and holidays) for the registration and approval.

PREQUALIFICATION

Contractors must have a current certificate of qualification in accordance with Florida Statute 337.14(1) and Rule Chapter 14-22, Florida Administrative Code, on the date of the letting to bid on construction projects over $250,000.00 as established by the Department's budget. Maintenance contracts do not require a contractor to have a certificate of qualification, unless stipulated in the project description and specifications. If deemed necessary by the Department, certain maintenance contract will contain specific requirements for maintenance contractor eligibility.

PREQUALIFIED CONTRACTORS CURRENT CAPACITY

Contractors must have a current certificate of qualification in accordance with Florida Statute 337.14(1) and Rule Chapter 14-22, Florida Administrative Code, on the date of the letting to bid on construction projects over $250,000.00 as established by the Department's budget. Maintenance contracts do not require a contractor to have a certificate of qualification, unless stipulated in the project description and specifications. If deemed necessary by the Department, certain maintenance contracts will contain specific requirements for maintenance contractor eligibility.

CONFLICT OF INTEREST

A contractor who performs a constructability review on a design contract or who participates in a value engineering study workshop or cost risk analysis workshop, is prohibited from bidding on the construction of that contract.

SCRUTINIZED COMPANIES

A company that is on the Scrutinized Companies that Boycott Israel List, is engaged in a boycott of Israel, is on the Scrutinized Companies with Activities in Sudan List, is on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, may not bid on, submit a proposal for, or enter into a contract with an agency or local government entity for goods or services of $1 million or more.

BID REJECTION

Bidders are hereby notified that all bids on any of the following projects are likely to be rejected if the lowest responsive bid received exceeds the engineer's estimate by more than ten percent (10%). In the event any of the bids are rejected for this reason, the project may be deferred for re-advertising. In addition, award of all federally funded projects will be subject to Federal Highway Administration concurrence.

PROTEST RIGHTS

Pursuant to Section 120.57, Florida Statutes, any person adversely affected by a **bid solicitation** shall file both a notice of protest and bond within 72 hours after posting of the Bid Solicitation Notice, and shall file a formal written protest within ten days after filing the notice of protest. Any person who files a notice of protest as to a bid solicitation pursuant to this rule shall post with the Department, at the time of filing the notice of protest, a bond payable to the Department in the following amounts: For an action protesting a bid solicitation that requires qualification of bidders, the Bond shall be $5,000. For an action protesting a bid solicitation for which bidders are not required to be prequalified by the Department to be eligible to bid, the bond shall be $2,500. The required notice of protest, bond and formal protest must each be timely filed with the Clerk of Agency Proceedings, Florida Department of Transportation, Mail Station 58, Room 550, 605 Suwannee Street, Tallahassee, Florida 32399-0458, FAX (850) 414-5264. 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 the filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

Pursuant to Section 120.57, Florida Statutes, any person adversely affected by a **bid rejection or contract award** shall file both a notice of protest and bond within 72 hours after the posting of the Summary of Bids. If notice of intended decision is given by certified mail or express delivery, the adversely effected person must file both the notice of protest and bond within 72 hours after receipt of the notice of intent. A formal written protest must be filed within ten days after filing the notice of protest. Any person who files a notice of protest as to a bid rejection or contract award pursuant to this rule shall post with the Department, at the time of filing the notice of protest, a bond payable to the Department in the following amounts: For an action protesting a bid rejection or contract award that requires qualification of bidders, the Bond shall be equal to one percent of the lowest bid submitted or $5,000, whichever is greater. For an action protesting a bid rejection or contact award for which bidders are not required to be prequalified by the Department to be eligible to bid, the bond shall be $2,500. The required notice of protest, bond and formal protest must each be timely filed with the Clerk of Agency Proceedings, Florida Department of Transportation, Mail Station 58, Room 550, 605 Suwannee Street, Tallahassee, Florida 32399-0458, FAX (850) 414-5264. 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.

A protest is not timely filed unless the notice of protest, bond and the formal protest are each received by the Clerk of Agency Proceedings within the required time limits. A protest which is filed prematurely will be deemed abandoned unless timely renewed.

Interested parties can visit our Internet web site at http://www.fdot.gov/contract/. Information regarding projects posted with the Clerk of Agency Proceedings, Proposal holders, Plan and Special Provisions holders, preliminary letting results, and other noteworthy information is provided on this website. Please note that, for compliance with Florida Statute 337.168(2), the Proposal holder and the Plan and Special Provision holder listings are not published beginning three working days prior to the letting until after the letting.

In the event multiple responsive bidders submit identical proposals (bids), the Department will determine the other in which Proposals are to be considered for Contract award in accordance with Florida Laws, and any applicable Rules.

INSURANCE

The successful bidder shall submit current general liability insurance and workman's compensation insurance certificates for the duration of the contract in the dollar amounts and manner specified in the most current edition of the Department's Standard Specifications for Road and Bridge Construction. Insurance companies must be authorized to do business in the State of Florida. Proof of such insurance shall be filed with the District Contracts and Procurement Office before the contract can be executed. BE SURE THAT THE CONTRACT NUMBER IS ON EACH INSURANCE CERTIFICATE.

ADDENDA

No negotiations, decisions, or actions will be initiated or executed by a potential bidder as a result of any oral discussion 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 District Contracts Administration website at: http://www.fdot.gov/contracts/d3/Asset%20Maintenance/AssetMaintenance.shtm. 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 the bid when so stated in the addenda.**

BID QUESTIONS

Direct questions regarding the advertised projects by posting them to the Department website at the following URL address: https://fdotwp1.dot.state.fl.us/BidQuestionsAndAnswers/Proposal.aspx/SearchProposal

PROPOSAL GUARANTY

For bids over $150,000.00, the standard proposal guaranty of 5% of the bid will be required, unless otherwise stipulated in the proposal advertisement. A Proposal Guaranty of not less than five percent (5%) of the total actual bid in the form of either a certified check, cashier's check, trust company treasurer's check, bank draft of any national or state bank, or a Surety Proposal Guaranty made payable to the Florida Department of Transportation must accompany each bid in excess of **$150,000.00**. A check or draft in an amount less than five percent (5%) of the actual bid will invalidate the bid. Proposal Guaranty shall substantially conform to DOT Form 375-020-09 furnished with the Proposal. The bidder must submit an original proposal guaranty. (A fax or a copy send as an attachment will not be accepted.)

PAYMENT AND PERFORMANCE BOND

An **ANNUAL** Payment and Performance bond **will be required for this project.**

EXECUTION OF CONTRACT

Pursuant to Subsections 3-6 and 3-7 of the Standard Specifications, the successful bidder shall execute the necessary contract documents and return the agreement along with a satisfactory Performance and Payment Bond within ten (10) Calendar days of award, excluding Saturdays, Sundays, and state holidays, unless noted otherwise in the project specifications. A 100% Payment and Performance Bond will be required for all projects unless noted otherwise in the project specifications. All work is to be done in accordance with the Plans, special Provisions of the State of Florida Department of Transportation.

Prior to execution of the contract with the Department, **a corporation must show proof that is authorized to do business in the State of Florida**. Florida corporations should provide a copy of the certificate of Incorporation and foreign corporations should provide a copy of Certificate of Authority from the Florida Department of State.

Important note: Actual commitment and final execution of the contract is contingent upon an approved legislative budget and funds availability.

DBE PARTICIPATION

Disadvantaged Business Enterprise (DBE) Availability Goal Information is contained in the Bid Solicitation Package. DBE Participation and Bidder Opportunity List of Prime Contractors should be reported to the **Equal Opportunity Compliance (EOC)** system. The EOC system is a web based application for Prime Contractors, statewide, to report their Bidder Opportunity List, DBE Commitments, and DBE/MBE Subpayments. Please complete and submit the DBE Participation (i.e. DBE Commitments) and the Bid Opportunity List in the EOC.

More Information regarding EOC can be referenced at: http://www.fdot.gov/equalopportunity/eoc.shtm

DEBARMENT/SUSPENSION

All bids submitted to the Department shall include a statement that by signing and submitting this proposal, the bidder certifies that no principal (which includes officers, directors or executives) is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency.

MANDATORY PRE-BID CONFERENCE

For projects with mandatory Pre-Bid Meeting, proposal (BIDDING DOCUMENTS) will be issued only to the attendees of the meeting. Prospective bidders ordering bidding documents prior to the Pre-Bid Meeting will be given access to download the bidding documents within 24 hours after the Pre-Bid Meeting. Those prospective bidders ordering the documents after the Pre-Bid Meeting will need to contact the office advertising the project to confirm attendance and receive access to download the bidding documents. Please contact the office at least two working days prior to the deadline for obtaining bidding documents to allow time for processing.

LATE ARRIVALS TO MANDATORY PRE-BID MEETINGS

All bidders must be present and signed in prior to the start of the mandatory prebid meeting. Anyone not signed in at the commencement of the meeting will be considered late and will not be allowed to bid on the project.

FIRST TIME BIDDERS

Bidders bidding for the first time with the Department can request an orientation meeting to obtain information about the bidding/contracting process. Contact the office listed for ordering plans. Please call (850) 638-0250 for further details.

POSTING NOTICE

The bid tabulation and intent to award will be posted on November 21, 2019 or November 26, 2019 at https://www.fdot.gov/contracts/d3/bestvalue/best-value-performance-contracts.
The posting provides notice of the Department's intent to award a contract or reject all bids. The Department's Notice of Intent regarding a project will be posted on only one of the alternate posting dates. Bidders are solely responsible for timely monitoring or otherwise verifying on which of the specified alternate posting dates the posting of award or rejection of all bids actually occurs.

If the posting dates are revised, all bidders for the subject project will be notified.

AFFIRMATIVE ACTION (EQUAL EMPLOYMENT OPPORTUNITY)

The Florida Department of Transportation (hereinafter referred to as the "Department"), in accordance with **Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000d-4 and related authorities, 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 U.S. Department of Transportation issued pursuant to such Act, hereby notifies all bidders that the Department will affirmatively insure that in any contract 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 against on the basis of race, color, national origin, religion, sex, age, or disability/handicap in consideration for an award. Further, it is the policy of the Department to not discriminate against bidders on the grounds of race, color, national origin, religion, sex, age, or disability/handicap in consideration for an award. A bidder must have an approved DBE Affirmative Action (DBE/AA) Plan prior to contract award. Please use the following link
http://www.fdot.gov/contracts/cpp_online_ordering/bidder_assist.shtm, Standard Specifications for Road and Bridge Construction and the Special Provisions for instructions for submission of a DBE/AA Plan. The DBE/AA Plan should be submitted for approval prior to the bidding.

MINIMUM WAGE

The minimum wage for all hours worked in Florida is available at: http://www.floridajobs.org

EMAIL SUBSCRIPTION LIST

To get on the e-mail subscription list, go to http://www2.dot.state.fl.us/ContractsAdministration/bsnmail.asp and fill out the necessary information to "Subscribe". To obtain information concerning other districts, go to http://www.fdot.gove/contracts/distco.shtm

NOTICE TO ALL BIDDERS

To report bid rigging activities call: 1-800-424-9071

The U.S. Department of Transportation (DOT) operates the above toll-free "hotline" Monday through Friday, 8:00 a.m. to 5:00 p.m. local time. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report such activities. The "hotline" is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

By submitting a bid, the contractor/consultant/vendor agrees to comply with section 20.055(5), Florida Statute, and to incorporate in all subcontracts the obligation to comply with section 20.055(5) Florida Statute.