



**DISTRICT BOARD OF TRUSTEES
OF
PALM BEACH STATE COLLEGE**

**Request for Qualifications
and
Evaluation Procedures**

RFQ 12/13-10 Construction Manager at Risk

**For
Continuing Services Contracts
For single projects under \$2,000,000**

District services for all campuses
Palm Beach County, Florida

This document will serve to provide interested parties with specific information as to the procedures for selecting Construction Manager at Risk. All work will be provided for Palm Beach State College pursuant to Florida Statutes including, but not limited to 235.211 F.S., 1994 Supplement, and the Consultant's Competitive Negotiation Act, Section 287.055

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Introduction

Palm Beach State College, a richly diverse comprehensive two-year institution with a history of achievement since 1933 has transitioned in 2010 to a four-year State College offering selected degrees in critical shortage areas. Our college is dedicated to serving the expanding educational needs of the residents of Palm Beach County by providing these new four-year baccalaureate degrees and continuing to offer traditional associate in arts, associate in science and associate in applied science degrees, professional certificates, workforce development and lifelong learning.

The mission of Palm Beach State College is to provide an accessible and affordable education through a dedicated and knowledgeable faculty and staff, a responsive curriculum and a strong community partnership, which together will enable students to think critically, demonstrate leadership, develop ethical standards and compete effectively in the global workplace.

The District Board of Trustees of Palm Beach State College is seeking services for multiple firms to provide Construction Manager at Risk services for an annual "Continuing Services Contract" for single projects under \$2,000,000 each. The selected Construction Manager at Risk firms shall function as the construction management firm responsible for pre-construction services, including cost estimating services and constructability input on the design of a project, in addition to Construction Management at Risk services during the bidding, scheduling, development of GMP's, plan review comments, construction and close out of assigned construction contracts.

To demonstrate capability for performance of the required services, applicants must reply by completing the appropriate electronic Application Form including information which supports previous efforts of a similar nature.

This General Information Supplement is designed to offer generic guidelines and to explain procedures pertaining to the application and selection for contractors/Construction Managers at Risk. Language pertaining to this discipline should be interpreted accordingly as "general information". Discipline-specific application forms are required and developed to address separate selections as advertised.

Public Entity Crimes: F.S. 287.133 (2) (a) 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 bid/RFP/RFQ on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, 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 F.S. 287.017 for CATEGORY TWO (\$25,000.00) for a period of 36 months from the date of being placed on the convicted vendor list.

Note: Applicant, by signing the submittal forms attests they have not been placed on the convicted vendor list.

A. PROPOSAL'S CHECKLIST

THIS CHECKLIST IS FOR THE CONVENIENCE OF THE COMPANY SUBMITTING A PROPOSAL AND MAY BE USED TO ENSURE THAT SECTIONS OF THE RFQ/PROPOSAL ARE PROPERLY COMPLETED AND RETURNED. A COPY OF THIS SHEET WILL BE RETAINED IN THE COLLEGE FILES AS A RECORD OF YOUR RESPONSE TO THIS RFQ.

1. Has the RFQ application been completely filled out? ____
2. Minority Business Enterprise Certificate (Attachment D) correctly entered? ____
3. **Is your RFQ proposal signed by an authorized officer of the company submitting this RFQ/proposal?** ____
4. Have you completed the Request for Taxpayer Certification (W-9) form noting your tax employer identification number (or SSN) in the appropriate block? ____
5. Has your company timely delivered "both" a hard copy original proposal signed by an officer of your company **AND** also delivered the defined "USB" Drive as specified in Section B?

Yes ____ **No** ____ (If no, describe below):

6. Does your proposal fully comply with all RFQ 12/13-10 requirements?

Yes _____ No _____ (If no, describe below):

7. Does your proposal “exceed” the minimum requirements of this RFQ 12/13-10?

Yes _____ No _____ (If no, describe below):

8. Evaluation Criteria/Basis of Award:

The College will organize an evaluation committee who will review responsive proposals submitted. The committee will meet in a public evaluation meeting (see Schedule in Section I) and assign evaluation points for each criterion as defined herein. The committee will then total up each proposers points to determine which proposer(s) would be considered a finalist. The committee would then conduct reference checks of finalists and optionally schedule an interview with all finalists or not, as deemed in the College’s best interest.

Recommendation ranking of proposers for this contract will be to that proposer(s) scoring the overall highest evaluation points.

It is the College’s intent to recommend to its District Board of Trustees that College administration be authorized to negotiate with the top ranked proposer(s) a satisfactory contract(s), as deemed in the College’s best interest. If a satisfactory contract cannot be negotiated, negotiations will be formally terminated. The College then would begin negotiations with the next ranked proposer(s) until satisfactory contract(s) #12/13-10 can be negotiated and entered into.

9. ** Interpretations/Protests **

Any questions concerning conditions or specifications shall be directed in writing to the Purchasing Department. Inquires must reference the date of bid opening and bid number. No interpretations to such questions or inquiries shall be considered binding unless provided in writing by the College.

10. **Protest of Solicitation Specifications **

To protest the specifications or the terms and conditions contained Request for Quote (RFQ) a written notice that includes the solicitation #12/13-10 titled Construction Manager at Risk - Continuing Services Contracts, together with a brief description of the basis for the protest must be filed with the purchasing director at 4200 Congress Avenue, MS #27, Lake Worth, FL 33461, within 72 hours after receipt of the project solicitation specifications. For purposes of this section, Saturdays, Sundays and state holidays shall be excluded in the computations of the 72 hour time period. A formal written protest must be filed within 10 days after the date of the notice of protest is filed. The formal written protest must state with particularity all facts and law upon which the protest is based. Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under chapter 120, Florida Statutes.

11. ** Protest of Awards and Intended Award **

Bid tabulations with recommended awards will be posted on or about **Wednesday, August 14, 2013** for review by interested parties on the purchasing web page: <http://www.palmbeachstate.edu/purchasing/bid-openings.aspx> unless changed by addendum, and will remain posted for a period of 72 hours (not including Saturdays, Sundays and state holidays). Any person who is adversely affected by the College's decision or intended decision shall file a written notice of protest that includes the solicitation # and title, together with a brief description of the basis for the protest with the purchasing director at 4200 Congress Avenue, MS #27, Lake Worth, FL 33461, within 72 hours after the posting of the RFQ bid tabulation. A formal written protest must be filed within 10 days after the date the notice of protest was filed. The formal written protest shall state with particularity all facts and law upon which the protest is based. Inspection or examination of opened bids or proposals are available for inspection from 7am-4pm Monday–Thursday by appointment, upon notice of a decision or intended decision, or 10 days after Request for Quote (RFQ) public opening, whichever is earlier. Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under chapter 120, Florida Statutes.

12. Material Supplies and Equipment - Owner's Sales Tax Exemptions

Palm Beach State College is a political subdivision of the State of Florida and is a tax exempt institution. As such it is exempt from the payment of sales and use tax on purchases of tangible property, materials, etc., necessary for the performance of work under construction contracts, provided the College determines it is to its best interest to do so and provided the purchase of such properties, materials, etc., are handled in the manner hereinafter described.

If the owner exercises his right to purchase directly various construction materials, supplies and equipment that may be a part of this contract, then the construction management firm will coordinate direct purchasing for the owner. The owner will, via his purchase orders, purchase the materials, and each sub-contractor shall assist the owner and construction management firm in the preparation of purchase orders.

The contract/subcontract amount shall be reduced by the net, undiscounted amount of the purchase orders, plus all sales taxes. Issuance of the purchase orders by the owner shall not relieve the construction management firm/sub-contractor of any of his responsibilities regarding material purchases, or installation, with the exception of the payments for the materials so purchased. Construction management firm shall remain fully responsible for coordination, correct quantities ordered, submittal, protection, storage, scheduling, shipping, security, expediting, receiving, installation, cleaning and all applicable warranties.

The construction management firm may be required to provide to the owner, in accordance with the provisions of section 255.05, Florida Statutes, a 100% performance bond and a 100% labor & material payment bond, each in an amount equal to the total construction cost of an assigned project. The bond shall be from a qualified surety company authorized to do business in the State of Florida and acceptable to the owner and the contractor. If the supply bond is required, the cost of the bond will be added to the amount of the purchase order. The premium cost for this supply bond should not be included in the bid price. Verifying that a designated material supplier can furnish a supply bond (if required) will be the responsibility of the construction management firm.

B. GENERAL INSTRUCTIONS

1. **RFQ Application Type and Number** – All documents necessary for submission can be located at <http://www.palmbeachstate.edu/purchasing/bid-openings.aspx>. Responses must be submitted in a sealed package and clearly marked as applicable for the appropriate discipline:
 - **RFQ #12/13-10 Construction Manager at Risk** and the firm's name and address on the outside of the sealed package.
 - The response package shall be addressed to:

Jodi Hart, M.B.A., Purchasing Director
Purchasing Department – Mail Station #27
Palm Beach State College
4200 Congress Avenue
Lake Worth, Florida 33461
Telephone: (561) 868-3465
Fax: (561) 868-3460
E-mail: purchasing@palmbeachstate.edu
2. **Required submission materials** – Furnish the following submission items:
 - **One (1) complete, individually bound 3-ring binder** with printed, completed application form information, and
 - **One (1) electronic flash drive (USB) containing pdf format of said binder.**
3. **Submission deadline - 3:00 p.m. EST, Monday, July 1, 2013.** All responses shall be submitted on or before the stipulated submission deadline to the Palm Beach State College Purchasing office at the address noted above. **No submittal information will be returned.**
4. The printed response shall contain the manual signature of an authorized representative of the responding firm. The representative shall be a principal or officer of the firm applying for consideration and shall be authorized to make the acknowledgements and certifications for and on behalf of the applicant.
5. By submitting a response, the applicant firm attests that its response is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same RFQ, and is in all respects fair and without collusion or fraud.
6. All information submitted by applicants is subject to the Laws of Perjury as set forth in Chapter 837, Florida Statutes. In the event an applicant is found to have committed perjury, such applicant shall be ineligible for consideration for future projects.
7. The minimum qualifying information outlined in this document is required to be submitted by an applicant to be eligible for consideration by the Committee and the Board.
8. Applicants who do not comply with the College's Procedures or deadlines established will not be considered. The College will retain all application information received. Responses received after the stipulated date and time will not be accepted and may be returned unopened to the applicant. Applications that do not comply with the instructions set forth and/or do not include the qualifying information required may be considered incomplete and may be rejected.
9. The College is not liable for any costs incurred by the applicants prior to the issuance of an executed contract.

10. Applicants responding to this RFQ must be available for presentations and interviews to the Screening Committee in person at Palm Beach State College.
11. The contents of the proposal of the RFQ response package submitted by successful applicant will become part of the contractual obligations.
12. Technical questions concerning this Request for Qualifications shall be submitted only by e-mail to Purchasing at purchasing@palmbeachstate.edu. The College may answer any questions that arise in the form of a written addendum issued not less than 48 hours prior to the submission deadline. Only the interpretations or corrections posted on the purchasing website at <http://www.palmbeachstate.edu/purchasing/bid-openings.aspx>, shall be binding. Applicants are advised that no other source is authorized to give information concerning or to explain or interpret the RFQ documents. These amendments and answers are to be printed, signed by an authorized vendor representative and include in the submission as indicated in section B.
13. The application form is a “writable” .pdf file and shall be filled out precisely as formatted without change or deviation. Applicants shall respond to each item in the numerical order noted. No changes or corrections will be allowed after proposals are submitted to the College and opened.
14. The results of the initial screening process will be posted at the College Purchasing Department and on the College website at <http://www.palmbeachstate.edu/purchasing/bid-openings.aspx> **Monday, July 15, 2013.**

C. TERMS AND CONDITIONS

1. The College reserves the right to accept or reject any or all proposals in the best interest of the College.
2. The successful firm shall not discriminate against any person in accordance with Federal, State or local law.

D. PROJECT DESCRIPTION

1. Scope of Work

Work to be accomplished under this contract may be located on any or all of the campuses of Palm Beach State College located in Palm Beach County, Florida. The selected firms will be required to work cooperatively as Owner’s representatives and closely with the College District Facilities/Facilities Planning and Construction Departments. Complete Construction Management at Risk services appropriate to the applicant’s discipline may be required, including, but not limited to pre-construction services, including cost estimating, plan review and comments, constructability input on the design of a project, in addition to Construction Management at Risk services during the bidding, scheduling, development of GMP’s, construction and close out of assigned construction contracts.

These construction projects may include new buildings as well as site work, renovation and remodeling of existing facilities. Complete building services should be anticipated including, but not limited to electrical power, HVAC, plumbing, security, fire sprinklers, alarm systems, data, telephone services, emergency power and energy management as well as considerations for energy conservation and ADA compliance. The maximum construction cost for a single project shall not exceed \$ 2,000,000 or a lesser stipulated amount as authorized by the Palm Beach State College District Board of Trustees.

The successful Construction Management at Risk contract shall be based upon a negotiated fee with a guaranteed maximum price for construction. Construction delivery system for CM contracts will be Construction Management at Risk. Individual Construction Management at Risk contracts will be assessed by size and scope for the most economical construction delivery system applicable at the Owner's discretion.

The selected firm(s) will be under contract for services thru Final Completion and Owner occupancy of the Project. At this time, it is anticipated that work may initiate within 30 days of approval by the District Board of Trustees.

2. **Contract Negotiations**

At the time of Contract Negotiations, a fixed fee based upon the established scope of work will be established. This fee shall be for the life of the contract.

It is possible that Palm Beach State College will utilize opportunities to apply for some Federal or State Grant money which could be used to pay for a portion of the construction costs associated with this project. It is desirable that the Construction Management at Risk firm(s) selected have some familiarity with supplemental funding sources and the requirements of such sources under provisions of State or Federal Grants such as the Davis Bacon Act.

E. SELECTION PROCESS

1. The Selection Committee may include but not be limited to the following:

One member of the District Board of Trustees.

Two representatives from the Palm Beach State College Administration and Business Services departments.

Three representatives from the Palm Beach State College Facilities/Facilities Planning/Physical Plant departments.

One representative from the Palm Beach State College Academic Affairs department.

2. The Selection Committee will evaluate responsive proposals in a two-step process consisting of (a) Initial Screening to determine a "short list" of qualified firms and (b) Oral Presentation interviews to establish an order of selection for recommendations to the District Board of Trustees.
3. Sole point of contact for all matters relating to this bid is:

Jodi Hart, M.B.A., Purchasing Director
Purchasing Department – Mail Station #27
Palm Beach State College
4200 Congress Avenue
Lake Worth, Florida 33461
Telephone: (561) 868-3465
Fax: (561) 868-3460
E-mail: purchasing@palmbeachstate.edu

All contact with the Purchasing Director as the sole point of contact for this proposal shall be in writing via electronic mail, U.S. mail, or other common courier. No facsimile transmissions or telephone calls will be accepted for any reason.

If there are any changes or additions to the Sole Point of Contact information at any time in the process, the College will issue an addendum to this bid.

Confidentiality: From the date of issuance of this bid, until a proposal is made, the proposing firm must not make available or discuss its bid, or any part thereof, with any employee or agent of the College, unless permitted by the Purchasing Director, in writing, for purposes of clarification only, as set forth herein.

Questions regarding the RFQ document should be in writing and submitted to the Sole Point of Contact no later than **Monday, June 17, 2013**. No oral communications shall be considered as a change to the RFQ. Palm Beach State College may respond to questions deemed to be material in nature via a written addendum. Interpretation of the wording of this document shall be the responsibility of Palm Beach State College and that interpretation shall be final. Written responses will be posted at <http://www.palmbeachstate.edu/purchasing/bid-openings.aspx>, **Monday, June 24, 2013**.

4. The required submittals will be reviewed by the Selection Committee and this Initial Screening Criteria will be used to determine the three to five (3-5) firms with the highest score using the selection scoring criteria established for the project.

F. REQUIRED APPLICATION FOR INITIAL SCREENING CRITERIA

(100 points quantitative)

The application form shall include required and requested information in all of the categories outlined below. **All requested information should be inserted as requested within the “writable .pdf form”**. No additional, supplemental information should be required nor will be accepted without prior approval. Initial screening criteria will evaluate specific categories of interest with a point system for individual selection committee member scoring.

1. Project Compatibility

(5 points) The College recognizes the size, diversity and complexity of construction projects which may be offered through the competitive selection process. In an effort to encourage and support a variety of business enterprises, as well as to attempt to match a specific project to the most compatible applicant, this category will address an opportunity for the “best fit for the job”. Based upon a varying set of parameters applied to each construction project, the Selection Committee may recommend an applicant most ideally suited for a particular application. This category offers the applicant an opportunity to individually express their suitability for selection through creative writing.

2. Business Structure

(Required submittal – 0 points) Accurately describe your firm’s legal business structure. Provide complete ownership identification for all individuals involved in the business structure as applicable to this Project. Provide information referencing State of Florida Department of State records indicating when a corporation was organized, corporation number and initiation date, and status of the most recent annual report. Applicants responding as joint ventures shall reference a copy of their joint venture agreement, including complete information on each firm.

Limited Liability companies shall provide information on the organization filed with the State, including complete information on the company. Each individual firm shall state the number of years in business including previous name changes.

3. Licenses and Certificates

(Required submittal – 0 points) Identify license numbers of current State of Florida registrations for appropriate applicants (Corporate and all key professional personnel) to be used on the project including a certificate of Corporate Authorization identifying (1) license number, (2) Certificate of Authorization date and (3) designation of professional(s) qualifying the corporation to practice as a Contractor/Construction Manager at Risk. An Applicant shall be properly registered to practice in the State of Florida with the appropriate State board governing the services offered. The Committee may verify the current status with the State of Florida Department of Regulation of Professions & Occupations-Contracting. Also reference a current Palm Beach County business license to practice in this county if applicable.

4. Financial Statement and Capability

See Attachment A.

5. Distance from Project Site

(5 points) The proposed operating (project) office location shall be documented in miles from the Lake Worth Campus. Based upon distance, this category will be pre-scored by the Facilities Planning Department according to the following:

- a. Palm Beach County = 5 points
- b. Broward/Martin County = 4 points
- c. Miami Dade/Indian River County = 3 points
- d. Other State Counties = 2 points
- e. Out of State = 1 point

6. Supplier Diversity

(10 points) The College encourages and supports supplier diversity for qualified minority or women-owned Business Enterprises (M/WBE). The applicant shall demonstrate their methods and goals for achieving/monitoring and reporting supplier diversity. Consideration will be given in addressing the following criteria:

- a. Prime M/WBE Participation - Applicant is certified by Palm Beach County or other government agency as an M/WBE firm
- b. Project M/WBE Participation strategies.
- c. Applicant firm's diversity profile – This section offers each non-minority firm an opportunity to demonstrate their support of supplier diversity by identifying the ethnic diversity within their own firms. It is important for all firms to complete this section whether officially certified or not.

7. Assigned Staff and Firm's Staff Experience Profile

(30 points) This criterion identifies the relative size of the firm, including management, technical and support staff. If applicable, an organizational chart as it relates to the project indicating key personnel may be provided. It shall be understood that it is the intent of the College to insist that those key personnel indicated as the project team in this RFQ response actually execute the project. However, in consideration of the size and frequency of projects, it is understood that some staff assignments may vary over the term of the contract.

This is an important issue to measure and evaluate; since some firms have personnel with much more experience than other firms, resumes for all key staff members must be included with submitted information. The resume should include both the years of experience with the proposing firm and the years of experience obtained while working in a similar capacity for other firms.

8. Related Building Experience

(40 points) Major consideration will be given to the successful completion of previous projects comparable in design, scope and complexity. List the projects, which best illustrate the experience of the firm and current staff which is being assigned to this Project. The majority of individual projects issued under this contract will be for minor renovation and remodeling work within existing buildings. Some projects may be for the design of new buildings or site features with an estimated cost under \$2,000,000. The previous projects listed in your proposal should reflect projects that are similar in size and scope to the type of projects listed above.

List no more than 10 projects; list no projects which were completed more than ten years ago. **List only projects which were completed directly by the applicant firm**, not related employee/architect experience with other firms. Include the following information for each project:

- a. Name and location of project.
- b. Function/Project use and occupancy type
- c. The nature of the firm's responsibility on the project.
- d. Project Owner's representative name, address and telephone number.
- e. Project user's representative name, address and telephone number.
- f. Date project was completed or anticipated to be complete.
- g. Size of project (construction gross square feet).
- h. Cost of the project (construction cost)
- i. Project type (new, remodeling/renovation).
- j. Work for which the firm's staff was responsible.
- k. Present status of the project.
- l. Firm's project manager and other key professionals involved on the project and who of that staff would be assigned to the project covered by this RFQ.
- m. Color photographs of completed project.

9. LEED Certified Projects

(0 points) Each applicant firm may list three (3) projects completed within the past five years which have been "LEED certified" by the USGBC (United States Green Building Council) and the project construction cost of each. Only LEED-certified projects using the applicant firm's own accredited LEED professionals may be listed. Do not use nor list any projects which have been completed by your sub-contractors team. Recognizing that these continuing service contracts will typically not be LEED certified, this section is not mandatory, but represents a firm's commitment to sustainability initiatives if desired.

10. Contract Work with Palm Beach State College

(5 points) This category is to evaluate the amount of work or contracts awarded by the College to firms during the past five years. Points will deducted according to the following scale, based upon the "Construction Value/GMP" of all projects contracted with the applicant firm during this five year period:

- | | |
|------------------------|------------|
| a. \$ 0.00 | = 5 points |
| b. \$ 1 - \$ 1,000,000 | = 4 points |

- c. \$ 1,000,000 – 5,000,000 = 3 points
- d. \$ 5,000,001 – 10,000,000 = 2 points
- e. \$10,000,001 – 25,000,000 = 1 points
- f. \$25,000,001 and greater = 0 points

11. Disputes, Litigation, Defaults

(5 points) Applicant shall disclose the results and amounts of settlement of any and all prior litigation, arbitration, mediation or other legal claims involving the Applicant or its principals or any consultants for a period of five years prior to the submission of this proposal.

12. References

(Required submittal – 0 points) See Attachment B.

G. INTERVIEWS

(Single qualitative score)

After the firms have been evaluated based upon their written submissions, the three to five firms with the highest scores will be more closely considered through an **interview presentation** responding to questions regarding their staff, experience and approach to perform on this particular project. The final interview presentations will be evaluated by the individual selection committee members based upon a single qualitative score, ranking each applicant on their answers to questions related to the issues outlined below.

1. **Financial Statement and Capability** - See attachment A.
2. **Proposed Project Team, staff and functions** (30%) The applicant firm shall propose their project team, identifying the actual staff to be assigned to a project, describe their ability and experience, and indicate the function of each within their organization and their proposed role on this project. It is the desire of the College to require that this project is managed and overseen by an experienced, licensed qualifier, who shall be present at the interview. The applicant’s assigned staff shall be present at the time of the interview. Since this selection covers a variety of project types and scopes, sub-contractors are not to be considered as a part of any “team”, but the selection committee may ask direct questions of the Construction Manager regarding specific trade sub-contractors regarding hypothetical project scenarios.
3. **Project experience, approach and methodology** (30%) As a part of its services, the firm shall indicate knowledge and experience in construction of projects of similar scope and scale, providing direct examples for comparative review.
4. **Knowledge of the Palm Beach State College Design & Construction Standards, Campuses and similar Project contracts** (20%) The firm shall demonstrate its knowledge of the College, established standards for design and construction, existing sites, utility infrastructure and buildings as determinants in the design philosophy and development, as well as College construction requirements, and abilities to provide compliance with all applicable codes, quality construction production, and sub-contractor scheduling and coordination. The Palm Beach State College building standards can be found at <http://www.palmbeachstate.edu/facilities/facilities-planning-and-construction/documents-and-standards.aspx>.
5. **Time and Budget** (10%) Applicant firms shall offer specific “real” project examples from previous institutional clients/projects demonstrating their initiative and experience in accelerating construction completion, reducing project construction costs and maintaining quality.

6. **Diversity participation** (5%) The firm shall demonstrate its approach in obtaining participation of State Certified Minority Business Enterprises on this project. The selected firm shall assure the College that it will adhere to the proposed plan for enlisting qualified and certified Minority Business Enterprises.
7. **Support of Palm Beach State College Mission** (5%) The firm shall demonstrate and address its knowledge and support of the Palm Beach State College mission and the College's internship program.

H. CONTRACTING PROCESS

1. The contract for Construction Management at Risk Services will be negotiated with the firms ranked highest by the Selection Committee and approved by the Board of Trustees.
2. Each professional service contract entered into by the Board shall contain a prohibition against contingent fees as follows: "The Applicant warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Applicant to solicit or secure this agreement and that it has not paid or agreed to pay any person, employee working solely for any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this agreement." For the breach or violation of this provision, the Board shall have the right to terminate the agreement without liability and, at its discretion, to deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift, or consideration.
3. The applicant's Basic Services Agreement will include pre-construction, bidding as well as construction services. The final executed purchase order for this project shall reflect the detailed scope of services set forth in the individual Owner/ Construction Management at Risk agreement for this project.

I. PROJECT MILESTONE SCHEDULE

- 1st Legal Advertisement Sunday, May 12, 2013
- 2nd Legal Advertisement Sunday, May 19, 2013
- 3rd Legal Advertisement Sunday, May 26, 2013

- Optional Pre-Bid Meeting Wednesday, May 29, 2013 **1 p.m.**
Location:
Room CE 119
Palm Beach State College
4200 Congress Avenue
Lake Worth, Florida 33461
[View Campus Map](#)

- Deadline for Questions Monday, June 17, 2013

- Answers to Questions posted on Palm Beach State College Purchasing website Monday, June 24, 2013
<http://www.palmbeachstate.edu/purchasing/bid-openings.aspx>

- **Submission Deadline - RFQ due date, 3:00 p.m. EST** Monday, July 1, 2013
Location:
Palm Beach State College
Jodi Hart, M.B.A., Purchasing Director
Purchasing Department – Mail Station #27
Palm Beach State College
4200 Congress Avenue
Lake Worth, Florida 33461

- **Initial Screening Review period** Tuesday, July 2 – Monday, July 15, 2013

- Posting of Short List Monday, July 15, 2013

- **Final Oral Presentation Interviews** Tuesday, July 23, 2013
Location TBD

- Posting of Final Selections Wednesday, August 14, 2013

- Board of Trustees Meeting; ratification of Finalists Tuesday, August 13, 2013
Location:
Palm Beach State College
4200 Congress Avenue
Lake Worth, FL 33462

ATTACHMENT A – FINANCIAL ATTESTATION FORM

Financial Attestation Form

This form shall be signed by both the Construction Manager and CPA* that prepared/reviewed your company’s most recent annual financial statement and be submitted

• Construction Manager at Risk Firm Name: _____

• Name of CPA* that completed the review of your company’s most recent annual financial statement:

• This with all the following Section requirements completed fully by your CPA* that completed the audit of your firm’s most recent annual financial statement.

○ After review of the Construction Manager at Risk Firm’s most recent audited financial/statement as their CPA* we have defined below their:

2a. Year of most recent annual financial statement information is being derived from: _____

2b. The Construction Manager at Risk Firm’s working capital ratio during that year was? _____

2c. The Construction Manager at Risk Firm’s return on assets during that year was? _____ %

2d. The Construction Manager at Risk Firm reported a net after tax profit during that year?
Yes _____ No _____

2e. The Construction Manager at Risk Firm’s current liabilities? _____

“CPA”*

“Construction Manager at Risk Firm’s”

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: _____

Title: _____

(* The CPA OR Accountant that completed a review of your company’s most recent annual financial statement)

ATTACHMENT B – REFERENCES

**Palm Beach State College
RFQ #12/13-10**

Title: Construction Manager at Risk - Continuing Services Contracts

Date: _____ Number of pages including cover: 2

To: _____ (your client) Email: _____

Phone: _____ Fax No: _____

Subject: Performance Evaluation of _____ (your company)

To Whom It May Concern:

Palm Beach State College has implemented a process that collects past performance information on various Contractors that provide Construction Manager at Risk services to the College. The information will be used to assist the College Evaluation Committee in the evaluation of the Contractors which provided services to your agency or company.

The company listed in the subject line above has chosen to participate in this program. They have listed you as a past client that they provided Construction Management at Risk services for. Both the Company and Palm Beach State College would greatly appreciate you taking five to 10 minutes out of your busy day to complete the accompanying questionnaire.

Please review all items in the following Attachment A-2 and answer the questions to the best of your knowledge. If you cannot answer a particular question, please write "N/A". Please have the client return this questionnaire directly to Jodi Hart, Purchasing Director by **3 p.m., Monday, July 1, 2013** or earlier by fax: 561-868-3460, email purchasing@palmbeachstate.edu or mail to Jodi Hart, M.B.A., Purchasing Director, Purchasing Department MS 27, Palm Beach State College, 4200 Congress Avenue, Lake Worth, FL 33461.

Thank you for your time and effort.

Jodi Hart
Purchasing Director

**Palm Beach State College
RFQ #12/13-10**

**Title: Construction Manager at Risk - Continuing Services Contracts
REFERENCE PERFORMANCE EVALUATION SURVEY**

To be completed by the Client **Only**

Client Company Name: _____

Point of Contact: _____

Phone number and Email Address: _____

Fax No. (_____) _____

Proposer Company Name (who listed your company as a reference): _____

Client representative providing the reference (name and title): _____

Phone numbers and email address of individual providing the reference: _____

Date(s) of Service: _____ Annual Aggregate Dollar Amount of Service: \$_____

Please evaluate the performance of the Proposer noted above using the following scales:

- 4 = Exceptional (always exceeds your expectations)
- 3 = Good (meets defined minimum requirement and occasionally exceeds your expectations)
- 2 = Average (meets minimum requirements)
- 1 – Does Not Meet Minimum Standards
- 0 = Do Not Hire (our company would not hire them again)

No	Reference Criteria for Construction Management at Risk Contracting Services	Scale Range	Your Score
1	Quality of Service as it relates to the ability to provide a Construction Manager.	1 – 4	
2	Construction Manager's ability to interact with its sub-consultants.	1 – 4	
3	Satisfaction with the Contract Administration (verbal and written) during the progression of the project(s).	1 – 4	
4	Ability to timely resolve issues.	1 - 4	
5	Accuracy of the cost estimate for the project and materials.	1 - 4	
6	Construction Project Work on time completion and within budget.	1 – 4	
7	Project Construction Manager's knowledgeable about project.	1 – 4	
8	Project Construction Manager's readily available during project.	1 – 4	
9	Overall satisfaction of finished project.	1 – 4	
10	Overall customer satisfaction and hiring this Construction Management at Risk firm again based on performance (comfort level in hiring Construction Management at Risk firm again)	1 - 4	

Overall Comments: _____

Please forward completed questionnaire to fax: 561-868-3460, email purchasing@palmbeachstate.edu or mail to Jodi Hart, M.B.A., Purchasing Director, Purchasing Department MS 27, Palm Beach State College, 4200 Congress Avenue, Lake Worth, FL 33461, **prior to 3 p.m., Monday, July 1, 2013.**

ATTACHMENT C – DRUG-FREE WORKPLACE CERTIFICATION

**** Drug-Free Work Place ****

The undersigned vendor in accordance with Florida Statute 287.087 hereby certifies that

_____ does:

(Name of business)

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the action that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug free workplace, any available drug counseling, rehabilitation, and employee's assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under this solicitation a copy of the statement specified in subsection(1).
4. In the statement specified in subsection(1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid/proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty, or nolo contendere to, any violation of Chapter 1893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

Proposer's signature

Date: _____

Attachment D – Minority Business Enterprise/Woman Business Enterprise Certificate

MINORITY BUSINESS ENTERPRISE/WOMAN BUSINESS ENTERPRISE CERTIFICATE

I HEREBY DECLARE AND AFFIRM that I am the _____ (Title) representative of the firm of _____ (Company Name) minority business enterprise (MBE/WBE) _____ (Minority Type) as defined by Palm Beach State College in the specifications for **RFQ 12/13-10 Construction Manager at Risk - Continuing Services Contracts**(Project Name & Number) that I will provide information requested by COLLEGE to document this fact. The foregoing statements are true and correct and include all material necessary to identify and explain the operations of _____ (Company Name) as well as the ownership thereof. Further, the undersigned does agree to provide COLLEGE current, complete and accurate information regarding actual work performed on the project, the payment therefor and any proposed changes in any of the arrangements hereinabove stated and to permit and audit an examination of the books, records and files of the above named company by authorized representative of COLLEGE. It is recognized and acknowledged that the statements herein are being given under oath and material misrepresentation will be grounds for terminating any contract which may be awarded in reliance hereon. Termination is understood to forfeiture of payment for all work not performed at time of notification.

I DO SOLEMNLY DECLARE OR AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE FOREGOING DOCUMENTS ARE TRUE AND CORRECT, AND THAT I AM AUTHORIZED, ON BEHALF OF THE ABOVE FIRM, TO MAKE THIS AFFIDAVIT.

_____ Signature of Company's Authorized Representative

State of _____ County of _____ City of _____

On this _____ day of _____, 2013, before me, in the foregoing affidavit and acknowledged that he (she) executed the same in the capacity therein stated and for the purpose therein contained.

In witness thereof, I hereunto set my hand and official seal.

(Notary Public)

My commission Expires:

Minority Type: #M1 if Black American Man; M2 if Hispanic American; M3 if Asian American; M4 if Native American (Eskimo & Aleutian); M5 if Native Hawaiian; M6 if Small Business; M7 if Disabled; M8 if American Woman; M9 if Black American Woman; and NM if Not Minority. (Must have greater than 51% minority ownership)

"Minority/Woman Business Enterprises that file false misrepresentation of their MBE/WBE status shall be found guilty of a felony of the second degree and be debarred from bidding no less than 36 months pursuant to 287.094 Florida Statute".