

City of Miami



ADDENDUM NO. 1

May 17, 2019

REQUEST FOR PROPOSAL ("RFP"): 18-19-001

JOB ORDER CONTRACTING ("JOC") FOR HORIZONTAL AND VERTICAL CONSTRUCTION SERVICES

TO: ALL PROSPECTIVE PROPOSERS:

The following changes, additions, clarifications, and/or deletions amend the above-captioned Request For Proposals, and shall become an integral part of the Proposals submitted, and the Contracts to be executed for **Job Order Contracting ("JOC") for Horizontal and Vertical Construction Services – Request for Proposal ("RFP") No.: 18-19-001** (the "Services"). Please note the contents herein and affix same to the documents you have on hand.

All attachments (if any) are available on the Office of Capital Improvement's (OCI) website and are part of this Addendum.

A. The following are revisions to the RFP document.

1. The Proposal Submission Due Date has been extended to **May 29, 2019, by 2:00 p.m.** (local time);
2. Section 1 – Instructions for Submission, Article 8. Proposal Guaranty: The following language is hereby deleted: "and \$100,000 for horizontal contracts," and replaced with this language: "**and \$125,000 for horizontal contracts,**"

B. The following are the inquiries received and the corresponding responses:

Q1. Is a responder required to provide factors for both horizontal and vertical?

A1: **No. As stated in the Notice to Contractors on page 7, "Proposers may submit Proposals for one or both Services." Also, please refer to Section 1 – Instructions for Submission, Article 9. Preparation of Proposal, which states "Proposers may choose to propose a set of Adjustment Factors for the horizontal construction contract or the vertical construction contract, or both contracts (provided they meet the minimum requirements applicable to both horizontal and vertical construction)."**

Q2. On page 12 of the RFP, Tab 2: Comparable Construction Experience, it is requiring the responder to submit (5) projects less than 50K, (5) ranging from \$50K-\$250K and (5) greater

than \$250K. What if the responder only has performed projects greater than \$250K? Can we submit 15 projects greater than \$250K?

A2: No. Proposers shall submit and not exceed the number of projects specified for each of the respective dollar ranges specified. Proposers with no experience in a certain dollar range(s) will still be evaluated and scored accordingly.

Q3. On page 17 of the RFP it states that the City intends to average the Factors for proposers being awarded contracts and in bold it also states, "If the City elects to Average the Adjustment Factors." This paragraph contradicts itself, please clarify.

A3: While the City intends to average the Adjustment Factors, as stated, this is not guaranteed and the City may elect not to average the Adjustment Factors. The RFP further states on page 17 that "The City reserves the right to pay/award the contracts based on actual Adjustment Factors received, instead of the averages described above."

Q4. On page 18, Article 16. Small Business Enterprise ("SBE") Participation, subparagraph c) states the contractor shall retain the services of an independent third party to verify and certify compliance with the SBE requirements. Will this cost be reimbursable for this third-party compliance to contractor or does it have to be included in our factor?

A4: No, the costs of independent third party verification and certification of Contractor SBE compliance shall not be reimbursed. Accordingly, Proposers shall include the cost of such third party verifications and certifications in their proposed Adjustment Factors.

Q5. On page 18, Article 17. Local Workforce Participation states the Contractor must employ minimum percentages for local workforce based on project value and if these minimum values are not met, then the City will retain 5%. It also states that the Contractor must hold job fairs based on contract values. In order to verify compliance, the RFP states the Contractor shall retain services of an independent third party to verify and certify Contractor compliance requirements. Will this cost for a third-party compliance and job fairs be reimbursable to Contractor or does it have to be included in our Adjustment Factors?

A5: No, the costs of independent third party verification and certification of Contractor Local Workforce compliance and job fairs shall not be reimbursed. Accordingly, Proposers shall include the costs of such third party verifications and certifications and job fairs in their proposed Adjustment Factors.

Q6. The documents request that Proposers submit a list of subcontractors. How are we able to do so when the scope of work is not known at this time? Please clarify.

A6: The Contractor will submit a list of Subcontractors with each Job Order, not with the Proposal for RFP 18-19-001. However, Section 1 – Instructions For Submission, Article 9. "Preparation of Proposal," Tab 5: SBE and Local Workforce Participation Plan is a requirement.

Q7. Do the respondents include the 1% Gordian license fee in our Adjustment Factors?

A7: Yes. Proposers shall include within their proposed Adjustment Factors the 1% license fee to be paid to Gordian with respect to all Job Order Tasks.

Q8. If respondents are submitting for both horizontal and vertical contracts, are we required to submit two separate bid bonds?

A8: Yes. In accordance with Section 1 – Instructions for Submission, Article 8. Proposal Guaranty, (As amended by Section A., Item 2, above) Proposers shall submit a Bid Bond “in the amount of \$125,000 for vertical contracts and \$125,000 for horizontal contracts.”

Q9. Page 81 of the RFP states the City may request for price proposals from two or more contractors for a job order. If the City averages the factors to awarded Contractors, won't all the prices be the same? Please clarify the City's intent.

A9: Article 4. Bid Safe, on page 81, will apply to instances where the City utilizes Bid Safe to procure a project. In those cases, the City will follow the procedures set forth in the Bid Safe Article where two or more Contractors will first submit a Not-to-Exceed Offer that is independent from the Contractor Adjustment Factors.

Q10. On page 84 of the RFP, Subparagraph 3.28.3.3 states the Contractor is allowed 15% for Overhead and profit for NPP. Does this include the 1% fee the Contractor needs to pay Gordian for licensing?

A10: Yes. Subparagraph 3.28.3.3 provides the formula detailing the calculation of the final Non-Prepriced Task amount, and the Contractor will be required to pay the 1% license fee on all Job Order Tasks, Prepriced and Non-Prepriced.

Q11. Is the respondent required to account for the Miami-Dade heavy wages per the RFP in our Adjustment Factor?

A11: Yes.

Q12. Will payment and performance bonds for each job order be reimbursable on individual job orders or do we need to account for them in our Adjustment Factors?

A12: Contractors will be required to submit a Performance and Payment bond equal to the estimated annual value. The cost of all bonds shall be included in the Adjustment Factors. The costs of the required performance and payment bonds shall not be reimbursed. Contractors will not be required to submit a performance and payment bond for each Job Order Task assignment.

Q13. The RFP states the horizontal construction projects pertain to underground utilities. It is my understanding that in order to perform utility work within a ROW that the contractor must hold a State of Florida Underground Utility License. The RFP does NOT require this, please clarify.

A13: The Contractor or the subcontractor performing the work shall have the required license(s).

Q14. The term for the is RFP is 2 years with an option for two additional 1 year periods. Will these options to extend the contract include an increase of factors due to Miami Dade heavy wage increases annually?

A14: Please refer to Section 3 – Supplemental Terms and Conditions, Article 8. “Economic Price Adjustment,” 8.3. which states that “The Adjustment Factors submitted with

the bid shall be used for the full term of the contract.” A Contractor’s Adjustment Factors shall remain constant throughout the entire term of the contract, including the extensions. In lieu of updating the Adjustment Factors, a new Construction Task Catalog® will be provided each year.

Q15. The title of this RFP indicates the JOC for Horizontal and Vertical Construction Services. We have no intentions on pursuing the Vertical component of this RFP. Should the title be revised to “JOC for Horizontal and/or Vertical Construction Services” as discussed in the Pre-Bid last week. This will help our bonding company with the perception that we are pursuing vertical work.

A15: Please refer to the Notice to Contractors, page 7, which states “Proposers may submit Proposals for one or both Services.” See also Section 1 – Instructions for Submission, Article 9. Preparation of Proposal, which states “Proposers may choose to propose a set of Adjustment Factors for the horizontal construction contract or the vertical construction contract, or both contracts (provided they meet the minimum requirements applicable to both horizontal and vertical construction).”

Q16. In Page 8 of the RFP it indicates the requirement of providing 6 projects completed within the past 3 years; however, under Page 12 Tab 2 it indicates the following requirements:

- 5 Projects of \$50K or less;
- 5 Projects between \$50K and \$250K
- 5 Projects greater than \$250K

Please clarify.

A16: Please include the “6 projects completed within the past 3 years” within the 15 projects required by Tab 2: Comparable Construction Experience, all of which must have a final acceptance date after January 1, 2013.

Q17. Page 10 requires that we self-perform at least 30% of the work. Do we have to submit our equipment list with personnel availability to prove that we are capable of performing this work. I don’t see it as one of the requirements.

A17: No list of equipment or personnel is required at this time.

Q18. Page 12 requires the proposer to meet or exceed with SBE and Local Workforce participation goal of 15%. Since we are unable to determine what project we will actually receive, it will be very difficult to identify the percentage of work. It was discussed in the pre-bid meeting that we should be able to provide typical small business firms that we intend on using with the value and percentages to be placed as to be determined. Please confirm or clarify.

A18: The SBE and Local Workforce participation goals remain as stated in the RFP. Contractors must meet the SBE and Local Workforce participation goals with respect to each Job Order Task assigned. However, please refer to A6, above.

Q19. The RFP states that the bidder must be in business under the same name for at least five (5) years. We are a newly incorporated company under our present name, but our staff has been in the underground and general contracting business for nearly three decades. In fact, our key staff have worked in both state, and municipal governments as well as the

private construction sector for the same thirty years. Additionally, our staff (superintendents, qualifiers, and project managers) have successfully completed over \$30 Million of "JOC" contracts in past 12 years and presently hold a SourceWell IQCC contract in the State of Florida. Finally, we have secured over \$50 Million in bonding capacity to provide you with the insurance that we can and will complete all projects assigned to us. Our license holders (GC and UG) both have well over 5 years of business and technical experience requested. Therefore, my question is, "Can the 5 years' experience of the qualifiers, be considered as or in leu of the 5 years' experience under the business name."

A19: The minimum requirements must be met by the Proposer, and not by staff members.


Q20. CES has been providing construction services since 2006 (for 13 years) under Certified General Contractor License No. 1512966. From 2006-2018, it did so as CES Consultants Inc., and beginning in 2018, as CES Construction, LLC. Please confirm that CES, with a term of experience in excess of the required five (5) years, will be considered to have met the 5-year experience requirement by the RFP despite the name change.

A20: The minimum requirements must be met by the Proposer.

Q21. Please confirm the firm may include relevant experience and references from proposed staff members to satisfy the experience requirement of six (6) separate projects within the past three (3) years.

A21: Please refer to A19, above.

THIS ADDENDUM IS AN ESSENTIAL PORTION OF THE CONTRACT DOCUMENT AND SHALL BE MADE A PART THEREOF.



**Annie Pérez, CPPO, Director
City of Miami Department of Procurement**