



RSM US LLP

100 NE 3rd Avenue Suite 300
Fort Lauderdale, Florida 33301

T +1 954 462 6351

www.rsmus.com

October 6, 2021

Joris Jabouin, Chief Auditor
Broward County Public Schools
600 SE 3rd Avenue, 8th Floor
Fort Lauderdale, Florida 33301

Pursuant to the request made by District Staff, and our Construction, Operational & IT Auditing Services Agreement dated September 4, 2019, RSM is pleased to present the results of our review of the District's RFQ #FY22-173 for Continuing Contract for Construction Management at Risk Services.

Following our review of the document, RSM held a meeting with Procurement & Warehousing Services on October 5, 2021 to present our initial comments and recommendations for RFQ #FY22-173, which are detailed in the pages that follow.

In summary, the District should consider the following key recommendations as it embarks upon refinement of this solicitation:

- As noted in item #1 below, multiple sections reference the District's intent to award a specified number of firms. The District may consider removing this stated limitation to allow greater flexibility in the review and selection of firms. We further recommend inserting additional language regarding the anticipated volume of work awarded to CMs as a result of the solicitation.
- Other minor items were noted related to consistency and mathematical accuracy of the scoring described in the RFQ. Refer to items #2-4 below for additional information.

Along with each item, the District has provided a response, either providing additional context/background related to the item, or indicating that a modification to the RFQ was made as recommended.

We are happy to discuss any of the comments herein, and appreciate the opportunity to help the District as you move forward with this solicitation.

Respectfully Submitted,

RSM US LLP

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CC-CMAR RFQ REVIEW – RFQ #FY22-173

1. Description of Scope, pg. 2

During our review, we noted multiple sections reference the District's intent to award a specified number of firms. The District may consider removing this stated limitation to allow greater flexibility in the review and selection of firms. We further recommend the District consider inserting additional language regarding the anticipated volume of work awarded to CMs as a result of the solicitation.

The following sections were noted to include the limitation on the number of firms to award:

- The "Description of Scope" on page 2 states, *"The District intends to select up to a maximum of three (3) firms to provide construction management at risk services for projects with construction values between \$0 - \$1M."*
- Section 4.2.6 states, *"A total of three (3) CMs will be chosen: General Construction/State Building; \$0 - \$1,000,000."*
- Section 5.5.1 states, *"District staff negotiate a construction services agreement for the services defined under this RFQ with Firm 1, Firm 2 and Firm 3..."* and *"This process shall continue until satisfactory contracts are negotiated with three (3) firms."*

If the District intends to maintain this limitation, we recommend the District consider revising the language noted above for consistency to clarify whether the District intends to award a *maximum* of three (3) firms (as noted in the Description of Scope) or a *total* of three (3) firms (as noted Sections 2,4,5).

District Response

In discussions with the Office of Capital Programs/Facilities, AECOM, and Atkins, it was determined that there is not a need to have more than 3 firms awarded on these solicitations. There will be three versions (\$0 to \$1Mil, >\$1mil to <\$2mil, and \$2mil to \$4mil), each selecting three firms. Up to a maximum of three firms allows for the situation if we are unable to negotiate successfully with 3 firms, we can still move forward with an award. We will correct 4.2.6 (language from EDDC) to say "a maximum of 3".

2. Team Composition, Section 4.2.5

During our review, we noted that the total maximum combined points specified in Section D exceeds the sum of the maximum points outlined in Sections D1 (4.2.5.1) and D2 (4.2.5.2). Sections D1 and D2 include a maximum of ten (10) possible points for each section, allowing for a total maximum score of twenty (20) points for Section D. We recommend the District reduce the total maximum combined points noted in the header of Section D from thirty (30) to twenty (20) points to remain consistent with the scoring criteria outlined in Section 5.0.

District Response

Section D will be twenty (20) points. This has already been corrected.

CC-CMAR RFQ REVIEW – RFQ #FY22-173 (CONTINUED)

3. Relevant Projects/Continuing Contracts, Section 4.2.4.2

During our review, we noted that the scoring criteria outlined in Section 4.2.4.2 does not match the corresponding scoring rubric included in Section 5.3.1.1.2. Specifically, we noted the following:

- Section 4.2.4.2 specifies a maximum of 2.5 possible points per project for Parts a through d (scored by District Staff). However, the detailed scoring rubric included in Section 5.3.1.1.2 specifies a maximum of 2.25 possible points for Parts a through d.
- Section 4.2.4.2 specifies a maximum of 1.5 possible points per project for Part e (scored by QSEC members). However, the detailed scoring rubric included in Section 5.3.1.1.2 specifies a maximum of 1.75 total possible points for Part e.

We recommend the District revise the point totals described in Section 4.2.4.2 to remain consistent with the criteria outlined in the scoring rubric in Section 5.3.1.1.2.

District Response

This has been corrected. The correct information is 2.25 (a through d) and 1.75 (e).

4. Part A Evaluation Scoring, Section 5.3.1

According to Section 5.3.1, *“Part A Evaluation Scoring consists of one hundred (100) points maximum, of which eighty-one (81) points maximum are scored by QSEC members.”* Through our review of the subsequent rubrics provided in Sections 5.3.1.1 through 5.3.1.3, we noted that the maximum possible points scored by QSEC members does not equal the amount specified in Section 5.3.1. Specifically, we recalculated the total points scored by QSEC members in Sections 5.3.1.1 through 5.3.1.3 as:

- **Section C1:** 24 total points
- **Section C2:** 28.25 total points, including 5.25 points scored for Scoring Section “e. Relevancy of Project Scope”
- **Section D:** 20 total points

We recommend the District revise Section 5.3.1 to modify the maximum points scored by QSEC members from eighty-one (81) possible points to 72.25 as noted above.

District Response

This has been corrected. In addition, Section 5.2.1.1 has been updated to "52.25 points maximum are scored by QSEC..."

REQUEST FOR QUALIFICATIONS

RFQ # **FY22-173** CONTINUING CONTRACT FOR CONSTRUCTION MANAGEMENT AT RISK SERVICES

Project Values - \$0 - \$1,000,000



The School Board of Broward County, Florida

Dr. Rosalind Osgood, Chair
Laurie Rich Levinson, Vice Chair

Lori Alhadeff
Patricia Good
Debra Hixon
Donna P. Korn
Sarah Leonardi
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Dr. Vickie L. Cartwright, Interim Superintendent of Schools

Sam R. Bays, Task Assigned, Executive Director, Capital Programs
Mary C. Coker, Director Procurement & Warehousing Services
Marilyn C. Batista, Interim General Counsel

Office of Capital Programs
Procurement and Warehousing Services

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Procurement and Warehousing Services Department
7720 W. Oakland Park Boulevard, Suite 323
Sunrise, Florida 33351-6704



THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
7720 WEST OAKLAND PARK BOULEVARD, SUITE 323 • SUNRISE, FLORIDA 33351-6704 • TEL 754-321-0505

REQUEST FOR QUALIFICATIONS (RFQ)

RFQ # **FY22-173**

CONTINUING CONTRACTS FOR CONSTRUCTION MANAGEMENT AT RISK SERVICES PROJECTS VALUED \$0 TO \$1,000,000

Public Announcement

Notice is hereby given that SEALED QUALIFICATIONS STATEMENTS will be received by THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, at the Procurement & Warehousing Services Department, 7720 W. Oakland Park Blvd., Sunrise, FL 33351, Suite 323 up to 02:00 PM on **October 11, 2021**, and opened immediately thereafter in Bid Room #1, #2, #3 and/or #4, for provision of all materials and labor necessary for Continuing Contracts for Construction Management at Risk Services for projects valued between \$0 and \$1,000,000 as described herein. A **MANDATORY** pre-submittal conference will take place **VIRTUALLY** utilizing the Microsoft Teams Platform at **10:00 AM on October 21, 2021**. All interested parties are invited to attend. See the RFQ Section 2.0 – Calendar for additional information on the mandatory pre-submittal conference.

Bid details can be found online by visiting the following website:

https://www.demandstar.com/supplier/bids/agency_inc/bid_list.asp?f=search&LP=BB&mi=10150

To be advertised on **October 11, 2021**



REQUEST FOR QUALIFICATIONS (RFQ)

RFQ # FY22-173

CONTINUING CONTRACTS CONSTRUCTION MANAGEMENT AT RISK SERVICES Project Values - \$0 - \$1,000,000

RFQ Issue Date: October 11, 2021

Description of Scope:

This Request for Qualifications (RFQ) is for the procurement of a “continuing contract” that will select a group of Construction Management firms (CM) who will be assigned to perform in a Construction Management at Risk (CMAR) delivery model on projects valued between \$0 - \$1,000,000 (“\$1M”) in accordance with Florida Statutes 255.32 and 255.103.

The District intends to select up to a maximum of three (3) firms to provide construction management at risk services for projects with construction values between \$0 - \$1M.

The total contract value (including construction cost, construction management fees, and subcontractor costs) assigned to individual firms will not exceed \$7,000,000 over the life of the initial contract. The estimated construction cost of each individual project assigned to a firm will be from \$0 to \$1M. The term of this Agreement shall be for three (3) years. The term of this Agreement may, by mutual agreement between The School Board of Broward County, Florida (SBBC) and the CM, upon final School Board approval, be extended for two (2) additional one-year periods with a limit of \$3,000,000 in total contract value per one year extension and one (1) additional six-month period beyond the expiration date of the renewal period.

The work may generally consist of:

- Re-roofing
- STEM lab improvements
- Fire Sprinkler and Alarm upgrades
- Portable Classrooms
- Other miscellaneous renovation work on-campus buildings
- HVAC upgrades
- Electrical upgrades
- Building replacements
- Demolition

NOTICES TO ALL SUBMITTING FIRMS

Cone of Silence and Lobbyist Activities

For Cone of Silence requirements and for Lobbyist Activity restrictions refer to Section 1, Introduction and General Information lines labeled Cone of Silence and Lobbyist Activities. Line numbers 1.10 and 1.11 and to School Board Policies 3320 and 1100B.

Pre-Qualification of Contractors Notice

For Pre-Qualification of Contractors requirements refer to Section 3, RFQ Conditions line labeled Pre-Qualification of Contractors. Line number 3.29 and sub-lines.

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Attachments

- Attachment A -- Supplier Diversity Outreach Program Guidelines (Document 00467)
- Attachment A.1 – Small/Minority/Women Business Enterprise (S/M/WBE) Subcontractor Participation Schedule [Click Here](#)
- Attachment A.2 – Statement of Intent to Perform as an S/M/WBE Subcontractor [Click Here](#)
- Attachment A.3 – S/M/WBE Monthly Subcontractor Utilization Report [Click Here](#)
- Attachment A.4 – S/M/WBE Good Faith Effort Form [Click Here](#)
- Attachment A.5 – Statement of Intent for M/WBE Construction Manager Participation
- Attachment A.6 – Prime/Subcontractor Terms & Conditions
- Attachment B – Bidder/Proposer Assurance Statement
- Attachment C – Sample Construction Management at Risk Agreement (With Exhibits)
 - Exhibit A GMP Amendment Form
 - Exhibit B Compensation
 - Exhibit C CM Firm’s Qualifications Statement (not attached to RFQ)
 - Exhibit D SBBC RFQ Documents (not attached to Sample)
- Attachment D – Sample General Conditions of the Contract – Construction Management at Risk
- Attachment E – Required Response Form
- Attachment F – Proposer’s Request for Information Form (for use by Submitting Firm)
- Attachment G – NOT USED
- Attachment H – Authorization to Proceed Form
- Attachment I – ACH Payment Agreement Form [Click Here](#)
- Attachment J – Conflict of Interest Form
- Attachment K – Project Relevancy / Reference Form
- Attachment L – Current Workload and Experience Template Spreadsheet

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RFQ Online Attachment Links

Online Documents: The following documents shall be downloaded by the Submitting Firm, and are considered to be RFQ and Contract Attachments, and requirements of the Contract:

Division 0 - Specifications

<http://www.broward.k12.fl.us/constructioncontracts/D0docs.html>

Design Standards

<http://www.broward.k12.fl.us/constructioncontracts/DivisiononeDesignStandards.html>

- SBBC Design Criteria
 - Specifications – Division 1 through 17
 - Document Submittal Checklist for Plan Review
 - Design Guidelines

Note the following:

For SBBC's Design and Materials Standards downloaded from the Broward County Public Schools (BCPS) website, the word "Contractor" shall be interpreted as the word "Construction Manager" in every instance that in these standards.

- State Requirements for Educational Facilities (SREF) latest edition:
<http://www.fldoe.org/edfacil/sref.asp>

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SECTION 1.0 - INTRODUCTION AND GENERAL INFORMATION

1.1 The School Board of Broward County, Florida (hereinafter referred to as “SBBC”) desires to receive Qualifications Statements for Construction Management at Risk (CMAR) Services as described herein. Submitting Firms may be referred to as “Construction Manager” or “CM” throughout this document.

1.2 **Contract Type, Term, and Amount:**

1.2.1 The term of this continuing contract (also referred to as an open-end contract) is a period of three (3) years with a maximum contract value of \$7 million per awardee, and may, by mutual agreement between the SBBC and the CM, upon final School Board approval, be extended for two (2) additional one-year periods with a maximum contract value of \$3 million per awardee per year and one (1) additional six-month period beyond the expiration date of the renewal period. Projects must start within this three (3) year period or within the renewal period, if exercised, and will continue through final completion of the final project. If considering renewal, the Procurement & Warehousing Services (PWS) Department, will request a letter of intent to renew from each Awardee, before the end of the current contract period. The Awardee will be notified when the recommendation has been acted upon by the School Board.

1.2.2 A “Master Agreement” will be executed followed by task orders assigned under the Master Agreement.

1.2.3 Each task order will be a lump-sum contract to provide preconstruction services. Additionally, the Construction Management fee for the construction phase of the task order will also be set. See Agreement Attachments (Exhibit B).

1.2.4 Through contract amendment, a Guaranteed Maximum Price (GMP) shall be negotiated and established when the 100% Design Submittal Stage is accepted by the Owner and permit documents are approved. GMP negotiations will commence at the beginning of the design development stage and will conclude when the GMP is set.

1.2.5 The award of this continuing contract shall not guarantee or obligate the District to exclude any CMAR Services under the continuing contract.

1.3 **Evaluation and Award:** All Qualifications Statements will be evaluated by the Qualifications Selection Evaluation Committee (QSEC) and District staff based upon the information submitted by the Submitting Firm(s) in response to this RFQ and in accordance with the evaluation criteria established in Section 5.0. Based upon the evaluation of Qualifications Statements, QSEC will recommend one or more Submitting Firm(s) to the Superintendent of Schools who may then recommend one or more Submitting Firm(s) to SBBC for award.

1.4 **Questions and Interpretations:** Any questions, requests for clarifications or interpretations regarding any portion of this RFQ (or reporting errors, inconsistencies, or ambiguities) during the Submittal preparation period shall be received no later than the date stated in Section 2.0 (which will not be less than ten (10) business days prior to the deadline due date for submitting the completed RFQ response), and no questions or clarifications will be considered after this date. Submitting Firms must submit **Document 00220 – Proposer’s Request for Information (RFI) Form** for all RFI requests and all RFI requests must be typed or printed. Questions not submitted on Document 00220 will not be considered. RFI requests must be for a single RFQ, RFI requests for multiple RFQs may not be considered. Any questions which require a response that amends the RFQ document in any manner will be answered via Addendum by the PWS Department and provided to all Submitting Firms. Address questions or requests for clarifications in writing to:

Luis E. Perez
Purchasing Agent III
Procurement & Warehousing Services
7720 West Oakland Park Blvd - Suite 323
Sunrise, FL 33351
754-321-0533 Fax
E-mail: luis.perez@browardschools.com

1.5 Any verbal or written information, which is obtained other than by information in this RFQ document or by Addenda, shall not be binding on the SBBC.

Appendix

- 1.6 **Qualifications Statement Format:** Any response to the RFQ shall follow the format and include the information as identified in Section 4.0 of this RFQ.
- 1.7 **Qualifications Statement Package Requirements:**
- 1.7.1 One (1) complete, original hard-copy Qualifications Statement (clearly labeled as “Original”), which shall contain original inked signatures on any and all letters and required forms.
 - 1.7.2 One (1) complete, original electronic version (clearly labeled as “Original”), which must be identical to the hard-copy original. Electronic version should clearly identify the RFQ # and Firm Name.
 - 1.7.3 Two (2) complete, electronic version copies (clearly labeled as “Copy”), which must be identical to the original electronic version. Electronic version should clearly identify the RFQ # and Firm Name.
 - 1.7.4 Six (6) additional hard-copies (which must be identical to the original Qualifications Statement except they should be labeled as “copy”).
 - 1.7.5 Qualifications Statements shall be submitted in a sealed envelope (package, box, etc.) with the RFQ number and description clearly identified by label on the package along with the Submitting Firm’s Name
- 1.8 **Preparation Cost of Qualifications Statement:** The Submitting Firm is solely responsible for any and all costs associated with responding to this RFQ. SBBC will not reimburse any Submitting Firm for any costs associated with the preparation and submittal of any Qualifications Statement, or for any travel and per diem costs that are incurred by any Submitting Firm.
- 1.9 It is the sole responsibility of the Submitting Firm to ensure it has received the entire Request for Qualifications solicitation and any and all Addenda associated with the RFQ.
- 1.10 It is the sole responsibility of the Submitting Firm to ensure that its Qualifications Statement is time stamped in the PWS Department on or before the date and time stated in Section 2.0.
- 1.11 No submissions made after the Qualifications Statement opening, amending or supplementing the Qualifications Statement, will be considered
- 1.12 **Withdrawal of Qualifications Statement:** A Qualifications Statement may be withdrawn at any time, in writing, prior to the start of QSEC Part A for the applicable RFQ.
- 1.13 **Gratuities:** Submitting Firms shall not provide any gratuities, favors, or anything of monetary value to any official, employee, or agent of SBBC; including any School Board Member, Superintendent of Schools and any QSEC Members, for any reason during the entire procurement process.
- 1.14 **Cone of Silence:** Any Submitting Firm, or lobbyist for a Submitting Firm, is prohibited from having any communications (except as provided in this rule) concerning any solicitation for a competitive procurement with any School Board Member, the Superintendent, any QSEC Member, or any other school district employee after the PWS Department releases a solicitation to the general public. All communications regarding this solicitation shall be directed to the designated Purchasing Agent unless otherwise notified by the PWS Department. This “Cone of Silence” period shall go into effect upon the time of release of the solicitation and shall remain in effect until SBBC either awards a contract or rejects all Qualifications Statements. Further, any Submitting Firm, its principals, or its lobbyists shall not offer campaign contributions to School Board Members or offer contributions to School Board Members for campaigns of other candidates for political office during the period in which the vendor is attempting to sell goods or services to SBBC. This period of limitation of offering campaign contributions shall commence at the time of the “cone of silence” period for any solicitation for a competitive procurement as described by School Board Policy 3320, Part II, Section GG as well as School Board Policy 1007, Section 5.4 – Campaign Contribution Fundraising. Any Submitting Firm or its lobbyist who violates this provision shall cause the Submitting Firm’s Qualifications Statement to be considered non-responsive and therefore be ineligible for award. This prohibition does not apply to:

Appendix

- Telephone calls to the PWS staff to request copies of this RFQ, to confirm attendance, or request directions regarding an interview notification received;
- Delivery of the Respondent's Submittal;
- Discussion at the interview;
- Delivery of written questions about the RFQ;
- Review of background/contract documents at the staff offices;
- Public Records Requests; and/or
- Bid protest proceedings.

1.15 **Lobbyist Activities:** In accordance with School Board Policy 1100B, as currently enacted or as amended from time to time, persons acting as lobbyists must state, at the beginning of their presentation, letter, telephone call, e-mail or facsimile transmission to School Board Members, the Superintendent or Members of Senior Management, the group, association, organization or business interest she/he is representing.

1.15.1 A lobbyist is defined as a person who, for immediate or subsequent compensation (e.g., monetary profit/personal gain), represents a public or private group, association, organization or business interest and engages in efforts to influence School Board Members on matters within their official jurisdiction.

1.15.2 A lobbyist is not considered to be a person representing school allied groups (e.g., PTA, DAC, Band Booster Associations, etc.) nor a public official acting in her/his official capacity.

1.15.3 Lobbyists shall annually (July 1) disclose in each instance and for each client prior to any lobbying activities, their identity and activities by completing the lobbyist statement form which can be obtained from official School Board Records, School Board Member's Offices or the Superintendent's Office and will be recorded on BCPS's website, www.browardschools.com.

1.15.4 The lobbyist must disclose any direct business association with any current elected or appointed official or employee of SBBC or any immediate family member of such elected or appointed official or employee of SBBC.

1.15.5 Senior-level employees and/or School Board Members are prohibited from lobbying activities for two (2) years after resignation or retirement or expiration of their term of office.

1.15.6 The Office of the Superintendent shall keep a current list of persons who have submitted the lobbyist statement form.

1.16 **Certification Regarding Scrutinized Activities:** By submitting its bid, proposal or qualifications statement, the CM certifies that it is not participating in a boycott of Israel, it is not on the List of Scrutinized Companies that Boycott Israel; it is not on the List of Scrutinized Companies with Activities in Sudan; it is not on the List of Scrutinized Companies with Activities in the Iran Petroleum Energy Sector; and that it is not engaged in business operations in Cuba or Syria.

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Appendix

SECTION 2.0 CALENDAR

10/11/2021	Advertisement of RFQ # - FY22-173, Continuing Contracts CMAR \$0 to \$1,000,000
10/21/2021	MANDATORY Pre-Submittal Conference At 10:00 a.m. ET* through the Microsoft Teams Virtual Platform . To register, EMAIL the names, email addresses, and phone numbers of the individuals that will be participating to: luis.perez@browardschools.com
11/2/2021	Written questions due: On or before 5:00 p.m. ET Procurement and Warehousing Services Department 7720 West Oakland Park Blvd., Suite 323, Sunrise, Florida 33351-6704 Or via email to: luis.perez@browardschools.com
11/12/2021	Qualifications Statements due: At or before 2:00 p.m. ET at Procurement and Warehousing Services Department. 7720 West Oakland Park Blvd., Suite 323, Sunrise, Florida 33351-6704
11/30/2021** 2-4mil – 11/29 AM 1-2mill – 11/29 PM	Part A – Shortlisting Meeting - Selection Committee reviews Qualifications and develops list of shortlisted firms: At 9:00 a.m. ET* at Procurement and Warehousing Services Department 7720 West Oakland Park Boulevard, Suite 323 Sunrise, Florida 33351-6704 A Microsoft Teams Link will be available for the Submitting Firms and the Public to attend virtually. Contact luis.perez@browardschools.com to obtain the link.
12/09/2021** 2-4mil – 12/07 1-2mill – 12/08	****Part B – Final Meeting - Selection Committee conducts interviews with shortlisted firms and makes a recommendation for Selection: At 9:00 a.m. ET* at Procurement and Warehousing Services Department 7720 West Oakland Park Boulevard, Suite 323 Sunrise, Florida 33351-6704 A Microsoft Teams Link will be available for the Submitting Firms to present and the Public to attend virtually. Contact Luis.Perez@browardschools.com to obtain the link.
12/10/2021 to 12/17/2021	Negotiation Meetings (Time – TBD) At Procurement and Warehousing Services Department 7720 West Oakland Park Boulevard, Suite 323 Sunrise, Florida 33351-6704
Approximately 5 business days after Negotiations have concluded January 2022	Posting of the Evaluation Committee's Recommendations and Recommendation to Award. Tentative School Board Award Date.

Appendix

*These are public meetings. SBBC prohibits any policy or procedure which results in discrimination on the basis of age, color, disability, gender identity, gender expression, national origin, marital status, race, religion, sex or sexual orientation. Individuals who wish to file a discrimination and/or harassment complaint may call the Executive Director, Benefits & EEO Compliance at 754-321-2150 or Teletype Machine (TTY) 754-321-2158.

Individuals with disabilities requesting accommodations under the Americans with Disabilities Act (ADA) may call Equal Educational Opportunities (EEO) at 754-321-2150 or Teletype Machine (TTY) 754-321-2158.

**** QSEC Meeting** – The date of the selection committee review meeting is approximate and may be changed via Addendum or Notice. Pursuant to the requirement of Section 287.055(4)(a), Florida Statutes. The District shall evaluate Qualifications Statements regarding the proposed projects and shall conduct discussions with no fewer than three (3) Submitting Firms based on the approach, experience, and ability to furnish the required services presented in their Qualifications Statement. The QSEC Meeting will be broken down into two parts: Part A and Part B.

*****PART A** - The date of the Shortlisting Meeting to review and evaluate Qualifications Statement is approximate and may be changed via Addendum or Notice. Pursuant to the requirements of Section 287.055(4)(a), Florida Statutes, the District shall evaluate Qualification Statements regarding the proposed projects and shortlist five (5) Submitting Firms based on the approach, experience, and ability to furnish the required services presented in their Qualifications Statement. No additional handouts, paperwork, or presentations from Submitting Firms will be permitted. At the conclusion of this Shortlisting Meeting, QSEC shall evaluate and rank all responsive and responsible Submitting Firms. The top five (5) highest ranked firms shall be Shortlisted and proceed to the subsequent QSEC meeting for final evaluation, ranking, and selection. NOTE: This meeting schedule and assigned time slots are only estimates and are subject to change at the sole discretion of QSEC depending upon the progress of the meeting. Submitting Firms are strongly encouraged, but not required, to be virtually present for the entire meeting to listen to the committee discussion. No discussions will take place with firms during Part A.

******PART B** - The date of the Final Meeting with shortlisted Firms is approximate and may be changed via Addendum or Notice. Pursuant to the requirements of Section 287.055(4)(a), Florida Statutes, the District shall evaluate shortlisted Firm Presentations regarding the proposed project and shall conduct discussions with the Shortlisted Firms regarding Qualifications Statement and ability to furnish the required services. Shortlisted Firms will be notified via e-mail with interview instructions, including time, location, agenda, and timeframes. It is estimated that the Final Meeting will be comprised of each firm giving a 20-minute presentation to QSEC followed by Questions from the committee members. Accordingly, District staff shall establish a meeting schedule including specific randomly selected time slots for shortlisted Firm presentations to QSEC. No additional handouts or paperwork from Submitting Firms will be permitted. NOTE: This meeting schedule and assigned time slots are only estimates and are subject to change at the sole discretion of QSEC depending upon the progress of the meeting. Short List Firms are strongly encouraged, but not required, to be physically present at the designated meeting site location for the entire meeting to be available for presentations and to attend the open and closing portions of the meeting. **Failure of any Shortlisted Firm to be present for its scheduled presentation time slot shall result in disqualification of the Shortlisted Firm and evaluation of the firm will not take place.**

Note: Representatives from the selected Firm or Firm(s) selected shall be available for negotiations during the days indicated in Section 2.0. The actual meeting date and time will be assigned after the QSEC meeting. The meeting location is subject to change, but the meeting will take place in Broward County, FL.

SECTION 3.0 - RFQ CONDITIONS

- 3.1 **Evaluation Committees and Qualifications Statements:** The SBBC complies with Sections 119.071 and 286.0113, Florida Statutes, in the review and award of contracts.
- 3.2 **Public Record:** Each CM acknowledges that all information contained within its Qualifications Statement is part of the public domain as defined by the State of Florida Sunshine and Public Record Laws and is not exempt from public inspection or copying.
- 3.3 **Governing Law:** This RFQ, and any award(s) resulting from it, shall be interpreted and construed in accordance with the laws of the State of Florida. Any protests arising from this RFQ shall be subject to Section 120.57(3), Florida Statutes. Any disputes or controversies arising out of a contract awarded under this RFQ shall be submitted to the jurisdiction of the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida or to the United States District Court for the Southern District of Florida.
- 3.4 **Advertising:** By submitting a response to this RFQ, CM agrees not to use any award under this RFQ as a part of any commercial advertising without prior written approval of SBBC.
- 3.5 **Billing Instructions and Payment:** All payments made to the CM shall be made by the Automated Clearing House (ACH). Monthly invoices shall be submitted to the Project Manager for review and approval. Refer to the Agreement for the specifics. The ACH Payment Agreement Form shall be submitted by the awardee at the time of the execution of the Contract.
- 3.6 **Contract Value:** No guarantee is given or implied as to the total dollar value or work as a result of this RFQ. The SBBC is not obligated to place any order for services performed as a result of this award. Order placement will be based upon the needs and in the best interest of SBBC.
- 3.7 **Conflict of Interest and Conflicting Employment or Contractual Relationship:** Section 112.313 (3) and (7), Florida Statutes, sets forth restrictions upon the ability of SBBC employees acting in a private capacity to rent, lease, or sell any realty, goods, or services to SBBC. It also places restrictions upon SBBC employees concerning outside employment or contractual relationships with any business entity which is doing business with SBBC. Each CM is to disclose any employees it has who are also SBBC employees. Refer to the Conflict of Interest Form. This executed document shall be submitted at the time of Contract execution. Any employees identified by the CM should obtain legal advice as to their obligations and restrictions under Section 112.313 (3) and (7), Florida Statutes.
- 3.8 **Disputes:**
- 3.8.1 In the event of a conflict between the documents, the order of priority of the documents shall be as follows:
1. The Agreement resulting from the award of this RFQ (if applicable); then
 2. Addenda released for this RFQ, with the latest Addendum taking precedence; then
 3. The RFQ Documents; then
 4. Awardee's Qualifications Statement.
- 3.8.2 In case of any other doubt or difference of opinion, the decision of SBBC shall be put in writing and shall be final and binding on both parties.
- 3.9 **Insurance and Liability:** Refer to CMAR Agreement for Professional Insurance Requirements.
- 3.10 **Public Entity Crimes:** Section 287.133(2)(a), Florida Statutes, as currently enacted or as amended from time to time, states that a person or affiliate who has been placed on the "Convicted Vendor List" following a conviction for a public entity crime may not submit a Qualifications Statement on a contract to provide any goods or services to a public entity, may not submit a Qualifications Statement on a contract with a public entity for the construction or repair of a public building or public work, may not submit a Qualifications Statement on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO [currently \$25,000] for a period of thirty-six (36) months from the date of being placed on the Convicted Vendor List.

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3.10.1 By submitting a Qualifications Statement, the proposer represents that restrictions related to public entity crimes stated in Section 287.133(2) (a), Florida Statutes, do not apply to either his own company, or that of his subcontractors or suppliers.

3.11 **Supplier Diversity Outreach Program (SDOP) Guidelines and Standard Operating Procedures Information:**

SBBC has implemented School Board Policy 3330 Supplier Diversity Outreach Program. The provisions of the Policy shall apply to all competitive solicitations for construction, professional services, commodities and other contractual services, and any resulting contract documents including change orders, and amendments. **Refer to SDOP Guidelines Document 00467.**

SBBC is committed to ensuring the awarding of construction subcontracts to minority and women-owned businesses. In accordance with Florida Statute 1001.41(1) & (2) and the School Board Policy 3330, The EDDC requires that all projects shall have Minority/Women Business Enterprise (M/WBE) subcontracting goals and that Contractors awarded work on such projects fully participate in the SDOP. Compliance with the SDOP requirements is mandatory (review all M/WBE forms attached and/or links provided to the forms).

This RFQ includes participation goals for SBBC-certified M/WBEs. Refer to Section E and Section 5.0 Evaluation of Qualification – 5.2.3 Scoring of M/WBE Participation – Section E for additional information.

For information regarding M/WBE certification, or to obtain information on locating certified M/WBEs, visit our website at <http://www.browardschools.com/EDDC>

3.11.1 **Nondiscrimination:**

Each CM hereby certifies and agrees that the following information is correct:

In preparing its response to this project, the CM has considered all proposals submitted from qualified, potential subcontractors and suppliers, and has not engaged in "discrimination" as defined in School Board Policy 3330 – Supplier Diversity Outreach Program, Section D.1.; to wit: discrimination in the solicitation, selection, or commercial treatment of any subcontractor, vendor, supplier, or commercial customer on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation or on the basis of disability or other unlawful forms of discrimination. Without limiting the foregoing, "discrimination" also includes retaliating against any person or other entity for reporting any incident of "discrimination." Without limiting any other provision of the solicitation for responses on this project, it is understood and agreed that, if this certification is false, such false certification will constitute grounds for SBBC to reject the response submitted by the CM on a project assigned under this delivery method, and terminate any contract awarded based on the response. As a condition of submitting a response to SBBC, the CM agrees to comply with SBBC's Commercial Nondiscrimination Policy as described under its School Board Policy 3330 – Supplier Diversity Outreach Program, Section D.1.

3.11.2 **Certification Application Instructions:**

CERTIFICATION APPLICATION INSTRUCTIONS

Interested in becoming Certified? Please visit our website: www.browardschools.com/EDDC for information on How to Become Certified:

To ensure that firms seeking to participate in the SDOP qualify as an M/WBE, or are at least fifty-one (51%) percent legitimately owned, operated and controlled by minorities and/or women, each such firm shall be required to be certified as to its S/M/WBE ownership status by the EDDC Office prior to the time of the proposal submission.

DEFINITIONS

The following terms shall have the listed meanings (the definitions shall not apply outside of this section and wherever inconsistent with those listed elsewhere in the Solicitation Documents).

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Affirmative Procurement Initiative (API): refers to various SDOP tools and Solicitation Incentives that are used to encourage greater prime and subcontract participation by S/M/WBE firms, including bonding assistance, evaluation preferences, subcontracting goals, and joint venture incentives. (For full descriptions of these and other SDOP tools, see, Section E of School Board Policy 3330 and the SDOP Standard Operating Procedures (SOP).)

Minority and/or Women Business Enterprises (M/WBE or M/WBEs): a firm that is certified in accordance with SBBC Policy No. 3330 as either a minority business enterprise or as a women business enterprise and which is at least fifty-one percent (51%) owned, managed, and controlled by one or more minority group members and/or women, and that is ready, willing, and able to sell goods or services that are purchased by the School District.

Small Business Enterprises (SBE or SBEs): a corporation, partnership, sole proprietorship, or other legal entity for the purpose of making a profit, which is certified in accordance with SBBC Policy No. 3330 as being independently owned and operated by individuals legally residing in, or that are citizens of, the United States or its territories, and which annual revenues and number of employees shall be no greater than fifty percent (50%) of the small business size standards for its industry(ies) as established by the U.S. Small Business Administration, and meets the significant business presence requirements as defined School Board Policy 3330.

Significant Business Presence: to qualify for participation as an S/M/WBE firm in the SDOP policy, an S/M/WBE must be headquartered or have a significant business presence for at least one year within the relevant marketplace, defined as: an established place of business in one or more of the three counties that make up the Southern Florida relevant marketplace, from which at least fifty percent (50%) of its full-time, part-time, and contract employees are domiciled and regularly based, and from which a substantial role in the S/M/WBE's performance of a commercially useful function is conducted. A location utilized solely as a post office box, mail drop or telephone message center, or any combination thereof, with no other substantial work function, shall not be construed to constitute a significant business presence.

In accordance with School Board Policy 3330, the Goal Setting Committee (GSC) may establish M/WBE Subcontracting Program for this Proposal, based upon relative M/WBE availability data collected by the SBBC through its Centralized Bidder Registration (CBR) system and from other jurisdictions within its three-county relevant marketplace for construction contracts, and the SBBC's utilization of M/WBEs for similar contracts. The S/M/WBE subcontracting program provides opportunities to Firms certified as M/WBE by SBBC. It is the goal of the District to actively promote equal opportunity for all segments of the contracting and business community to participate in School Board Contracts.

- 3.12 **Protest of RFQ Conditions/Specifications:** Any person desiring to protest the conditions/specifications in this RFQ, or any Addenda subsequently released thereto, shall file a "Notice of Intent to Protest" within seventy-two (72) hours after the posting, in writing to the Director of Procurement and Warehousing Services (PWS). Saturdays, Sundays, state holidays or on days during which the school district administration is closed shall be excluded in the computation of the of the 72-hour time period. The formal written protest shall be filed within ten (10) calendar days after the date the notice of protest was filed. The formal written protest must be received on or before 5:00 p.m. EST of the tenth (10th) calendar day at the office of the Director of PWS. If the tenth (10th) day in which to file a formal written protest falls on a Saturday, Sunday, state holiday or a day during which the school district administration is closed, the formal written protest must be filed the next business day. Refer to Section 120.57(3)(b), Florida Statutes, as currently enacted or as amended from time to time, for the requirements for the written protest.
- 3.12.1 Failure to file a "Notice of Intent to Protest" or to file a formal written protest within the time prescribed by Section 120.57(3), Florida Statutes, or failure to post the original bond or other security required by School Board Policy 3320, Part VIII, within the time allowed for filing a bond, shall constitute a waiver of proceedings.
- 3.12.2 Notices of Intent to Protest, formal written protests, and the original bonds required by School Board Policy 3320, shall be filed at the office of the Director of PWS, 7720 West Oakland Park Boulevard, Suite 323, Sunrise, Florida 33351. **Note: The Notice of Intent to Protest and the formal Notice of Protest must be submitted in writing. Furthermore, fax filings or copies will not be acceptable for the filing of bonds. Original bonds shall be submitted within the required timeframe to be acceptable.**

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- 3.13 **Posting of RFQ Recommendations:** RFQ Recommendations will be posted on www.demandstar.com as noted on the Calendar (Section 2.0) or as modified by an addendum or by posting in the PWS Department and at www.demandstar.com (under the document section for this RFQ). The Recommendations will remain posted for at least seventy-two (72) hours. It is the responsibility of each Submitting Firm to ascertain any revised date for the posting of RFQ Recommendations.
- 3.14 **Protest of Intended Decision:** Any person desiring to protest the Recommended Decision shall file a "Notice of Intent to Protest", in writing, within seventy-two (72) hours after the posting of the RFQ Recommendation and shall file a formal written protest within ten (10) calendar days after the date the "Notice of Intent to Protest" was filed. The formal written protest must be received on or before 5:00 p.m. EST of the tenth (10) calendar day at the office of the Director of PWS, 7720 West Oakland Park Boulevard, Suite 323, Sunrise, Florida 33351. Saturdays, Sundays, state holidays and on days during which the school district administration is closed shall be excluded in the computation of the seventy-two (72) hours. If the tenth (10th) day in which to file a formal written protest falls on a Saturday, Sunday, state holiday, or a day during which the school district administration is closed, the formal written protest must be filed the next business day.
- 3.14.1 Failure to file a Notice of Intent to Protest or to file a formal written protest within the time prescribed by Section 120.57(3), Florida Statutes, or failure to post the original bond or other security required by School Board Policy 3320, Part VIII, within the time allowed for filing a bond, shall constitute a waiver of proceedings.
- 3.14.2 Notices of Intent to Protest, formal written protests, and the original bonds required by School Board Policy 3320, shall be filed at the office of the Director of PWS, 7720 West Oakland Park Boulevard, Suite 323, Sunrise, Florida 33351. **Note: The Notice of Intent to Protest and the formal Notice of Protest must be submitted in writing. Furthermore, fax filings or copies will not be acceptable for the filing of bonds. Original bonds shall be submitted within the required timeframe to be acceptable.**
- 3.15 **Use of Other Contracts:** SBBC reserves the right to utilize any other SBBC contract, any State of Florida Contract, any contract awarded by any other city or county governmental agencies, other district school boards, other community college/state university system cooperative agreements, in lieu of any offer received or award made as a result of this RFQ if it is in SBBC's best interest to do so. SBBC also reserves the right to waive irregularities or technicalities in any Qualifications Statement received if such action is in the best interest of SBBC. However, such a waiver shall in no way modify the RFQ requirements or excuse the CM from full compliance with the RFQ specifications and other contract requirements if the CM is awarded a contract.
- 3.16 **Assignment:** Neither party to the Agreement shall sell, assign or sublet the same without the written consent of the other; nor shall a CM assign any monies due or to become due to the CM, or by reason of the Contract without SBBC's previous written consent and as approved by SBBC's Attorney.
- 3.17 **Cancellation:** In the event any of the provisions of this RFQ are violated by the awardee, the Director of PWS shall give written notice to the awardee stating the violations and unless they are corrected within five (5) business days, a recommendation will be made to SBBC for cancellation.
- 3.18 **SBBC Photo Identification Badge**
Background Screening: The Awardee agrees to comply with all of the applicable requirements of Sections 1012.32, 1012.465, 1012.467 and 1012.468, Florida Statutes; and that the awardee and all its personnel who, (1) are to be permitted access to school grounds when students are present; (2) will have direct contact with students; or (3) have access or control of school funds will successfully complete the background screening required by the referenced statutes and meet the standards established by the statutes. Personnel shall include any and all employees, representatives, agents, or sub-contractors performing duties under the contract to SBBC and who meet any or all of the three (3) requirements identified above. The Awardee will bear the cost of acquiring the background screening required under Section 1012.32, Florida Statutes, and any fee imposed by the Florida Department of Law Enforcement to maintain the fingerprints provided with respect to the awardee and its personnel. The parties agree that the failure of awardee to perform any of the duties described in this section shall constitute a material breach of this RFQ entitling SBBC to terminate immediately with no further responsibilities or duties to perform under this Agreement. The Awardee agrees to indemnify and hold harmless SBBC, its officers and employees of any liability in the form of physical or mental injury, death or property damage resulting from the awardee's failure to comply with the requirements of this section or Sections 1012.32, 1012.465, 1012.467 or 1012.468, Florida Statutes.

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- 3.18.1 District-issued identification badges must be worn at all times when the Awardee's personnel or agents are on SBBC property and must be visible and easily legible.
- 3.18.2 Badge Vendor Information shall be provided to the CM at the time of Award.
- 3.19 **Withdrawal or Cancellation of RFQ:**
- 3.19.1 **Withdrawal:** In the best interest of the District, SBBC reserves the right to withdraw this RFQ at any time prior to the time and date specified for the Qualifications Statement opening.
- 3.19.2 **Cancellation:** In the best interest of the District, SBBC reserves the right to cancel this RFQ at any time prior to the award of a contract(s).
- 3.20 **Severability:** In case of one or more of the provisions contained in this RFQ shall be for any reason be held to be invalid, illegal, unlawful, unenforceable, or void in any respect, the invalidity, illegality, unenforceability, unlawful or void nature of that provision shall not affect any other provision and this provision shall be considered as if such invalid, unlawful, unenforceable, or void provision had never been included herein.
- 3.21 It is the sole responsibility of the Submitting Firm to ensure it has received the entire RFQ and any and all Addenda.
- 3.22 It is the sole responsibility of the Submitting Firm to ensure that its Qualifications Statement is time-stamped in the PWS Department on or before the due time on the date due. No submissions made after the Qualifications Statement opening, amending or supplementing the Qualifications Statement, shall be considered.
- 3.23 No verbal or written information which is obtained other than by information in this document or by Addenda to this RFQ shall be binding on the SBBC.
- 3.24 **Acceptance and Rejection of Qualifications Statements:**
- 3.24.1 **Acceptance:** All responsive Qualifications Statements properly completed and submitted will be evaluated in accordance with Section 5.0.
- 3.24.2 **Rejection:** SBBC reserves the right to reject any and all Qualifications Statements. In addition, a Qualifications Statement may be rejected if it does not conform to the rules or the requirements contained in this RFQ. Examples for rejection include, but are not limited to, the following:
- 3.24.2.1 The Qualifications Statement is time-stamped at the PWS Department after the deadline specified in the RFQ.
- 3.24.2.2 Each Submitting Firm found legally guilty of collusion amongst Submitting Firms shall be rejected and the participants in such collusion shall be barred from future procurement opportunities until such time as they are reinstated by SBBC.
- 3.24.2.3 The Qualifications Statement shows non-compliance with applicable laws, contains any unauthorized additions or deletions, is a conditional Qualifications Statement, is an incomplete Qualifications Statement, or contains irregularities of any kind.
- 3.24.2.4 The Submitting Firm adds provisions reserving the right to accept or reject an award or to enter into a contract pursuant to an award or adds provisions contrary to those in the RFQ.
- 3.24.2.5 Failure to strictly comply with the Supplier Diversity Outreach Program, **SHALL** result in a recommendation to reject the Qualifications Statement.
- 3.24.2.6 Failure to submit the completed & signed **Required Response Form** with the original Qualifications Statement, **SHALL** result in a recommendation to reject the Qualifications Statement.

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- 3.24.3 SBBC also reserves the right to waive irregularities or technicalities (refer to Section 3.29) in any Qualifications Statement received if such action is in the best interest of SBBC. However, such a waiver shall in no way modify the RFQ requirements or excuse the CM from full compliance with the RFQ specifications and other contract requirements if the CM is awarded the contract.
- 3.25 **Maintenance of Records:** An Awardee shall keep all records and supporting documentation which concern or reflect its services hereunder. The records and documentation shall be retained by the awardee for a period of seven (7) years from the completion date of the project associated with the Authorization to Proceed; or such period of time as required by law. SBBC or its duly authorized agents or representatives shall have the right to inspect and copy all such records and documentation as often as they deem necessary during the period of this Agreement and during the period noted above in which the records are to be retained. Such activity shall be conducted at the reasonable convenience of the Awardee.
- 3.26 **Liability:** Refer to Attachment C - Sample Construction Management at Risk (CMAR) Agreement.
- 3.27 **SBBC Information Security Guidelines:** It is the responsibility of the CM to read and adhere to the District's Information Security Guidelines when using any device connected to the District's network. Following the conclusion of the contract term, all of the District's confidential information must be removed from the Awardee's equipment and all access privileges must be revoked. Final payment will be withheld until the Awardee has confirmed, in writing, that all of the District's confidential information has been purged from any and all electronic technology devices that were used during this contract and were connected to the District's network.
- 3.28 **Site Visit:** There are no site visits related to this RFQ prior to Award of selected firms. Site visits may be requested by a CM or its subconsultants, after award, for assigned projects. Upon receipt of the request, District staff will review and coordinate with location personnel to select a date and time for a site visit (if available). Participants will be allowed to photograph areas related to the RFQ scope of work. **Note: Site visit participants cannot photograph any staff or students.**
- 3.29 **Prequalification of Contractors:** In order for a Qualifications Statement on this RFQ to be accepted by SBBC, the Submitting Firm must be prequalified in accordance with Section 1013.46, Florida Statutes, and the State Requirements for Educational Facilities, Section 4.1(1) and School Board Policy 7003.1, at the time of the bid opening. Qualifications submitted by CMs not in compliance with these requirements shall not be considered.
- 3.29.1 **Minimum Prequalification Limit:** The CM must have a per-project Prequalification limit of greater than or equal to the highest project value that can be assigned under this RFQ. For this RFQ the greatest project value is \$1,000,000.
- 3.29.2 **Statement of Maximum Dollar Value of Individual Project:** The maximum dollar value of each individual project that the CM will be permitted to have under contract with SBBC at any one time.
- 3.30 **Performance Qualifications:** The CM and each of its subconsultant(s) / team member(s) that have worked as a Prime for the SBBC must each have obtained an average score of no less than two (2.00) on all SBBC projects or which have been completed within the last five (5) years as presented in Form 5.60 – Performance Evaluation Contractor/Construction Manager at Risk. The most recent overall score for each project as of the RFQ due date will be utilized to determine the average score for the CM and its subconsultants / team member(s). If the CM or any of its subconsultant has an average score of less than a 2.00, the CM shall not be considered.
- 3.30.1 Performance evaluations will be provided to the Qualifications Selections Evaluation Committee (QSEC) for review and use during the evaluation and scoring process in Part A and Part B.
- 3.31 **Deductions:** The CM must strictly comply with the submission requirements of this RFQ in its entirety. Firms that do not strictly comply with each section's requirements will receive a one (1) point deduction for EACH waivable technicality or irregularity. All applicable deductions shall reduce the CM's final score.

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3.32 **CERTIFICATION OF NON-SUSPENSION OR DEBARMENT:** The Submitting Firm, by submitting its Qualifications Statement Certifies that:

- 3.32.1 The Submitting Firm, owners, or principals, are aware of the Federal Excluded Parties List System and have not been excluded from receiving Federal Contracts, certain subcontracts and certain Federal Financial and non- financial aid and benefits pursuant to the provisions of 31 U.S.C. 6101, note, E.O. 12549, E.O. 12689, 48 CFR 9.404, in addition to each Submitting Firm's codification of the Common Rule for Non-procurement suspension and debarment.as accessed and described on the federal website System for Award Management (SAM).
- 3.32.2 The Submitting Firm, owners, or principals are aware of the State of Florida Department of Management Services Procurement Convicted / Suspended / Discriminatory / Complaints Vendor Lists and have not been excluded from receiving State of Florida contracts pursuant to the provisions of Section 287.133(3)(d), Florida Statutes, Rule 60A-1.006, Florida Administrative Code (F.A.C), sections 287.057(1), (2) and (3), Florida Statutes, and rule 60A-1.006(1), F.A.C, and Rule 60A-1.006(1), F.A.C, as accessed and described on the Florida Department of Management Services (https://www.dms.myflorida.com/business_operations/state_purchasing/state_agency_resources/vendor_registration_and_vendor_lists).
- 3.32.3 The Submitting Firm, owners, or principals, are eligible to participate in this solicitation and are not listed on either the Federal Excluded Parties List System or the State of Florida Department of Management Services Procurement Convicted / Suspended / Discriminatory / Complaints Vendor Lists; and
- 3.32.4 If awarded the Contract, the Submitting Firm, owners, or principals will immediately notify the SBBC in writing if any of its principals are placed on the Federal Excluded Parties List System or the State of Florida Department of Management Services Procurement Convicted / Suspended / Discriminatory / Complaints Vendor Lists.

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SECTION 4.0 - REQUIRED QUALIFICATIONS FORMAT AND RESPONSE INFORMATION

- 4.1 Procurement and Warehousing Services Department staff shall determine whether each Submitting Firm has addressed and provided all RFQ submittal requirements. PWS Department staff will identify the status of completion for each Submitting Firm's Qualifications Statement on a spreadsheet for the Evaluation Committee's use. **In order to be considered, any Submitting Firm that has been a Prime on any SBBC SMART Project must have an average evaluation score on all its projects of 2.00 or higher on the Program Manager Owner Representative (PMOR) evaluations. If a project has more than one evaluation, the most recent evaluation for that project will be utilized. Firms that have an average of less than 2.00 will be recommended for rejection to QSEC as non-responsible.**
- 4.2 It is required that Qualifications Statements be organized in the manner specified below and with all the information as identified. **Qualifications Statements should be submitted using Times New Roman or Arial Narrow, no less than 10 Point Font.**

4.2.1 **Title Page shall include the following:**

- Line 1 The RFQ number and name;
- Line 2 The RFQ Due Date;
- Line 3 The Full and Legal name of the Submitting Firm (as listed on Sunbiz.org, include dba if applicable);
- Line 4 The Company/firm address;
- Line 5 The Company/firm telephone number.

4.2.2 **Section A – General**

NOTE: Failure to strictly comply with this section may result in a recommendation to reject the Qualifications Statement.

4.2.2.1 **Section A1 Table of Contents**

Include a clear identification of the material by scoring sections with section number and by page number. The Qualifications Statement page numbers should correspond to the page numbers in the Table of Contents. The Sections of the Qualifications Statement should correspond with the Sections in 4.2 of the RFQ.

4.2.2.2 **Section A2 Letter of Responsibility**

Include the names of the persons who will be authorized to make decisions for the Submitting Firm for this Qualifications Statement, and for the Submitting Firm efforts that may result from this RFQ. Provide **titles, work addresses, telephone numbers, and e-mail addresses** for each authorized decision-maker. The Letter of Responsibility is to be submitted on the Submitting Firm's letterhead and signed by an Officer of the company. (One (1) page maximum)

4.2.2.3 **Section A3 Signed Addenda**

Include signed and dated copies of **the first page of all addenda** to verify and acknowledge receipt. All pages to each addendum do **NOT** need to be submitted.

4.2.3 **Section B – Required Forms, Licenses, Certificates, History**

NOTE: Failure to strictly comply with Sections B1 **SHALL** result in recommendation to reject the Qualifications Statements. Failure to strictly comply with B2 thru B4 may result in a recommendation to reject the Qualifications Statement.

4.2.3.1 **Section B1 Required Response Form**

Modifications and/or alterations to the Required Response Form shall not be accepted and will cause the Qualifications Statement to be rejected and not reviewed. The Required Response Form shall be the only acceptable form. The Required Response Form shall be completed in ink or typewritten and signed in ink.

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The signed “original” Required Response Form shall be submitted within the Qualifications Statement Package labeled as the “original.” **Failure to include the Required Response Form and/or failure to sign the Required Response Form with ink in the Qualification Statement labeled as the “original” SHALL result in the rejection of the Submitting Firm’s Qualification Statement. Digital Signatures are not accepted.** Refer to Attachment – Required Response Form.

JOINT VENTURES

The Required Response Form for Joint Venture Qualifications Statements shall follow the requirements stated herein. In the event multiple business entities submit a joint Qualifications Statement as a joint venture in response to the RFQ, such joint venture shall comply in all respects with the requirements of Rule 61G6-5.011, Florida F.A.C. The joint venture shall designate a single, prequalified Submitting Firm to be the “Prime Firm”. The Prime Firm shall prepare and submit a list of the names and addresses of all business entities of the Joint Venture Qualifications Statement. The Prime Firm shall provide all bonding and insurance requirements, execute any and all Contract Documents, complete the Required Response Form shown herein, and have overall and complete authority to resolve any dispute which may arise from work associated with this contract.

Only a single contract with one Submitting Firm shall be acceptable. The Prime Firm’s responsibilities shall include, but not be limited to, performing of overall contract administration, presiding over other business entities participating or present at SBBC meetings, overseeing preparation of reports and presentations, and filing any Notice of Intent Protest or final formal protest as described herein. The Prime Firm shall also prepare and present a consolidated invoice(s) for service(s) performed.

The SBBC shall issue only one (1) check for each consolidated invoice to the Prime Firm for service(s) performed. The Prime Firm shall remain responsible for performing services associated with response to this RFQ. Each participant in the joint venture must sign a statement of authority (as set out in Rule 61G4-15.002, F.A.C.) giving the licensed contractor full authority to conduct the contracting business of the participant. A copy of the executed joint venture agreement and statements of authority must be submitted together with its Qualifications Statement. If the joint venture is awarded the contract, the licensed contractor must qualify the joint venture within ninety (90) days of award. If the joint venture is a limited partnership, the qualifying business organization or individual must be a general partner of the joint venture.

4.2.3.2 **Section B2 Licenses and Registrations (Florida)**

Provide a list of licenses, certifications, and registrations with all appropriate **licensing numbers, expiration dates, type of license or registration, and name of license holder**. Use the table below as the example template. Include a copy of the applicable document(s). Examples include:

<u>Company Name</u>	<u>License/Registration Name</u>	<u>License/Registration #</u>	<u>License Holder / Registrant’s Name</u>	<u>Expiration Date</u>
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1. **State of Florida Department of State Division of Corporations filing (Sunbiz.org) for the firm and the Submitting Firm’s Fictitious Name filing (d/b/a registration), if applicable;**
2. All appropriate licenses **on a list** and include **expiration dates**;
3. Construction Licenses and Registrations for the Submitting Firm and Subconsultants;
4. General Contracting License(s);
5. S/M/WBE Certificate – **for Submitting Firm** (if applicable);
6. Continue as appropriate.

4.2.3.3 **Section B3 Submitting Firm History**

Provide a list of current and former business entities that the Submitting Firm is operating under and has operated under in the past. The letter must be on the Submitting Firm’s Company Letterhead and signed by an Officer or Managing Principal of the Submitting Firm. (One (1) Page Maximum)

4.2.3.4 **Section B4** **Litigation**

Provide a list of any and all legal and regulatory action within the last three (3) years in which the Submitting Firm is a named party. For all applicable legal or regulatory actions, identify the court or agency in or before which the action was instituted, the applicable case or file number, and the current status or disposition for such reported action. If the Submitting Firm is not a party to any legal or regulatory action, provide a statement to that effect. For joint venture or team of Submitting Firms, submit the information requested above for each member of the joint venture or team.

As part of its response, the Submitting Firm shall provide SBBC with a list of all instances within the immediate past three (3) years where there has been a final adjudicated determination in a legal or administrative proceeding in the State of Florida that the Submitting Firm discriminated against its subcontractors, vendors, suppliers, or commercial customers, and a description of the status or resolution of that complaint, including any remedial action taken.

4.2.3.5 **Section B5** **Conflict of Interest**

Submitting Firms must disclose the names of any employees who are employed by the Submitting Firm that are also employees of the SBBC. The identified persons may have obligations and restrictions applicable to them under Chapter 112, Florida Statutes. Failure to submit the Conflict of Interest Form (**Attachment J**) with the Qualifications Statement may deem the Submitting Firm's Qualifications Statement non-responsive.

NOTE: Section C2 – Relevant Projects parts a. through d., Section C3 – Relevant Project Reference, Section E – SDOP shall be verified, evaluated, and scored by District staff (not QSEC). All other portions of Section C, and all of Section D below shall be evaluated and scored by QSEC.

The Qualifications Statement may not contain a reference to fees and/or construction costs.

4.2.4 **Section C – Successful Experience and Qualifications (Sixty-five (65) maximum combined total points)**

4.2.4.1 **Section C1** **Executive Summary / Approach / Current Workload** (Twenty-four (24) Points Maximum)

Executive Summary (Three (3) Points Maximum) Submit a brief abstract stating the Submitting Firm's understanding of the nature and scope of the services to be provided, capability to deliver the various scope items under this continuing contract, and ability to comply with all terms and conditions of this RFQ (Three (3) page maximum).

Approach (Fifteen (15) Points Maximum) Discuss the Submitting Firm's approach to project delivery, both in the preconstruction and construction phases; include approach to working on a K-12 occupied site. Explain Submitting Firm's process for managing multiple projects during each phase. Detail firm's approach to design and constructability reviews, as well as, the approach to the permitting process. If Submitting Firm has experience with SBBC, detail the review and permitting processes as it specifically relates to SBBC. Provide firm's detailed approach to managing designers and ensuring the design schedule is met. Discuss Submitting Firm's approach to develop project budgets and schedules, preparing and advertising bid packages, generating a Guaranteed Maximum Price (GMP), and recruiting and retaining staff. Explain Submitting Firm's approach to engage SBBC-certified M/WBE Subcontractors on assigned projects. Describe knowledge of State Requirements for Educational Facilities (SREF), local codes and ordinances, School Board policies and procedures, and cost containment strategies. Disclose the office location from which this work will be conducted and its distance from the Office of Capital Programs, 2301 NW 26th Street, Fort Lauderdale, FL 33311. (Ten (10) page maximum).

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Current Workload Overall (Six (6) Points Maximum) Demonstrate the Submitting Firm's ability to perform work under this delivery method over the contract period given your current project workload. Provide a list of current projects for all clients including SBBC. Provide the total number of Submitting Firm's staff by job type (i.e. preconstruction managers, project managers, assistant project managers, superintendents, estimators, schedulers, etc.) In addition, provide a list of preconstruction & construction related staff, the name of their assigned projects and the stage of completion of the project. Include all projects currently under contract and all projects where your firm has been selected but is not yet under contract. Include start date and projected end date, project construction value, major scope items, delivery method, percent (%) completion, whether the project is bonded and if so, name of bonding company. In addition, identify the project manager, assistant project manager, and superintendent for each project. **Provide the above information for Submitting Firm's subconsultant(s). Complete and submit Current Workload Spreadsheet for Submitting Firm and Subconsultants. Submit spreadsheet in original excel format and PDF format on the electronic submitted device.** Page (Five (5) page maximum).

The following is an example table of what will be in the "Current Workload Spreadsheet" to be completed by firms. This will be removed once the spreadsheet is created.

Project Name	Brief Project Description (list major scope)	Delivery Method	Is project assigned under a continuing contract?	Phase	% complete for phase	Change Orders % and Category(-ies)	Started date	Projected end date	Project Value	Project Owner w/contact Name, email, phone	Prime or Sub on Project scope	If Sub, list project scope	Project Exec	PM	Super	If Bonded, List company
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4.2.4.2 **Section C2** Firm's Successful Experience, Qualifications, and Relevant Projects (Thirty-five (35) Points Maximum)

Successful Experience and Qualifications (Twenty-three (23) Points Maximum) Provide a statement of Submitting Firm's qualifications to perform the CMAR services requested under this RFQ. Provide a list of all continuing contracts the Submitting Firm has been awarded in the past ten (10) years. Provide a list of all projects completed over the last five (5) years, identify which was completed as part of a continuing contract. Identify the name, owner, and owner email & phone number for each project and continuing contract. Project descriptions should include square footage and construction values. Identify if you were the Prime or a Sub on the project and the delivery method. Describe Submitting Firm's experience with e-Builder software, Broward School's Building Department, and working with a program management office. Explain other software and tools utilized by the Submitting Firm in the CMAR delivery method. Describe the process for developing construction bid packages and bidding process. Demonstrate ability to add value and create cost savings through this delivery method. Provide specific examples where the Submitting Firm has added value and/or created cost savings through its efforts. Demonstrate how did the Submitting Firm recover delays in the schedule to meet the schedule. Provide lessons learned in CMAR Delivery Method. State Submitting Firm's experience engaging M/WBE firms in the construction process and how successful the Submitting Firm has been at meeting or exceeding M/WBE goals. Provide Submitting Firm's Experience Modification Rating (EMR). **Complete and Submit the Completed Projects Spreadsheet. Submit spreadsheet in original excel format and PDF format on the electronic submitted device.**

Relevant Projects/Continuing Contracts (Twelve (12) Points Maximum; Four (4) Points Maximum per project; QSEC scores Part e. of the Project Relevancy / Reference Form (1.5 Points Maximum per project) for each completed project or continuing contract with completed projects as described below; District Staff scores Parts a. through d. of the Project Relevancy / Reference Form (2.5 Points Maximum per project))

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Provide a combination of **three (3)** projects of similar type and scope to this solicitation or continuing contracts for CMAR services. Projects must have been successfully completed within the last five (5) years and continuing contracts may be active, but must have started within the last ten (10) years (“Relevant Projects”). A full description of the Relevant Projects must be provided including square footage and construction costs. For continuing contracts, provide a list and description including dates completed of projects completed under the continuing contract. The continuing contract may only be used as a reference if at least one (1) project has been completed. **Note: Only projects in the United States of America will be considered for evaluation and scoring.** At least one (1) project should demonstrate the ability to perform significant roofing in Broward or Miami-Dade Counties and HVAC replacements. At least one (1) project should be for a public education institution in the State of Florida governed by SREF. At least two (2) of the three (3) projects, the CM must have been the Prime. Indicate if your firm was a subcontractor or subconsultant on each project and include the detailed scope of work provided as a subcontractor or subconsultant. The Relevant Projects/Reference Form advertised with this RFQ must be utilized in submitting the firms. For each Relevant Project, include:

- Name and location of Relevant Project**;
- Summary of the Relevant Project’s scope, including construction delivery method**;
- **Detailed scope of work** that was performed by Submitting Firm;
- **Demonstrate how Submitting Firm successfully managed design teams during all phases, developed & managed budget and schedules;**
- **For continuing contract references, describe projects completed under the continuing contract;**
- Original estimated Cost of Construction**;
- Final Construction Cost**;
- Planned versus actual construction schedule in days**;
- Planned versus actual completed date (Month/Year of Certificate of Occupancy)**;
- S/M/WBE Percentage Goals vs Actual percentages**, and
- Name, title, and contact information of client/Relevant Project Owner** (“Reference”).

** Indicates items that are requested in the Relevant Projects/Reference Form. **Note: This information does not need to be replicated once included in the form. If an item on the Relevant Projects/Reference Form is not applicable, indicate with “N/A”.**

Relevant Projects completed more than five (5) years, continuing contracts that were completed more than ten (10) years ago, and continuing contracts with no completed projects shall be scored as zero (0) points. If a project is incomplete, the project may receive a reference score in Section C3 based on the criteria stated in the reference section, but the project shall not receive a relevancy score. A complete project is a project that has received a Certificate of Occupancy (CO). For Florida School Projects, the project must have an executed OEF 110B Form. Attach the CO for each Relevant Project, if available. Neither the Project Relevancy/Reference Form nor the CO count towards page limits.

Terminations: The Submitting Firm shall provide a list of projects from which it has been terminated in the last ten (10) years. The Submitting Firm shall state the type of termination (termination for convenience or termination for cause) and reasons for the termination. If the Submitting Firm has not been terminated from a project within the last ten (10) years, it should provide a statement addressing that fact.

Note: PMOR evaluations will be provided to the QSEC members for use in the evaluation process.

(Fifteen (15) page maximum).

4.2.4.3 **Section C3** **Relevant Projects References** (Six (6) Points Maximum Scored by District Staff)

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References (Two (2) Points Maximum per project) - Provide References for the three (3) Relevant Projects utilizing **Attachment K**, Project Relevancy/Reference Form. Relevant Project References will be contacted by District staff. School District staff shall attempt to personally contact References no more than three (3) times. If a Reference is unable to be contacted or otherwise fails to respond to District staff, then such Reference shall be scored as zero ("0") points. References for incomplete projects will be scored as indicated by the Reference.

4.2.5 **Section D – Team Composition** (Thirty (30) maximum combined total points for sections D1 and D2)

4.2.5.1 **Section D1** **Team Structure** (Ten (10) Points Maximum)

Submitting Firm is to describe the structure of its team, including all subconsultants and the role each team member will have on an assigned project. Describe the relationship of team members and their past experience working with each other, and the availability of team members to successfully complete projects. Describe experience working with each subconsultant including years of experience working together and number of projects completed with each subconsultant. Name any Broward or Miami-Dade County Public Schools projects the team members specifically worked on together. Indicate which preconstruction services the prime firm offers with in house staff and indicate which preconstruction services the firm may opt to utilize consultants. (Three (3) pages maximum).

4.2.5.2 **Section D2** **Key Personnel** (Ten (10) Points Maximum)

Provide the names of the Submitting Firm's Management Staff intended for use on this contract. Identify the Company Officer/Project Executive to be in charge of this Contract. Identify the intended Pre-construction Manager, Project Manager, the primary site Superintendent(s) and any other key staff member and team members. Include an organizational chart. Provide resumes for key personnel, including all subconsultants' staff being proposed.

4.2.6 **Section E – Supplier Diversity Outreach Program** (Fifteen (15) Points Maximum)

Submitting Firm shall review the Supplier Diversity Outreach Program Guidelines (Attachment A) attached to this RFQ.

Each Submitting Firm shall submit its intended or planned subconsultant(s) for this contract as applicable and in the format as required per this RFQ

INDUSTRY-SPECIFIC REMEDIAL AFFIRMATIVE PROCUREMENT INITIATIVES

The GSC has considered the following in the course of reaching a determination regarding which, S/M/WBE industry-specific remedial programs shall be applied to this Bid and resulting contract:

In accordance with SBBC Policy No. 3330, Section E.2.b., The GSC has established The M/WBE Subcontracting Program to provide opportunities to Firms certified as M/WBEs by The School Board of Broward County, Florida (SBBC). It is the goal of the District to actively promote equal opportunity for all segments of the contracting and business community to participate in School Board Contracts.

Under this Program, the GSC has assigned a Twenty-nine Percent (29%) M/WBE Subcontracting Goal for the inclusion of eligible SBBC-certified M/WBE firms at the Construction phase.

There are NO subconsultant requirements at the CM level for Pre-construction and Construction phase. The Twenty-nine percent (29%) MWBE Subcontracting Goal is mandated at the Construction Phase.

The Bidders/Proposers Assurance Statement (Document 00471) submitted with Proposal confirms the intent to participate in the M/WBE Subcontracting Program in which a M/WBE subcontracting goal of Twenty-nine percent (29%)

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or more of the total contract value has been established for the inclusion of SBBC Certified M/WBE Subconsultant/Subcontractor/s at the Construction Phase.

Once awarded, Bidder is required to state your commitment for M/WBE participation per project by utilizing the following forms:

- Document 00470 - Statement of Intent
- Document 00475 - M/WBE Subcontractor Participation Form

At the time of the bid proposal, the assigned, awarded Bidder shall identify all M/WBE firms which will be utilized, including an M/WBE Prime who is self-performing. The M/WBE participation commitment will be tracked and monitored based on total contract value of work assigned. Such contract award shall be contingent upon a commercially useful function being assigned by the Prime to the M/WBE subcontractors.

A Total of Three (3) CMs will be chosen: General Construction/State Building; \$0 - \$1,000,000.

For this Bid and the resultant contract, the following terms and conditions shall apply:

Minority and/or Women-Owned Business Enterprise (M/WBE) Subcontracting Program:

SBBC has identified a **twenty-nine percent (29%) participation goal** for eligible SBBC-certified M/WBE firms who subcontract at least twenty-nine percent (29%) of the total contract value. See the definition of M/WBE in Section B.2. of Policy 3330. In the absence of a waiver granted by SDOP, failure of a Construction Manager to commit as required in the solicitation to satisfying the M/WBE subcontracting goal through the use of subcontractors during the construction phase, shall render its Qualifications Statement non-responsive to the M/WBE Requirements.

Please go to the following link to view the current list of SBBC-Certified firms: browardschools.com/eddc

Submission of SBBC M/WBE Subcontractor Participation Commitment:

Identify all M/WBE (if any) firms which will be utilized as Subcontractors in this Procurement. Subcontractor also refers to Subconsultants and team members that are utilized during the course of this procurement. The CM must provide SBBC M/WBE certificates for each firm to be utilized as a subcontractor. **Failure to provide complete and accurate information shall result in the proposal being deemed non-responsive to the M/WBE Requirements.**

The following documentation, must be attached to the Qualifications Statement:

- Attachment B: Completed and signed, Bidder/Proposer Assurance Statement signed by the Submitting Firm, which confirms the Bidder/Proposer's M/WBE participation commitment at Construction phase.

Good Faith Effort

If the Submitting Firm, after a good faith effort, cannot meet the MWBE participation requirements from eligible, SBBC-certified Minority/Women Business Enterprise (M/WBE) subcontractors, the Submitting Firm shall submit a fully completed and executed M/WBE Good Faith Effort Form with its draft GMP prior to approval. See the Supplier Diversity Outreach Program Guidelines for more information.

Please review Section E.2.d. of Policy 3330 at <http://www.browardschools.com/SDOP>, or call the Supplier Diversity Outreach Program Office at 754-321-0505.

POST AWARD DOCUMENTS TO BE SUBMITTED WITH GMP DOCUMENTS FOR EACH PROJECT ASSIGNMENT

Based on the Bidder/Proposer Assurance Statement (Document 00471) the Following Documents must be submitted together with the GMP documents:

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- Attachment A.1, M/WBE Subcontractor Participation Schedule (Document 00475 identifying the M/WBE Subconsultant(s) and listing percentage of participation during Construction Phase.
- Attachment A.2, Statement of Intent to Perform as a M/WBE Subcontractor Form (Document 00470) (for each M/WBE firm), listing subconsultant and scope of work to be performed. This form must be signed by each Subcontractor that has been selected for the Construction Phase.
- It is the responsibility of the proposer/bidder to provide one of the following documents confirming subcontractor's SBBC-M/WBE Certification status:
 - SBBC M/WBE Certificate
 - or
 - SBBC Letter of M/WBE Certification

Should there be any discrepancy between percentages indicated in Attachments A.1 and A.2, the percentages indicated in Attachment A.2 shall be used to determine participation. If Attachment A.2 is not signed by the Subcontractor, participation attributed to the listed vendor will not be included even if they are listed on A.1. If no percentage is listed, this shall render its bid response non-responsive to the SDOP requirements. Please refer to the SDOP Operating Guidelines Doc. 00467

If a percentage range instead of fixed percentage is provided for a particular Subcontractor on the Statement of Intent to Perform as a S/M/WBE Subcontractor Form, the highest percentage in the range will be used to calculate participation, thereby effectively representing the Submitting Firm's commitment to the contract goal.

- 4.3 **PART B – Presentation Requirements:** The Presentation shall utilize Microsoft PowerPoint. The presentation may elaborate on information contained in the Qualifications Statement, but it shall not contain information that is not presented in its Qualifications Statement. No other hand-outs, display boards, models or any other props are to be utilized or even brought into the presentation. Demonstration of programs are permitted as well. The presentation shall not contain a reference to fees or construction costs, except as it relates to past projects and contracts and any savings generated.

4.3.1 **Presentation Submission Requirements**

- Submitting Firm shall provide twelve (12) printed hard-copies the day of the presentation
- Submitting Firm shall provide a flash drive to the Purchasing Agent with the final Microsoft PowerPoint presentation on the day of the presentation.
- Submitting Firm shall provide a near final draft of Microsoft PowerPoint presentation to the Purchasing Agent via email by 2:00 PM, two (2) days prior to the presentation for review.

4.3.2 **Section AA – Scoring of Approach (Ninety (90) Points Maximum)**

Approach to Pre-Construction (Thirty (30) Points Maximum) The Submitting Firm shall demonstrate an understanding of the nature of the contracts and scope of services. The Submitting Firm shall demonstrate its qualifications and approach to pre-construction services. Provide specific examples of the value-added to projects, cost savings generated, constructability reviews, and other services. Discuss how firm manages designers and the design schedule, the creation of schedules and budgets, bidding packages, and your firm's approach to inclusion of M/WBE firms for the construction phase. Describe how the firm will effectively manage and execute the projects and detailed experience with SBBC's building department. Present a detailed approach to the project(s), providing an example of your project management plan. At a minimum the plan should include design and constructability reviews, approach to design reviews and permitting in Broward County Public Schools, including safety planning, quality control planning and your approach to maintain budget and schedule. Discuss the role of the Submitting Firm and its Subconsultants (if any).

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Approach to Construction (Twenty (20) Points Maximum) Submitting Firm shall describe recommendations that may directly impact the costs and schedule. Elaborate on firm's ability to manage subcontractors and coordinate on an occupied K-12 campus. Discuss safety and working with building department. Provide details on its approach to meeting M/WBE commitments made in its qualifications statement for construction and discuss how the firm will meet those goals without incurring additional costs. Present examples of Construction Management at Risk projects successfully completed by Submitting Firm and its team. Demonstrate in detail the successes and team members involved with those successes. Describe reporting, meetings, construction phasing and any difficulties encountered in the project and how they were resolved.

Ability to Meet & Manage Schedules (Twenty (20) Points Maximum) Submitting Firm shall present measures that will be taken to ensure the firm will maintain established construction schedules. Demonstrate how the Submitting Firm handles delays in the schedule. Provide specific examples in which the Submitting Firm recouped delays in schedules. Describe Submitting Firm's ability to deliver multiple projects successfully, concurrently under a continuing contract.

Availability of Resources (Twenty (20) Points Maximum) Submitting Firm shall detail resources available to perform services related to this RFQ. Demonstrate the ability to deliver a quality project and discuss any lessons learned including the approach to work around the constraints. Discuss experience with e-Builder and other systems and tools utilized on projects. Describe Submitting Firm's recommendations for staffing concurrent projects.

- 4.3.3 **Section BB – Scoring of Key Personnel** (Ten (10) Points Maximum) Submitting Firm shall discuss key personnel, including staff from the subconsultant(s) and the experience working together. Submitting Firm shall explain key roles and the experience of the personnel filling those roles. Discuss finding and retaining key personnel.

(Remainder of page intentionally left blank)

SECTION 5.0 - EVALUATION OF QUALIFICATIONS

5.1 **Evaluation of Firms** – This procurement will be performed in a two-step process. Part A will be the submittal of a Statement of Qualifications which will be evaluated by the District and QSEC. Following the evaluation of Part A, a shortlist of five (5) firms, comprised of the top ranking firms from Part A, shall be invited back to a second QSEC meeting where the firm will make a presentation to QSEC based on the firm’s approach, experience, and team composition. The shortlisted firms will be evaluated under Part B independent of Part A.

PART A - Evaluation of Qualifications - Qualified Qualifications Statements shall be evaluated by the following Categories.

<u>SECTION</u>	<u>POSSIBLE POINTS</u>	<u>EVALUATOR</u>
Section A – General	Pass/Fail	District Staff
Section B – Required Forms	Pass/Fail	District Staff
<u>Section C – Experience and Qualifications</u> (65 points)		
Section C1 – Executive Summary / Approach / Current Workload	0 to 24	
• Executive Summary	0 to 3	QSEC
• Approach	0 to 15	QSEC
• Current Workload Overall	0 to 6	QSEC
Section C2 – Firm Successful Experience, Qualifications & Relevant Projects	0 to 35	
• Successful Experience & Qualifications	0 to 23	QSEC
• Relevant Projects	0 to 12	QSEC & District Staff
Section C3 – Relevant Projects’ References	0 to 6	District Staff
<u>Section D – Team Composition</u> (20 points)		
Section D1 – Team Structure	0 to 10	QSEC
Section D2 – Key Personnel	0 to 10	QSEC
<u>Section E – Supplier Diversity & Outreach Program</u> (15 points)		
Section E1 – Combined Prime and M/WBE CM Team	0 to 15	District Staff

TOTAL POSSIBLE POINTS PART A - 100

PART B - Evaluation of Interviews – Shortlisted Firms will make a presentation to QSEC, which shall be evaluated by the following Categories.

<u>SECTION</u>	<u>POSSIBLE POINTS</u>	<u>EVALUATOR</u>
Section AA – Approach to the project and demonstrated ability to meet the schedule		
• Approach to pre-construction	0 to 30	QSEC
• Approach to construction	0 to 20	QSEC
• Ability to meet & manage schedules	0 to 20	QSEC
• Availability of resources	0 to 20	QSEC
Section BB – Key Personnel	0 to 10	QSEC

TOTAL POSSIBLE POINTS PART B - 100

**Part B is scored independently of Part A.
Top Ranked Firms from Part B will be recommended for award of the project.**

5.2 **Initial Screening:** School District staff will review factors for each Qualification Statement on the Qualification Statements Evaluation Checklist Form.

5.2.1 **Responsiveness:** CM Qualifications Statements shall be evaluated by District staff to determine whether each CM is responsive and responsible. CMs determined by District staff to be non-responsive or non-responsible shall be notified of such determination in advance of the applicable QSEC meeting. Staff shall present its recommendation to find applicable CM(s) non-responsive or non-responsible to QSEC for consideration at the QSEC meeting. Staff shall present its recommendation of waivers and technicalities found in Qualifications Statements (when applicable) to QSEC for consideration at the beginning of QSEC meeting. Should the recommendation of waivers and technicalities for a CM or CM(s) not be accepted by QSEC, the applicable CM(s) will be deemed non-responsive and an evaluation of the applicable Qualifications Statement will not take place. QSEC will recommend to SBBC, that SBBC reject the applicable CM(s) Qualifications Statement.

5.2.2 **Initial Scoring:** Sections C2 Relevant Projects a. through d., C3 Relevant Projects' References, and E Supplier Diversity Outreach Program will be scored by District staff, not by QSEC, and such scores shall be provided to QSEC on the day of the meeting after QSEC members have completed their individual scoring.

5.2.3 **Scoring of M/WBE Participation – Section E**

SBBC shall award a total of up to fifteen (15) Evaluation Points as referenced on the Evaluation Points Table, The minimum stated Goal for this solicitation is Twenty-nine Percent (29%) Construction phase.

M/WBE Evaluation Points Tables

<i>Up to 15 Points For M/WBE Participation during the Construction Phase</i>	
<i>M/WBE Participation Commitment Percentage %</i>	<i>M/WBE Preference Points</i>
29%*	0 Points
≥ 30% – ≤34%	5 Points
≥ 35% – ≤39%	10 Points
≥ 40% – ≤49	15 Points

*29% is the minimum stated Subcontracting goal. No points are awarded for committing to the minimum goal.

Note: Evaluation points for "Category D" shall be provided by the SDOP.

Failure to respond, provide detailed information or to provide requested Qualifications Statement elements may result in the reduction of points in the evaluation process. The Committee may recommend the rejection of any Qualifications Statement containing material deviations from the RFQ. The Committee may recommend waiving any irregularities and technicalities.

For this RFQ and the resultant contract, the following terms and conditions shall apply:

Appendix

*****NOTE TO BIDDERS******

STEPS TO MEET M/WBE REQUIREMENTS

1. At time of Qualifications Statement Submission, complete and submit Document 00471 – Bidder/Proposer Assurance Statement.

2. **M/WBE Firms for Intended Use per project**

Once awarded, CM is required to state your commitment for M/WBE participation per project by utilizing the following forms: Statement of Intent, Form 00470 and M/WBE Subcontractor Participation Schedule, Form 00475, at the time of the bid submittal. The CM shall identify all M/WBE firms which will be utilized. This should be completed and submitted prior to the issuance of each NTP. The M/WBE participation commitment will be tracked and monitored cumulatively based on total contract value. Such contract award shall be contingent upon a commercially useful function being assigned by the CM to the M/WBE subcontractors.

Good Faith Effort:

If the CM is unable to meet the M/WBE Participation goals, on a project-by-project basis, the CM must complete and submit a fully completed and executed S/M/WBE Good Faith Effort Form for that specific project, including all required supporting information. See the SDOP Guidelines for more information.

Reporting Requirements:

Once awarded, the CM is required to submit the Monthly Utilization Report Form (Document 00485). The CM must also adhere to Section 9 and 13 of the SDOP SOP. All EDDC Forms, SOP, policies and Supplier Certified Directory are available at browardschools.com/Page/59114. For information on the SDOP, please contact us at 754-321-0505.

SBBC prohibits any policy or procedure, which results in discrimination on the basis of age, color, disability, gender identity, gender expression, national origin, marital status, race, religion, sex or sexual orientation. Individuals who wish to file a discrimination and/or harassment complaint may call the Executive Director, Benefits & EEO Compliance at (754) 321-2150 or Teletype Machine TTY (754) 321-2158.

Individuals with disabilities requesting accommodations under the Americans with Disabilities Act Amendments Act of 2008, (ADAAA) may call Equal Educational Opportunities (EEO) at (754) 321-2150 or Teletype Machine TTY (754) 321-2158.

SBBC reserves the right to reject any and all Bids and to waive any informalities.

An S/M/WBE Prime contractor that is awarded a contract under this Program may not subcontract more than forty-nine percent (49%) of the Construction Management contract value to a non-S/M/WBE certified Firm.

NOTE: Points for Category E shall be provided by the Supplier Diversity Outreach Program Staff for use by QSEC members.

5.3 **QSEC Evaluation Scoring and Qualification Selection Evaluation Committee RFQ Scoring Rubric**

The **Qualification Selection Evaluation Committee RFQ Scoring Rubric (“the Rubric”)** provides guidance to the QSEC members during evaluations of Qualifications Statements. In each category shown below, recommendations are provided to include a breakdown for Excellent, Good, Fair, or Poor. QSEC members will be asked to associate specific points to the response of each specific Submitting Firm. The breakdown below should be used to assist QSEC members in assigning points to the quality of each submittal and each presentation. Committee members shall score in whole numbers unless otherwise indicated in a specific section.

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5.3.1 **Part A Evaluation Scoring:**

QSEC members shall review the RFQ responses in order to rank the Submitting Firms. QSEC members shall be provided with the **Rubric** below to provide guidance during the evaluation of qualification statements. Each QSEC member shall complete a Final Evaluation Form – Part A and score independently. Each QSEC Members shall ensure that no two (2) Submitting Firms' scores shall be the same on their individual Final Evaluation Form. The highest and lowest scores given by a QSEC Member for each Submitting Firm shall be omitted and the remaining scores shall be averaged for each Submitting Firm. Part A Evaluation Scoring consists of one hundred (100) points maximum, of which eighty-one (81) points maximum are scored by QSEC members.

5.3.1.1 **Section C – Successful Experience and Qualifications** (Sixty-five (65) Points Maximum, Fifty-one and a half (51.5) Points Maximum scored by QSEC)

5.3.1.1.1 **Section C1 Executive Summary/Approach/Current Workload** (Twenty-four (24) Points Maximum)

Section C1 Executive Summary (Three (3) Points Maximum)

Excellent	3 points
Good	2 points
Fair	1 point
Poor or Not Included	0 points

Executive Summary is within page count limitations (see section C1 of the RFQ).

Firm should demonstrate:

- An understanding of the nature and scope to be provided for this continuing contract.
- The capability to deliver the scope of work that would be required under the Construction Management at Risk delivery method.
- The ability to comply with the terms and conditions of the RFQ and the sample agreement.

Section C1 Approach (Fifteen (15) Points Maximum)

Excellent	12 – 15 points
Good	8 – 11 points
Fair	4 – 7 points
Poor	0 – 3 points
Not Included	0 points

Approach is within page count limitations (see section C1 of the RFQ).

Firm should demonstrate:

- Approach to
 - project deliveries in both preconstruction and construction phases.
 - developing project budgets and schedules.
 - engaging SBBC-certified Minority/Women Business Enterprises.
 - preparing bid packages and the GMP.
 - recruiting and retaining staff.
- Knowledge of
 - State Requirements for Educational Facilities (SREF),
 - local codes and ordinances.
 - SBBC policies & Procedures.
 - cost containment strategies.
 - continuing contracts.
- The distance from its office to the Office of Capital Programs.

Appendix

Section C1 Current Workload Overall (Six (6) Points Maximum)

Excellent	5 - 6 points
Good	3 - 4 points
Fair	2 points
Poor	0 - 1 point
Not Included	0 points

Current Workload Overall is within page count limitations (see section C1 of the RFQ).

Firm should

- Demonstrate the ability to perform construction management at risk delivery method.
- Provide a list of all current projects including SBBC projects for CM and its Subconsultants. The list should include start date and projected end date, project construction value, major scope items, delivery method, percent (%) completion, whether the project is bonded and if so, name of bonding company, and assigned staff.
- Provide a list of preconstruction and construction related staff, name of assigned projects, stage of completion for those projects, length of time with CM or Subconsultant.
- Provide quantity of staff by job function (i.e. # of preconstruction managers, project managers, assistant project managers, superintendents, estimators, schedulers.
- Demonstrate workload capacity through the:
 - o number of staff
 - o current assignments of staff
 - o stage of project completion
 - o qualifications and roles of staff presented for this project (compare to resumes found in Section D2 – Key Personnel)

QSEC is to review and consider workload of the entire team. Since this is a continuing contract, no projects are awarded immediately. However, Committee needs to see if there is flexibility and availability of staff.

5.3.1.1.2 Section C2 Firm's Successful Experience, Qualifications, and Relevant Projects (Thirty-five (35) Points Maximum)

Section C2 Firm's Successful Experience and Qualifications (Twenty-three (23) Points Maximum)

Excellent	18 - 23 points
Good	12 - 17 points
Fair	6 - 11 points
Poor	0 - 5 points
Not Included	0 points

QSEC will evaluate the firm on various factors in this section. QSEC members should have a clear understanding that the firm has the ability to do this work through proven experience laid out in the Submitting Firm's Qualifications Statement. Concentrated focus should be given to experience with SBBC projects as first an Awarded vendor/Prime and second as a Subcontractor. In evaluating, subcontractor experience the committee needs to review the scope of work and how broad the experience. Subcontractor work is not equal to Prime work, but if it is with SBBC, some credit should be given.

Documented experience with other Public K-12 schools in Florida is another area to focus on as this provides evidence of experience with the Florida Building Codes, State Requirements for Educational Facilities, and other regulatory bodies in Florida. Stronger focus should be granted to

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Miami-Dade public schools as it has the closest regulations, including hurricane/shelter requirements, as SBBC. In addition, it is in the same market with the same constraints as SBBC.

Work on active campuses should be weighted heavier than brand new buildings because SBBC's work is on active campuses. This demonstrates the ability to successfully phase work to get it completed on-time and on-budget. In looking at the projects, review the expected completion date versus the actual completion date. If those vary, review the reason why.

QSEC member should review the number of years of firm's experience within applicable categories (i.e. work with SBBC or on Public K-12 schools); review how recent the experience is with the applicable categories, with the most weight given to Recent Experience (last 5 years) within primary experience categories with SBBC Projects (1st) and Educational Projects in Florida (2nd). Other projects with similar size and scopes are secondary.

Firm's Successful Experience, Qualifications, and Relevant Projects is within page count limitations (see section C2 of the RFQ).

Firm should provide:

- A statement of qualifications
- Its Experience Modifier Rating (EMR). It's a number used by insurance companies to determine the likelihood that a business will experience worker's comp claims. An EMR of 1.0 or less is considered safer than most.
- A list of projects completed in the last five (5) years and continuing contracts awarded in the last ten (10) years with projects completed and the descriptions of the projects including construction values, square footage, and scope items.
- A list of software and tools utilized in delivering CMAR projects.
- A list of lessons learned in delivering CMAR projects.
- Its process for developing bid packages, handling the bid process, meeting or exceed S/M/WBE goals.

Firm should demonstrate experience with:

- Delivery Method – Construction Manager at Risk
- Continuing Contracts
- Primary Experience
 - SBBC Projects,
 - Other Florida Public K-12 Projects (includes charter schools), and/or
 - Other Florida Education Projects (i.e. colleges, universities, private K-12 schools),
 - Provide proof that projects are completed on time and within GMP.
- Secondary Experience
 - Other similar sized and scoped projects in Broward County,
 - Government projects with similar scopes to this RFQ, and/or
 - Other Florida Education projects with similar sizes and scopes
- Adding value and generating cost savings through the CMAR delivery method.

An excellent score indicates the firm has proven successful experience with SBBC Projects and its team members have worked on projects with SBBC. Relevant Projects

PMOR Evaluations will be provided to QSEC.

Section C2 Relevant Projects (Twelve (12) Points Maximum; Four (4) Maximum Points per project)

Parts a. through d. are scored by District Staff. Part e. is scored by QSEC. Committee members may give scores in one-quarter (1/4) increments up to the maximum for part e. below.

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Scoring Sections	Yes	No		
a. Continuing Contract Reference	0.5 Points	0.0 Points		
b. Submitting Firm is the Prime	0.5 Points	0.0 Points		
	SBBC Ref.	FL K12	Neither	
c. SBBC Reference / Florida Public K-12 Reference	0.75 points	0.25 Points	0.0 Points	
	50%+	25%-49%	<25%	
d. Relevant Project Value (Valued at 50% or more of the maximum value of the largest project under this RFQ)	0.5 points	0.25 Points	0.0 Points	
	Very	Somewhat	Minimal	None
e. Relevancy of Project Scope (Scored by QSEC)	1.75 points	1.0 Points	0.5 Points	0.0 Points

QSEC members will review Section C2 and the Project Relevancy / Reference Form for information related to Relevant Projects.

- Relevant Projects / Continuing Contracts
 - Provide Three (3) Relevant Projects and/or Continuing Contracts.
 - For relevant projects, they must have been completed in the last five (5) years
 - For continuing contracts, they can be active, but cannot be older than ten (10) years and should disclose the assigned projects that were completed under the contract.
 - The Project Relevancy / Reference Form should be complete.
 - **Incomplete projects shall be scored at zero (0) points.**
 - Review the description of each project to determine if the scope is similar to the scope that are likely to be included in projects under this contract (i.e. roofing, HVAC, electrical, ADA renovations, etc.) Was the project complex? Was it on an occupied campus? Was it one or two scope items or multiple scope? What was the size in square footage and cost of the project?
 - Analyze the original cost of construction versus the final construction cost. Were there change orders? If so, what kind of change order? Owner or Contractor?
 - Analyze the planned versus actual completion dates and schedule in days. Were they on schedule? If not, why not?
 - Were there S/M/WBE Goals, did they meet those goals? If not, why not?

5.3.1.1.3 Section C3 Relevant Projects' References (Six (6) Points Maximum)

Each Reference 2 points maximum

Section C3 is scored by District Staff.

5.3.1.2 Section D – Team Composition

5.3.1.2.1 Section D1 Team Structure (Ten (10) Points Maximum)

Excellent	8 - 10 points
Good	5 - 7 points
Fair	3 - 4 points
Poor	0 - 2 points
Not Included	0 points

Team Structure is within page count limitations (see section D1 of the RFQ).

Firm should:

- Provide its team structure including subconsultants during the preconstruction phase, and the role each team member will play on a project.

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- Describe the relationship between team members including
 - Experience working with each other (i.e. # of projects and # of years).
 - Availability of team to successfully complete projects.
- State experience working specifically on Broward and/or Miami-Dade County Public Schools.
- Indicate which preconstruction services are offered by its in-house staff and which services it may opt to utilize subconsultants.

5.3.1.2.2 Section D2 Key Personnel (Ten (10) Points Maximum)

Excellent	8 - 10 points
Good	5 - 7 points
Fair	3 - 4 points
Poor	0 - 2 points
Not Included	0 points

Key Personnel has no page count limitations (see section D2 of the RFQ).

Firm should provide:

- Names for Management Staff and any subconsultants identified, including:
 - Company Officer in charge of projects assigned under this Contract.
 - Project Managers
 - Construction Managers
 - Pre-Construction Managers
 - Superintendents
 - Other key staff members like estimators.
- Resumes for all listed personnel.
- An organizational chart for the team including subconsultants.
- Committee member should review firm's staff members and its subconsultants' staff intended to be used on this project with the following considerations:
 - SBBC projects
 - Other Florida Public K-12 Projects
 - Other Florida Educational Projects
 - Other similar sized and scoped projects in Broward County
 - Government projects with similar scopes to this RFQ
 - Other projects with similar sizes and scopes
 - Number of completed projects for and number of years working on each of the above, especially SBBC and K-12 projects in Broward, Miami-Dade, and Palm Beach Counties
 - Length of time staff has been with its firm

Note: Project value, scope of work, and the completion of a project on time and on budget presented should be evaluated together to determine relevant experience. The number of projects and years of experience with similarly sized and scoped projects should be considered as well.

5.3.1.3 Section E – Supplier Diversity & Outreach Program (Fifteen (15) Points Maximum)

This section is scored by District Staff (See Section 5.2.3)

5.3.2 Part B Evaluation Scoring: Shortlisted firms shall make a 20-minute presentation via PowerPoint to QSEC members and provide twelve (12) hard copies as “leave behinds” and a flash drive containing the final PowerPoint presentation. No other hand-outs, display boards, models or any other props are to be utilized or even brought into the presentation. **The presentation may not contain a reference to fees or construction costs.** A Question and Answer period will follow the presentation. QSEC shall rank the Firms based on the scoring of presentations.

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Each QSEC Member shall ensure that no two (2) Submitting Firms' scores shall be the same on their individual Final Evaluation Form. Each QSEC member shall complete a Part B Evaluation Form and score independently. The highest and lowest scores given by a QSEC Member for each Submitting Firm shall be omitted and the remaining scores shall be averaged for each Submitting Firm. QSEC members are provided with the **Rubric** below to provide guidance during the evaluation of qualification statements. Part B Evaluation Scoring consists of One Hundred (100) points maximum, which will be scored entirely by QSEC members.

5.3.2.1 Section AA – Approach to Projects & Demonstrated Ability (Ninety (90) Points Maximum)

5.3.2.1.1 Section AA Approach to Pre-construction (Thirty (30) Points Maximum)

Excellent	23 – 30 points
Good	16 – 22 points
Fair	8 – 15 points
Poor	0 – 7 points
Not Included	0 points

Firm should:

- Demonstrate its qualifications and approach to pre-construction.
- Provide specific examples of the value-added to projects, cost savings generated, constructability reviews, and other services.
- Discuss how firm manages designers and the design schedule, the creation of schedules and budgets, bidding packages, and your firm's approach to inclusion of M/WBE firms for the construction phase.
- Describe how the firm will effectively manage and execute the projects and detailed experience with SBBC's building department.
- Discuss the role of the Submitting Firm and its Subconsultants.

5.3.2.1.2 Section AA Approach to Construction (Twenty (20) Points Maximum)

Excellent	16 – 20 points
Good	11 – 15 points
Fair	6 – 10 points
Poor	0 – 5 points
Not Included	0 points

Firm should:

- Describe recommendations that may directly impact the costs and schedule.
- Elaborate on firm's ability to manage subcontractors and coordinate on an occupied K-12 campus. Discuss safety and working with building department.
- Provide details on its approach to meeting M/WBE commitments made in its qualifications statement for construction and discuss how the firm will meet those goals without incurring additional costs.
- Present examples of Construction Management at Risk projects successfully completed by Submitting Firm and its team.
- Demonstrate in detail the successes and team members involved with those successes.
- Describe reporting, meetings, construction phasing and any difficulties encountered in the project and how they were resolved.

5.3.2.1.3 Section AA Ability to Meet Schedule (Twenty (20) Points Maximum)

Excellent	16 – 20 points
Good	11 – 15 points
Fair	6 – 10 points
Poor	0 – 5 points
Not Included	0 points

Firm should:

- Demonstrate the ability to deliver projects with an established construction schedule.
- Provide examples of experience delivery projects on time and delays.
- Provide specific examples in which the Submitting Firm recouped delays in schedules.

5.3.2.1.4 Section AA Availability of Resources (Twenty (20) Points Maximum)

Excellent	16 – 20 points
Good	11 – 15 points
Fair	6 – 10 points
Poor	0 – 5 points
Not Included	0 points

Firm should:

- Demonstrate the ability to deliver a quality project and discuss any lessons learned including the approach to work around the constraints.
- Discuss experience with e-Builder and other systems and tools utilized on projects.

5.3.2.2 Section BB – Key Personnel (Ten (10) Points Maximum)

Excellent	8 - 10 points
Good	5 - 7 points
Fair	3 - 4 points
Poor	0 - 2 points
Not Included	0 points

Firm should:

- Identify:
 - Principal/Project Executive in charge of SBBC Projects
 - Key Personnel, including, but not limited to:
 - Project Manager
 - Pre-Construction Manager
 - Project Superintendent
 - Key Personnel for both Submitting Firm and Subconsultant(s)
- Demonstrate the experience and ability of staff on the team to meet deliver a successful project.
- Have all members listed as key personnel on its team (Prime and Subconsultants) physically present for the Part B Evaluation.

5.4 **Submitting Firm Ranking and Tiebreakers:** Responsive and responsible Submitting Firms shall be ranked based on the total of: a) the points received from the initial screening completed by or conducted by District staff, and b) the QSEC's averaged final evaluation Part A. The Submitting Firms receiving the most combined points shall be considered to be the **most qualified** Submitting Firm ("**Firm 1**"). All remaining Submitting Firms shall be ranked in descending order based on total combined points received (**Firm 2, Firm 3, Firm 4**, and etc.). A Shortlist of five (5) firms, comprised of the Top Ranked Firms in Part A shall be invited back to a second QSEC where they will make presentations.

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Part B: The Shortlisted Firms shall be ranked based on QSEC's averaged final evaluation scores for Part B. The Submitting Firm receiving the most combined points in Part B shall be considered to be the **most qualified** Submitting Firm (**Firm 1**). All remaining Submitting Firms shall be ranked in descending order based on total combined points received (**Firm 2 and Firm 3**).

- 5.4.1 The first tiebreaker between identically scored Submitting Firms shall be the total number of times the applicable Submitting Firms are ranked as the **most qualified** ("**Firm 1**") by individual QSEC committee members.
- 5.4.2 The second tiebreaker between identically scored Submitting Firms shall be the total number of times the applicable Submitting Firms are ranked as the **second most qualified** ("**Firm 2**") by individual QSEC committee members.
- 5.4.3 The third tiebreaker between identically scored Submitting Firms shall be the total number of times the applicable Submitting Firms are ranked as the **third most qualified** ("**Firm 3**") by individual QSEC committee members.
- 5.4.4 If there is a tie between two Submitting Firms, the fourth tiebreaker shall be a coin flip, to be called in the air, by the tied Firm that was scored highest by the Chair of the meeting. Should there be a tie of more than three Submitting Firms, a "drawing numbers" system will be utilized to break the tie. Numbers representing the tied firms listed in alphabetical order will be placed in a bag or cup (i.e. Company A – #1, Company B – #2, Company C – #3). The meeting chair will draw the numbers and call it out. The numbers drawn will represent the highest rank for the tie (i.e. if #3 is drawn and there was a 3-way tie for 2nd place, Company C will be in 2nd place. If #1 is drawn next, Company A will be in 3rd place. Lastly, Company B will be in 4th place, etc.) If there is a multi-way tie, this process will continue until the ranking of each Submitting Firm is identified.

5.5 **Recommendations to Negotiate and Award**

After scoring has been completed, QSEC shall recommend that:

- 5.5.1 District staff negotiate a construction services agreement for the services defined under this RFQ with Firm 1, Firm 2 and Firm 3 at compensation which staff determines is fair, competitive, and reasonable. Should staff be unable to negotiate a satisfactory contract with three firms, either Firm 1, Firm 2, and/or Firm 3, negotiations with those firm(s) shall be formally terminated** and then undertake negotiations with Firm 4.

This process shall continue until satisfactory contracts are negotiated with three (3) firms. If negotiations are unsuccessful with three (3) firms, Staff may elect to continue with a recommendation to contracts award to those Firms with whom there was a successful negotiation. If no negotiations are successful, the procurement shall automatically terminate.

****NOTE: If negotiations with a firm are formally terminated, that firm shall be removed from further consideration for award of a Continuing Contract for Construction Management at Risk Services (CMAR).**

- 5.6 After successful negotiations with the applicable Submitting Firm, an Agreement shall be submitted to the Board for approval and award.
- 5.7 **Award:** The Agreement(s) resulting from these negotiations shall be governed by the laws of the State of Florida, and shall have venue established in the Circuit Court of the 17th Judicial Court in and for Broward County, Florida, or the United States District Court of the Southern District of Florida.

END OF EVALUATION OF QUALIFICATIONS

END OF RFQ



RSM US LLP
100 NE 3rd Avenue, Suite 300
Fort Lauderdale, FL 33301
954.462.6351
www.rsmus.com

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