AWARD AND EXECUTION OF CONTRACT (BUSINESS DEVELOPMENT INITIATIVE).
(REV 10-3-19) (FA 11-25-19) (FY 2027-28)

SUBARTICLE 3-2.1 is deleted and the following substituted:

3-2.1 General: On projects with an advertised budget amount in excess of $250,000, any Bidder not Prequalified with the Department shall, at the time of bid submission, submit, on a form furnished by the Department, documentation demonstrating that the Bidder has competently performed, as a prime Contractor or subcontractor, on three projects involving work similar to the subject project during a 24 month period prior to the date of letting of the subject project. All Bidders satisfying this criteria will be deemed a responsible Bidder for the purposes of the subject letting.

The documentation provided regarding each of the prior projects shall include, but is not limited to the following:

1. the name and contact information for the owner or prime Contractor,
2. the date, duration and location of the work, and
3. the scope, type and cost of the work performed by the Bidder.

If the Department decides to award the Contract, the Department will award the Contract to the lowest responsible Bidder whose Proposal complies with all the Contract Document requirements. If awarded, the Department will award the Contract within 50 days after the opening of the Proposals, unless the Special Provisions change this time limit or the Bidder and the Department extend the time period by mutual consent.

Prior to award of the Contract by the Department, a Contractor must provide proof of authorization to do business in the State of Florida.

SUBARTICLE 3-2.2 is deleted.

ARTICLE 3-6 is deleted and the following substituted:

3-6 Execution of Contract.

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, if required, and documentation evidencing all insurance required by 7-13 to the Department's Contracts Office that awarded the Contract. For each calendar day, excluding Saturdays, Sundays, and State holidays, the Contractor is late in delivering to the Department's Contracts Office all required documents in properly executed form, the Department will deduct one day from the Contract Time. The Department will not be bound by any Proposal until it executes the associated Contract.

The Department will execute the Contract within 5 calendar days, excluding Saturdays, Sundays and State holidays, after receipt of the signed Contract, necessary agreements, Contract Bond, and all other required documents from the Contractor.

ARTICLE 3-7 is deleted and the following substituted:

3-7 Failure by Contractor to Execute Contract and Furnish Bond.

In the event that the Contractor fails to execute the awarded Contract and to submit any required 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 as liquidation of damages sustained. The Department may then award the Contract to the next lowest responsible Bidder, re-advertise, or accomplish the work using alternate resources.