

**Solicitation
For Participation in
Engineering Services for Greenland Water Reclamation Facility**

for



Jacksonville, FL

Solicitation Number 006-18

Mandatory Pre-Proposal Meeting December 14, 2017 at 03:00 PM

JEA Customer Center, 1st Floor, Room 002

21 W. Church Street, Jacksonville, FL 32202

Proposals are due January 16, 2018 at 12:00 p.m.

Direct delivery or mail to JEA Bid Section, Customer Center 1st Floor, Room 002

21 W. Church Street, Jacksonville, FL 32202

JEA will publicly open all proposals received from qualified Proposers on January 16, 2018 at 2:00pm

2:00 p.m. in the JEA Customer Center 1st Floor, Room 002, 21 W. Church Street, Jacksonville, FL

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Solicitation

1. REQUEST FOR PROPOSALS

1.1. SCOPE, BACKGROUND AND INVITATION

1.1.1. SCOPE OF WORK

JEA is soliciting qualifications for professional design and engineering services for the Greenland Water Reclamation Facility. JEA will award one (1) contract to the most highly qualified firm that meets the minimum qualifications to submit a proposal and with which JEA is able to successfully negotiate a contract. The new Facility will be designed to treat an influent average flow of six (6) million gallons per day with design provisions for future expansion to twelve (12) million gallons per day. The new Facility will consist of the following major process areas and support facilities:

- Pretreatment Process
- Biological Nutrient Removal Process
- Effluent Management
- Biosolids Management
- Support Facilities

For further information on the planned projects please refer to Appendix A Technical Specifications and Appendix C Project Definition.

The scope for the work may include, but is not limited to:

- Surveys
- Geotechnical investigations
- Design services for wastewater plant, pumping stations; pipeline for outfall, including new facilities, etc.
- Detailed design and engineering reports for wastewater facilities including ancillaries. Reports will contain associated engineering calculations, graphs, etc.
- Basis of design reports, P&IDs, process flow diagrams, mass balances, etc.
- Design drawings
- Specifications
- Bid document preparation and bid assistance
- All permitting activities and applications for construction
- Process(Biowin) modeling and hydraulic modeling
- Site work and landscaping design and engineering
- Stormwater design and engineering
- Architectural design
- Electrical power, control, instrumentation, SCADA, HMI, and software design and engineering
- Services during construction including construction management and resident engineer
- Compliance with the JEA project delivery management system including design phase drawings, specifications, cost estimates and calculations. Compliance with the Uniform Drawing System per the US National CAD Standard V5
- Potential additional work to support outfall permitting under the provisions of Florida's APRICOT rule include but are not limited to SCI biological sampling; Detailed water quality modeling to further describe the effects of the proposed discharge; Water Quality Based Effluent Limitation (WQBEL) study; and/or Site Specific Alternative Criteria (SSAC) study

The contract will be for the duration of the effort.

The evaluation of the Proposals will be broken into two (2) evaluation phases.

- Phase 1– Review Proposals to qualify a short list of up to three (3) Companies
- Phase 2 – Short listed Companies will make presentations followed by Q&A sessions

1.1.2. INVITATION - REQUEST FOR PROPOSAL

You are invited to submit a Proposal in response to the Request for Proposals noted below:

Request for Proposals (RFP) Title: Engineering Services for Greenland Water Reclamation Facility

To obtain more information about this RFP:

Download a copy of the Solicitation, PDF quality drawings (if applicable, and any required forms at jea.com.

JEA RFP Number: 006-18

Proposal Due Time: 12:00 P.M. - **ALL LATE PROPOSALS WILL BE RETURNED UNOPENED.**

Phase 1 Proposal Due Date: January 16, 2018

Phase 2 Proposal Due Date: TBD

All Proposals must reference the RFP Title and Number noted above. All Proposals must be made on the appropriate forms as specified within the RFP and placed in an envelope marked to identify the RFP and delivered or mailed to:

JEA Procurement, Bid Section, 21 West Church Street, Customer Center 1st Floor, Room 002, Jacksonville, FL 32202

The Proposer shall be solely responsible for delivery of its Proposal to the JEA Bid Office. **Please note, JEA employs a third party courier service to deliver its mail from the local U.S. Post Office (USPS) which could cause a delay of Proposal delivery if mailed through the USPS.** Therefore, JEA recommends direct delivery to the JEA Bid Office. Reliance upon the USPS, the courier service employed by JEA to make pick-ups from the local USPS, or public carriers is at the Proposer's risk.

Proposals are due by the time and on the date listed above. **ALL LATE PROPOSALS FOR WHATEVER REASON WILL BE RETURNED UNOPENED.**

1.1.3. QUESTIONS

All questions must be submitted in writing to the JEA Buyer listed below at least five (5) business days prior to the opening date. Questions received within five (5) business days prior to the opening date will not be answered.

For Procurement Related Questions:

Buyer: Dan Kruck

E-mail: krucdr@jea.com

For Technical Related Questions:

Buyer: Bradley W. Collier

E-mail: collbw2@jea.com

1.1.4. MANDATORY PRE-PROPOSAL MEETING

There will be a Mandatory Pre-Proposal meeting associated with this Solicitation. All interested Companies must attend the Pre-Proposal meeting. Each Proposer will be required to sign in at the beginning of the meeting. A Proposer shall only sign in representing one company, unless otherwise specified by JEA. Companies not attending the Pre-Proposal meeting shall have their Proposals rejected and returned unopened.

Proposers must be on time to the meeting and must be present at the starting time of the meeting. Proposers not arriving on time for the meeting will have their Proposals rejected and returned unopened.

PLEASE BE AWARE DUE TO JEA SECURITY PROCEDURES IT MAY TAKE UP TO FIFTEEN (15) MINUTES TO OBTAIN ACCESS TO A JEA FACILITY. PLEASE PLAN ACCORDINGLY SO AS TO ARRIVE TO THE MEETING ON TIME.

Meeting Time: 03:00 PM

Meeting Date: December 14, 2017

Meeting Location: JEA Customer Center, 1st Floor, Room 002, 21 W. Church Street, Jacksonville, FL 32202

1.1.5. OPENING OF PROPOSALS

All Proposals received shall be publicly announced and recorded at 2:00 PM on January 16, 2018 in the JEA Bid Office, 21 W. Church Street, Customer Center 1st Floor, Room 002, Jacksonville, FL 32202. At the opening of Proposals, a JEA representative will publicly open each Proposal that was received prior to the due date and time, except for those Proposals that have been properly withdrawn. JEA has the right to waive any irregularities or informalities in the Proposals.

1.2. SPECIAL INSTRUCTIONS

1.2.1. MINIMUM QUALIFICATIONS FOR SUBMISSION

Proposer shall have the following Minimum Qualifications to be considered eligible to submit a Proposal in response to this Solicitation. **A Minimum Qualification Form which is required to be submitted is provided in Appendix B of this Solicitation.**

- o The Proposer must be listed on JEA's Qualified Proposers List (QPL) in the following categories: **WE1-Water Wastewater Treatment Plant Systems and Pump Stations and WE3-Water, Sewer and Reclaimed Water Pipe Greater Than or Equal to 24 Inches**
- o The Proposer shall have successfully completed two (2) Wastewater Treatment Plant designs (advanced treatment design with reclaimed design) in Florida, each with a minimum of 4 MGD within the last ten (10) years, date ending on the Proposal Phase I Due Date.
 - At least one project shall reflect alternative delivery method by Construction Management at Risk (CMAR). The Proposer shall have participated in services during construction for both projects.

For any questions regarding QPL qualification and current status, contact Lynn Rix at 904-665-6740, or rixlw@jea.com.

It is the responsibility of the Proposer to ensure and certify that it meets the Minimum Qualifications stated above. A Proposer not meeting all of the following criteria will have their Proposal rejected.

1.2.2. EVALUATION METHODOLOGY

1.2.3. COMPETITIVE SEALED PROPOSALS - CONSULTANTS' COMPETITIVE NEGOTIATION ACT (CCNA)

JEA shall evaluate the Proposer's qualifications, rank the qualifications from all Proposers, and negotiate a Contract for the Work according to the regulations applicable to companies that perform professional architectural, engineering, landscape architecture or surveying and mapping services as set forth in Florida Statutes Section 287.055, known as the Consultants' Competitive Negotiation Act ("CCNA").

In evaluating the qualifications, JEA will not consider price, but may consider factors including, but not limited to, the Proposer's professional personnel, past performance, whether the Proposer is a Jacksonville Small and Emerging Business (JSEB); recent, current and projected workloads of the Proposer, and volume of work previously awarded to each Proposer by JEA. JEA may also request interviews or presentations from the Proposers during its selection.

After approving the rankings of all the Proposers, JEA will enter into negotiations of contractual terms with the highest ranked Proposers in ranking order. The rankings will be determined by the highest average score. During negotiations, JEA will consider detailed information regarding the Contract Price, the Proposer's hourly rates, and scope of the Contract. If JEA and the Proposer are unable to negotiate a satisfactory Contract, JEA will formally terminate the negotiations with the Proposer and undertake negotiations with the next-highest ranking Proposer. JEA will Award the Contract to the highest-ranking qualified Proposer that successfully complete Contract negotiations with JEA.

1.2.4. NUMBER OF CONTRACTS TO BE AWARDED

JEA intends to Award One (1) Contract for the Work. JEA reserves the right to Award more than one Contract based on certain groupings of the Work items, or JEA may exclude certain Work items, if JEA determines that it is in its best interest to do so.

1.2.5. CONTRACT COMMERCIAL TERMS

Proposer acknowledges that once it is approved to a Qualified Proposer List (QPL), the Proposer will agree to JEA's General and Special Contract terms found in the Request for Qualifications which can be found on jea.com. Note, the General Conditions agreed to when applying for inclusion on the QPL will apply. If Proposer is subsequently awarded a Contract pursuant to this process, no negotiation of Contract terms will be allowed and a Contract will be executed upon ten (10) days upon receipt of the Contract Documents. If Proposer does not agree to JEA's Contract terms and does not execute the Contract within the stated timeframe, JEA may rescind company's Award and may Award the Contract to next highest ranked Proposer that successfully negotiates with JEA.

1.2.6. BASIS OF AWARD

1.2.6.1. EVALUATED PROPOSAL

JEA will use the "Selection Criteria" listed below for Phase 1 and 2 to evaluate the Proposals. JEA will determine a shortlist of up to three (3) Companies during Phase 1. If more than three Companies submit proposals JEA will hold a public meeting at the end of Phase 1 to develop the shortlist. Companies assigned to the shortlist will be required to make an oral presentation on the Phase 2 information followed by a question and answer period. At the conclusion of Phase 2, the scores from both Phase 1 and Phase 2 will be added together to determine the final rankings. A public meeting will be held to reveal the final rankings. Proposals will be scored and ranked by a committee of 3 to 5 evaluators using the evaluation matrices attached to this Solicitation.

Points will be awarded as described on the Evaluation Matrices attached to this RFP. JEA will use the "Selection Criteria" listed below to evaluate the Proposals. JEA shall make its Award decision based solely upon the information submitted in the Proposals and Presentations. It is always in the best interest of the Proposer to provide informative, concise, well-organized technical and business information relative to the Work, in both the initial submittal of its Proposal and in any subsequent submittals. **Please note, JEA may reject Proposals that request material changes or take exceptions to JEA commercial terms and conditions.** Material changes to the commercial terms and conditions can only be made by JEA prior to public opening of the Proposals.

Points will be awarded as described on the Evaluation Matrices attached to this RFP.

1.2.7. CRITERIA SCORING - PHASE 1 (60 POINTS)

1.2.7.1. PROFESSIONAL STAFF EXPERIENCE

Maximum score for this criterion is: 20 POINTS

Company shall provide a maximum of **eight (8)** resumes of the professional staff to be assigned to perform the "Work". The resumes provided shall identify the Engineering Project Manager, Wastewater Process Engineer, Electrical/I & C Engineer, Quality Control/Quality Assurance Engineer; and the backups for each (collectively, the "Team Members"). Note, the Lead Project Manager must be from the Company submitting the Proposal and not a subcontractor. One individual resume can serve in a maximum of two (2) roles. Two (2) separate resumes may be submitted for the same individual reflecting relevant experiences. Persons whose resumes are submitted as a Team Member must actually perform the Work unless Company receives prior approval by the JEA Project Manager to use the Backup. Finally, if Company submits a resume of a subcontractor that is employed by a JSEB firm, please note this on the resume.

At a minimum, each resume shall present the Team Member's name, title, years of service with Company, applicable professional registrations, education, and work experience. Resumes shall also identify any specialty or technical process expertise. **Resumes shall be no more than two (2) pages in length: single sided, and on 8.5" by 11" sized paper. If more than two pages are submitted, only the information contained on the first two pages will be evaluated by JEA. No more than six (6) resumes will be evaluated.**

Years of Relevant Experience will be evaluated as shown below:

- Greater than or equal to 20 years = 5 points
- Greater than or equal to 15 years but less than 20 years = 4 points
- Greater than or equal to 10 years but less than 15 years = 3 points
- Greater than or equal to 5 years but less than 10 years = 2 points
- Less than 5 years = 1 point

Proposer shall provide the resumes of the professional staff available to work on the JEA engagement. All professional staff must be Florida licensed Professional Engineers. At a minimum, each resume shall present the employee's name, title, years of service with the firm and overall years of relevant experience. Years of relevant experience will be scored using the scale in the evaluation matrix. Resumes shall also identify any specialty or technical process expertise. Resumes shall also include employee's applicable professional registrations, education, and work experience, including key projects. In demonstrating experience, Proposer must indicate the position /role the individual had in the specific key project referenced.

The types of key projects may consist of the following but not limited to:

- Advanced Wastewater Treatment Plant design

- Pump Station design
- Biosolids processing
- Reclaimed water system design

Finally, Company shall provide an organizational chart delineating Company's personnel responsibilities and functions associated with the Work. If applicable, this chart shall also delineate any responsibilities and functions of subcontractor(s) and/or JSEB firm(s).

Points will be awarded as described on the Evaluation Matrix attached to this solicitation.

Evaluation of this criterion shall include an assessment of the general capabilities of the firm or individuals that will be engaged in the project. Qualities and indicators that will receive consideration generally include the various professional, technical, and educational achievements and registrations of the firm and individuals; the size, facilities, equipment, diversification, depth of personnel, and overall experience of the firm; the applicable experience of the proposed assigned staff, and the specific experience gained on similar projects.

1.2.7.2 COMPANY/ALTERNATIVE DELIVERY EXPERIENCE

Maximum score for this criterion is: 25 POINTS

Company shall provide the following:

1. A summary of **TWO (2)** similar projects in the last five (5) years as stated in the Technical Specifications. The same project can be used for scoring in this section as submitted in the Minimum Qualifications. The examples should be able to demonstrate that Company's experience and knowledge qualify them to complete the necessary work in a successful manner.
 - Company should identify whether any of the proposed Team Members worked in key roles in the projects
 - Company should provide detailed information to describe how Company managed the engagements to realize project budgetary goals, timetables and quality control objectives
 - Company should describe any working relationship with subcontractors that will be used for this project
 - Company should identify the project stage—i.e. design, construction, construction completed, etc.
 - Company shall include a project reference for each project
2. JEA may elect to utilize Alternative Delivery mechanism (ex. Construction Management at Risk (CMAR) in lieu of the traditional design/bid/construct approach for the project. Company is requested to provide information on prior Alternative Delivery project experiences for wastewater projects in which they have participated in the past five (5) years. The Company should compare and contrast the conventional design/bid/construct approach with the alternative delivery approach(es) and delineate the potential impacts of utilizing alternative delivery on the design and construction schedule.

Company's response to above should be limited to no more than six (6) pages, 1-sided, single-spaced. Please use your own form for this section. Responses that are longer than six (6) pages will not be evaluated after page six (6).

1.2.7.4 PRIMARY PROJECT MANAGER PROXIMITY TO JEA

Maximum score for this criterion is: 5 POINTS

Provide the address of Proposer's office that the proposed Primary Project Manager normally works from and its distance from JEA Headquarters located at 21 West Church St. JEA will use Google Maps to verify distance.

In order to receive points for this criterion, Proposer's office must be occupied and staffed with at least three (3) employees for a duration of six (6) months, prior to the Proposal Due Date stated in this RFP. Additionally, the office shall not be used as residential premises. If necessary, JEA will use zoning records and tax rolls to validate this criteria.

Respond on Appendix B Proposal Form

1.2.7.5 JACKSONVILLE SMALL AND EMERGING BUSINESS (JSEB) - RFP

Maximum score for this criterion is: 10 POINTS

NOTE: The specific JSEB **requirement** for the design and permitting portion of the project is **TEN PERCENT (10%)** JSEB participation. Companies are required to fully comply with the JSEB program as described in section 1.2.9 of this Solicitation.

Note: The aspirational goal for this project is **TWENTY PERCENT (20%)**

Proposer shall indicate if it is certified as a Jacksonville Small and Emerging Business (JSEB) as defined by Jacksonville Ordinance 2004-602; Chapter 126, Part 6A and 6B.

If Proposer is not a certified JSEB, the Proposer shall list any JSEB certified subcontractors that it intends to utilize in the performance of this Work. The listing should include names of the JSEBs, the type of service they will provide, and the percentage of work being subcontracted. Points will be awarded based on the type and amount of work that will be conducted by JSEB firms.

NOTE: Additional Points will be awarded for Proposers that include additional participation above the required JSEB participation of ten percent (10%).

The points will be awarded as follows:

Proposer is a COJ/JEA certified JSEB = 10 pts;

Non-JSEB with JSEB partner:

Greater than or equal to 20% of work = 8 pts

Greater than or equal to 18%, but less than 20% of work = 6 pts

Greater than or equal to 16%, but less than 18% of work = 4 pts

Greater than or equal to 14%, but less than 16% of work = 3 pts

Greater than or equal to 12%, but less than 14% of work = 2 pts

Greater than or equal to 10%, but less than 12% of work = 1 pt

1.2.7.6 TIE

A tie in ranked scores will be handled by value of work previously awarded in the past three (3) years as of the RFP due date.

1.2.8. CRITERIA SCORING - PHASE 2 (40 POINTS)

1.2.8.1. PROFESSIONAL STAFF EXPERIENCE

Maximum score for this criterion is: 10 POINTS

Company shall provide a maximum of **eight (8)** resumes of the professional staff to be assigned to perform the "Work". The resumes provided shall identify the Construction Project Manager, Structural Engineer, Architect, and Civil/Drainage Engineer; and the backups for each (the "Phase 2 Team Members" and collectively with the Phase 1 Team Members, the "Team Members"). The Phase 2 Team member- Construction Project Manager is not required to be a licensed professional as regulated by the Florida Department of Business and Professional Regulation. Persons whose resumes are submitted as a Team Member must actually perform the Work unless Company receives prior approval by the JEA Project Manager to use the Backup. Finally, if Company submits a resume of a subcontractor that is employed by a JSEB firm, please note this on the resume.

At a minimum, each resume shall present the Team Member's name, title, years of service with Company, overall years of relevant experience, applicable professional registrations, education, and work experience. Resumes shall also identify any specialty or technical process expertise. **Resumes shall be no more than two (2) pages in length: single sided, and on 8.5" by 11" sized paper. If more than two pages are submitted, only the information contained on the first two pages will be evaluated by JEA. No more than six (6) resumes will be evaluated.**

Years of Relevant Experience will be evaluated as shown below:

- Greater than or equal to 20 years = 5 points
- Greater than or equal to 15 years but less than 20 years = 4 points
- Greater than or equal to 10 years but less than 15 years = 3 points
- Greater than or equal to 5 years but less than 10 years = 2 points
- Less than 5 years = 1 point

Finally, Company shall provide an organizational chart delineating Company's personnel responsibilities and functions associated with the Work. If applicable, this chart shall also delineate any responsibilities and functions of subcontractor(s) and/or JSEB firm(s).

Additional points will be awarded to companies that utilize a JSEB Consultant for the following Primary Team Member positions as shown on the Evaluation Matrix.

- Construction Project Manager
- Structural Engineer
- Architect
- Civil/Drainage Engineer

1.2.8.2. PAST PERFORMANCE

Maximum score for this criterion is: 5 POINTS

A common questionnaire will be used in evaluating one project reference provided in the Phase 1 proposal. At least one (1) Evaluator will be assigned this task and then score the matrix accordingly.

1.2.8.3. PRESENTATION: PROJECT APPROACH AND WORK PLAN

Maximum score for this criterion is: 25 POINTS

Evaluation of this criterion shall include creativity and innovation of proposed solutions, comprehensive utilization of proposed personnel to meet the deliverables and cost-effectiveness of potential solution(s). Proposer shall also provide a project schedule indicating: (i) all the activities envisioned to fulfill the requirements of the Work; (ii) the estimated duration for each activity; (iii) the estimated man-hours for each activity; and (iv) the total estimated man-hours of the primary Team Members, identified in the Section titled "Professional Staff Experience", will devote to the Work through completion. Additionally, the project schedule must demonstrate the utilization of any Subcontractors.

This section will be graded as detailed below.

1. Description of Project/Narrative of Approach (10 points max)
2. Comprehensive and Appropriate Resource Plan and Project Schedule (5 points)
3. Cost and Schedule Management (5 points max)
4. Delineate the potential impacts of utilizing an Alternative Delivery mechanism on each of the above (5 points max)

1.2.9. JACKSONVILLE SMALL AND EMERGING BUSINESS (JSEB) PROGRAM REQUIREMENTS

1.2.9.1. JACKSONVILLE SMALL AND EMERGING BUSINESS (JSEB) GOAL (RFP)

The specific JSEB requirement for the design and permitting portion of the project is **TEN PERCENT (10%)** JSEB participation. Companies are required to fully comply with the JSEB program described in this RFP. Failure to fully comply with the program during the RFP process may disqualify the Proposer. Companies that do not submit a Proposal in full compliance with the letter and intent of the JSEB requirements of the RFP shall have their Proposals rejected.

Note: The aspirational goal for this project is **TWENTY PERCENT (20%)**.

All questions and correspondence concerning the JSEB program should be addressed to the following contact:

Rita Scott
JSEB Manager
(904) 665-6257
scotrl@jea.com

1.2.9 REQUIRED FORMS TO SUBMIT WITH PROPOSAL

To submit a Proposal in response to this RFP, all of the following forms must be completed and submitted as part of the Proposal. The Proposer must obtain the required forms, other than the Proposal Form, by downloading them from JEA.com. If the Proposer fails to complete or fails to submit one or more of the following forms, the Proposal shall be rejected.

The following forms are required to be submitted with Phase 1:

- Company's Phase 1 Proposal
- Phase 1 Proposal Form - This form can be found in Appendix B of this Solicitation
- Minimum Qualification Form – This form can be found in Appendix B of this Solicitation
- List of JSEB Sub-consultants
- List of Subcontractors (if any)
- Appendix B Minimum Qualifications

If the above listed forms are not submitted with the Phase 1 Proposal by the Proposal Due Time and Date, JEA shall reject the Phase 1 Proposal.

The following forms are required to be submitted with Phase 2:

- Company's Phase 2 Proposal
- Company's PowerPoint Presentation
- Phase 2 Proposal Form-This form can be found in Appendix B of this Solicitation

If the above listed forms are not submitted with the Phase 2 Proposal by the Proposal Due Time and Date, JEA shall reject the Phase 2 Proposal.

JEA also requests the following documents to be submitted prior to Contract execution. A Proposal will not be rejected if these forms are not submitted at the Proposal Due Time and Date. However, failure to submit these documents prior Contract execution could result in Proposal rejection.

- Conflict of Interest Certificate Form - This form can be found on JEA.com
- Insurance Certificate
- W-9
- List of JSEB Certified Firms (if any)
- Evidence of active registration with the State of Florida Division of Corporations (www.sunbiz.org)

1.3 COMPLETING THE SUBMITTAL DOCUMENTS

1.3.1 SUBMITTING THE PROPOSALS

The Proposer shall submit one (1) original Phase 1 Proposal, four (4) duplicates (hardcopies) and five (5) CDs or USB Drives. Phase 2 proposal, and its PowerPoint presentation will be submitted and received by JEA prior to the presentation date. During the Phase 2 presentation the proposing company will present based on the design approach and work plan provided in the Phase 2 written proposal only. For clarity and ease of review the Proposer may submit their written design approach in a non-PowerPoint format prior to the presentation meeting. The written document and the PowerPoint document must contain the same information and materials. No additional information may be added to the PowerPoint presentation which is not included in the written submittal. The Proposing company may use PowerPoint or other tools to present the information. If PowerPoint or any other tool is used one (1) original and four (4) duplicate hard copies of the PowerPoint slides or presented item, along with five (5) electronic file copies must be provided at the time of the presentation to JEA.

If there is a discrepancy between the electronic copy and the hard copy, the hard copy will prevail. JEA will not accept Proposals transmitted via email. **IF PROPOSER IS INTERESTED IN SUBMITTING A RESPONSE TO THIS RFP, PLEASE EMAIL krucdr@jea.com TO RECEIVE THE PROPOSAL FORM IN A WORD FORMAT. REQUESTS MUST BE MADE NO LATER THAN FIVE (5) BUSINESS DAYS BEFORE PROPOSAL OPENING.**

1.3.2 COMPLETING THE PROPOSAL

Proposers shall submit their Proposals and any enclosed documents attached to this RFP with responses typewritten or written in ink. Proposers should refer to the Special Instructions of this RFP to review specific items which may be required with the submittal of the Proposal. The Proposer, or its authorized agent or officer of the firm, shall sign the Proposal. Failure to sign the Proposal may disqualify the Proposal. JEA-approved erasures, interlineations or other corrections shall be authenticated by affixing in the margin, immediately opposite the correction, the handwritten signature of each person executing the Proposal. Failure to authenticate changes may disqualify the

Proposal. JEA may disqualify any Proposals that deviate from the requirements of this RFP, and those that include unapproved exceptions, amendments, or erasures.

1.3.3 OBTAINING OFFICIAL SPECIFICATION DRAWINGS FOR THIS RFP

If drawings are required to be reviewed prior to submitting a Proposal, JEA offers electronic drawing files for viewing at no-charge at JEA.com.

1.3.4 ADDENDA

JEA may issue Addenda prior to the Proposal opening dates to revise, in whole or in part, or clarify the intent or requirements of the Solicitation. The Proposer shall be responsible for ensuring it has received all Addenda prior to submitting its Proposal and shall acknowledge receipt of all Addenda by indicating where requested on the Bid Form. JEA will post all Addenda when issued online at jea.com. The Proposer must obtain Addenda from the JEA website. All Addenda will become part of the Solicitation and any resulting Contract Documents. It is the responsibility of each Proposer to ensure it has received and incorporated all Addenda into its Proposal. Failure to acknowledge receipt of Addenda may be grounds for rejection of a Proposal.

1.4 GENERAL INSTRUCTIONS

1.4.1 CONTRACT EXECUTION AND START OF WORK

Within thirty (30) days from the date of Award, JEA will present the successful Proposer with the Contract Documents. Unless expressly waived by JEA, the successful Proposer shall execute a Contract for the Work or Services within ten (10) days after receiving the Contract from JEA. If the Proposer fails to execute the Contract or associated documents as required, or if it fails to act on a JEA-issued Purchase Order (PO), JEA may cancel the Award with no further liability to the Proposer, retain the bid security or bond (if applicable), and Award to the next-ranked company.

Upon JEA's receipt of the executed Contract, certificate of insurance, and recorded Payment and Performance bonds (if applicable), JEA will issue a PO, in writing and signed by an authorized JEA representative as acceptance of the Proposal and authorization for the company to proceed with the Work, unless otherwise stated in the Contract or PO.

For Construction Services: In the event that JEA intends to authorize the successful Proposer to proceed with administrative work only, or with only a portion of the Work, then the PO shall state the specific limitations of such authorization and JEA will issue a separate written Notice to Proceed to authorize the Proposer to begin Field Work, when applicable, or to perform the remainder of the Work, or any portion thereof. The Proposer shall ensure that it is prepared to begin Field Work upon receipt of Notice to Proceed. Any Work performed outside of this partial authorization shall be at the Proposer's risk and JEA shall have no obligation to pay for such Work.

1.2.10. SUBCONTRACTORS

The Proposer shall list the names of all Subcontractors and subsuppliers/shop fabricators that it plans to utilize for the performance of the Work. All subcontracts shall be listed on the Subcontractors Form which is available at jea.com. Failure to submit this form with the Proposal shall result in rejection of Proposer's Proposal. The Proposer shall not use Subcontractors and subsuppliers/shop fabricators other than those shown on the Subcontractor form unless it shows good cause and obtains the JEA Representative's prior written consent. In cases where the Subcontractor or subsupplier/shop fabricator is a JSEB firm, the City of Jacksonville Ombudsman will review the substitution request, and make a written recommendation prior to the JEA Representative's written consent.

If the Proposer plans to use Subcontractors or subsupplier/shop fabricators to perform over fifty percent (50%) of the Work, the Proposer shall obtain JEA's approval at least five (5) days prior to the Phase 1 Proposal Due Date. Failure to obtain JEA approval will disqualify the Proposer and result in rejection of Proposer's Proposal.

1.4.2 JEA PUBLICATIONS

Applicable JEA publications are available at jea.com.

1.4.3 CONFLICT OF INTEREST

A person or company who receives a Contract which was not procured pursuant to public bidding procedures to perform a feasibility study, or who participated in the drafting of an invitation to bid or request for proposals, or who developed a program for future implementation shall not be eligible to contract with JEA for any other contracts dealing with that specific subject matter.

Should JEA erroneously Award a Contract in violation of this policy, JEA may terminate the Contract at any time with no liability to Proposer, and Proposer shall be liable to JEA for all damages, including but not limited to the costs to rebid the Work. The purpose of this policy is to encourage bidding and eliminate any actual or perceived advantage that one Proposer may have over another.

1.4.4 ETHICS (RFP)

By signing the Proposal, the Proposer certifies this Proposal is made without any previous understanding, agreement or connection with any other person, firm, or corporation submitting a Proposal for the same Work other than as a Subcontractor or supplier, and that this Proposal is made without outside control, collusion, fraud, or other illegal or unethical actions. The Proposer shall comply with all JEA and City of Jacksonville ordinances, policies and procedures regarding business ethics.

The Proposer shall submit only one (1) Proposal in response to this RFP. If JEA has reasonable cause to believe the Proposer has submitted more than one (1) Proposal for the same Work, other than as a Subcontractor or subsupplier, JEA shall disqualify the Proposal and may pursue debarment actions.

The Company shall disclose the name(s) of any public officials who have any financial position, directly or indirectly, with this Proposal by completing and submitting the Conflict of Interest Certificate Form found at jea.com. Failure to fully complete and submit the Conflict of Interest Certificate will disqualify the Proposal. If JEA has reason to believe that collusion exists among the Companies, JEA will reject any and all Proposals from the suspected Company and will proceed to debar Company from future JEA Awards in accordance with the JEA Purchasing Code.

JEA is prohibited by its Charter from awarding contracts to JEA officers or employees or companies in which a JEA officer or employee has a financial interest. JEA shall reject any and all Proposals from JEA officers or employees as well as any and all Proposals in which a JEA officer or employee has a financial interest.

In accordance with Florida Statutes Sec. 287.133, JEA will reject Proposals from any persons or affiliates convicted of a public entity crime as listed on the Convicted Vendor list maintained by the Florida Department of Management Services. JEA shall not make an Award to any officer, director, executive, partner, shareholder, employee, member, or agent active in management of the Company listed on the Convicted Vendor list for any transaction exceeding \$35,000.00 for a period of thirty-six (36) months from the date of being placed on the Convicted Vendor list.

If the Company violates any requirement of this clause, the Proposal may be rejected and JEA may debar offending companies and persons.

1.4.5 EX PARTE COMMUNICATION

Ex Parte Communication is strictly prohibited. Ex Parte Communication is defined as any inappropriate communication concerning a Solicitation between a firm submitting a Proposal and a JEA representative during the time in which the Solicitation is being advertised through the time of Award. Examples of inappropriate communications include: private communications concerning the details of Solicitation in which a Proposer becomes privy to information not available to the other Proposers. Social contact between Proposers and JEA representatives should be kept to an absolute minimum during the solicitation process.

Failure to adhere to this policy will disqualify the noncompliant Company's Proposal. Any questions or clarifications concerning a Solicitation must be sent in writing via email to the JEA Buyer at least five (5) business days prior to the opening date. If determined by JEA, that a question should be answered or an issue clarified, JEA will issue an addendum to all Proposers.

For more information on Ex Parte communications, see JEA Procurement Code, Article 1-110, which is available at www.jea.com.

1.4.6 PROHIBITED FUTURE EMPLOYMENT

It shall be unlawful and a class C offense for any person, who was an officer or employee of JEA, after his or her employment has ceased, to be employed by or enter into any contract for personal services, with a person or company who contracted with, or had a contractual relationship with JEA, while the contract is active or being completed, or within two years of the cessation, completion, or termination of the person's or company's contractual relationship with JEA, where (1) the contract with JEA had a value that exceeded \$250,000, and (2) the officer or employee had a substantial and decision-making role in securing or negotiating the contract or contractual relationship, or in the approval of financial submissions or draws in accordance with the terms of the contract; except that this prohibition shall not apply to an employee whose role is merely as a review signatory, or to contracts entered into prior to January 1, 2008, or to contracts that have been competitively procured. With respect to this subsection a contract is competitively procured if it has been obtained through a sealed low bid award. A "substantial and decision-making role" shall include duties and or responsibilities that are collectively associated with: (i) approving solicitation or payment documents; (ii) evaluating formal bids and proposals; and (iii) approving and or issuing award recommendations for JEA Awards Committee approval. The contract of any person or business entity who hires or contracts for services with any officer or employee prohibited from entering into said relationship shall be voidable at the pleasure of JEA. This prohibition shall not apply to any former officer or employee after two years from cessation from JEA employment.

1.4.7 HIRING OF OTHER PARTY'S EMPLOYEES

Each party recognizes that the other party has incurred or will incur significant expenses in training its own employees and agrees that it will not pursue or hire, without the other party's consent, the other party's employees or the employees of its subsidiaries for a period of two (2) years from the termination date of this Contract.

1.4.8 RESERVATIONS OF RIGHTS TO JEA

The Solicitation provides potential Companies with information to enable the submission of written offers. The Solicitation is not a contractual offer or commitment by JEA to purchase products or services.

Proposals shall be good for a period of ninety (90) days following the opening of the Proposals.

JEA reserves the right to reject any or all Proposals, or any part thereof, and or to waive informalities if such action is in its best interest. JEA may reject any Proposals that it deems incomplete, obscure or irregular including, but not limited to, Proposals that omit a price on any one or more items for which prices are required, Proposals that omit

Unit Prices if Unit Prices are required, Proposals for which JEA determines that the Proposal is unbalanced, Proposals that offer equal items when the option to do so has not been stated, Proposals that fail to include a Bid Bond, where one is required, and Proposals from Companies who have previously failed to satisfactorily complete JEA contracts of any nature or who have been scored by JEA as "Unacceptable" and as a result, are temporarily barred from bidding additional work.

JEA reserves the right to cancel, postpone, modify, reissue and amend this Solicitation at its discretion.

JEA reserves the right to cancel or change the date and time announced for opening of Proposals at any time prior to the time announced for the opening of Proposals. JEA may Award the Contract in whole or in part. In such cases whenever JEA exercises any of these reservations, JEA will make a commercially reasonable effort to notify, in writing, all parties to whom Solicitations were issued. JEA may award multiple or split Contracts if it is deemed to be in JEA's best interest.

1.4.9 CERTIFICATION AND REPRESENTATIONS OF THE COMPANY

By signing and submitting a proposal, the Proposer certifies and represents as follows:

- A. That it has carefully examined all available records and conditions, including sites if applicable, and the requirements and specifications of Solicitation prior to submitting its Proposal. Where the Proposer visits sites, no Work or other disturbance is to be performed while at the site without written permission by JEA in advance of the site visit. The Proposer shall comply with all safety requirements described in the Proposal and shall be prepared to show proof of a minimum of \$1 million of general liability insurance or the amount specified in this Solicitation (whichever is greater).
- B. That every aspect of the Proposal and the detailed schedule for the execution of the Work, are based on its own knowledge and judgment of the conditions and hazards involved, and not upon any representation of JEA. JEA assumes no responsibility for any understanding or representation made by any of its representatives during or prior to execution of the Contract unless such understandings or representations are expressly stated in the Contract and the Contract expressly provides that JEA assumes the responsibility.
- C. That the individual signing the Proposal is a duly authorized agent or officer of the firm. Proposals submitted by a corporation must be executed in the corporate name by the President or Vice President. If an individual other than the President or Vice President signs the Proposal, satisfactory evidence of authority to sign must be submitted upon request by JEA. If the Proposal is submitted by a partnership, the Proposal must be signed by a partner whose title must appear under the signature. If an individual other than a partner signs the Proposal, satisfactory evidence of authority to sign must be submitted upon request by JEA.
- D. The corporation or partnership must be in active status at the Florida Division of Corporations (www.sunbiz.org) prior to Award.
- E. That the firm maintains in active status any and all licenses, permits, certifications, insurance, bonds and other credentials including not limited to contractor's license and occupational licenses necessary to perform the Work. The Proposer also certifies that, upon the prospect of any change in the status of applicable licenses, permits, certifications, insurances, bonds or other credentials, the Proposer shall immediately notify JEA of status change.
- F. That it has read, understands and will comply with these instructions and the Section titled Ethics.

1.4.10 PROHIBITION AGAINST CONTINGENT FEES

The Company warrants that it has not employed or retained any company or person, other than a bona fide employee working for the Company, or an independent sales representative under contract to the Company, to solicit or secure a contract with JEA, and that it has not paid or agreed to pay any person, company, corporation, individual or Company, other than a bona fide employee working solely for the Company, or an independent sale representative under contract to the Company, any fee, commission, percentage, gift, or any other consideration, contingent upon or resulting from the Award or making of the Contract. For a breach or violation of these provisions occurs, JEA shall have the right to terminate the Contract 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.

1.4.11 PROTEST OF RFP AND AWARD PROCESS

Companies shall file any protests regarding this RFP in writing and in accordance with the JEA Procurement Code, as amended from time to time. The JEA Procurement Code is available online at jea.com.

1.4.12 SUNSHINE LAW

General

Article I, Section 24, Florida Constitution, guarantees every person access to all public records and Chapter 119, Florida Statutes, provide a broad definition of public records. JEA is a body politic and corporate and subject to these laws and related statutes ("Florida's Public Records Laws"). All responses to this Solicitation are public records and available for public inspection unless specifically exempt by law.

IF A PROPOSER HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTORS DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

JEA

Attn: Public Records

21 West Church Street

Jacksonville, Florida 32202

Ph: 904-665-8606

publicrecords@jea.com

Redacted Submissions

If a Proposer believes that any portion of the documents, data or records submitted in response to this Solicitation are exempt from Florida's Public Records Law, Proposer must (1) clearly segregate and mark the specific sections of the document, data or records as "Confidential," (2) cite the specific Florida Statute or other legal authority for the asserted exemption, and (3) provide JEA with a separate redacted copy of its response (the "Redacted Copy"). The cover of the Redacted Copy shall contain JEA's title and number for this Solicitation and Proposer's name, and shall be clearly titled "Redacted Copy." Proposer should only redact those portions of records that Proposer claims are specifically exempt from disclosure under Florida's Public Records Laws. If Proposer fails to submit a redacted copy of information it claims is confidential, JEA is authorized to produce all documents, data and other records submitted to JEA in answer to a public records request for such information.

In the event of a request for public records to which documents that are marked as confidential are responsive, JEA will provide the Redacted Copy to the requestor. If a requestor asserts a right to any redacted information, JEA will notify Proposer that such an assertion has been made. It is Proposer's responsibility to respond to the requestor to assert that the information in question is exempt from disclosure under applicable law. If JEA becomes subject to a demand for discovery or disclosure of Proposer's redacted information under legal process, JEA shall give Proposer prompt notice of the demand prior to releasing the information (unless otherwise prohibited by applicable law.) Proposer shall be responsible for defending its determination that the redacted portions of its response are not subject to disclosure.

By submitting a response to this Solicitation, Proposer agrees to protect, defend and indemnify JEA from and against all claims, demands, actions, suits, damages, liabilities, losses, settlements, costs and expenses (including but not limited to reasonable attorney fees and costs) arising from or relating to Proposer's determination that the redacted portions of its response to this Solicitation are not subject to disclosure.

1.4.13 MODIFICATION OR WITHDRAWAL OF PROPOSALS

The Proposer may modify or withdraw its Proposal at any time prior to the Proposal Due Dates and Times by giving written notice to JEA's Chief Purchasing Officer. JEA will not accept modifications submitted by telephone, telegraph, email, or facsimile, or those submitted after a Proposal Due Date and Time.

1.4.14 AVAILABILITY OF PROPOSALS AFTER OPENING

In accordance with the Florida Public Records Law, Florida Statute, Chapter 119, copies of all proposals are available for public inspection thirty (30) days after the opening of Proposals or on the date of Award announcement, whichever is earlier. Proposers may review opened Proposals once they are available for public inspection by contacting the designated Buyer or JEA's Public Records custodian whose contact information can be found at jea.com. JEA will post a summary of proposal opening results at www.jea.com.

1.5 ADDITIONAL CONTRACT TERMS

1.5.1 TERM OF CONTRACT – PROJECT COMPLETION

The Contract shall be in force through completion of all Work, Acceptance and final payment, including resolution of all disputes, claims, or suits, if any. Certain provisions of this Contract may extend past termination including, but not limited to, Warranty and Indemnification provisions.

This Contract, after the initial year, shall be contingent upon the existence of lawfully appropriated funds for each subsequent year of the Contract.

1.5.2 PAYMENT METHOD – TASK ORDER

When JEA issues a Task Order with an associated Purchase Order, the Company shall invoice JEA in accordance with the instructions set forth on the Purchase Order. JEA may pay the Company for the work described on the Task Order either upon the Company's completion of and JEA's verification of the entirety of the Task Order work, monthly, or at predetermined Milestones stated in the Task Order.

1.5.3 DISCOUNT PRICING

JEA offers any or all of the following option payment terms, one of which may be executed at the request of the Company by sending an email to the JEA Buyer listed in this Solicitation:

- o 1% 20, net 30
- o 2% 10, net 30

Company may request alternate payment terms for JEA's consideration, however, alternate payment terms are not effective until acceptance by JEA in writing. Please note, all payment dates are calculated from the date of the Invoice receipt by JEA's Accounts Payable.

1.5.4 JEA ACCESS BADGES

If the scope of work described in this Contract requires a Company to access JEA facilities, each Company employee shall apply for a JEA access badge through JEA's Security Department. An appointment to obtain a JEA access badge can be made by contacting JEA Security at securitybadge@jea.com. JEA does not allow Company employees to share JEA access badges. A Company, whose employees are found to be sharing JEA access badges, will result in the Contract being terminated immediately for default. Additionally, JEA shall be notified within six (6) hours of a lost or stolen JEA security badge or when an employee leaves the Company. Report badge termination notifications to JEA Security at (904) 665-8200.

2. TECHNICAL SPECIFICATIONS

2.1. TECHNICAL SPECIFICATIONS (APPENDIX A)

The technical specifications for this solicitation can be found in Appendix A.

3. FORMS

3.1. FORMS (APPENDIX B)

Forms required to be submitted with this solicitation are provided in Appendix A or can be obtained on the JEA website at www.jea.com.

4. PROJECT SUMMARY

4.1. PROJECT DEFINITION (APPENDIX C)

The complete project definition for this solicitation can be found in Appendix C.

5. EVALUATION MATRICES

The attached forms are the matrices that will be used to evaluate all proposals submitted in response to this RFP. A separate matrix for Phase 1 and Phase 2 are included.