THE SCHOOL DISTRICT OF OSCEOLA COUNTY, FLORIDA

Purchasing/Property Records/Warehouse

817 Bill Beck Boulevard, Building 2000 • Kissimmee • Florida 34744-4495

**Phone: 407-870-4630 • Fax: 407-870-4616 • www.osceola.k12.fl.us

SCHOOL BOARD MEMBERS

District 1 – Jay Wheeler 407-390-0505

District 2 - Julius Melendez

407-922-5113

District 3 - Cindy Lou Hartig

407-832-3999

District 4 – David Stone, Vice Chair 407-957-4056



Superintendent of Schools Michael A. Grego, Ed.D.

January 25, 2010

RFQ # SDOC 10-Q-056 CJ-FPC

HVAC Test and Balance Services for the Highlands Elementary School and Gateway High School Construction Projects

Addendum # 1

The original Request For Qualifications (RFQ) documents shall remain in full force and effect, except as modified herein, and shall take precedence over any contrary provisions in the prior documents. If you have any questions regarding this Addendum please feel free to contact Cheryl M. Jessee, Senior Buyer by email at jesseec@osceola.k12.fl.us or by phone at (407) 870-4627.

This addendum is being issued to answer questions that were received regarding the above mentioned RFQ.

Question 1:

Page 13 of 39, Licenses & Certificates; the request is for a State of Florida Professional

License qualifying the corporation as a General Contract, which we are not.

Answer 1:

See the attached revised tabbed section, page 5 of 12.

Question 2:

Page 13 of 39, Financial Strength and Bonding Capacity; as we are a small business we do

not utilize audited financials nor Dun & Bradstreet reports. Would a 3rd party prepared

financial statement for the past year be permitted?

Answer 2:

See the attached revised tabbed section, page 5 of 12 and page 12 of 12.

Question 3:

Page 11 of 39, Under the Qualification Package Guidelines - Tabbed Section; the tabs skip

from 2 to 4.

Answer 3:

See the attached revised tabbed section, pages 3-12.

Question 4:

Page 14 of 39, Qualification Data; list all projects contract with the last ten years.

Answer 4:

See the attached revised tabbed section, page 7 of 12.

Question 5:

Page 19 of 39, Cost Control/Value Engineering; this would apply to the CM @ Risk not

HVAC Test and Balance Companies.

Answer 5:

Removed Tab 7 from the RFQ, see the attached revised Evaluation of Short Listed Firms

section, page 12 of 12.

Question 6:

In the scope of work, are we to be the Commissioning Authority administrating the Cx

process and managing the Cx team, or are we a member of the Cx team providing assistance to the Commissioning Authority?

Answer 6:

The Test and Balance Firm awarded this contract will be the Commissioning Authority.

RFQ # SDOC 10-Q-056 CJ-FPC

Addendum #1

Question 7:

Given that Testing and Balancing is not responsible for the Architectural, Civil Electrical,

Mechanical or Structural design of the project; is it a requirement for the Testing and Balancing Firm to carry Professional Liability (errors and omissions) insurance as detailed in the first paragraph on Page 4, Section 9.A.1 in the Agreement for Professional Services

HVAC Test and Balance Services.

Answer 7:

The Test and Balance Firm awarded this contract will be required to carry Professional

Liability Insurance.

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Cheryl L. Olson, CPPO, C.P.M., CPM, FCCN Director of Purchasing and Warehouse Services

CLO/cmi

Acknowledgment of Addendum #1 by Vendor:

This addendum shall be completed by the Vendor and returned with the RFQ submittal. If a submittal has already been submitted, this addendum must be submitted to the above address in a sealed envelope, which is marked on the outside: Addendum to RFQ, RFQ title and number.

This is to acknowledge receipt of this addendum, which will become part of the RFQ document.

NAME (TYPED OR PRINTED)	TITLE	
SIGNATURE	VENDOR NAME	
DATE	PHONE NUMBER	

QUALIFICATION PACKAGE GUIDELINES - TABBED SECTIONS

GENERAL REQUIREMENTS

Qualification Packages will be scored using Adjectival Rating times a weighted value. Adjectival Rating; Unsatisfactory (0), Marginal (1), Satisfactory (2), Good (3) and Excellent (4).

Tab 1 <u>Letter of Introduction and Table of Contents</u> (non-scored)

A brief profile of the Firm, including a brief history of the company, location, project team location, corporate structure, ownership interest, and the length of company's existence shall be provided addressed in a letter to the Director of Purchasing, not to exceed 3 single-sided pages maximum.

Tab 2 <u>Insurance and Miscellaneous Forms</u> (non-scored)

Attach evidence of required insurance coverage or proof of insurability in the amounts indicated. If available, a properly completed ACORD Form is preferable. Final forms must contain the correct solicitation and/or project number and School District of Osceola County contact person.

Firms that have owner/operators that have filed a "Notice of Election to be Exempt" shall submit a copy with the proposal.

Incorporated and unincorporated Firms that qualify for an exemption under the Florida Worker's Compensation law in Chapter 440 Florida Statutes shall submit an executed waiver relieving the School District of liability in the event they are injured while providing goods and/or services to the School District.

<u>Prohibition Against Contingent Fees Statement and Certificate of Debarment Form - See forms included in this package.</u>

Each professional service contract entered into, shall include a prohibition against contingent fees as follows: "The Firm warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Firm to solicit or secure this agreement and that it has not paid or agreed to pay any person, company, corporation, individual, or Firm, other than a bona fide employee working solely for any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this agreement." For the breach or violation of this provision, the School Board shall have the right to terminate the agreement without liability and, at its discretion, to deduct from the Contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift, or consideration.

<u>Conflict of Interest Disclosure Form</u> - See form included in this package.

All Respondents shall properly complete, have notarized and attach with their proposal the attached notarized disclosure statement of any potential conflict of interest that the Respondent may have due to ownership, other clients, contracts or interests associated with this project.

<u>Confidential Materials</u> - Confidential materials shall be submitted in this section – any materials that qualify as "trade secrets" shall be segregated, clearly labeled and accompanied by an executed Non Disclosure Agreement for Confidential Materials.

Tab 3 <u>Business Location</u> (weighted value of 3 to 7 points)

Principal Office Location - Location of principal office which will be responsible for implementation of this Contract.

Other Office Locations - Location of other offices from which resources may be drawn.

Firms shall only be able to qualify for one of the three following sections:

- **3.a.** To qualify as an "Osceola County Business" and to obtain a weighted value of 7 points a firm must meet the following criterion and submit the attached Affidavit of Eligibility:
 - **3.a.1.** Has its headquarters, manufacturing facility, or locally-owned franchise located within the legal boundaries of Osceola County for <u>at least one (1)</u> year prior to the issuance of the Request for Qualifications solicitation and
 - **3.a.2.** Maintains a required business license by a jurisdiction located in Osceola County.
- 3.b.To qualify as a "Regional Business" and to obtain a weighted value of 5 points a firm must meet the following criterion and submit the attached Affidavit of Eligibility:
 - **3.b.1.** Has its headquarters, manufacturing facility, or locally-owned franchise located within the legal boundaries of Osceola County, Orange County, Seminole County, Brevard County, Lake County, Polk County or Volusia County for at least one (1) year prior to the issuance of the Request for Qualifications solicitation and
 - **3.b.2.** Maintains a required business license by at least one of the jurisdictions listed in Section 3.b.1.
- **3.c.**To qualify as a "Florida Business" and to obtain a weighted value of 3 points a firm must meet the following criterion and submit the attached Affidavit of Eligibility:
 - **3.c.1.** Has its headquarters, manufacturing facility, or locally-owned franchise located in Florida for at least <u>one (1) year</u> prior to the issuance of the Request for Qualifications solicitation and
 - **3.c.2.** Maintains a required business license by at least one jurisdiction in Florida.

Tab 4 Business Structure (weighted value of 10 points)

Corporation, Joint Venture, or Partnership. Submit a copy of the State of Florida Department of State records indicating when the corporation organized, corporation number, and date and status of the most recent annual report. Respondents submitting as joint ventures shall submit a copy of their joint venture agreement. If a joint venture or prime/subcontractor arrangement of two Firms, indicate how the work will be distributed between the partners.

Time in Business - Length of time the Firm has been in business under same name.

Capabilities - Size, resources, and capabilities of responding entity:

- a. Organizational structure of business entity for this program (partners, associates, consultants, sub-contractors, other participation).
- b. Indicate the depth of staff and capabilities from within the organization which can be drawn upon as needed, to include management, professional technical, and support staff.

Certified Minority Business Enterprise – Provide State of Florida Certified Minority Business documents if applicable.

Licenses and Certificates – Proposal shall address and assure the School District that all services performed and/or provided will be under the direction of a registered Florida State Professional Engineer or the organization itself has been approved and licensed by the Associated Air Balance Council, (A.A.B.C.), headquarters in Washington, D.C.; per the rules of Florida State Board of Educational Facilities, State Requirements for Educational Facilities. Photocopy of the current annual A.A.B.C. certificate issued to the firm shall be provided in the proposal.

Litigation - Identify all litigation in which your Firm has been a party to legal action (including arbitration, administrative proceedings, etc.) or lawsuits during the last five (5) years involving a client for claims in excess of \$100,000.00. Include a brief legal description of the dispute and its current status. Where the action or lawsuit has involved a guaranteed maximum price contract, please describe the particular circumstances giving rise to the dispute and the actions which your Firm took to attempt to settle the matter prior to and after suit being filed.

Describe in detail any projects within the last three years where liquidated damages, penalties, liens, defaults, cancellations of contract or termination of contract were imposed, sought to be imposed, threatened or filed against your organization.

Tab 5 Financial Strength and Bonding Capability (non-scored)

The Respondent's financial capability is to be expressed in the financial statement (audited financial information current within the past twelve months, such as a balance sheet and statement of operations, and bonding capacity if required), and should indicate the resources and the necessary working capital to assure financial stability through the completion of the project. A certified audit is preferred, but a third party prepared financial statement and/or the latest D&B report will be accepted. **The statement can be labeled Confidential.** The financial capability shall also include the bonding capacity of the Firm if the applicant anticipates an "At Risk" contract or if your fees exceed \$200,000.00 per project. The Firm shall be required to hold a 100% Performance and 100% Payment Bond on the basis of the Guaranteed Maximum Price furnished pursuant to Section 255.05 F.S. for the project.

<u>Business Information</u> - All Respondents shall certify and provide a statement that they are financially stable and have the necessary resources, human and financial, to provide the services at the level required by the School District of Osceola County.

Provide the name, title, address and phone number of the financial officer of the Firm responsible for providing the following information.

For "At Risk" Contracts - Evidence of bonding capacity and ability to obtain multiple performance and payment bonds for projects, which total in excess of \$10,000,000. To be acceptable to the School District as Surety for performance and payment Bonds, a Surety Company shall comply with the following provisions:

- a. The Surety Company must be authorized/licensed to do business in the State of Florida.
- b. The Surety Company shall have been in business and have a record of successful continuous operations for at least five years.
- c. The Surety Company shall have at least A.M. Best Company Policy holder's Rating of "A+ or A" and "Financial Size Category" of Class VII or an equivalent rating from the Insurance Company.

The rating, if any, which exists on the senior debt of the Firm from a national statistical rating service (Moody's, S & P, etc.), and include copies of rating reports on outstanding debts.

Provide audited financial statements for the most recent three years, including income statement, balance sheet, statements of change in financial position and notes to financial statements. If audited financial statements are unavailable, provide similar un-audited statements.

Disclose any material changes in the business operations of the Firm, including without limitation any pending bankruptcy proceedings, bankruptcies, receiverships, mergers, acquisitions, stock acquisitions or spin-offs which have occurred within the last three (3) years and any material pending or threatened litigation. If appropriate, discuss the impact of these changes on the Firm's financial or managerial ability to perform the noted tasks under this Contract.

QUALIFICATION PACKAGE GUIDELINES - TABBED SECTIONS

SPECIAL REQUIREMENTS

Tab 6 <u>Qualification Data – Experience/Understanding the Scope of Services</u> (weighted value of 20 points)

The performance of each Respondent with respect to projects comparable in type, size and complexity, as the applicable project(s) shall be evaluated for the most recent ten-year period. Respondents may submit any information they deem appropriate for evaluation of past performance with projects similar in nature as the project(s) under consideration by the District. List the projects for which your Firm has provided/is providing services which are similar in scope to the projects detailed in this RFQ. List the projects which are similar in scope to this project that your Firm has provided or is currently providing HVAC Test and Balance Services for, within the last ten years. In determining which projects are more related, consider: related size and complexity; how many members of the proposed team worked on the listed project; and how recently the project was completed. List the projects in priority order, with the most related project first. For each of the listed projects, provide the following information:

- 1. Name and location of the project
- 2. Nature of the Firm's responsibility on this project
- 3. Project owner's representative name, address, and phone number
- 4. Project user agency's representative name, address, and phone number
- 5. Start dates- completion/anticipated completion date
- 6. Size of project- gross area of construction, number of facilities, etc.
- 7. Cost of project- construction cost
- 8. Project type- new construction; remodeling/renovation
- 9. Work for which staff was responsible
- 10. Present project status- percentage of completion
- 11. Listing of the Firm's project manager and other key professionals on the listed project. Of this staffing, identify personnel assigned to this project.
- 12. The name, address and telephone number of the project architect.
- 13. Indicate what experience the Firm, its sub-consultants and proposed staff, have had with education facility projects and Florida Department of Education projects.

Tab 7 Current Workload (weighted value of 10 points)

List each project and fee amount currently under contract including contracts as consultant to another firm. Describe how you will meet your current contract obligations and our project(s) contract if selected.

Tab 8 Ability to Provide Service (weighted value of 20 points)

Respondent's ability to provide service includes available staff to support the Owner's needs in a timely manner. Respondent's cost estimating capabilities and methods used to control cost during design and construction of a project. Applications method used in project administration to ensure owner's goals and objectives are obtained in design and construction.

Tab 9 Proposed Team (weighted value of 25 points)

Describe your proposed organizational structure for this program, indicating key personnel and their relationship to this project and other team members. Provide brief resumes of key persons to be assigned to the program.

The firm shall express the general and specific project related experience and capability of in-house staff and sub-consultants and their functions as it relates to this RFQ.

The firm(s) should name the actual staff to be assigned to this project, describe their ability and experience, and portray the function of each within their organization and their proposed role on this project. Proposed project staff should be present for oral presentations and/or interview.

If a joint venture, or prime subcontractor arrangement of two (or more) firms, the Respondent must indicate how the work shall be distributed between the associated firms. Describe how the organizational structure will ensure orderly communications, distribution of information, effective coordination of activities and accountability.

For office staff and on-site staff- Provide an organization chart as it relates to the project indicating key personnel and their responsibilities for this project. It should be understood that it is the intent of the School District to insist that staff indicated as the Project Team in this RFQ response actually execute the project.

Tab 10 References (weighted value of 5 points)

Provide a minimum of three (3) reference letters from owner representatives for projects that your Firm has provided / is providing professional services which are similar in scope to this RFQ. Reference letters shall be current, dated within one (1) year of this solicitation. The reference from the owner representative must be provided on their letterhead, and include details regarding your Firm's role, level of service provided, and how cost competitive your Firm was when negotiating cost proposals. Letters from School District of Osceola County staff shall not be considered.

Tab 11 Draft Contract, Miscellaneous Information and Addenda (non-scored)

All exceptions to the attached draft contract must be included in this section. If exceptions to the contract are not included in the submittal, it will be the School District's understanding that your Firm will accept the contract as presented in this RFQ.

<u>District's Project Management System</u> - The School Board has recently completed negotiations with e-Builder, Inc. to provide a web-based Project Management Software Solution for the Facilities Division. The Facilities Division will leverage e-Builder to allow all project team members to centrally manage all construction and renovation projects by centralizing and streamlining the management and retention of all construction project documents and communications that are necessary to track project data. The e-Builder Project Management Solution will streamline a broad range of business processes to mitigate delays and provide District

Leadership and the School Board real time visibility into the status of all projects using the system's integrated reporting engine and executive dashboards. For more information on this solution, please visit www.e-builder.net. Please submit a statement indicating your firm's ability and commitment to utilizing this project management software solution and/or any concerns or issues that would prevent your firm from using the software.

Miscellaneous Information/Local Involvement - Respondents may submit any additional information that may be beneficial for consideration in the selection process. Representative samples of related work may be submitted at the Respondent's option. Provide supporting documentation if your firm is a certified minority business enterprise as defined by the Florida Small and Minority Business Assistance Act. List any and all examples of other local involvement or support of the School District of Osceola County, Florida, undertaken by the Firm and its employees in the past twelve (12) calendar months from the date of issuance of this RFQ. Examples of such involvement or support may include, but are not limited to, participation in the Academy of Construction Technology (ACT) program or Teacher Free Store (Gift for Teaching).

<u>Addenda Acknowledged</u> - Any and all addenda shall be acknowledged in this section.

SELECTION PROCESS

- 1. The Selection Committee will review all proposals received on time and score the proposals in accordance with the criteria listed in this RFQ. In addition to the materials provided in the written responses to this RFQ, the School District may request additional material, information, references, interviews or presentations from the Respondent(s) submitting qualifications packages. The District may decide to conduct interviews instead of having formal presentations with selected Firms, should it be required or warranted. Pursuant to F.S. 287.055, for the services to be performed under this resulting contract, the School District shall evaluate current statements of qualifications and performance data on file with the School District, together with those that may be submitted by other Firms regarding the services to be performed under this resulting contract, and shall conduct discussions with, and may require public presentations by. no fewer than three (3) Firms regarding their qualifications, approach to providing the services, and ability to furnish the required services. Discussions may be held between the Selection Committee and the Firms selected for interview based upon data submitted by each Firm. Firms will be notified in writing as to whether or not they have been selected for an interview or oral presentation.
- 2. The School District, at its sole discretion, may ask any Respondent to make an oral presentation and/or demonstration without charge to the School District. The School District reserves the right to require any Respondent to demonstrate to the satisfaction of the School District that the Respondent has the fiscal and technical ability to furnish the service(s) or product(s) as proposed. The demonstration must satisfy the School District, and the School District shall be the sole judge of compliance.

- 3. The School District reserves the right to conduct discussions with any Respondent(s) who has (have) a realistic possibility of Contract award.
- 4. Respondents are cautioned not to assume that they will be asked to make a presentation and should include all pertinent and required information in their original qualifications package.
- 5. Following the interviews the Respondents will be evaluated, based on their submission, references, and presentation. A final ranking of Respondents will be determined based on their interview or presentation.
- 6. Once the Selection Committee has ratified the final rankings, the School Board shall engage, or authorize one or more persons to engage, the highest ranked Finalist, or Designated Finalist, in negotiations for purposes of executing a Contract. In doing so, the School Board or its designee shall determine and negotiate compensation that is fair, competitive, and reasonable for the services to be supplied.
- 7. Should the School Board or its designee be unable to negotiate a satisfactory Contract with the highest ranked Finalist, or Designated Finalist, at a price the School Board or its designee determines to be fair, competitive and reasonable, the School Board or its designee shall formally terminate negotiations and then undertake negotiations with the next highest ranked Finalist, or Designated Finalist. Failing accord with the second most qualified Firm, the School Board or its designee shall formally terminate negotiations with such Firm and then undertake negotiations with the next highest ranked Finalist.

GUIDELINES – INFORMAL INTERVIEWS/ORAL PRESENTATIONS EVALUATION FOR SHORT LISTED FIRMS:

If the Selection Committee requires oral presentations, each Firm will be notified of the schedule for the formal presentation, questions and answers, and setup and breakdown. Informal Interviews/Oral Presentations will be scored using Adjectival Rating times a weighted value. Adjectival Rating; Unsatisfactory (0), Marginal (1), Satisfactory (2), Good (3) and Excellent (4). The weighted values may be revised by the Selection Committee at the Short List meeting.

Interview agendas will be entirely at the discretion of the prospective Firm with an emphasis delineating why/how your Firm's strength/performance on three (3) similar projects positively impacted the success of the project with regards to the following subjects:

1. Business Location - (weighted value of 3 to 7 points)

Firms shall only be able to qualify for one of the three following sections:

- **1.a.** To qualify as an "Osceola County Business" and to obtain a weighted value of 7 points a firm must meet the following criterion and submit the attached Affidavit of Eligibility:
 - **1.a.1.** Has its headquarters, manufacturing facility, or locally-owned franchise located within the legal boundaries of Osceola County for at least one (1) year prior to the issuance of the Request for Qualifications solicitation and
 - **1.a.2.** Maintains a required business license by a jurisdiction located in Osceola County.

- **1.b.** To qualify as a "Regional Business" and to obtain a weighted value of 5 points a firm must meet the following criterion and submit the attached Affidavit of Eligibility:
 - 1.b.1. Has its headquarters, manufacturing facility, or locally-owned franchise located within the legal boundaries of Osceola County, Orange County, Seminole County, Brevard County, Lake County, Polk County, or Volusia County for at least one (1) year prior to the issuance of the Request for Qualifications solicitation and
 - **1.b.2.** Maintains a required business license by at least one of the jurisdictions listed in Section 1.b.1.
- **1.c.** To qualify as a "Florida Business" and to obtain a weighted value of 3 points a firm must meet the following criterion and submit the attached Affidavit of Eligibility:
 - **1.c.1.** Has its headquarters, manufacturing facility, or locally-owned franchise located within Florida for at least <u>one (1) year</u> prior to the issuance of the Request for Qualifications solicitation and
 - **1.c.2.** Maintains a required business license by at least one of the jurisdiction in Florida.

2. Qualifications of Prospective Firms to Provide Required Services- (weighted value of 20 points)

Detail relevant experience your firm has had with K12 public and private school capital facility programs and identify such entities your firm has contracted with directly or your firm has worked as a subconsultant in the last five years. Provide contact name, address, phone number and fax number.

3. Overall Approach and Methodology- (weighted value of 10 points)

The Respondents should demonstrate verbally and/or graphically, their plan for performing the required services, documenting the services to be provided and showing the interrelationship of all parties.

4. Experience and Qualifications of Personnel- (weighted value of 20 points)

The Respondent shall express the general and specific project related experience and capability of in-house staff and sub-consultants and their functions as it relates to this RFQ.

The Respondent(s) should name the actual staff to be assigned to this project, describe their ability and experience, and portray the function of each within their organization and their proposed role on this project. Proposed project staff (Certified Building Officials, Building Code Inspectors, and Plans Examiners) should be present for oral presentations and/or interview.

If a joint venture, or prime subcontractor arrangement of two (or more) firms, the Respondent must indicate how the work shall be distributed between the associated firms. Describe how the organizational structure will ensure orderly communications, distribution of information, effective coordination of activities and accountability.

5. Project Scheduling- (weighted value of 10 points)

As a part of the project approach, the Respondent's should propose a scheduling methodology for effectively managing and executing the work within the optimum timeframe. The Respondents should indicate their procedure for scheduling and for compliance controls. The Respondents should describe any representative current projects and the projected, versus the actual, schedule of each. The Respondent's response must address the feasibility of its firm to complete their tasks as they may relate to keeping the project on schedule within the timeframe defined.

6. Knowledge of the State Requirement for Educational Facilities (SREF) and Typical School District Procedures- (weighted value of 10 points)

The Respondents should demonstrate their knowledge of SREF, local codes and ordinances, and an understanding of how school districts operate in the State of Florida. Firm's should discuss the details of specific projects where the firm was responsible for Florida Building Code and SREF inspections, plans review and experience level of assigned personnel who may fulfill this requirement.

7. Financial Strength and Bonding Capability - (Pass/Fail)

The Respondent's financial capability is to be expressed in the financial statement (audited financial information current within the past twelve months, such as a balance sheet and statement of operations, and bonding capacity if required), and should indicate the resources and the necessary working capital to assure financial stability through the completion of the project. A certified audit is preferred, but a third party prepared financial statement and/or the latest D&B report will be accepted. The statement can be labeled Confidential. The financial capability shall also include the bonding capacity of the Firm if the applicant anticipates an "At Risk" contract or if your fees exceed \$200,000.00 per project. The Firm shall be required to hold a 100% Performance and 100% Payment Bond on the basis of the Guaranteed Maximum Price furnished pursuant to Section 255.05 F.S. for the project.