



City of Miami

ADDENDUM NO. 5

February 1, 2016

REQUEST FOR PROPOSALS NO.: 15-16-010

DESIGN-BUILD SERVICES FOR THE WAGNER CREEK/SEYBOLD CANAL RESTORATION PROJECT

CITP PROJECT NO.: B-50643

TO ALL PROSPECTIVE BIDDERS:

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 Professional Services Agreement to be executed for Design Build Services for the Wagner Creek/Seybold Canal Restoration Project – Request for Proposals No.: 15-16-010 (the “Project”). Please note the contents herein and affix same to the documents you have on hand.

All attachments (if any) are available on the CITP website and are part of this Addendum.

- A. Section 3.5.C., Technical Certifications is being deleted in its entirety.
- B. The following are the inquiries received and the corresponding responses. The inquiries are separated into Sections for easier reading.
 - 1. **Request for Proposal (RFP) and Supporting Documents**
 - Q1. RFP Section 2, Subsection 2.3, Page 15 makes reference to Figure 2-2 but there is no Figure 2-2 included in the RFP. Will the City provide the missing figure or confirm the reference was a typo and only Figure 2-1 exists?
 - A1. Reference to Figure 2-2 in parenthesis is being removed. This Section only contains Figure 2-1, Operational Sections.
 - Q2. RFP Section 4, Subsection 4.1, Page 46 states: “This RFP requires the use and submission of specific City Forms. These City Forms shall not be expanded or altered. Additional pages may not be added unless the form specifically states that pages can be

added.” Section 4, Subsection 4.1.A.8, Page 51 states: “Design and Construction Approach and Process (Maximum 5 pages); Proposer shall complete and submit Form RFP-DAP for this section of its Response.” Section 4, Subsection 4.1.A.9, Page 51 states: “Technical Capabilities (Maximum 5 pages); Proposer shall complete and submit Form RFP-T for this Section of its Response.”

Will the City allow Proposers to use the provided City Forms (RFP-DAP and RFP-T) for the first page of each of these Sections only, while continuing the Section onto blank sheets versus repeating the forms? This would allow Proposers some additional space on subsequent pages through the elimination of the header material. Or, will the City provide another PDF form without the header for pages 2-5?

- A2.** The City will allow the use of blank sheets if additional pages are required. However, these blank pages have to be labeled with the solicitation number and as a continuation of the City Form(s).
- Q3.** RFP Section 4, Subsection 4.1.3 Contents of ATC Submittal states: “All ATC submittals shall be in the form of a separate and complete proposal with only the innovative elements presented in bold ...” and, “In addition, the ATC shall include the following information and discussions, also provided in bold: a) Description; b) Usage; c) Analysis; e) Impacts; f) Risks; g) Quality; and h) Financial and Compliance Capabilities.

Will the City allow the ATC proposal to have unlimited pages to allow for complete discussions of our innovative elements in addition to answering the additional required elements?

- A3.** There is no limit set to the number of pages for the ATC, however, the proposal shall be written in sufficient detail as described in RFP Section 4 to enable the City to conduct a meaningful evaluation of the proposed services.
- Q4.** RFP Section 4, Subsection 4.1.C, Response Submission Format, Section C.2, states Proposers shall include “4a-4c from Section 4.1A.4, Qualifications of the Team, excluding resumes for Project & Construction Manager.” Section 4.1A.4, as referenced, applies to Qualifications of the Proposer with paragraphs 4a-4c corresponding as:
 - 4a - Form RFP-QP
 - 4b – Resume of the principal-in-charge
 - 4c – Copies of federal, State of Florida, county, or local certifications given in RFP-QP

Should the reference be 5a from Section 4.1A.5 – Qualifications of the Design-Build Team?

If yes, paragraph 4.1.A.5a states resumes be provided for each key personnel, but this is also a requirement in Section D Qualifications of Key Personnel. Please confirm that two separate resumes are required for Key Personnel?

- A4.** a) Section 4.1.C, Section C2, is hereby revised to read “4a-4c, Section 4.1.A.5, Qualifications of the Team (excluding resumes for Project and Construction Manager).”
- b) Two separate resumes are required for Key Personnel. Proposer shall also complete and submit the relevant forms as stated in Section 4.1.A.6, Qualifications of Key Personnel.
- Q5.** RFP Section 4, Subsection 4.1.A.4 *Qualifications of the Proposer* and Subsection 4.1.C, *Response Submission Format* Section B do not match. Section 4.1.A.4.d, asks for a Table of Organization of the Proposer, while Subsection 4.1.C, Section B.3, asks for an Organizational Chart. Please identify if Proposers should include an Organizational Table or Chart?
- A5.** Proposers shall include a Table of Organization, including names and titles. The terms Table of Organization and Organizational Chart were used interchangeably. In Section 4.1.A.4. Qualifications of the Proposer, Item d., a Proposer shall submit a Table of Organization of the Proposer (e.g. Lead Firm), including names and titles. In Section 4.1.C, Submission Response Format, Section C., the organizational Chart of the Design Build Team is being requested.
- Q6.** Section 4.1.A.4.i, requires a letter from the bonding surety of the Proposer, while Subsection 4.1.C Section B does not require this.
- A6.** As stated in Section 4.1.A.4.i, Proposer shall provide letters from the bonding surety, stating that the Proposer is capable of meeting the bonding requirements contained in Attachment D, the draft Design/Build Contract. Section 4.1.C, Section B, is hereby amended to include the bonding requirement capability letter and RFP-RR, Reporting Requirements form.

Section B

1. RFP-QP Qualifications of the Proposer
 2. Resume of the Principal-In-Charge
 3. Organizational Chart of the Proposer
 4. RFP-QC – Workload Capacity
 5. Professional Licenses
 6. State of Florida Corporate Certificate
 7. Business Tax Receipt(s)
 8. Insurance of Capability Letter
 9. Letter from Bonding Surety
 10. Joint Venture Form (if applicable)
 11. RFP-RR Reporting Requirements
- Q7.** RFP Section 4, Subsection 4.1.C, Section J requires the submission of CSBE and CBE forms and certifications. There doesn't seem to be any CSBE or CBE requirements in this

RFP. Please confirm that CSBE and CBE forms and certifications are not required by the Proposer.

A7. To confirm, the CSBE and CBE requirements are waived pursuant to the City Manager Memorandum dated June 12, 2015, which is posted to the CITP Procurement Website - http://www.miamigov.com/CapitalImprovements/pages/ProcurementOpportunities/ProjectPages/RFP_Wagner_Seybold_RestorationProject.asp. Accordingly, no CSBE and CBE forms and certifications shall be submitted by the Proposer.

Q8. During the site walk it was stated that sediment needs to be removed from underneath all fixed structures. There is a setback of 10' on all utilities and depending on the location of the removal, there are also 4' and 10' setbacks from the banks and sheet pile or concrete walls.

Please clarify if the removal action is to include materials underneath structures that are not labeled as requiring setbacks (e.g. bridges, culverts).

A8. Sediment removal needs to be performed consistent with the Corrective Active Plan – Version 2 (CAP2).

2. Corrective Action Plan - Version 2 (CAP2)

Q9. CAP2 states in several Sections that elevated TEQ sediments may/shall be disposed of at the CWM Emelle, AI facility. DERM Class 1 permit, specific condition 17, states that this material shall be disposed of at an approved LF outside of the state of Florida (e.g., Emelle, Alabama). Is Emelle the designated LF or this material, or does the contractor have an option for other facilities?

A9. The selected Design-Build Firm may dispose of elevated TEQ sediments at an approved, appropriately permitted facility consistent with the project permits.

Q10. CAP Section 3.2.1 states that access agreements have been obtained, or will be obtained for dredging operations. Table 3-2 identifies the access agreements obtained or in process of being obtained. Has the City obtained the required access agreements?

A10. Any referenced access agreement are no longer valid. Obtaining new access agreements shall be the responsibility of the selected Design-Build Firm.

Q11. CAP Section 3.6.1 states that Miami-Dade regulations allow for a 90 day time limit for temporary storage of non-hazardous material prior to disposal. Please confirm the time limit for temporary storage of non-hazardous material prior to disposal.

A11. All permit conditions shall be maintained.

Q12. CAP Section 3.6.3 states that waste will be temporarily stored, if necessary, in an area identified or approved by the City of Miami. If temporary storage is not designated, the Contractor will temporarily store waste in an area that is not accessible by the general public and can be secured. Please confirm that the contractor can temporarily store waste in a secured area?

A12. All permit conditions shall be maintained.

3. CAP2 Specifications

Q13. CAP Attachment A, Surveying 3.01, states final grades will be confirmed through bathymetric survey to confirm that the sediments have been removed to the planned lines and grades, thus eliminating the need for post excavation sampling. Please confirm.

A13. Correct. Final grades will be established through bathymetric survey to confirm that the sediments have been removed to the planned lines and grades.

Q14. CAP Attachment A, Mechanical Environmental Dredging 3.09. B, states debris is to be left in place to the extent possible unless it interferes with dredging activities. Debris is to be removed if it is above the cut line in the dredge area. Please confirm.

A14. Correct. Debris shall be left in place to the extent possible unless it interferes with dredging activities. Debris shall be removed if it is above the cut line in the dredge area.

Q15. CAP Attachment A - Mechanical Environmental Dredging 3.09.D states smaller debris is to be off loaded into WRC for disposal. Larger debris shall be left in place. **Question:** Please provide clarification on what is considered small and large debris?

A15. Debris shall be removed consistent with the capabilities of the Design Build Firm's proposed equipment. The specific conditions shall be negotiated and included in the Design/Build Contract.

Q16. CAP Attachment A, Mechanical Environmental Dredging 3.11.C.3, states some corrections for sloughing and sediment movement occurring subsequent to Design-Builder interim surveys MAY be allowed. Please provide the procedure for these corrections.

A16. The City will assess the extent of sloughing and sediment movement that has occurred by comparing the pre-construction survey to the interim survey to the final survey, assuming the same methodology is used for all surveys.

4. Contract Terms & Conditions

Q17. Attachment D, Draft Contract, Paragraph 2, Page 6, states that “time is of the essence” in the performance of the work. Is Critical Path Method (CPM) required for the management of this project?

A17. The Critical Path Method is not required for the management of this project.

Q18. Attachment D, Draft Contract, for notation purposes only, Paragraph 6, Page 7, as written, contains typographical errors.

A18. The typographical errors in Paragraph 6, Page 7 of Attachment D, draft Design/Build Contract will be addressed prior to execution.

Q19. Attachment D, Draft Contract, Paragraph 10, Page 13, states that the City, its Consultants shall have full access to the project sites at all times. Does this include access to private property to which the Design-Build firm has secured access and limited to the hours of work?

A19. The City, its agents and all applicable regulatory agencies shall have access to the project sites during the hours of work including, but not limited to, if the public’s health, safety and welfare is at risk.

Q20. Attachment D, Draft Contract, Paragraph 11, Page 13, states that the Consultant may reasonably determine that the rate of progress is insufficient. Will the City consider adding language that provides reasonable notice requirements from the Consultant that would ensure communication, coordination, and an opportunity to respond or “cure” the insufficiency?

A20. Yes, the City will consider adding language to the Design/Build Contract that provides reasonable notice requirements from the Consultant that would ensure communication, coordination, and an opportunity to respond or “cure” the insufficiency. This provision will be addressed during negotiations.

Q21. Attachment D, Draft Contract, Paragraph 29, Page 21, states that no adjustments will be made to the Contract time or price based on differing site conditions. Will adjustments be permitted for differing site conditions that are found outside the dredge prisms?

A22. The Design/Build Contract will assess pre-construction conditions during the initial survey. Accordingly, differing site conditions are not anticipated. Notwithstanding, the City will further consider this issue during contract negotiations.

- Q23.** Attachment D, Draft Contract, Section 2, Supplemental Terms and Conditions, Paragraph 2, Page 64, states a substantial completion date of 270 calendar days; this conflicts with the RFP. Will the City clarify the time for performance under the Contract?
- A23.** The maximum contract duration specified in Section 2.7.E on Page 21 of the RFP will be the basis of the contract negotiated with the successful proposer.
- Q24.** The Contract duration identified in the CAP-Vol-1_09 and 02-Final RFP 120715 indicates 480 calendar days for substantial completion with an additional 30 days for final completion. The contract duration in RFP Dec 2015 – 05-Final Draft – Attachment ‘D’ pg. 64 indicates 270 calendar days for substantial completion with an additional 30 days for final completion. Would the City please clarify if the project duration is 480 or 270 calendar days for substantial completion?
- A24.** The maximum contract duration specified in Section 2.7.E on Page 21 of the RFP will be the basis of the contract negotiated with the successful proposer.
- Q25.** Page 31 of the RFP indicates that the sediment is not contaminated with a listed waste as defined in 40 CFR Part 261, Subpart D. Would the City please clarify if the sediments from Wagner Creek have been characterized as non-hazardous based on 40 CFR Part 261, Subpart C.
- A25.** All permit conditions shall be maintained.
- Q26.** Has a cap been set for the liquidated damages, if so please provide the cap?
- A26.** No cap for liquidated damages has been set.
- Q27.** What is the required duration of the proposal bond?
- A27.** The duration of the proposal bond is until award of a contract, which is anticipated to occur in 2016.
- Q28.** Page 38 of the RFP indicates the Minimum Qualification Requirements. Would the City consider revising the requirements of the General Contractor as follows: The City of Miami is seeking to procure a qualified and experienced Design-Build Team, as defined in §287.055 Florida Statutes, including a General Contractor as the lead firm. The General Contractor shall possess a minimum of five (5) years of experience as a prime dredging or environmental remediation contractor and hold a current active certified license as a General Contractor under its current business name as authorized to do business in the State of Florida. In addition, the General Contractor shall have experience as the prime dredging or environmental remediation contractor in at least three (3) projects of similar scope and complexity (e.g., contaminants, volume, location, contract value of \$5-million, etc.). The General Contractor must have a proven record of successfully completing

projects consisting of the following components: marine dredging, management, transportation and disposal of contaminated sediments and debris, maintenance of traffic, signage, underground and overhead utilities, excavation and site work.

A28. The City respectfully rejects the recommended changes.

Q29. Page 38 of the RFP, Section B, indicates the minimum requirements of the Design-Build Firm. Would the City consider modifying the requirements as Certificates of Occupancy or Certificates, since these are not common for dredging projects: "Each Proposer interested in responding to this RFP must provide information on the firm's qualifications and experience, qualifications of the project team, members and staff on previous work of similar scope and complexity. For the City to consider a project as complete, a temporary or final Certificate of Occupancy or Certificate of Use must have been issued by the respective Building Department. Copies of these Certificates must be submitted for each project being submitted to demonstrate meeting the Minimum Requirements. See Section 4.0 "Instructions for Submitting a Response: Submission Requirements" for further direction. Responses that do not completely adhere to all requirements may be considered non-responsive and eliminated from the process. Additional minimum qualifications may be stated in Section 4.0, "Instructions for Submitting a Response".

A29. The City accepts the concept presented. Accordingly, the third paragraph of Section 3.5.B is modified as follows:

Each Proposer interested in responding to this RFP shall provide information on the firm's qualifications and experience, qualifications of the project team, members and staff on previous work of similar scope and complexity. For the City to consider a project as complete, the proposer shall provide documentation of completion. Copies of such documentation shall be provided for each project being submitted to demonstrate meeting the Minimum Requirements. See Section 4.0 "Instructions for Submitting a Response: Submission Requirements" for further direction. Responses that do not completely adhere to all requirements may be considered non-responsive and eliminated from the process. Additional minimum qualifications may be stated in Section 4.0, "Instructions for Submitting a Response".

Q30. Page 40 of the RFP identifies the "Minimum Qualifications for the Key Personnel." Would the City consider revising the requirement as follows: "Preferred Qualifications for Key Personnel"?

A30. The City respectfully rejects the proposed revision.

Q31. Page 52 of the RFP, Project Schedule, indicates that the schedule "...must fit on an 8 ½ x 14 page. Would the City consider allowing 11 x 17 paper in order to accommodate the

binding of the overall proposal? 11 x 17 can be folded to bind well with 8 ½ x 11, whereas 8 ½ x 14 poses some binding challenges.

A31. Yes, the City will allow 11 x 17 paper in order to accommodate the binding of the overall proposal.

Q32. Page 52 of the RFP, Spend Down Curve, indicates that the spend down curve "...must fit on an 8 ½ x 14 page. Would the City consider allowing 11 x 17 paper in order to accommodate the binding of the overall proposal? 11 x 17 can be folded to bind well with 8 ½ x 11, whereas 8 ½ x 14 poses some binding challenges.

A32. Yes, the City will allow 11 x 17 paper in order to accommodate the binding of the overall proposal.

Q33. RFP Section 4.1 states "This RFP requires the use and submission of specific City Forms. These City Forms shall not be expanded or altered....Failure to utilize the City Forms will result in the rejection of the Response as non-responsive." There appear to be inconsistencies in the naming convention of some of the forms, multiple files provided for a single requirement, and forms that do not allow data entry. Attached is a table of all forms provided and any issue needing clarification identified:

- a) Please confirm RFQ-DB-PP-R should be used to satisfy RFP-DB-PP-R?
- b) Please confirm that forms RFP-EE and RFP-EE-R should be used, the RFP only references forms RFP-E and RFP-E-R.
- c) Please confirm that form RFQ-PM-R is not required for this proposal? It is not identified in the RFP.
- d) Form RFP-PP-R is mentioned in RFP Section 3.5.B but RFP-PP is not called out in the RFP. Both forms are replicated in forms RFP-DB-PP and RFP-DB-PP-R. Please confirm forms RFP-PP and RFP-PP-R are not required as Forms RFP-DB and RFP-DB-R are required and are essentially the same forms.
- e) Will fillable replacement files be provided for all forms listed above that do not allow data entry? If not, how do we complete the forms without altering them and violating the terms of the RFP? Hand written forms could be more difficult to read depending on the handwriting.

A33. Please see responses listed below:

- a) The revised form RFP-DB-PP-R is updated at the following link - http://www.miamigov.com/CapitalImprovements/pages/ProcurementOpportunities/ProjectPages/RFP_Forms_Wagner.asp.
- b) Forms RFP-E and RFP-E-R should be used as referenced in the RFP. The revised forms are updated at the following link - http://www.miamigov.com/CapitalImprovements/pages/ProcurementOpportunities/ProjectPages/RFP_Forms_Wagner.asp.
- c) Form RFP-PM-R should be used as referenced in the RFP. The revised form is updated at the following link -

http://www.miamigov.com/CapitalImprovements/pages/ProcurementOpportunities/ProjectPages/RFP_Forms_Wagner.asp.

- d) Form RFP-PP and RFP-PP-R are not required for this RFP. Section 3.5 B of the RFP is revised as follows:

Three (3) references from Owners of a project(s) of a similar scope and complexity that have been completed are to be included in the Response. The Proposer must utilize Form ~~RFP-PP-R~~ RFP-DB-PP-R for these references and the form must be signed by the Owner of the project. Failure to submit the reference forms may result in the Response being deemed non-responsive.

- e) All forms are updated as PDF fillable.

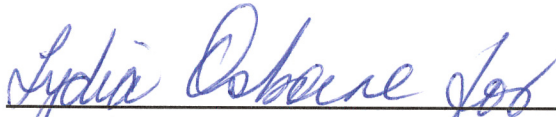
Q34. The Forms Package provided as a download from the City's CIP website as part of this solicitation included additional forms not referenced within the "Proposer Checklist". Would you please clarify which section forms RFP-PP and RFP-PP-R are to be included?

A34. Please refer to question 33.

Q35. The Forms Package provided as a download from the City's CIP website as part of this solicitation included two reference letter forms for the Project Manager (RFP-PP-R and RFQ-PP-R). Will the City accept either of these two reference letters as a response to Section D – Project Manager's Reference Forms?

A35. Please refer to question 33.

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



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

This Addendum shall be signed by an authorized representative and dated by the Proposer and submitted as proof of receipt with the submission of the Proposal.

NAME OF FIRM: _____

DATE: _____

SIGNATURE: _____