

**Solicitation
For Participation in
Progressive Design-Build Services for the Water Purification Demonstration Facility
for**



**Jacksonville, FL
Solicitation Number 124-19**

Mandatory Pre-Proposal Meeting in person or teleconference on August 06, 2019, at 11:00 AM

JEA Customer Center, 1st Floor, Room 002

21 W. Church Street, Jacksonville, FL

Dial In: 1-888-714-6484

Passcode: 817050

Proposals are due on August 27, 2019 by 12:00 PM EST

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

21 W. Church Street, Jacksonville, FL 32202

**JEA will publicly open all Proposals received from qualified Proposers on August 27, 2019, at
2:00 PM in the JEA Bid Office, Customer Center 1st Floor, Room 002, 21 W. Church Street, Jacksonville, FL**

TABLE OF CONTENTS

1.	REQUEST FOR PROPOSALS	3
1.1.	INVITATION	3
1.1.1.	SCOPE OF WORK.....	3
1.1.2.	BACKGROUND	3
1.1.3.	INVITATION - REQUEST FOR PROPOSAL.....	3
1.1.4.	OPENING OF PROPOSALS	4
1.1.5.	MANDATORY PRE-PROPOSAL MEETING.....	4
1.1.6.	QUESTIONS	4
1.1.7.	PROPOSAL SCHEDULE	4
1.2.	SPECIAL INSTRUCTIONS.....	5
1.2.1.	MINIMUM QUALIFICATIONS FOR SUBMISSION	5
1.2.2.	SAFETY QUALIFICATION REQUIREMENT (RFP)	5
1.2.3.	EVALUATION METHODOLOGY.....	6
1.2.4.	BASIS OF AWARD	7
1.2.5.	PHASE 1 SUBMISSION FORMAT	7
1.2.6.	PHASE 1 SELECTION CRITERIA.....	7
1.2.7.	PHASE 2 SELECTION CRITERIA.....	9
1.2.8.	REQUIRED FORMS TO SUBMIT WITH PROPOSAL.....	9
1.2.9.	NUMBER OF CONTRACTS TO BE AWARDED	10
1.2.10.	JACKSONVILLE SMALL AND EMERGING BUSINESS (JSEB) PROGRAM REQUIREMENTS	10
1.3.	COMPLETING THE SUBMITTAL DOCUMENTS.....	11
1.3.1.	SUBMITTING THE PROPOSAL.....	11
1.3.2.	COMPLETING THE PROPOSAL.....	11
1.3.3.	OBTAINING OFFICIAL SPECIFICATION DRAWINGS FOR THIS RFP	11
1.3.4.	ADDENDA.....	11
1.3.5.	MODIFICATION OR WITHDRAWAL OF PROPOSALS	11
2.	GENERAL INSTRUCTIONS.....	11
2.1.	CONTRACT EXECUTION AND START OF WORK	11
2.2.	AVAILABILITY OF PROPOSALS AFTER OPENING	12
2.3.	THIRD PARTY AGREEMENT REQUESTS	12
2.4.	JEA PUBLICATIONS	12
2.5.	CONFLICT OF INTEREST	12
2.6.	ETHICS (RFP).....	12
2.7.	EX PARTE COMMUNICATION	13
2.8.	RESERVATIONS OF RIGHTS TO JEA	13
2.9.	CERTIFICATION AND REPRESENTATIONS OF THE COMPANY	14
2.10.	PROHIBITION AGAINST CONTINGENT FEES	14
2.11.	PROTEST OF RFP AND AWARD PROCESS	14
3.	TECHNICAL SPECIFICATIONS/DETAILED SCOPE OF WORK.....	14
3.1.	TECHNICAL SPECIFICATIONS/DETAILED SCOPE OF WORK (APPENDIX A)	14
4.	FORMS.....	15
4.1.	FORMS (APPENDIX B)	15
5.	EVALUATION MATRIX.....	15
5.1.	EVALUATION MATRIX	15
6.	SUPPLEMENTAL DOCUMENTS	15
6.1.	SUPPLEMENTAL DOCUMENTS (APPENDIX C)	15

SOLICITATION

1. REQUEST FOR PROPOSALS

1.1. INVITATION

1.1.1. SCOPE OF WORK

The scope of work for this project includes design, construction, integration and interface, test and checkout and startup of a 1.0 million gallons per day (MGD) demonstration-scale water purification facility based around membrane based treatment fully expandable to full-scale commercial implementation currently estimated to be 10 MGD. The treated water must meet applicable water quality standards including primary and secondary drinking water standards, potable reuse regulations and address the removal of currently unregulated compounds. The facility shall utilize innovative technology including state of the art controls and instrumentation.

A key component to the demonstration facility will be the visitor experience/education center and execution of the public communication plan. It is anticipated that the demonstration facility will have thousands of visitors each year. The demonstration facility will include a visitor/education center that must be accessible for tours of attendees such as JEA employees, elected officials, community leaders, grade school students, university students, regulatory agency employees, engineers and plant operators from other utilities. The visitor experience/education center must incorporate a training area that is suitable for at least 50 professionals or students at one time. The experience for education and tours shall be designed and implemented by a Company specializing in visitor experience, corporate innovation and education centers.

Detailed discussion of the scope of work and performance requirements is presented in 124-19 Appendix A – Scope of Work.

1.1.2. BACKGROUND

JEA owns, operates and manages the electric system established by the City of Jacksonville, Florida in 1895. In June 1997, JEA also assumed operation of the water and sewer system previously managed by the City. JEA is located in Jacksonville, Florida, where we proudly serve an estimated 470,000 electric, 351,000 water and 274,000 sewer customers. JEA is Florida's largest community-owned utility and the eighth largest municipal in the United States.

1.1.3. 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: Progressive Design-Build Services for the Water Purification Demonstration 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: 124-19

Proposal Due Date: August 27, 2019

Proposal Due Time: 12:00 PM

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 Bid Office, 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.

1.1.4. OPENING OF PROPOSALS

All Proposals received shall be publicly announced and recorded at 2:00 PM on August 27, 2019, 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.

1.1.5. MANDATORY PRE-PROPOSAL MEETING

There will be a Mandatory Pre-Proposal meeting associated with this Solicitation. All interested Companies (Contractor, Engineer and Visitor Experience Specialist) should 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 may have their Proposals rejected and returned unopened.

Those planning to attend by teleconference should email their name and contact information to: krucdr@jea.com, at least 24 hours prior to the Pre-Proposal meeting to facilitate roll call.

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 may have their Proposals rejected and returned unopened.

PLEASE BE AWARE DUE TO JEA SECURITY AND/OR SIGN IN 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 Date: August 06, 2019

Meeting Time: 11:00 AM

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

Dial In: 1-888-714-6484

Passcode: 817050

1.1.6. 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 Questions:

Contact: Ryan Popko

E-mail: popkrr@jea.com

1.1.7. PROPOSAL SCHEDULE

The following is the anticipated scheduled calendar of events with important dates and times. Dates are subject to change by the Chief Procurement Officer ("CPO") or designee, at their sole discretion. If the CPO determines that it is necessary to change these dates/times prior to the Proposal due date, the change will be announced via an addendum.

Action:	Date:
RFP Released	07/29/2019
Mandatory Pre-Proposal Conference	08/06/2019
Cut-off date for Questions by Proposers	08/20/2019
Proposal Due Date and Time	08/27/2019
Shortlist Public Evaluation Meeting	09/18/2019
Presentations	10/02/2019
Final Public Evaluation Meeting	10/07/2019
Initial Negotiation Meeting	10/11/2019
Final Scope and Fee Agreement	11/15/2019
Approval by the JEA Awards Committee	12/05/2019
Contract Executed	12/19/2019

1.2. SPECIAL INSTRUCTIONS

1.2.1. MINIMUM QUALIFICATIONS FOR SUBMISSION

JEA is soliciting proposals from a team comprised of three key members: Contractor, Engineer and a Visitor Experience Specialist. Proposer shall have the following Minimum Qualifications to be considered eligible to submit a Proposal in response to this RFP.

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

- The Contractor shall have completed five (5) similar projects in the last ten (10) years date ending as of this RFP due date.
 - A similar project is considered to be a multi-barrier advanced treatment facility developed for a customer.
- The Engineer shall have completed five (5) similar projects in the last ten (10) years date ending as of this RFP due date.
 - A similar project is considered to be a potable reuse (direct or indirect) project (piloting, demonstration or full-scale) that has been developed for a customer.
- The Visitor Experience Specialist shall have completed five (5) similar projects in the last ten (10) years date ending as of this RFP due date.
 - A similar project is considered to be a visitor experience including education developed for a customer. At least two (2) reference projects must be for clients that produce a consumable liquid.

The Proposer may use the Minimum Qualifications in this section to meet the required projects identified section 1.2.6.2.

Please note, any Proposer whose contract with JEA was terminated for default within the last two (2) years shall have their Proposal rejected.

1.2.2. SAFETY QUALIFICATION REQUIREMENT (RFP)

Proposer shall be approved as JEA Safety Qualified within ten (10) business days of receiving written notice from the JEA Bid Office that it is the highest ranked Proposer. If the Proposer fails to obtain JEA approval as a JEA

Safety Qualified company by 4:00 PM Eastern Time on the 10th business day, JEA will reject the company's Proposal, and proceed to Award to the next highest ranked Proposer.

JEA Safety Qualification information is available online at jea.com. Please note that it may take up to five (5) business days for a company to be approved as JEA Safety Qualified. It is the Proposer's responsibility to ensure it is JEA Safety Qualified. A list of JEA Safety Qualified vendors can be found on jea.com. For additional information, contact Jerry Fulop at (904) 665-5810.

1.2.3. EVALUATION METHODOLOGY

1.2.3.1. 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 in accordance with Florida Statute, 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. Interviews or presentations, if any, will be evaluated and up to fifty (50) points will be added to the Proposers written Proposal evaluation score.

After approving the rankings of all the Proposers, JEA will enter into negotiations of contractual terms with the best ranked Proposer. During negotiations, JEA will consider detailed information regarding the Contract Price, the Proposer's hourly rates, and scope of the Contract for the various phases of the Progressive Design-Build project.

If JEA and the Company are unable to negotiate a satisfactory Contract, JEA will formally terminate the negotiations with the Proposer and undertake negotiations with the next ranked Proposer. JEA will Award the Contract to the highest-ranking qualified Proposer that successfully completes Contract negotiations with JEA.

1.2.3.2. PROGRESSIVE DESIGN-BUILD APPROACH TO DEFINING SCOPE AND FEES.

For purposes of this RFP the Proposer (Design-Build firm) is defined as a contractual entity, properly licensed under the Florida law, comprised of a firm possessing both design and construction resources in-house, or a joint venture between designer and contractor, or a contractor-led team with the designer in a subcontractor role.

Phase I (up to 60% Design Completion) Planning - up to 10% of the project will consist of engineering evaluation, assessment and concept development as listed below. Note: an Opinion cost will be provided at each design stage.

If at the completion of 10% or 30% engineering, JEA is not satisfied with the engineering plans for any of the work, JEA shall retain ownership of all work, may have the Design-Builder complete 10% or 30% deliverables, terminate any remaining work in process in Phase I of the project and may use the information in re-advertising the project for completion of design, or new Design-Build contract.

60% Detail Design of the project will consist of engineering and may include some construction tasks to determine the Design-Builder's project approach to design and construction, schedule, and Guaranteed Maximum Price (GMP).

Once the Design-Builder has completed Phase I, it will submit its proposal for Phase II to JEA for approval.

Phase II (from 60% to 100% to Design Completion through Construction) shall consist of any remaining engineering, equipment purchases, and construction to complete the project per requirements and applicable standards. A Guaranteed Maximum Price ("GMP") and a Guaranteed Completion Date (GCD) to complete Phase II, final design, and construction will be negotiated.

If acceptable, an Award shall be made to allow the Design-Builder to commence Phase II and to complete the project. If the fees or GMP cannot be successfully negotiated, JEA shall retain ownership of all work, have the Design-Builder complete Phase II deliverables up to Design Completion, terminate the previous phase of the project and JEA may use the information in re-advertising the project for Construction.

1.2.4. BASIS OF AWARD

1.2.4.1. EVALUATED PROPOSAL

JEA will use the Selection Criteria listed below to evaluate the Proposals. JEA may make its Award decision based solely upon the information submitted in the Proposals. JEA may also choose to have one or more Proposer make presentations to representatives of JEA. 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.

JEA intends to shortlist up to three (3) companies during Phase 1 of the solicitation process. Phase 1 will be worth a maximum of 105 points as shown in 1.2.6 below. Phase 2 will be worth a maximum of 50 points and will be added to the Phase 1 scores to determine the most qualified firm as described below. JEA reserves the right to determine the most qualified firm at the end of Phase 1 if there is a clear winner following the evaluation of the Phase 1 Proposals.

Proposals will be scored and ranked by a committee of 3 to 5 evaluators consisting of JEA's staff. Each evaluator will individually score the Proposals using the evaluation matrix attached to this Solicitation. Using these scores, each evaluator will rank the Proposals using "1" for the Proposal receiving the highest number of points from the matrix. Proposals with an equal number of points will receive the same numerical ranking. JEA will total the numerical rankings for each Proposal and consider the Proposal with the lowest total to be the most highly qualified Proposal. Any tie will be broken using the total of the matrix scores of all evaluators.

1.2.5. PHASE 1 SUBMISSION FORMAT

A Proposal must not exceed forty (40) total pages (most or all 8.5" x 11" pages), excluding JEA supplied forms, any information required to meet minimum qualifications, or for informational purposes in the Appendix (see section 1.2.6.1 1). A maximum of two (2) of the total pages may be 11" x 17" paper. Each side of a page having content will be counted toward the maximum page limit. Font size must be ten (10) point or greater throughout the Proposal. Proposal must be submitted in a spiral or permanent bound format. Submission shall be organized in sections to match the requirements stated below.

1.2.6. PHASE 1 SELECTION CRITERIA

PHASE 1 SELECTION CRITERIA	
Category	Points
1. Professional Staff Experience	35
2. Company Experience	30
3. Project Approach and Vision	40
TOTAL:	105

1.2.6.1. PROFESSIONAL STAFF EXPERIENCE

Maximum score for this criterion is: 35 POINTS (12 pages maximum)

Points for each subsection will be awarded as described on the Evaluation Matrix attached to this RFP.

1. Team Members

Five (5) key primary team member resumes will be evaluated. Primary resume shall be two (2) pages maximum. Backup team members resumes shall be included in the appendix with one (1) page maximum for reference which will not be scored. Resume must state education, years of experience, office location, licenses/certifications, which reference projects they worked on including the role on that project, brief description of role on this project, key professional roles and/or publications further demonstrating depth of relevant experience:

- Overall Project Manager
- Construction Manager
- Engineering Manager
- Potable Reuse Expert
- Visitor Experience Manager

2. Organizational Chart

Proposer shall provide an organizational chart delineating the Contractor/Engineer/Visitor Experience Specialist team's personnel responsibilities and functions associated with the Work not to exceed two (2) pages. If applicable, this chart shall also delineate any responsibilities and functions of subcontractor(s) and/or JSEB firm(s).

Additional resumes can be provided for reference in an Appendix. The additional resumes will not be scored but could be used by the evaluators to identify key team members in the organizational chart. Resumes can include personnel such as communication experts, permit/policy experts, QA/QC expert, safety specialist, etc.

1.2.6.2. COMPANY EXPERIENCE

Maximum score for this criterion is: 30 POINTS (9 pages maximum)

Points for each subsection will be awarded as described on the Evaluation Matrix attached to this RFP.

Each subtask (Construction, Engineering, Visitor Experience Company) must provide three (3) similar projects to demonstrate past experience. Each similar project is limited to one (1) page.

- Proposer must include which key team members worked in key roles on the reference projects and what their role was.
- Proposer should describe any working relationship with contractor and subcontractors that will be used for this project. Preference is given for key staff members working on reference projects and experience of engineer working with proposed contractor and other potential subcontractors.
- Similar projects that were submitted as part of the Minimum Qualifications is preferred and will be scored favorably.
- Proposer must state the project delivery method. Similar projects that were design-build is preferred and will be scored favorably.
- Proposer should identify the project stage – i.e. design, construction, operation, etc.
- Proposer should identify project details comparing estimated costs and time with actual cost and time to complete the project (i.e. project cost estimate vs. change order amount and actual total project cost, and contract time vs. actual project completion time)
- Proposer shall include a project reference for each project including title, phone number and email address.
- Proposer must state how the reference project tasks are similar to JEA Demonstration Facility Project.
 - 1) Construction Experience (10 points) – Similar projects with multi-barrier membrane-based water treatment plant construction is preferred. Contractor past experience working with the Engineer will be reviewed favorably, particularly if it is design-build experience, but past experience is not required.
 - 2) Engineering Experience (10 points) – Similar projects for demonstration or full-scale beneficial multi-barrier potable reuse (direct or indirect) will be reviewed favorably, particularly for MF or UF followed by RO and AOP. If the project was a partnership between more than one engineering firms, description must state if the firm was the prime or a sub and the limits of responsibility on the project.
 - 3) Visitor Experience (10 points) – Similar projects shall demonstrate specialized services in corporate innovation and education centers providing full immersion interactive experiences with in-house design-build services. Projects should highlight qualifications with fabrication, programming, coding and animation skills similar to what could be provided for this project. Similar projects for a client that produces a consumable liquid will be reviewed favorably.

1.2.6.3. PROJECT APPROACH AND VISION

Maximum score for this criterion is: 40 POINTS (19 pages maximum)

Describe vision for JEA project as it relates to the proposed tasks including creativity and innovation. Delineate your firm's approach or approaches to successful completion, specialized skills available, special considerations and possible difficulties in completing the project as specified. Consideration shall be given for economic resourcefulness, and comprehensive utilization of proposed personnel to meet the project schedule. The Project Approach and Vision shall not include anything related to location of the facility as JEA will identify the site where it will be constructed. Approach and Vision must address:

- 1) Design and Construction aspects of this project including but not limited to design-build, team members experience working together, specific efforts to minimize cost and schedule on this project, and capabilities to effectively deliver the vision for the project (5 pages maximum - 10 points).
- 2) Technical aspects of designing the demonstration facility to be the purification plant of the future, including but not limited to pretreatment, treatment processes, purified water stabilization, aquifer storage, concentrate management, energy efficiency, instrumentation and controls, and regulatory expertise for full permitting required to implement potable reuse (5 pages maximum - 10 points).
- 3) Visitor experience and educational aspects of the project including but not limited to education ideas and components, how to best utilize education funds, how to reach target audiences, facility design and curation, and tour capabilities. Section shall describe how the Visitor Experience Company will utilize in-house services and how the Company will lead the Contractor and Engineer to fulfill the visitor experience vision for the project. (5 pages maximum - 10 points).
- 4) Describe how the Company will help JEA meet its four corporate measures of value: Customer Value, Community Impact Value, Environmental Value and Financial Value. Include a project schedule with major tasks and identify critical path items. (2 pages maximum - 5 points).
- 5) Describe specialized skills the team brings to the project that differentiate them from others and how that will help the team deliver JEA's vision for the project. Specialized skills are referenced in Appendix A Scope of Work (2 pages maximum - 5 points).

1.2.7. PHASE 2 SELECTION CRITERIA

1.2.7.1. PRESENTATIONS AND INTERVIEWS

Maximum score for this criterion is: 50 POINTS

The presentation shall be no longer than sixty (60) minutes. Following the presentation, an interview consisting of questions & answers and discussion shall follow the presentation. The Proposer shall optimize the sixty (60) minutes given for the presentation by clearly delineating the Proposer's project approach in the presentation format. The Proposer may also include topics that they believe would be of particular interest or that illustrate creativity and innovation in their project approach.

The presentation and interview attendees will consist of the Proposer's Key Staff assigned as Team Members, in addition to the JEA selection committee and supporting staff.

1.2.8. 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 Minimum Qualification 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:

- Company's Proposal
- 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 Certified Firms (if any)
- State of Florida General Contractor License (Enter License Number on the Proposal Form).
- List of Subcontractors/Shop Fabricators (if any)

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

JEA also requires 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
- Evidence of active registration with the State of Florida Division of Corporations (www.sunbiz.org)
- Any technical submittals as required by the Technical Specifications

1.2.9. 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.

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

1.2.10.1. OPTIONAL USE OF JACKSONVILLE SMALL AND EMERGING BUSINESS (JSEB) PROGRAM

It is at the Proposer's option as to whether it chooses to subcontract to a JSEB firm during Phase I of this project. JEA encourages the use of JSEB qualified firms; however, the Proposer is not required to utilize JSEB firms to be awarded this Contract.

During the development of GMP Proposer will meet with and provide project documentation to the JSEB Manager to facilitate meeting the JSEB goal for this project. Once the JSEB firms selected for Construction Services have been chosen, the Proposer will submit documentation to demonstrate compliance to the JSEB Manager.

JSEB firms that qualify for this Contract are only those shown on the current City of Jacksonville JSEB directory appearing at www.coj.net. Certification of JSEB firms must come from the City of Jacksonville. No other agency or organization is recognized for purposes of this Contract.

In no case shall the Proposer make changes to the JSEB firms listed in its GMP, revise the JSEB Scope of Work or amount of Work as stated in its GMP without prior written notice to the JEA Contract Administrator, and without subsequent receipt of written approval for the JEA Contract Administrator.

Any subcontractors of Proposer shall procure and maintain the insurance required of Proposer hereunder during the life of the subcontracts. Subcontractors' insurance may either be by separate coverage or by endorsement under insurance provided by Proposer. Note: Any JSEB firms identified by Proposer for this Solicitation are considered "Subcontractors" under the direct supervision of the Prime or General Contractor (herein referred to as Proposer in this Solicitation). Proposer should show good faith efforts in providing assistance to JSEB firms in the securing of Subcontractors' insurance requirements stated in this section. Proposer shall submit subcontractors' Certificates of Insurance to JEA prior to allowing subcontractors to perform Work on JEA's job sites.

All question and correspondence concerning the JSEB program should be addressed to the following contact:
Rita Scott

1.3. COMPLETING THE SUBMITTAL DOCUMENTS

1.3.1. SUBMITTING THE PROPOSAL

The Proposer shall submit one (1) original Proposal, five (5) duplicates (hardcopies) and six (6) electronic copies (USB drives). 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 THIS 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 date 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 Proposal 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.

1.3.5. MODIFICATION OR WITHDRAWAL OF PROPOSALS

The Proposer may modify or withdraw its Proposal at any time prior to the Proposal Due Date and Time 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 Proposal Due Date and Time. The Proposer shall not modify or withdraw its Proposal from time submitted and for a period of ninety (90) days following the opening of Proposals.

2. GENERAL INSTRUCTIONS

2.1. 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.

2.2. 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.

2.3. THIRD PARTY AGREEMENT REQUESTS

In the event Company will or may request JEA execute a third party agreement (including but not limited to: a joint check agreement, or revocable or irrevocable letter of direction with surety), then Company will disclose this fact in writing in its Proposal. This information will be taken into consideration by JEA in evaluating each Proposal. In the event Company is awarded this Work, then JEA will execute such documents, provided however, the same incorporates any additional language required by JEA's Chief Purchasing Officer.

2.4. JEA PUBLICATIONS

Applicable JEA publications are available at jea.com.

2.5. 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.

2.6. 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.

2.7. 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.

2.8. 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.

2.9. 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 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, but 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.

2.10. 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.

2.11. 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.

3. TECHNICAL SPECIFICATIONS/DETAILED SCOPE OF WORK

3.1. TECHNICAL SPECIFICATIONS/DETAILED SCOPE OF WORK (APPENDIX A)

The Scope of Work is located in Appendix A of this document.

4. FORMS

4.1. FORMS (APPENDIX B)

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

5. EVALUATION MATRIX

5.1. EVALUATION MATRIX

The attached form (124-19 Evaluation Matrix) is the matrix that will be used to evaluate all proposals submitted in response to this RFP.

6. SUPPLEMENTAL DOCUMENTS

6.1. SUPPLEMENTAL DOCUMENTS (APPENDIX C)

The following supplemental documents can be found as Appendix C.

- 124-19 Appendix C - Sample Contract
- 124-19 Appendix C - Water Purification Phase I Final Documents