

State of Florida
Department of Transportation



ADDENDUM TWO
REQUEST FOR PROPOSAL
Transportation Systems Management and Operations (TSM&O) Device Maintenance Contract
E4X61

CONTACT FOR QUESTIONS:

Sabine Wehder, Procurement Agent
d4.designbuild@dot.state.fl.us
Phone: (954-777-4068)
3400 West Commercial Blvd, Fort Lauderdale, FL 33309

INTRODUCTION SECTION

1) INVITATION

The State of Florida Department of Transportation, hereinafter referred to as the "Department", requests written proposals from qualified Proposers to provide Transportation Systems Management and Operations (TMS&O) Device Maintenance Services in District Four, which includes the counties of Broward, Palm Beach, Martin, St. Lucie, and Indian River. It is anticipated that the term of the contract will begin on **12/20/2024** and be effective through **12/19/2029**.

The Department intends to award this contract to the responsive and responsible Proposer whose proposal is determined to be the most advantageous to the Department. After the award, said Proposer will be referred to as the "Vendor". For the purpose of this document, the term "Proposer" means the prime vendor acting on its own behalf and those individuals, partnerships, firms, or corporations comprising the Proposer team. The term "proposal" means the complete response of the Proposer to the Request for Proposals (RFP), including properly completed forms and supporting documentation.

2) TIMELINE

Provided below is a list of critical dates and actions. These dates are subject to change. Notices of changes (Addenda) will be posted on the District Contracts Administration website at: www.fdot.gov/contracts/d4, click "RFP Contracts" and select Contact number from the list. It is the responsibility of all potential proposers to monitor this site for any changing information prior to submitting your proposal. **All addenda will be acknowledged by signature and subsequent submission of addenda with the bid when so stated in the addenda.**

<u>ACTION / LOCATION</u>	<u>DATE</u>	<u>LOCAL TIME</u>
MANDATORY PRE-PROPOSAL CONFERENCE <i>3400 W Commercial Blvd, Fort Lauderdale, FL 33309</i>	07-29-2024	10:30 AM
DEADLINE FOR TECHNICAL QUESTIONS (There is no deadline for administrative questions)	08-05-2024	5:00 PM
PROPOSALS DUE, ON OR BEFORE (Technical and Price Proposal) D4.designbuild@dot.state.fl.us	08-29-2024	10:30 AM
PROCUREMENT PROVIDE QUESTIONS TO PROPOSERS	09-16-2024	5:00 PM
PROPOSERS DEADLINE FOR SUBMITTAL WRITTEN RESPONSES TO PROCUREMENT OFFICE	09-20-2024	5:00 PM
PUBLIC SELECTION MEETING (Reading Technical Scores) <i>3400 W Commercial Blvd, Fort Lauderdale, FL 33309</i>	10-07-2024	09:30 AM
PUBLIC OPENING (PRICE PROPOSALS) <i>3400 W Commercial Blvd, Fort Lauderdale, FL 33309</i>	10-07-2024	10:30 AM
PUBLIC SELECTION MEETING (INTENT TO AWARD) <i>3400 W Commercial Blvd, Fort Lauderdale, FL 33309</i>	10-14-2024	09:30 AM
POSTING OF INTENDED AWARD	10-14-2024	10:30 AM

3) AGENDA FOR PUBLIC MEETINGS

Agenda – Mandatory Pre-Proposal Conference

Starting Time: see “Timeline” in RFP solicitation

- Opening remarks of approx. 2 minutes by Department Procurement Office personnel.
- Public input period.
- To allow a maximum of 15 minutes total for public input related to the RFP solicitation. At conclusion of public input or 15 minutes, whichever occurs first, highlights of the solicitation documents will be reviewed, and a questions and answers session.
- PM review of Exhibits
- Adjourn meeting.

Agenda – Public Selection Meeting (Technical Scores)

Starting Time: see “Timeline” in RFP solicitation

- Opening remarks of approx. 2 minutes by Department Procurement Office personnel.
- Public input period – To allow a maximum of 15 minutes total for public input related to the RFP solicitation.
- At conclusion of public input or 15 minutes, whichever occurs first, the Technical evaluation scores will be summarized.
- Selection Committee will express concurrence.
- Announce time and date of the Price Proposal Opening and Final Selection Meeting.
- Adjourn meeting.
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Agenda – Price Proposal Opening

Agenda for Price Proposal Opening

Starting Time: see “Timeline” in RFP solicitation

- Opening remarks of approx. 2 minutes by Department Procurement Office personnel.
- Public input period – To allow a maximum of 15 minutes total for public input related to the RFP solicitation.
- At conclusion of public input or 15 minutes, whichever occurs first, the Technical evaluation scores will be summarized.
- Announce the firms that did not achieve the minimum technical score.
- Announce the firms that achieved the minimum technical score and their price(s) as price proposals are opened.
- Calculate price scores and add to technical scores to arrive at total scores.
- Announce Proposer with Highest Total Score as Intended Award.
- Announce time and date the decision will be posted on the Districts Contracts Administration website at: www.fdot.gov/contracts/d4, click “RFP Contract” and select contract number from the list.
- Adjourn meeting.

Agenda – Public Selection Meeting to Intended Award

Starting Time: see “Timeline” in RFP solicitation

- Opening remarks of approx. 2 minutes by Department Procurement Office personnel.
- Public input period – To allow a maximum of 15 minutes total for public input related to the RFP solicitation.
- At conclusion of public input or 15 minutes, whichever occurs first, the Total Scores (Technical scores plus Price scores) will be summarized.
- Announce Intended Award decision.
- Announce time and date the decision will be posted on the Districts Contracts Administration website at: www.fdot.gov/contracts/d4, click “RFP Contract” and select contract number from the list.
- Adjourn meeting.

4) SPECIAL ACCOMMODATIONS

Any person with a qualified disability requiring special accommodations at a pre-proposal conference, public meeting, oral presentation and/or opening shall contact the contact person at the phone number, e-mail address or fax number provided on the title page at least five (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services which can be reached at 1 (800) 955-8771 (TDD).

SPECIAL CONDITIONS

1) MyFloridaMarketPlace

PROPOSERS MUST BE REGISTERED IN THE STATE OF FLORIDA'S MYFLORIDAMARKETPLACE SYSTEM BY THE TIME AND DATE OF THE TECHNICAL PROPOSAL OPENING OR THEY MAY BE CONSIDERED NON-RESPONSIVE (see Special Condition 21). All prospective proposers that are not registered should go to <https://vendor.myfloridamarketplace.com/> to complete on-line registration or call 1-866-352-3776 for assisted registration.

2) Florida Department of Financial Services (DFS) W-9 REQUIREMENT

The Florida Department of Financial Services (DFS) requires all vendors that do business with the state to submit an electronic Substitute Form W-9. Vendors must submit their W-9 forms electronically at <https://flvendor.myfloridacfo.com> to receive payments from the state. Contact the DFS Customer Service Desk at (850) 413-5519 or FLW9@myfloridacfo.com with any questions.

3) QUESTIONS & ANSWERS

In accordance with section 337.11, Florida Statutes, respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

Any technical questions arising from this Request for Proposal must be forwarded, in writing, to the procurement agent identified below. Questions must be received no later than the time and date reflected on the Timeline. The Department's written response to written inquiries submitted timely by proposers will be posted on the Districts Contracts Administration website at www.fdot.gov/contracts/d4, click "RFP Contracts" and select contract number from the list. It is the responsibility of all potential proposers to monitor this site for any changing information prior to submitting their proposal.

WRITTEN TECHNICAL QUESTIONS should be submitted to: **Sabine Wehder** at D4.designbuild@dot.state.fl.us

Questions regarding administrative aspects of the proposal process should be directed to the Procurement Agent in writing at the address above or by phone: **954-777-4068**

4) ORAL INSTRUCTIONS / CHANGES TO THE REQUEST FOR PROPOSAL (ADDENDA)

No negotiations, decisions, or actions will be initiated or executed by a proposer as a result of any oral discussions 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 Department's Website at www.fdot.gov/contracts/d4, click "RFP Contracts" and select contract number from the list. It is the responsibility of all potential proposers to monitor this site for any changing information prior to submitting their proposal. All Addenda will be acknowledged by signature and subsequent submission of Addenda with proposal when so stated in the Addenda.

5) DIVERSITY ACHIEVEMENT

DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

The Department, in accordance with *Title VI of the Civil Rights Act of 1964, 42 USC 2000d- 2000d-4, 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 Department of Transportation issued pursuant to such Act, hereby notifies all bidders that the Department will affirmatively ensure that in any contract/agreement 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 on the basis of race, color, national origin, or sex in consideration for an award.

The Department encourages DBE firms to compete for Department contractual services projects, and also encourages non-DBE and other minority contractors to use DBE firms as sub-contractors. The Department, its contractors, suppliers, and consultants shall take all necessary and reasonable steps to ensure that disadvantaged businesses have an opportunity to compete for and perform contract work for the Department in a nondiscriminatory environment. The Department shall require its contractors, suppliers, and consultants to not discriminate on the basis of race, color, national origin, religion, gender, age, or disability in the award and performance of its contracts.

Federal law requires states to maintain a database of all firms that are participating or attempting to participate in DOT-assisted contracts. To assist the Department in this endeavor, proposers are requested to submit the **Bidder's Opportunity List** with their Price Proposal Sheet. The list should include yourself as well as any prospective sub-contractor that you contacted or who has contacted you regarding the project.

Proposers are requested to indicate their intention regarding DBE participation on the **Anticipated DBE Participation Statement** and to submit that Statement with their Price Proposal Sheet. After award of the contract resulting from this RFP, the awarded Vendor will need to complete the "Anticipated DBE Participation Statement" online through the Equal Opportunity Compliance (EOC) system within 3 business days after award of the contract. The link to access the EOC system is: <https://www3.dot.state.fl.us/EqualOpportunityCompliance>. This will assist the Department in tracking and reporting planned or estimated DBE utilization.

During the contract period, the Vendor will be required to report actual payments to DBE and MBE subcontractors through the web-based EOC system. All DBE payments must be reported whether or not you initially planned to utilize the company. In order for our race neutral DBE Program to be successful, your cooperation is imperative. If you have any questions, please contact EOOHelp@dot.state.fl.us.

Additional information about the EOC system can be found on the Equal Opportunity Office (EOO) website at <http://www.dot.state.fl.us/equalopportunityoffice/eoc.shtm>. A help manual on how to use the system will be available within the EOC application. If you have any questions or technical issues, please contact the EOO help desk at EOOHelp@dot.state.fl.us.

To request certification or to locate DBEs, call the Department of Transportation's Equal Opportunity Office at (850) 414-4747, or access an application or listing of DBEs on the Internet at www.dot.state.fl.us/equalopportunityoffice/.

6) SCOPE OF SERVICES

Details of the services, information and items to be furnished by the Vendor are described in Exhibit "A", Scope of Services, attached hereto and made a part hereof.

7) INTENDED AWARD

The Department intends to award a contract to the responsive and responsible vendor with the highest cumulative total points for the evaluation criteria specified herein (See Section 30, Proposal Evaluation). The Intended Award decision will be announced at the Public Selection Meeting specified in the Timeline (See Introduction Section 2) Timeline.

8) MANDATORY PRE-PROPOSAL CONFERENCE

A MANDATORY pre-proposal conference will be held at the date, time and location in the Timeline. The purpose of this meeting is to provide an open forum for the Department to review the Scope of Services and respond to questions from potential proposers regarding the scope of services, RFP requirements, contractual requirements, method of compensation, and other conditions or requirements that may, in any manner, effect the work to be performed. Any changes and/or resulting Addenda to the RFP will be the sole prerogative of the Department.

Attendance at this pre-proposal conference is MANDATORY. Failure by a proposer to attend or be represented at this pre-proposal conference will constitute a non-responsive determination of their proposal package. Proposals found to be non-responsive will not be considered.

9) QUALIFICATIONS

9.1 General

The Department will determine whether the Proposer is qualified to perform the services being contracted based upon their proposal demonstrating satisfactory experience and capability in the work area. The Proposer shall identify necessary experienced personnel and facilities to support the activities associated with this proposal.

9.2 Qualifications of Key Personnel

Those individuals who will be directly involved in the project should have demonstrated experience in the areas delineated in the scope of work. Individuals whose qualifications are presented will be committed to the project for its duration unless otherwise excepted by the Department's Project Manager. Where State of Florida registration or certification is deemed appropriate, a copy of the registration or certificate should be included in the proposal package.

The Contractor shall be required to submit proof of the following licenses and certifications along with Technical Proposal:

- Low and High Voltage Electrical Contracting License
- CISCO network certifications e.g. CCNA Certification (Cisco Certified Network Associate Certification)
- COMPTIA Network Plus Certification (Computing Technology Industry Association Certification)
- FDOT Advanced Maintenance of Traffic Certification
- Fiber Optic Cable Certifications: technicians should have fiber training from at least one of the fiber optic cable manufacturers e.g. Corning Fiber, etc.

9.3 Authorized To Do Business in the State of Florida

In accordance with sections 607.1501, 605.0211(2)(b), and 620.9102, Florida Statutes, out-of-state corporations, out-of-state limited liability companies, and out-of-state limited partnerships must be authorized to do business in the State of Florida. Such authorization should be obtained by the proposal due date and time, but in any case, must be obtained prior to posting of the intended award of the contract. For authorization, contact:

Florida Department of State
Tallahassee, Florida 32399
(850) 245-6051

9.4 Licensed to Conduct Business in the State of Florida

If the business being provided requires that individuals be licensed by the Department of Business and Professional Regulation, such licenses should be obtained by the proposal due date and time, but in any case, must be obtained prior to posting of the intended award of the contract. For licensing, contact:

Florida Department of Business and Professional Regulation
Tallahassee, Florida 32399-0797
(850) 487-1395

10) LIABILITY INSURANCE

The Vendor shall not commence any work until they have obtained the following types of insurance, and certificates of such insurance have been received by the Department. Nor shall the Vendor allow any subcontractor to commence work on this project until all similar insurance required of the subcontractor has been so obtained. The Vendor shall submit the required Certificates of Insurance to the **Florida Department of Transportation, Procurement Office, Sabine Wehder, FDOT District Four, 3400 West Commercial Blvd, Fort Lauderdale, FL 33309** within ten (10) days after the ending date of the period for posting the intended award decision.

Commercial Liability Insurance:

The Vendor must carry and keep in force during the period of this contract a general liability insurance policy or policies with a company authorized to do business in the state of Florida. The limits of coverage shall not be less than \$5,000,000 for each occurrence and not less than a \$5,000,000 annual general aggregate, inclusive of amounts provided by an umbrella or excess policy. The limits of coverage described herein shall apply fully to the work or operations performed under the Contract and may not be shared with or diminished by claims unrelated to the contract. The policy/ies and coverage described herein may be subject to a deductible. Pay all deductibles as required by the policy. No policy/ies or coverage described herein may contain or be subject to a Retention or a Self-Insured Retention.

Workers' Compensation Insurance: Provide Workers' Compensation Insurance in accordance with Florida's Workers' Compensation law for all employees. If subletting any of the work, ensure that the subcontractor(s) have Workers' Compensation Insurance for their employees in accordance with Florida's Workers' Compensation law. If using "leased employees" or employees obtained through professional employer organizations ("PEO's"), ensure that such employees are covered by Workers' Compensation insurance through the PEO's or other leasing entities. Ensure that any equipment rental agreements that include operators or other personnel who are employees of independent Contractors, sole proprietorships or partners are covered by insurance required under Florida's Workers' Compensation law.

With respect to any general liability insurance policy required pursuant to this Agreement, all such policies shall be issued by companies licensed to do business in the State of Florida. **The Vendor shall provide to the Department certificates showing the required coverage to be in effect with endorsements showing the Department to be an additional insured prior to commencing any work under this Contract.** The certificates and policies shall provide that in the event of any material change in or cancellation of the policies reflecting the required coverage, thirty days advance notice shall be given to the Department or as provided in accordance with Florida law.

The Department shall be exempt from, and in no way liable for, any sums of money which may represent a deductible in any insurance policy. The payment of such deductible shall be the sole responsibility of the Vendor or subcontractor providing such insurance. Policies that include Self Insured Retention (SIR) will not be accepted.

11) CONTRACT BOND

Upon award, the vendor will furnish to the Department, and thereafter continue to furnish to the Department during the term of the Contract, a Payment and Performance Bond guaranteeing the contract obligations for each twelve-month period of the Contract.

No later than the date of Contract execution, provide to the Department a Payment and Performance Bond on Department Form No. 375-020-61 in a penal sum equal to the first year's annual Contract amount under the Contract. Annually thereafter, between thirty and forty-five days prior to the contract anniversary date, provide to the Department a Payment and Performance Bond on Form No. 375-020-61 in a penal sum equal to the upcoming year's annual Contract amount. Regardless of the number of separate bonds or bond continuations provided by the Surety hereunder, the Surety's liability for each bond or bond continuation will be limited to the contract amount for the twelve-month period for which the bond or bond continuation is provided.

Obtain the Payment and Performance Bond from a Surety authorized to conduct business in the State of Florida. Each Payment and Performance Bond must be executed only on the forms provided by the Department. Failure to provide any of the required Payment and Performance Bond to the Department within the aforementioned time frames will entitle the Department to annul the award, declare the Contractor in default, terminate the Contract, or decline to renew the Contract, all in the Department's sole discretion.

Provide a Surety Bond that remains acceptable to the Department throughout the life of the Contract. In the event that the Surety executing the bond, although acceptable to the Department at the time of execution of the Contract, subsequently becomes insolvent or bankrupt, or becomes unreliable or otherwise unsatisfactory due to any cause that becomes apparent after the Department's initial approval of the company, then the Department may require that the Contractor immediately replace the Surety Bond with a similar bond drawn on a Surety company that is reliable and acceptable to the Department. In such event, the Department will bear all costs of the premium for the new bond, after deducting any amounts that are returned to the Contractor from his payment of premium on the original bond.

In case of default on the part of the Contractor, the Department will charge against the Contract bond all expenses for services incidental to ascertaining and collecting losses under the Contract bond, including accounting, engineering, and legal services, together with any and all costs incurred in connection with renegotiation of the Contract.

The Surety shall indemnify and provide defense for the Department when called upon to do so for all claims or suits against the Department, by third parties, pertaining to Contractor payment or performance issues arising out of the Contract where the Contractor has failed to timely provide the Department such defense. It is expressly understood that the monetary limitation on the extent of the indemnification shall be the approved annual Contract amount, which shall be the original annual Contract amount as may be modified by subsequent Supplemental Agreements.

The principal and surety executing the bond shall be liable to the State in any civil action that might be instituted by the Department or any officer of the State authorized in such cases, for double any amount in money or property the State might lose, or be overcharged, or otherwise be defrauded of by any wrongful or criminal act of the Contractor, their agent, or their employees.

The proposer must submit, with their Technical Proposal, a current letter from a surety company or bonding agent authorized to do business in the state of Florida and written on company letterhead, to document the proposer's present ability to obtain a Payment and Performance Bond in the amount of the full amount of the proposal. Failure by the proposer to provide this letter with its response will constitute a non-responsive determination for its proposal. Proposals found to be non-responsive will not be considered.

Within 10 calendar days, excluding Saturdays, Sundays, and State holidays, after receipt of the Contract award, execute the necessary agreements to enter into a Contract with the Department and return the Contract along with a satisfactory Contract Bond and documentation evidencing all insurance required to the Department's Contracts Office that awarded the Contract. The Department will not be bound by any proposal until it executes the associated Contract. The Department will execute the Contract within 10 calendar days, excluding Saturdays, Sundays, and State holidays, after receipt of the necessary agreements and Contract Bond from the Contractor.

In the event that the Contractor fails to execute the awarded Contract and to file an acceptable Contract Bond within 10 calendar days, excluding Saturdays, Sundays, and State holidays, of receipt of the Contract award, the Department may annul the award, causing the Contractor to forfeit the Proposal Guaranty to the Department; not as a penalty but in liquidation of damages sustained. The Department may then award the Contract to the next highest responsible Proposer, re-advertise, or accomplish the Work using alternate resources.

12) CONTRACT DOCUMENT

The Department's "Contract Document" is attached hereto and made a part hereof. The terms and conditions contained therein will become an integral part of the contract resulting from this solicitation. In submitting a proposal, the proposer agrees to be legally bound by these terms and conditions.

13) ASSIGNMENT OF WORK AND METHOD OF COMPENSATION

The Department shall request Vendor services on an as-needed basis. For the satisfactory performance of services and/or delivery of items authorized, the Vendor shall be paid as described in the attached Exhibit "B", Method of Compensation.

14) REVIEW OF PROPOSER'S FACILITIES & QUALIFICATIONS

After the proposal due date and prior to contract execution, the Department reserves the right to perform or have performed an on-site review of the Proposer's facilities and qualifications. This review will serve to verify data and representations

submitted by the Proposer and may be used to determine whether the Proposer has an adequate, qualified, and experienced staff, and can provide overall management facilities. The review may also serve to verify whether the Proposer has financial capability adequate to meet the contract requirements.

Should the Department determine that the proposal has material misrepresentations or that the size or nature of the Proposer's facilities or the number of experienced personnel (including technical staff) are not adequate to ensure satisfactory contract performance, the Department has the right to reject the proposal.

15) PROTEST OF REQUEST FOR PROPOSAL SPECIFICATIONS

Any person who is adversely affected by the contents of this Request for Proposal must file the following with the Department of Transportation, Clerk of Agency Proceedings, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0450:

1. A written notice of protest within seventy-two (72) hours after the posting of the solicitation, (the notice of protest may be Faxed to 850-414-5264), and
2. A formal written protest in compliance with Section 120.57(3), Florida Statutes, within ten (10) days of the date on which the written notice of protest is filed.

Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

16) E-VERIFY

The Contractor shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Contractor during the term of the Contract and shall expressly require any subcontractors performing work or providing services pursuant to the Contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the Contract term.

17) SCRUTINIZED COMPANIES LISTS

For Contracts of any amount if the Department determines the Contractor submitted a false certification under Section 287.135(5) of the Florida Statutes, or if the Contractor has been placed on the Scrutinized Companies that Boycott Israel List, or is engaged in a boycott of Israel, the Department shall either terminate the Contract after it has given the Contractor notice and an opportunity to demonstrate the Department's determination of false certification was in error pursuant to Section 287.135(5)(a) of the Florida Statutes, or maintain the Contract if the conditions of Section 287.135(4) of the Florida Statutes are met.

For Contracts \$1,000,000 and greater, if the Department determines the Contractor submitted a false certification under Section 287.135(5) of the Florida Statutes, or if the Contractor has been placed on the Scrutinized Companies with Activities in the Sudan List, or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, the Department shall either terminate the Contract after it has given the Contractor notice and an opportunity to demonstrate the Department's determination of false certification was in error pursuant to Section 287.135(5)(a) of the Florida Statutes, or maintain the Contract if the conditions of Section 287.135(4) of the Florida Statutes are met.

18) RESERVATIONS

The Department reserves the right to accept or reject any or all proposals received and reserves the right to make an award without further discussion of the proposals submitted. Therefore, the proposals should be submitted initially in the most favorable manner. It is understood that the proposal will become a part of the Department's official file, without obligation to the Department.

19) ADDITIONAL TERMS & CONDITIONS

No conditions may be applied to any aspect of the RFP by the proposer. Any conditions placed on any aspect of the proposal documents by the proposer may result in the proposal being rejected as a conditional proposal (see "RESPONSIVENESS OF PROPOSALS"). **DO NOT WRITE IN CHANGES ON ANY RFP SHEET.** The only recognized changes to the RFP prior to proposal opening will be a written Addenda issued by the Department.

20) RESPONSIVENESS OF PROPOSALS

20.1 Responsiveness of Proposals

Proposals will not be considered if not received by the Department **on or before** the date and time specified as the due date for submission. All proposals must be typed or printed in ink. A responsive proposal is an offer to perform the scope of services called for in this Request for Proposal in accordance with all requirements of this Request for Proposal and **receiving seventy (70) points or more** on the Technical Proposal. Proposals found to be non-responsive shall not be considered. Proposals may be rejected if found to be irregular or not in conformance with the requirements and instructions herein contained. A proposal may be found to be irregular or non-responsive by reasons that include, but are not limited to, failure to utilize or complete prescribed forms, conditional proposals, incomplete proposals, indefinite or ambiguous proposals, and improper and/or undated signatures.

20.2 Multiple Proposals

Proposals may be rejected if more than one proposal is received from a Proposer. Such duplicate interest may cause the rejection of all proposals in which such Proposer has participated. Subcontractors may appear in more than one proposal.

20.3 Other Conditions

Other conditions which may cause rejection of proposals include, but are not limited to, evidence of collusion among Proposers, obvious lack of experience or expertise to perform the required work, failure to perform or meet financial obligations on previous contracts, or in the event an individual, firm, partnership, or corporation is on the General Services Administration Excluded Parties List. Proposers whose proposals, past performance, or current status do not reflect the capability, integrity, or reliability to fully and in good faith perform the requirements of the Contract may be rejected as non-responsible. The Department reserves the right to determine which proposals meet the requirements of this solicitation, and which Proposers are responsive and responsible.

21) PROPOSAL FORMAT INSTRUCTIONS

21.1 General Information

This section contains instructions that describe the required format for the proposal. All proposals submitted shall contain two parts and be marked as follows:

PART I TECHNICAL PROPOSAL NUMBER E4X61
(One Separate PDF document for Technical)

PART II PRICE PROPOSAL NUMBER E4X61
(One Separate PDF document for Prices)

PLEASE EMAIL PART I (TECHNICAL Proposal) and Part II (PRICE Proposal) to D4.designbuild@dot.state.fl.us

21.2 Technical Proposal (Part I)

(Do not include price information in Part I)

The Proposer must submit one (1) original technical proposal which is to be divided into sections described below. Since the Department will expect all technical proposals to be in this format, failure of the Proposer to follow this outline may result in the rejection of the proposal. **The technical proposal must be emailed in a separate PDF marked "TECHNICAL PROPOSAL NUMBER "E4X61".**

1. PROPOSER'S MANAGEMENT PLAN

The Proposer shall provide a management plan which describes administration, management and key personnel.

a. Administration and Management

The Proposer should include a description of the organizational structure and management style established and the methodology to be used to control costs, services reliability and to maintain schedules, as well as the means of coordination and communication between the organization and the Department.

The Proposer shall describe in detail a proposed work assignment management system to keep track of the status of any work assigned to the Proposer through the term of the Contract. The Proposer shall describe their approach to work, materials, and tools assignment management using examples of the Proposer's experience in performing similar assignments that will assist the Proposer to help manage the Program. The Proposer shall describe an effective communication plan that details coordination between the Proposer, Department and the Regional Transportation Management Center (RTMC) Operations and IT staff.

The Proposer shall demonstrate the ability to prepare technical reports and contract documentation as required in the RFP for all the maintenance services rendered in the Contract. Sample reports developed by the Proposer, specific to ITS maintenance services can be provided as supporting exhibits with the Technical Proposal. The Proposer shall limit the sample report pages to be a maximum of 5 pages for each report and no more than total of 20 pages for all sample reports. Sample reports are not counted towards the page limit.

The Proposer shall provide the proof of certification, registration and other appropriate Florida State Board licensure details for all the technical staff expected to perform maintenance work under this Contract. The Proposer shall be required to submit proof of the license qualifications as required by the Contract documents (Exhibit A Scope of Services) along with the Technical Proposal. All the Board certifications, registrations, license qualifications must be current and valid for the term of the Contract. All the Board certifications, registrations, license qualifications documentation are not counted towards the page limit.

b. Identification of Key Positions and Personnel

The Proposer should provide the names of key personnel on the Proposer's team, as well as a resume for each individual proposed and a description of the functions and responsibilities of each key person relative to the task to be performed. The Proposer shall demonstrate their understanding of the functions and responsibilities of on-site staff and identify the Contract Project Manager and other on-site staff who will remain involved throughout the Contract term. The Proposer shall also identify additional on-site staff proposed to meet the contract requirements. The approximate percent of time to be devoted exclusively for this project and to the assigned tasks should also be indicated for all key personnel. **The Proposer shall include 2-pages resumes for each of their key staff. The 2-pages resumes are not counted towards the page limit.**

The Proposer shall demonstrate thorough understanding of the existing and future ITS infrastructure to be maintained during the term of the Contract and provide their Staffing Plan to meet the needs of the Department. The Proposer shall demonstrate that the staff assigned to this Contract possess the experience in maintaining all systems and the associated hardware, software and firmware.

The Staffing Plan shall indicate Proposer's redundancy plan to cover planned and unplanned staff absences; and how Department's special project request will be accommodated in addition to performing daily maintenance.

The Proposer shall provide the names, qualifications and experience of all the Sub-Contractor and their staff, who are proposed to be working on this Contract. The Proposer shall include a description and chart of the organizational structure.

2. PROPOSER'S TECHNICAL PLAN

The Proposer shall provide a technical plan which explains their technical approach, facility capabilities, and prior relevant experience.

a. Technical Approach

The Proposer should explain the approach, capabilities, and means to be used in accomplishing the tasks in the Scope of Services, and where significant development difficulties may be anticipated and resolved. Any specific techniques to be used should also be addressed. The Proposer shall demonstrate in-depth understanding of the existing and future ITS infrastructure to be maintained during the term of the Contract and describe their approach in meeting various performance requirements as stated in the RFP and applicable standards and specifications.

The Proposer shall demonstrate the ability to maintain various ITS devices and infrastructure such as cameras, dynamic message signs (DMS), vehicle detection systems, ramp signals, wrong way vehicle detection system (WWVDS), fiber optic cable and wireless communications network, communications hubs, generators, and all other related hardware, software, firmware, electrical and mechanical components. The Proposer shall demonstrate relevant experience and provide their technical approach in minimizing downtime and improving overall device availability and system reliability.

The Proposer shall demonstrate experience in fiber, wireless, and leased line related communications infrastructure, equipment, and systems including the necessary technical, hardware and software expertise between all components, communication hubs and the RTMC. The Proposer shall demonstrate experience and knowledge in working with electrical, grounding and lightning protection systems. The Proposer shall demonstrate their experience in working with Ethernet networks, network switches, and overall network layers and architecture. The Proposer shall demonstrate their understanding and experience in establishing and resuming temporary and permanent network redundancy after a fiber cut. The Proposer shall demonstrate understanding and experience in calibrating vehicle detection systems. The Proposer shall demonstrate the ability to develop troubleshooting scenarios in order to identify the root cause of the failures and to determine the procedure required to perform the needed repair services.

The Proposer shall describe their understanding and approach for maintaining ITS infrastructure on the Department's Express Lanes (EL) network. The Proposer shall describe their understanding of the operational EL system and those that are under construction, preventive maintenance plan, resources needed, their approach to minimize traffic control and perform maintenance services safely and efficiently. The Proposer shall indicate their approach towards providing faster response and reduced component failure downtime.

The Proposer shall demonstrate the ability to prepare and use traffic control plans required when the maintenance service warrants lane closures, temporary detours and creation of work zones. The Proposer shall demonstrate the knowledge of advance notice period required for lane closures, request forms and necessary paperwork and seeking approvals from the Department.

The Proposer shall review the existing hurricane response guidelines from the Department and provide their approach in meeting or exceeding these guidelines. The approach shall contain the necessary measures undertaken by the Proposer's maintenance staff to safeguard the existing infrastructure, provide temporary solutions for providing coverage at failed locations, etc.

The Proposer shall demonstrate their ability and experience in providing emergency response like performing fiber optic cable repair with minimum downtime. The Proposer shall identify all equipment/tools/vehicles as necessary to perform the repair work, and their availability (with a response time) to the Department during emergency repairs.

The Proposer shall demonstrate their understanding of worker's safety and procedures in place for implementation. The Proposer shall explain their approach in creating a safety management system, safe work procedures, job hazard analysis, and their understanding and plans to comply with relevant regulations and requirements, including those from Occupational Safety and Health Administration.

b. Facility and Equipment/Materials Capabilities

The Proposer shall provide a description and location of the Proposer's facilities as they currently exist and as they will be employed for the purpose of this work. The Proposer shall demonstrate their understanding of ITS parts storage needs for this Contract and propose storage facilities that will meet the needs and requirements of the Contract. The Proposer shall demonstrate their understanding of primary office location needs for this Contract and propose office locations that will meet the needs and requirements of the Contract.

The Proposer shall demonstrate their understanding of existing and future infrastructure to be maintained during the term of the contract, and provide a list of all proposed equipment, tools, vehicles, materials, that will be provided as part of this Contract without any additional compensation. The Proposer shall provide details of all the equipment,

tools, vehicles, and materials proposed to be used for providing the services required from the RFP. The Proposer shall indicate the location of all proposed equipment and their availability (with a response time) to the Department.

c. Prior Relevant Experience

The Proposer should provide a summary, with description, date, and location of the prior relevant experience they have acquired in providing/performing this work.

3. TRANSITION PLAN

The Proposer shall provide a Transition Plan to explain their approach and understanding of the transition needs and implementation of an efficient transition without any lapse in coverage and downgrade in services. The Proposer's Transition Plan shall at a minimum, include;

- Coordination with existing ITS Maintenance Contractor, RTMC Operations staff and the Department;
- Identify Proposer's staff along with their percent commitment during the Transition Period;
- Approach for assuming ITS maintenance responsibilities;
- Approach for transition of parts inventory, transfer of parts that are in Return Material/Merchandise Authorization (RMA), transition of parts from existing Contractor's warehouse to Proposer's warehouse for storage;
- Mobilization efforts including purchasing tools/equipment/vehicles, setting up offices and warehouses, and
- Others as needed.

4. VALUE ADDED SERVICES

The Proposer shall propose and describe value added benefits and innovative ideas, systems, processes and equipment that will improve the overall efficiency of the Department's ITS Maintenance Program.

21.3 Price Proposal (Part II)

The price proposal information is to be emailed in a separate PDF file marked "PRICE PROPOSAL NUMBER "E4X61". The Price Proposal information shall be submitted on the forms provided in the Request for Proposal.

21.4 Presenting the Proposal

The proposal shall be limited to a page size of eight and one-half by eleven inches (8½" x 11") with the exception of the Organizational Chart which can be 11" x 17". Type size shall not be less than 10-point font. The proposals should be indexed and all pages sequentially numbered. Bindings and covers will be at the Proposer's discretion.

The entire Technical Proposal is limited to a maximum of **thirty-five (35)** total pages, not counting bindings, covers, organizational charts, dividers, sample reports, insurance, licensing and other certificates, and resumes. **Resumes are limited to 2 pages per person.** Pages of individual resume in excess of 2 pages will not be supplied to the Technical Review Committee. Unnecessarily elaborate special brochures, artwork, expensive paper and expensive visual and other presentation aids are neither necessary nor desired.

22) "DRUG-FREE WORK PLACE" PREFERENCE

The Proposer must implement a Drug-Free Work place in Accordance with 287.087 Florida Statutes.

23) COPYRIGHTED MATERIAL

Copyrighted material will be accepted as part of a technical proposal only if accompanied by a waiver that will allow the Department to make paper and electronic copies necessary for the use of Department staff and agents. It is noted that copyrighted material is not exempt from the Public Records Law, Chapter 119, Florida Statutes. Therefore, such material will be subject to viewing by the public, but copies of the material will not be provided to the public.

24) ATTACHMENT TO RFP SUBMITTAL - CONFIDENTIAL MATERIAL

The Proposer must include any materials it asserts to be exempted from public disclosure under Chapter 119, Florida Statutes, in a separate bound document labeled "Attachment to Request for Proposals, Number E4X61 - Confidential Material". The Proposer must identify the specific Statute that authorizes exemption from the Public Records Law. Any claim of confidentiality on materials the Proposer asserts to be exempt from public disclosure and placed elsewhere in the proposal will be considered waived by the Proposer upon submission, effective after opening.

25) COSTS INCURRED IN RESPONDING

This Request for Proposal does not commit the Department or any other public agency to pay any costs incurred by an individual firm, partnership, or corporation in the submission of a proposal or to make necessary studies or designs for the preparation thereof, nor to procure or contract for any articles or services.

26) ELECTRONIC SUBMISSION OF PROPOSALS: Electronic Proposal Submittals

Please follow the below instructions for the submittal of electronic proposals, failure to do so, may result in your proposal being found non-responsive. Non-responsive replies will not be evaluated.

- a) Subject line must show: E4X61
- b) Email(s) shall contain file(s) marked in accordance with section 22.1 General Information.
- c) Documents shall be submitted in portable document format (PDF) and have a size limit of 25MB.
- d) The body of the email shall not contain any information
- e) Proposals shall be submitted to: **Sabine Wehder at D4.designbuild@dot.state.fl.us or 954-777-4068**

It is the Vendor's responsibility to assure that the proposal is delivered to the proper place **on or before** the Proposal Due date and time (See Introduction Section 2 Timeline). Proposals which for any reason are not so delivered, will not be considered.

It is the Proposer's responsibility to assure that the proposal is delivered to the proper place **on or before** the proposal due date and time (See Introduction Section 2 Timeline). Proposals which for any reason are not so delivered, will not be considered.

27) MODIFICATIONS, RESUBMITTAL AND WITHDRAWAL

Proposers may modify submitted proposals at any time prior to the proposal due date. Requests for modification of a submitted proposal shall be in writing and must be signed by an authorized signatory of the proposer. Upon receipt and acceptance of such a request, the entire proposal will be returned to the proposer and not considered unless resubmitted by the due date and time. Proposers may also send a change in a sealed envelope to be opened at the same time as the proposal. The RFP number, due date and time should appear on the envelope of the modified proposal.

28) PROPOSAL OPENING

All proposal openings are open to the public. Technical Proposals will be opened by the Department at the date, time and location in the Timeline (See Introduction Section 2 Timeline). Price Proposals, which have a corresponding responsive Technical Proposal, will be opened by the Department at the date, time and location in the Timeline (See Introduction Section 2 Timeline).

29) PROPOSAL EVALUATION

29.1 Evaluation Process:

A Technical Review Committee (TRC) will be established to review and evaluate each proposal submitted in response to this Request for Proposal (RFP). The TRC will be composed of at least three (3) persons who collectively have experience and knowledge in the program areas and service requirement for which the commodities and/or contractual services are

sought.

The Procurement Office will distribute to each member of the TRC a copy of each technical proposal. The TRC members will independently evaluate the proposals on the criteria and point system established in the section below entitled "Criteria for Evaluation" in order to assure that proposals are uniformly rated. Due to the complexity of certain procurements, the TRC members are authorized to consult with subject matter experts for the purpose of gathering information, if needed. The independent evaluations will be sent to the Procurement Office and averaged for each vendor. **Proposing firms must attain an average score of seventy (70) points or higher on the Technical Proposal to be considered responsive.** Should a Proposer receive fewer than seventy (70) points for their average Technical Proposal score, the Price Proposal will not be opened.

During the process of evaluation, the Procurement Office will conduct examinations of proposals for responsiveness to requirements of the RFP. Those determined to be non-responsive will be automatically rejected.

29.2 Price Proposal

The Proposer shall complete the Price Proposal form and submit as part of the Price Proposal Package. Any proposal in which this form is not used or in which the form is improperly executed may be considered non-responsive and the proposal will be subject to rejection. The vendor's completed form shall become a part of the contract upon award of the contract.

The Procurement Office will open Price Proposals in accordance with Proposal Opening Section of this RFP. The Procurement Office and/or the Project Manager/Technical Review Committee will review and evaluate the price proposals and prepare a summary of its price evaluation. The Procurement Office and/or the Project Manager/Technical Review Committee will assign points based on price evaluation criteria identified herein.

29.3 Criteria for Evaluation

Proposals will be evaluated and graded in accordance with the criteria detailed below.

a. Technical Proposal (100 Points)

Technical evaluation is the process of reviewing the Proposer's response to evaluate the experience, qualifications, and capabilities of the proposers to provide the desired services and assure a quality product.

The following point system is established for scoring the technical proposals:

Section	Max Points Attainable
Management Plan	30
a. Administration and Management	
b. Identification of Key Positions & Personnel	
Technical Plan	55
a. Technical Approach	
b. Facility and Equipment/Materials Capabilities	
c. Prior Relevant Experience	
Transition Plan	10
Value Added Services	5
	100

b. Price Proposal (43 Points)

Price evaluation is the process of examining a prospective price without evaluation of the separate cost elements and proposed profit of the potential provider. Price analysis is conducted through the comparison of price quotations submitted.

Total Proposal Score: If all other criteria are met, the Contract will be awarded to the Proposer with the highest Total Proposal Score.

Price evaluation is the process of examining a prospective price without evaluation of the separate cost elements and proposed profit of the potential provider. Price analysis is conducted through the comparison of price quotations submitted.

The criteria for price evaluation shall be based upon the following formula:

$$\frac{\text{Low Price}}{\text{Proposer's Price}} \times \text{Price Points} = \text{Proposer's Awarded Points}$$

30) POSTING OF INTENDED DECISION/AWARD

30.1 The Department's decision will be posted on the Districts Contracts Administration website at: www.fdot.gov/contracts/d4, click "RFP Contracts" and select contract number from the list, on the date in the Timeline, and will remain posted for a period of seventy-two (72) hours. Any Proposer who is adversely affected by the Department's recommended award or intended decision must file the following with the Department of Transportation, Clerk of Agency Proceedings, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0450:

1. A written notice of protest within seventy-two (72) hours after posting of the Intended Award, (the notice of protest may be Faxed to 850-414-5264), and
2. A formal written protest and protest bond in compliance with Section 120.57(3), Florida Statutes, within ten (10) days of the date on which the written notice of protest is filed. At the time of filing the formal written protest, a bond (a cashier's check or money order may be accepted) payable to the Department must also be submitted in an amount equal to one percent (1%) of the estimated contract amount based on the contract price submitted by the protestor.

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

30.2 - Inability to Post:

If the Department is unable to post as defined above, the Department will notify all proposers by electronic notification on the Florida Vendor Bid System (see special condition 31.1, above) or by mail, fax, and/or telephone. The Department will provide notification of any future posting in a timely manner.

30.3 - Request to Withdraw Proposal:

Requests for withdrawal will be considered if received by the Department, in writing, within seventy-two (72) hours after the price proposal opening time and date. Requests received in accordance with this provision will be granted by the Department upon proof of the impossibility to perform based upon obvious error on the part of the proposer.

31) AWARD OF THE CONTRACT

Services will be authorized to begin when the Vendor receives the following document(s), as appropriate, indicating the encumbrance of funds and award of the contract:

- a) A Standard Written Agreement executed by both parties, and upon issuance of Letter of Authorization issued by the Project Manager.

32) RENEWAL

Upon mutual agreement, the Department and the Contract Vendor may renew the Contract for a period that may not exceed 3 years or the term of the original contract, whichever is longer. The renewal must be in writing and signed by both parties, and is subject to the same terms and conditions set forth in the initial contract and any written amendments signed by the parties. Any renewal shall specify the renewal price, as set forth in the solicitation response except that an agency may negotiate lower pricing. Renewal is contingent upon satisfactory performance evaluations and subject to the availability of

funds.

33) ATTACHED FORMS

Price Proposal Form
Drug-Free Workplace Program Certification (Form 375-040-18)
DBE Participation Statement
Bid Opportunity List
Scrutinized Companies Lists (proposals of \$1 million or more)
Payment and Performance Bond Form 375-020-61

34) TERMS AND CONDITIONS

34.1 General Contract Conditions (PUR 1000)

The State of Florida's General Contract Conditions are outlined in form PUR 1000, which is a downloadable document incorporated into this Request for Proposal (RFP) by reference. Any terms and conditions set forth in this RFP document take precedence over the PUR 1000 form where applicable.

34.2 General Instructions to Respondents (PUR 1001)

The State of Florida's General Instructions to Respondents are outlined in form PUR 1001, which is a downloadable document incorporated into this Request for Proposal (RFP) by reference. Any terms and conditions set forth in this RFP document take precedence over the PUR 1001 form where applicable.

<http://www.dms.myflorida.com/content/download/2934/11780/1001.pdf>

35) ORDER OF PRECEDENCE

All responses are subject to the terms and conditions of this solicitation, which, in case of conflict, shall have the following order of precedence listed:

- Standard Written Agreement
- Scope of Services
- Method of Compensation
- Price Proposal Form
- Instructions to Respondents (PUR 1001)
- General Conditions (PUR 1000)
- Introduction Section

36) BUDGETARY LIMITATION

The Department has a budgetary amount of \$44,873,969.00 for the five-year term of the contract resulting from this solicitation.