

MIAMI BEACH

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OFFICE OF THE CITY MANAGER

CITY CLERK'S OFFICE

LTC # **267-2014**

LETTER TO COMMISSION

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: August 4, 2014

SUBJECT: Miami Beach Convention Center – Design Builder RFP



Per the directive of the City Commission on July 30, 2014, attached please find the material revisions to the Design Builder RFP shown underlined. The two items revised are:

- 1) Additional language referring to the aspirational inclusion of a Miami Beach and Miami-Dade County workforce. The language was approved by the City attorney and added on Page 23 of the RFP:

TAB 3

Approach & Methodology Plan

Describe the plan for designing, managing, monitoring, coordinating and constructing the Project. As part of this, include a summary of your plan to maximize the employment of City of Miami Beach and Miami-Dade County residents in the design and construction of the Project, with an emphasis on residents that reside in the City's areas with the highest level of poverty. Include any aspirational goals as a percentage of total project employment that will be City of Miami Beach and Miami-Dade County residents. Include your approach to providing periodic reporting to monitor success. At a minimum, the City shall require monthly progress reports to be submitted to the City Commission documenting success throughout the Project duration.

- 2) Removal of the scoring component for Phase 2 of the RFP. The following language has replaced the previous weighted criteria on page 18 of the RFP:

PHASE II EVALUATION PROCESS

Evaluation (100 points). An Evaluation Committee, appointed by the City Manager, shall meet to evaluate each short-listed response in accordance with the criteria established herein. In doing so, the Evaluation Committee will:

- a. Interview short-listed proposers
- b. Score proposers utilizing the Weighted Criteria
- c. Recommend to City Manager the top ranked respondent

Proposers will be evaluated on Weighted Criteria to be submitted via Addendum.

The final scoring criteria for Phase 2 will be issued via LTC for Commission approval on September 10, 2014, prior to the proposal due date of September 19, 2014.

Thank you.

Attachment: Design Builder RFP without Addendum Exhibits

JLM//MH

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REQUEST FOR PROPOSALS

FOR DESIGN-BUILDER SERVICES FOR THE MIAMI BEACH CONVENTION CENTER RENOVATION AND EXPANSION

RFP No. 2014-294-ME

RFP ISSUANCE DATE: AUGUST 5, 2014

PRE-PROPOSAL MEETING DATE: THURSDAY, AUGUST 14, 2014, 1:30 PM

PROPOSAL DUE DATE: FRIDAY, SEPTEMBER 24, 2014 BY 3:00 PM

ISSUED BY:

MIAMI BEACH

Maria Estevez, *Assistant Director*
DEPARTMENT OF PROCUREMENT MANAGEMENT
1700 Convention Center Drive, Miami Beach, FL 33139
305.673.7000 x 7490 | MariaEstevez@miamibeachfl.gov
www.miamibeachfl.gov

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MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139,
www.miamibeachfl.gov
DEPARTMENT OF PROCUREMENT MANAGEMENT
Tel: 305.673.7490, Fax: 786.394.4006

PUBLIC NOTICE

REQUEST FOR PROPOSALS (RFP) No. 2014-294-ME (the "RFP") FOR DESIGN-BUILDER SERVICES FOR THE MIAMI BEACH CONVENTION CENTER RENOVATION AND EXPANSION (THE "PROJECT")

Miami Beach, Florida

The City is seeking proposals from capable design-build firms interested in submitting a proposal for the Project. The Project includes: 1) the complete renovation of the Miami Beach Convention Center with an expansion of a ballroom and auxiliary spaces; 2) parking above portions of the Convention Center; 3) exterior landscaping and a 6.5 acre public park; 4) a renovation of Convention Center Drive, including relocation of utilities; and 5) a replacement of the seawall along the south side of the Collins Canal. A Design Criteria Package is being prepared and shall include specifications and plans for the Project.

A **Non-Mandatory** Pre-Proposal Conference is scheduled for 1:30 p.m. on **August 14, 2014** at the following location:

**Miami Beach Convention Center
1901 Convention Center Drive
Miami Beach, Florida 33139
Hall C, 2nd Floor – Room AC223/C224**

Attendance (in person or via telephone) to this meeting is **not mandatory but strongly encouraged**.

Proposers interested in participating in the meeting via telephone must follow these steps:

Web Address:

<https://global.gotomeeting.com/meeting/join/282566237>

To join the conference call:

United States: +1 (786) 358-5420

Access Code: 282-566-237

Additionally, interested parties are encouraged to visit the site, scheduled immediately following the Pre-Proposal Conference.

Sealed in response to the Phase I of this RFP will be received by the City of Miami Beach Department of Procurement Management, 3rd Floor, 1700 Convention Center Drive, Miami Beach, Florida 33139, **until 3:00 p.m. on September 19, 2014.**

Sincerely,

Alex Denis
Director, Procurement Management Department

0100. GENERAL INSTRUCTIONS TO PROPOSERS:

1. General. This Request for Proposals (RFP) is issued by the City of Miami Beach, Florida (the "City") as the means for prospective Proposers to submit their qualifications, proposed scopes of work and cost proposals to the City, for the City's consideration, as an option in achieving the required scope of services and requirements as noted herein. All documents released in connection with this RFP, including all appendixes and addenda, whether included herein or released under separate cover, comprise the solicitation, and are complementary to one another and, together, establish the complete terms, conditions and obligations of the Proposers and, subsequently, the successful Proposer(s) if this RFP results in an award.

The City utilizes **PublicPurchase** (www.publicpurchase.com) for automatic notification of competitive solicitation opportunities and document fulfillment, including the issuance of any addenda to this RFP. Any prospective Proposer who has received this RFP by any means other than through **PublicPurchase** must register immediately with **PublicPurchase** to assure it receives any addendum issued to this RFP. **Failure to receive an addendum may result in disqualification of a Proposal.**

2. Scope of Work:

The City is seeking a Design-Builder for the renovation and expansion of the Miami Beach Convention Center (MBCC or Convention Center). **The Design-Builder shall be led by a construction firm (Prime Respondent). The Prime Proposer shall be the entity which shall enter into a contract with the City, should this RFP result in award. All other team members shall be a subcontractor to the Prime Respondent, and shall not be in contractual privity with the City.**



The City is seeking proposals from capable design-build firms interested in submitting a proposal for the Project. The Project includes: 1) the complete renovation of the Convention Center with an expansion of a ballroom and auxiliary spaces; 2) parking above portions of the Convention Center; 3) exterior landscaping and a 6.5 acre public park; 4) a renovation of Convention Center Drive, including relocation of utilities; and 5) replacement of the seawall along the south side of the Collins Canal.

This RFP will be issued and awarded through a competitive proposal selection process, in accordance with the applicable requirements of the Florida Consultant Competitive Negotiation Act ("CCNA"). The selected Design-Builder will agree to a guaranteed maximum price and guaranteed completion date.

The RFP shall follow a two-step, phased process. The competitive proposal selection process for will include:

Design-Builder Selection - Phase I - Qualifications

- The qualification and selection of no fewer than three (3) design-build firms as the most qualified based on the qualifications, availability, and past work of the firms, including the partners or members thereof.
- The short-listed proposers are anticipated to be selected in late October/early November, and be considered by the City Commission on November 19, 2014.
- The short-listed Proposers in Phase I, and only those Proposers, shall be authorized to proceed to Phase II of the RFP.

Design-Builder Selection - Phase II - Proposals

- The Design Criteria Package is anticipated to be completed in mid-November 2014, and present for
- consideration and approval by the City Commission on December 17, 2014.

- The Design Criteria Package, form of contract, and other requirements are anticipated to be issued to the Phase I short-listed Proposers on December 22, 2014.
- The Phase II proposals are anticipated to be due on February 27, 2015.
- City staff, City consultants, the Design Criteria Professional (Fentress Architects) and the City's Owner's Representative will complete the technical review of the Phase II proposals in March and early April 2015.
- The short-listed Proposers will be interviewed by a selection committee in early April 2015. The criteria, procedures and standards for the evaluation of the Phase II proposals will be based on schedule, technical and design aspects, and price of the Project, weighted for the Project. (See Section V for the points allowed for each criteria)
- The selected Phase II proposal is anticipated to be approved by the City Commission in mid-April 2015.

Background

Owned by the City of Miami Beach, the Convention Center (or MBCC) is a significant economic generator for the City, and the region. Originally built in 1957, the MBCC encompassed 108,000 square feet. In 1968, an additional 130,500 square feet of exhibit space was added, with additional support facilities subsequently constructed in 1974. In 1986, as the demand for exhibition space increased, the facility underwent a \$92 million renovation and doubled in size to its current footprint of approximately 1.2 million square feet, including approximately 502,000 square feet of exhibition space and 126,000 square feet of meeting space. Since that time, the facility has received over \$50 million in continuing upgrades.

The MBCC currently hosts approximately 145 events, annually, including internationally recognized events such as Art Basel Miami Beach. It also hosts rotating conventions, meetings, and a number of annual trade shows.

The City plans to renovate and expand the MBCC to "Class A" standards, in a manner that best meets the needs of the target market, within the available funds for the Project. In general, the Project is to include all exhibit halls, meeting rooms, pre-function, and support spaces such as loading docks, kitchens, bathrooms, MEP systems, and exterior areas. In addition, the MBCC is to be expanded to accommodate a new ballroom and meeting space. The Project will also include the conversion of approximately 880 surface parking spaces into a 6.5 acre public park and refurbishment of the Convention Center Drive and the Collins Canal seawall. New parking replacing the existing spaces will be incorporated on the roof of the building.

For a complete narrative of the scope of the project, refer to Appendix C.

Design Criteria Package

The City plans to renovate and expand the Miami Beach Convention Center under a design-build contract. The City has hired Fentress Architects as its Design Criteria Professional ("DCP"), to create a Design Criteria Package documenting the City's intent of the renovation and expansion that allows potential design-builders (i.e. proposers) to submit proposals on a common basis. The DCP will be responsible for designing and documenting the renovation and expansion program through the design development stage (30% drawings), commonly referred to as "bridging documents". The DCP will also assist with the evaluation of the proposals, and monitoring compliance to designs and specifications throughout the Project construction documents phase and construction process.

The DCP's team also exterior façade architect Arquitectonica; landscape architect West 8; civil engineer Kimley Horn; structural engineers Martin & Martin; mechanical, electrical & plumbing engineers M-E Engineers, Inc.; acoustical engineers D.L. Adams; code consultant Rolf Jensen & Associates, Inc.; traffic engineer The Corradino Group; lighting designer Illume; signage consultant TKD; vertical transportation consultant Lerch Bates, Inc.; food service consultant William Caruso Associates; cost estimator Rider Levett Bucknall; and parking consultant Walker Parking.

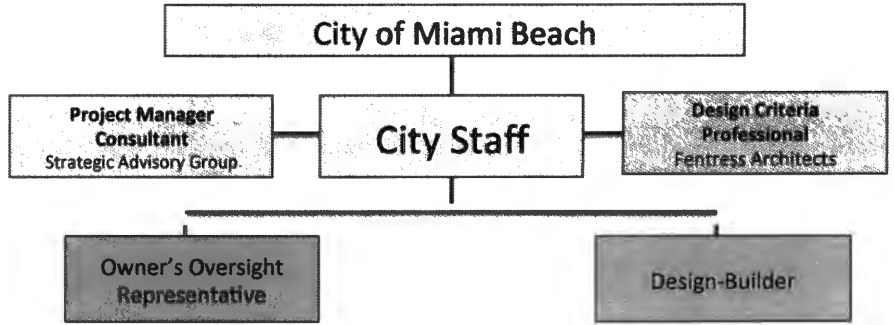
The DCP has completed the conceptual and schematic design and a construction design narrative for the Project. (See Appendix B and C). The design will be further developed through the DCP's design development process.

Project Oversight

The City has engaged Strategic Advisory Group (SAG) to act as its Project Consultant.

The Project will be overseen by a dedicated City Project Manager, and augmented by the Owner's Representative. The City is issuing an RFP for Owner's Representative services, and it is the City's goal to have the Project Owner's Representative in place by late October 2014.

The primary role of the Owner's Representative will be to ensure that the City receives a Project consistent with the Design Criteria Package, in a timely manner and for the agreed upon price. The Owner's Representative will have on-site dedicated staff to monitor the selected Design-BUILDER. The City and Owner's Representative will be assisted by a dedicated on-site architect from the Design Criteria Professional's team.

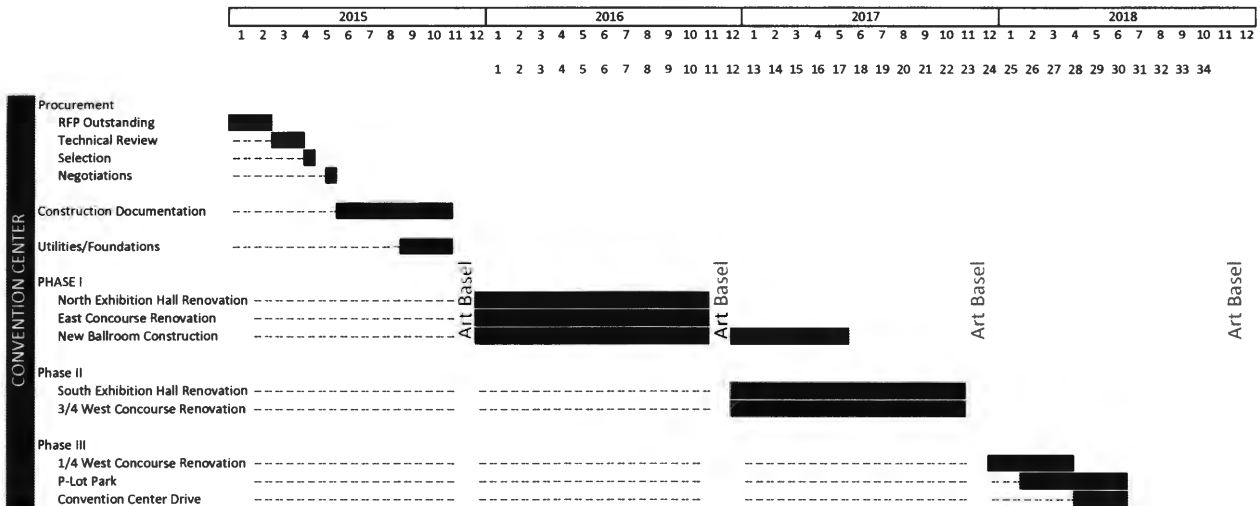


Phasing and Schedule

Project Phasing will be a critical component of the selected Design-BUILDER's services. The City has adopted a Construction Booking Policy, whereby half of the Convention Center is to remain open at any given time to accommodate certain Convention Center events. The Phase One will focus on renovating the north half of the MBCC exhibition hall and eastern concourse, while beginning construction of the new ballroom. During this period the southern half of the MBCC exhibition hall, western concourse, and meeting rooms will remain open for events. Once completed, the new northern facility will open and the southern portion and western concourse will be closed for renovation.

Under an ideal schedule, Phase One would be completed by November 16, 2016, to enable Art Basel to utilize the entire Convention Center (with the exception of the new ballroom). Until the new ballroom is available, the City desires to reserve an area of the P-Lot for use as temporary exhibit space with a tented structure. Phase Two would begin on December 10, 2016, and would be completed by November 21, 2017, to host the next Art Basel. In any event, the entire Convention Center must be available for the Art Basel events and construction will halt during that event and its move in/out period. Site work and other exterior renovations will likely begin in 2015, prior to the 2015 Art Basel event. Moreover, landscaping, the park, and Convention Center drive will likely occur after the 2017 event.

Miami Beach Convention Center
Phasing Schedule



6. Concept Design Cost Estimate

The DCP and its cost estimator have estimated the Project hard costs, based on the conceptual design drawings and narratives, to total \$349 million, excluding mark-ups for general conditions, contractor/design-builder fees, insurance/bonds, contingencies, and any other soft costs.

7. Minimum Requirements: In order for proposals to be deemed responsive, Proposers must meet the minimum requirement set forth herein. **Non-responsive proposers will be disqualified from consideration.**

Proposal Team Members

- 1. Phase I** – Team members for the Phase I submittal must include the Prime Respondent (who shall be the entity entering into contract with the City), and, at a minimum, the following subcontractors: Convention Center Designer; and Landscape Designer. Other design subcontractors may be included but are not required.
- 2. Phase II** – In addition to those required under Phase I, the Phase II submittal must include key construction subcontractors representing 10% or more of the hard cost budget.
- 3. Prime Respondent**
 - a. The Prime Respondent, as the General Contractor for the Project, must have completed at least two (2) projects with Hard Construction Costs of at least \$250 million within the last 10 (ten) years. In addition, the Prime Respondent, as a general contractor under design-build or other form of construction contract, must have built or renovated at least two (2) convention centers with at least 250,000 square feet of exhibition within the last 10 (ten) years.
 - b. The Prime Respondent must be licensed to work in Florida as a General Contractor by the Proposal Due Date.
- 4. Lead Project Manager** - The Prime Respondent's lead project manager for this Project must have managed one (1) project with Hard Construction Costs of at least \$250 million under a design-build contract within the last 10 (ten) years, and must have managed the construction or renovation of at least one (1) convention center with at least 250,000 square feet of exhibition space within the last 10 (ten) years.
- 5.** The Convention Center Designer must have been the architect of record and completed construction documentation for at least two (2) convention centers with at least 250,000 square feet of exhibition space within the last ten (10) years.
- 6. Landscape Designer** – Identify firm or entity.

For purposes of this RFP, "Hard Construction Costs" shall be defined as the cost of work, excluding mark-ups for general conditions, contractor/design-builder fees, insurance/bonds, and any other soft costs.

8. Anticipated RFP Timetable. The tentative schedule for this solicitation is as follows:

Phase I - Qualifications	
RFP Issued	August 5, 2014
Pre-Submittal Meeting	August 14, 2014 @ 1:30 PM
Deadline for Receipt of Questions	September 12, 2014
Responses Due	September 24, 2014
Selection Committee Meeting to Shortlist	October 9, 2014
Selection Committee Meeting to Interview	October 23/24, 2014

Commission Approval to Shortlist	November 19, 2014
Phase II - Proposals	
Solicitation Issued to Short-Listed Proposers	December 22, 2014
Pre-Submittal Meeting	January 8, 2015
Deadline for Receipt of Questions	January 16, 2015
Proposals Due	February 27, 2015
Selection Committee Meeting to Interview	March 26, 2015
Commission Approval of Final Proposer	April 15, 2015

9. Proposal Submission: One (1) unbound original proposal must be received on or before the date stipulated herein for the receipt of proposals. Additionally, twenty (20) bound copies as well as a CD or flash drive copy of the complete proposal are to be submitted to the City. The original proposal and all copies must be submitted to the Department of Procurement Management in a sealed envelope or container stating on the outside, the Proposer's name, address, telephone number, RFP number, title, and due date. Any proposals received after time and date specified will be returned to the Proposer unopened. The responsibility for submitting a proposal before the stated time and date is solely and strictly the responsibility of the Proposer. The City is not responsible for delays caused by mail, courier service, traffic, weather or any other occurrence.

10. Procurement Contact: Any questions or clarifications concerning this solicitation shall be submitted to the Procurement Contact named herein, in writing, with a copy to the City Clerk's Office, Rafael E. Granado via e-mail: RafaelGranado@miamibeachfl.gov ; or facsimile: 786-394-4188. The RFP title/number shall be referenced on all correspondence. All questions or requests for clarification must be received no later than ten (10) calendar days prior to the date Proposals are due as scheduled in the Solicitation Timeline. All responses to questions/clarifications will be sent to all prospective Proposers in the form of an addendum.

Procurement Contact:	Telephone:	Email:
Maria Estevez	305-673-7490	mestevez@miamibeachfl.gov

11. Pre-Proposal Conference: A Pre-Proposal Conference is scheduled for 1:30 p.m. on August 14, 2014 at:

**Miami Beach Convention Center
1901 Convention Center Drive
Miami Beach, Florida 33139
Hall C, 2nd Floor – Room AC223 / C224**

Attendance (in person or via telephone) to this meeting is **not mandatory but strongly encouraged**. Proposers interested in participating in the meeting via telephone must follow these steps:

Web Address:
<https://global.gotomeeting.com/meeting/join/282566237>

To join the conference call:
United States: +1 (786) 358-5420
Access Code: 282-566-237

Additionally, interested parties are encouraged to attend the site visit scheduled immediately following the Pre-Proposal Conference.

12. Pre-Proposal Interpretations: Oral information or responses to questions received by prospective Proposers are not binding on the City and will be without legal effect, including any information received at pre-submittal meeting or site visit(s). Only questions answered by written addenda will be binding and may supersede terms noted in this solicitation. Addendum will be released through *PublicPurchase*. Any prospective Proposer who has received this RFP by any means other than through *PublicPurchase* must register immediately with *PublicPurchase* to assure it receives any addendum issued to this RFP. **Failure to receive an addendum may result in disqualification of proposal.**

13. DCP Documents: The DCP for this Project shall be available in digital format on CDs. Please call Maria Estevez at 305.673.7000 ext. 7490, or e-mail mestevez@miamibeachfl.gov to secure a CD. **The cost for these CDs is \$20.** One may purchase a CD through the Finance Cashier located on the 1st Floor in City Hall. Please make reference of the RFP and project number and name to the Finance Cashier. After purchase, CDs are to be collected by the Proposer at the Procurement Office located on the 3rd Floor in City Hall with presentation of receipt from the Finance Cashier.

14. Cone Of Silence. Pursuant to Section 2-486 of the City Code, all procurement solicitations once advertised and until an award recommendation has been forwarded to the City Commission by the City Manager are under the “Cone of Silence.” The Cone of Silence ordinance is available at <http://library.municode.com/index.aspx?clientID=13097&stateID=9&statename=Florida>. Any communication or inquiry in reference to this solicitation with any City employee or City official is strictly prohibited with the of exception communications with the Procurement Director, or his/her administrative staff responsible for administering the procurement process for this solicitation providing said communication is limited to matters of process or procedure regarding the solicitation. Communications regarding this solicitation are to be submitted in writing to the Procurement Contact named herein with a copy to the City Clerk at rafaelgranado@miamibeachfl.gov.

15. Modification / Withdrawals Of Responses

A proposer may submit a modified response to replace all or any portion of a previously submitted response up until the due date and time. Modifications received after the response due date and time will not be considered.

Responses shall be irrevocable until contract award unless withdrawn in writing prior to the due date, or after expiration of **120** calendar days from the opening of responses without a contract award. Letters of withdrawal received after the response due date and before said expiration date, and letters of withdrawal received after contract award will not be considered.

16. RFP Postponement/Cancellation/Rejection

The City may, at its sole and absolute discretion, reject any and all, or parts of any and all, responses; re-advertise this RFP; postpone or cancel, at any time, this RFP process; or waive any irregularities in this RFP, or in any responses received as a result of this RFP.

17. Costs Incurred by Proposers

All expenses involved with the preparation and submittal of responses, or any work performed in connection therewith, shall be the sole responsibility (and shall be at the sole cost and expense) of the respondent, and shall not be reimbursed by the City.

18. Exceptions to RFP

Proposers must clearly indicate any exceptions they wish to take to any of the terms in this RFP, and outline what, if any, alternative is being offered. All exceptions and alternatives shall be included and clearly delineated, in writing, in the response. The City, at its sole and absolute discretion, may accept or reject any or all exceptions and alternatives. In cases in which exceptions and alternatives are rejected, the City shall require the proposer to comply

with the particular term and/or condition of the RFP to which proposer took exception to (as said term and/or condition was originally set forth on the RFP).

19. Florida Public Records Law:

Proposers are hereby notified that all responses including, without limitation, any and all information and documentation submitted therewith, are exempt from public records requirements under Section 119.07(1), Florida Statutes, and s. 24(a), Art. 1 of the State Constitution until such time as the City provides notice of an intended decision or until thirty (30) days after opening of the responses, whichever is earlier. Additionally, in the event an agreement is entered into with a proposer pursuant to this RFP, proposer agrees to be in full compliance with Florida Statute 119.0701 including, but not limited to, agreement to (a) Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the services; (b) provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law; (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law; (d) Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency.

20. Negotiations:

The City reserves the right to enter into further negotiations with the selected respondent. Notwithstanding the preceding, the City is in no way obligated to enter into a contract with the selected proposer in the event the parties are unable to negotiate a contract. It is also understood and acknowledged by proposers that by submitting a response, no property interest or legal right of any kind shall be created at any time until and unless a contract has been agreed to; approved by the City; and executed by the parties.

21. Protest Procedure:

Proposers that are not selected may protest any recommendation for selection of award in accordance with the proceedings established pursuant to the City's bid protest procedures (Ordinance No. 2002-3344), as codified in Sections 2-370 and 2-371 of the City Code. **Protests not timely made pursuant to the requirements of Ordinance No. 2002-3344 shall be barred.**

22. Observance Of Laws:

Proposers are expected to be familiar with, and comply with, all Federal, State, County, and City laws, ordinances, codes, rules and regulations, and all orders and decrees of bodies or tribunals having jurisdiction or authority which, in any manner, may affect the scope of services and/or project contemplated by this RFP (including, without limitation, the Americans with Disabilities Act, Title VII of the Civil Rights Act, the EEOC Uniform Guidelines, and all EEO regulations and guidelines). Ignorance of the law(s) on the part of the proposer will in no way relieve it from responsibility for compliance.

23. Default:

Failure or refusal of the selected proposer to execute a contract following approval of such contract by the City Commission, or untimely withdrawal of a response before such award is made and approved, may result in forfeiture of that portion of any surety required as liquidated damages to the City. Where surety is not required, such failure may result in a claim for damages by the City and may be grounds for removing the proposer from the City's vendor list.

24. Conflict Of Interest:

All proposers must disclose, in their response, the name(s) of any officer, director, agent, or immediate family member (spouse, parent, sibling, and child) who is also an employee of the City of Miami Beach. Further, all

proposers must disclose the name of any City employee who owns, either directly or indirectly, an interest of ten (10%) percent or more in the proposer entity or any of its affiliates.

25. Respondent's Responsibility:

Before submitting a response, each proposer shall be solely responsible for making any and all investigations, evaluations, and examinations, as it deems necessary, to ascertain all conditions and requirements affecting the full performance of the contract. Ignorance of such conditions and requirements, and/or failure to make such evaluations, investigations, and examinations, will not relieve the proposer from any obligation to comply with every detail and with all provisions and requirements of the contract, and will not be accepted as a basis for any subsequent claim whatsoever for any monetary consideration on the part of the respondent.

26. Relationship to The City:

It is the intent of the City, and proposers hereby acknowledge and agree, that the selected Proposer is considered to be an independent contractor, and that neither the respondent, nor the respondent's employees, agents, and/or contractors, shall, under any circumstances, be considered employees or agents of the City.

27. Public Entity Crime:

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

28. Compliance with The City's Lobbyist Laws:

This RFP is subject to, and all proposers are expected to be or become familiar with, all City lobbyist laws. Proposers shall be solely responsible for ensuring that all City lobbyist laws are complied with, and shall be subject to any and all sanctions, as prescribed therein, including, without limitation, disqualification of their responses, in the event of such non-compliance.

29. Cone of Silence:

This RFP is subject to, and all proposers are expected to be or become familiar with, the City's Cone of Silence requirements, as codified in Section 2-486 of the City Code. Proposers shall be solely responsible for ensuring that all applicable provisions of the City's Cone of Silence are complied with, and shall be subject to any and all sanctions, as prescribed therein, including rendering their response voidable, in the event of such non-compliance.

30. Debarment Ordinance:

This RFP is subject to, and all proposers are expected to be or become familiar with, the City's Debarment Ordinance (as adopted pursuant to Ordinance No. 200-3234, and as codified in Sections 2-397 through 2-406 of the City Code).

31. Compliance with the City's Campaign Finance Reform Laws:

This RFP is subject to, and all proposers are expected to be or become familiar with, the City's Campaign Finance Reform laws, as codified in Sections 2-487 through 2-490 of the City Code. Proposers shall be solely responsible for ensuring that all applicable provisions of the City's Campaign Finance Reform laws are complied with, and shall be subject to any and all sanctions, as prescribed therein, including disqualification of their responses, in the event of such non-compliance.

32. Code of Business Ethics:

Pursuant to City Resolution No.2000-23879, the proposer shall adopt a Code of Business Ethics ("Code") and submit that Code to the Procurement Division with its response or within five (5) days upon receipt of request. The Code

shall, at a minimum, require the respondent, to comply with all applicable governmental rules and regulations including, among others, the conflict of interest, lobbying and ethics provision of the City of Miami Beach and Miami Dade County.

33. American with Disabilities Act (ADA):

Call 305-673-7490 to request material in accessible format; sign language interpreters (five (5) days in advance when possible), or information on access for persons with disabilities. For more information on ADA compliance, please call the Public Works Department, at 305-673-7000, Extension 2984.

34. Acceptance of Gifts, Favors, Services

Proposers shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the City, for the purpose of influencing consideration of this response. Pursuant to Sec. 2-449 of the City Code, no officer or employee of the City shall accept any gift, favor or service that might reasonably tend improperly to influence him in the discharge of his official duties.

35. Special Notices. You are hereby advised that this solicitation is subject to the following ordinances/resolutions, which may be found on the City of Miami Beach website:

<http://web.miamibeachfl.gov/procurement/scroll.aspx?id=23510>

- CONE OF SILENCE..... CITY CODE SECTION 2-486
- PROTEST PROCEDURES..... CITY CODE SECTION 2-371
- DEBARMENT PROCEEDINGS..... CITY CODE SECTIONS 2-397 THROUGH 2-485.3
- LOBBYIST REGISTRATION AND DISCLOSURE OF FEES..... CITY CODE SECTIONS 2-481 THROUGH 2-406
- CAMPAIGN CONTRIBUTIONS BY VENDORS..... CITY CODE SECTION 2-487
- CAMPAIGN CONTRIBUTIONS BY LOBBYISTS ON PROCUREMENT ISSUES..... CITY CODE SECTION 2-488
- REQUIREMENT FOR CITY CONTRACTORS TO PROVIDE EQUAL BENEFITS FOR DOMESTIC PARTNERS..... CITY CODE SECTION 2-373

- LIVING WAGE REQUIREMENT..... CITY CODE SECTIONS 2-407 THROUGH 2-410
- PREFERENCE FOR FLORIDA SMALL BUSINESSES OWNED AND CONTROLLED BY VETERANS AND TO STATE-CERTIFIED SERVICE-DISABLED VETERAN BUSINESS ENTERPRISES..... CITY CODE SECTION 2-374
- FALSE CLAIMS ORDINANCE..... CITY CODE SECTION 70-300
- ACCEPTANCE OF GIFTS, FAVORS & SERVICES..... CITY CODE SECTION 2-449

Note: Ordinances may be amended any time prior to the receipt of bids. The most recently approved ordinance or version shall apply.

00200. DEFINITIONS:

Omitted.

00300. INSTRUCTIONS TO PROPOSERS:

1. **Pre-Proposal Interpretations:** Only questions answered by written Addenda will be binding and may supersede terms noted in this RFP. Oral and other interpretations or clarifications will be without legal effect. All questions about the meaning or intent of the RFP are to be directed to the City's Procurement Director or designated representative in writing. Interpretations or clarifications considered necessary by the City in response to such questions will be issued by the City by means of Addenda mailed or delivered to all parties recorded by the City's Procurement Director as having received the Bidding Documents. **Written questions should be received no less than ten (10) calendar days prior to the date of the opening of proposals. There shall be no obligation on the part of City or the City's Procurement Director to respond to questions received less than ten (10) calendar days prior to original proposal opening date stipulated in this solicitation.**
2. **Joint Ventures:** Joint Ventures are not allowed. The City will contract with the Prime Contractor only. Proposals shall be submitted by the Prime Contractor only. However, proposals may include other sub-contractors or sub-consultants to the Prime Contractor, provided, however, that, at a minimum proposers must include and identified the Convention Center Designer and Landscape Designer as part of their Phase I submittal.
3. **Printed Form of Proposal:** All proposals must be made upon the blank Proposal Tender Form herein and must give the price in strict accordance with the instructions thereon. The proposal must be signed and acknowledged by the Proposer in accordance with the directions on the proposal form.
4. **Acceptance or Rejection of Proposals:** (*) Subject to Paragraph 8 on page 11 thereof, the City reserves the right to reject any or all proposals prior to award. Reasonable efforts will be made to either award the Contract or reject all proposals within one-hundred twenty (120) calendar days after proposal opening date. A Proposer may not withdraw its proposal unilaterally nor change the Contract Price before the expiration of ninety (90) calendar days from the date of proposal opening. A Proposer may withdraw its proposal after the expiration of one hundred twenty (120) calendar days from the date of proposal opening by delivering written notice of withdrawal to the Department of Procurement Management prior to award of the Contract by the City Commission.
5. **Determination Of Award:** Pursuant to F.S. 287.055, the City shall first consider the qualifications of firms through the process outlined in Section 0305, Evaluation of Process. **The Evaluation of proposals shall proceed in a two-phase process:**
 - A. Phase I – Proposals will be evaluated in accordance with the criteria established in Section 0305 for Phase I Evaluation. Following the Phase I Evaluation Process, the City Manager may recommend to the City Commission no less than three respondents to be considered in Phase II. The number of respondents recommended to be short-listed for consideration in Phase II is solely at the discretion of the City Manager.
 - B. Phase II – Short-listed Proposals will be evaluated in accordance with the criteria established in Section 0305 for Phase II Evaluation.

The results of both Phase I and Phase II evaluations will be considered by the City Manager who may recommend to the City Commission the respondent(s) he deems to be in the best interest of the City, or may recommend rejection of all responses. The City Manager's recommendation need not be consistent with the scoring results identified herein and takes into consideration Miami Beach City Code Section 2-369, including the following considerations:

- a) The ability, capacity and skill of the proposer to perform the contract.
- b) Whether the proposer can perform the contract within the time specified, without delay or interference.
- c) The character, integrity, reputation, judgment, experience and efficiency of the respondent.
- d) The quality of performance of previous contracts.
- e) The previous and existing compliance by the proposer with laws and ordinances relating to the contract.

The City Commission shall consider the City Manager's recommendation for each phase and may approve such recommendation. The City Commission may also, at its option, reject the City Manager's recommendation and select another proposer (or proposers) which it deems to be in the best interest of the City, or it may also reject all responses.

Once the Phase II ranking is approved by the City Commission, the City will enter into contract negotiations with the top ranked firm. If the City and selected firm cannot agree on contractual terms, the City will terminate negotiations and begin negotiations with the next ranked firm, continuing this process with each firm in rank order until agreeable terms can be met or the procurement is terminated. Contract negotiations and execution will take place as quickly as possible after selection.

6. Performance Evaluation: An interim performance evaluation of the successful proposer may be submitted by the Contract Administrator during construction of the Project. A final performance evaluation shall be submitted when the Request for Final Payment to the construction contractor is forwarded for approval. In either situation, the completed evaluation(s) shall be forwarded to the City's Procurement Director who shall provide a copy to the successful proposer. Said evaluation(s) may be used by the City as a factor in considering the responsibility of the successful proposer for future proposals with the City.
7. Postponement of Date for Presenting and Opening Proposals: The City reserves the right to postpone the date for receipt and opening of proposals and will make a reasonable effort to give at least five (5) calendar days written notice of any such postponement to each prospective proposer.
8. Qualifications of Proposers: Proposals shall be considered only from Proposers which submit their proposal by the proposal's due date; proposers who meet the "Minimum Requirements"; and proposers that submit all required documentation as requested under this solicitation.

In determining a proposer's responsibility and ability to perform the Contract, City has the right to investigate and request information concerning the financial condition, experience record, personnel, equipment, facilities, principal business location and organization of the proposer, the proposer's record with environmental regulations, and the claims/litigation history of the proposer. The City reserves the right to consider third-party information (e.g., Dun & Bradstreet's Supplier Reports or similar) in determination of capacity.

9. Addenda and Modifications: The City shall make reasonable efforts to issue addenda within seven (7) calendar days prior to proposal opening. All addenda and other modifications made prior to the time and date of proposal opening shall be issued as separate documents identified as changes to the Project Manual.
10. Occupational Health and Safety: In compliance with Chapter 442, Florida Statutes, any toxic substance listed in Section 38F-41.03 of the Florida Administrative Code delivered as a result of this proposal must be accompanied by a Material Safety Data Sheet (MSDS) which may be obtained from the manufacturer.

11. Environmental Regulations: The City reserves the right to consider a proposer's history of citations and/or violations of environmental regulations in investigating a proposer's responsibility, and further reserves the right to declare a proposer not responsible if the history of violations warrant such determination in the opinion of the City. Proposer shall submit with its proposal, a complete history of all citations and/or violations, notices and dispositions thereof. The non-submission of any such documentation shall be deemed to be an affirmation by the Proposer that there are no citations or violations. Proposer shall notify the City immediately of notice of any citation or violation which proposer may receive after the proposal opening date and during the time of performance of any contract awarded to it.
12. "Or Equal" Clause: Whenever a material, article or piece of equipment is identified in the RFP including plans and specifications by reference to manufacturers' or vendors' names, trade names, catalog numbers, or otherwise, City, will have made its best efforts to name at least three (3) such references. Any such reference is intended merely to establish a standard; and, unless it is followed by the words "**no substitution is permitted**" because of form, fit, function and quality, any material, article, or equipment of other manufacturers and vendors which will perform or serve the requirements of the general design will be considered equally acceptable provided the materials, article or equipment so proposed is, in the sole opinion of City, equal in substance, quality and function.

ANY REQUESTS FOR SUBSTITUTION MUST BE MADE TO THE CITY'S PROCUREMENT DIRECTOR.

13. Protested Solicitation Award: Proposers that are not selected may protest any recommendation for contract award in accordance with City of Miami Beach Code Section 2-371, which establishes procedures for resulting protested proposals and proposed awards. Protest not timely pursuant to the requirements of the City Code shall be barred.
14. Veteran Business Enterprises: Pursuant to City of Miami Beach Code Section 2-374, the City shall give a preference to a responsive and responsible Proposer which is a small business concern owned and controlled by a veteran(s) or which is a service-disabled veteran business enterprise, and which is within five percent (5%) of the lowest responsive, responsible proposer, by providing such proposer an opportunity of providing said goods or contractual services for the lowest responsive Proposal amount. Whenever, as a result of the foregoing preference, the adjusted prices of two (2) or more Proposers which are a small business concern owned and controlled by a veteran(s) or a service-disabled veteran business enterprise constitute the lowest proposal pursuant to an RFP or oral or written request for quotation, and such proposals are responsive, responsible and otherwise equal with respect to quality and service, then the award shall be made to the service-disabled veteran business enterprise.
15. Equal Benefits Code Provision: Proposers are advised that this RFP and any contract awarded pursuant to this procurement process shall be subject to the applicable provisions of City Code Section 2-373, entitled "Requirement for City Contractors to Provide Equal Benefits for Domestic Partners (the "Code Provision")." The Code Provision applies to all employees of a Contractor who work within the City limits of the City of Miami Beach, Florida; and the Contractor's employees located in the United States, but outside of the City of Miami Beach limits, who are directly performing work on the contract within the City of Miami Beach.
 - B. On contract amounts of \$500,000 or less, the bond provisions of Section 287.0935, Florida Statutes (1985) shall be in effect and surety companies not otherwise qualifying with this paragraph may optionally qualify by:
 1. Providing evidence that the surety has twice the minimum surplus and capital required by the Florida Insurance Code at the time the solicitation is issued;
 2. Certifying that the surety is otherwise in compliance with the Florida Insurance Code;and

3. Providing a copy of the currently valid Certificate of Authority issued by the United States Department of the Treasury under SS. 31 USC 9304-9308.
Surety insurers shall be listed in the latest Circular 570 of the U.S. Department of the Treasury entitled "Surety Companies Acceptable on Federal Bonds", published annually. The bond amount shall not exceed the underwriting limitations as shown in this circular.
- C. For contracts in excess of 500,000 the provisions of Section B will be adhered to plus the company must have been listed for at least three consecutive years, or holding a valid Certificate of Authority of at least 1.5 million dollars and on the Treasury List.
- D. Surety Bonds guaranteed through U.S. Government Small Business Administration or Contractors Training and Development Inc. will also be acceptable.
- E. In lieu of a bond, an irrevocable letter of credit or a cash bond in the form of a certified cashier's check made out to the City of Miami Beach will be acceptable. All interest will accrue to the City of Miami Beach during the life of this contract and/or as long as the funds are being held by the City of Miami Beach.
- F. The attorney-in-fact or other officer who signs a contract bond for a surety company must file with such bond a certified copy of power of attorney authorizing the officer to do so. The contract bond must be counter signed by the surety's resident Florida agent.

PHASE I EVALUATION PROCESS

1. **Two Step Evaluation.** The evaluation of responsive proposals will proceed in a two-step process. The first step (Step 1) will consist of the qualitative criteria listed below to be considered by the Evaluation Committee. The second step (Step 2) will consist of quantitative criteria established below to be added to the first step scores by the Procurement Management Department. The City reserves the right to engage the advice of its consultant, DCP or other technical experts in assisting the Evaluation Committee in the review of proposals received.
2. **Evaluation Committee.** An Evaluation Committee, appointed by the City Manager, shall meet to evaluate each response in accordance with the requirements set forth in this solicitation. If further information is desired, proposers may be requested to make additional written submittals and/or oral presentations to the Evaluation Committee. The evaluation of responses will proceed in a two-step process, as set forth below. Step 1 will consist of the qualitative criteria listed below to be considered by the Evaluation Committee. Step 2 will consist of the quantitative criteria established below, to be added to the Evaluation Committee results by the Department of Procurement Management.
3. **Phase I / Step 1 Evaluation (100 Points).** The Evaluation Committee shall meet to evaluate each response in accordance with the qualifications criteria established below for Step 1, Qualitative Criteria. In doing so, the Evaluation Committee may:
 - a. Review and score all responses received utilizing the Weighted Criteria
 - b. Short-list proposers to be further considered in oral presentations
 - c. Interview selected proposers
 - d. Re-score interviewed proposers utilizing the Weighted Criteria
 - e. Recommend to City Manager no less than three (3) proposers to be short-listed for Phase II

Proposers will be evaluated on the following Weighted Criteria

- Organization Plan (10 points)
- Prime Proposer experience and qualifications (20 points)
- Prime Proposer experience with maintaining operations during the construction process (25 points)
- Convention Center Designer experience and qualifications (15 points)
- Landscape Designer experience and qualifications (10 points)
- Financial capability (15 points)
- Responses to forms (5 points)

Phase I / Step 2 Evaluation (10 Points). Following the results of Step 1 Evaluation Qualitative criteria, the proposers may receive additional points to be added by the Department of Procurement Management to those points earned in Step 1, as follows.

- Veterans and State-Certified Service-Disabled Veteran Business Enterprise (5 points)

4. Determination of Phase I Ranking. At the conclusion of the Evaluation Committee Step 1 scoring, Step 2 Points will be added to each Evaluation Committee member's scores by the Department of Procurement Management. Step 1 and 2 scores will be converted to rankings in accordance with the example below:

		Proposer A	Proposer B	Proposer C
Committee Member 1	Step 1 Points	82	76	80
	Step 2 Points	10	7	5
	Total	92	84	85
	Rank	1	3	2
Committee Member 2	Step 1 Points	90	85	72
	Step 2 Points	10	7	5
	Total	100	92	79
	Rank	1	2	3
Committee Member 2	Step 1 Points	80	74	66
	Step 2 Points	10	7	5
	Total	90	81	72
	Rank	1	2	3
Low Aggregate Score		3	7	8
Phase I Ranking		1	2	3

PHASE II EVALUATION PROCESS

Evaluation (100 points). An Evaluation Committee, appointed by the City Manager, shall meet to evaluate each short-listed response in accordance with the criteria established herein. In doing so, the Evaluation Committee will:

- a. Interview short-listed proposers
- b. Score proposers utilizing the Weighted Criteria
- c. Recommend to City Manager the top ranked respondent

Proposers will be evaluated on Weighted Criteria to be submitted via Addendum.

Following the Phase II Evaluation Process, the City Manager may recommend to the City Commission on or more respondents with whom to commence negotiations. The number of respondents recommended to be short-listed for consideration in Phase II is solely at the discretion of the City Manager.

00315. PROPOSAL SUBMISSION REQUIREMENTS

1. **FORMAT FOR SUBMITTAL.** Proposal packages must contain all the information requested in the following documents, each fully completed, and signed as required. Proposal packages which do not include all required documentation, or are not submitted in the required format, or do not have the appropriate signatures on each document, may be deemed non-responsive. The City reserves the right to request any documentation omitted, with exception of the Proposal Price form. Proposer must submit the documentation within three (3) calendar days upon request from the City, or the proposal may be deemed non-responsive. Non-responsive proposal packages will receive no further consideration.

Proposers may not dictate the circumstances under which the documents are deemed to be confidential. Only the State Legislature may determine which public records are subject to disclosure and which are not. Moreover, a private party cannot render public records exempt from disclosure merely by designating as confidential the material it furnishes to the City. The desire of the private party to maintain privacy of certain materials filed with the City is of no consequence unless such materials fall within a legislative created exemption to Chapter 119, Florida Statutes.

2. **CONTENTS AND FORMAT OF PROPOSAL.** To facilitate review of proposals, proposers are requested to submit proposals in the format stipulated in this section, including clearly identifying each proposal section (tab).

PHASE I RESPONSE FORMAT

In order to maintain comparability, facilitate the review process, and assist the Evaluation Committee in review of responses, it is recommended that responses be organized and tabbed in accordance with the sections and manner specified below. Hard copy submittals should be bound and tabbed as enumerated below and contain a table of contents with page references. Electronic copies should also be tabbed and contain a table of contents with page references. Proposers should prepare their submittal on 8.5 x 11 paper. Please feel free to include other materials, such as covers, appendices, brochures, etc. at your discretion. The recommended number of pages the City desires for each submittal item is indicated below. These are recommendations only and actual pages may exceed the recommendation.

The City reserves the right to require additional information to determine financial capability. Proposer shall have ten (10) calendar days respond to such a request.

TAB 1	Executive Summary
1.	Cover Page, Letter, and Table of Contents. The cover letter must indicate Prime Proposer and be signed by same.
2.	Proposal Overview. Provide a brief summary describing your firm's, experience and qualifications, staff that will be assigned to this project, and any other relevant information. (recommend 2-3 pages)
3.	Minimum Requirements: Submit verifiable information documenting compliance with the Minimum Requirements in Section 0100, Paragraph 7, Pages 7-8 of the RFP. a. Prime Respondent (recommend 1 page) b. Convention Center Designer (recommend 1 page) c. Convention Center Landscape Designer (recommend 1 page) d. Prime Respondent's Lead Project Manager (recommend 1 page)
TAB 2	Organization Plan / Personnel
Prime Proposer shall submit a design-build team organizational structure that has a sufficient number of professionals and other personnel to perform the work, including:	

1. An organizational chart depicting the structure and lines of authority and communication. A narrative that describes the intended structure regarding project management, accountability and compliance with the terms of the RFP.
2. Identify all key personnel, including the Project Manager, who will be assigned to the Project and their intended functions and responsibilities. Also indicate the percentage of time commitment of each key person on this Project.
3. Resumes of the team's key personnel who will be assigned to the Project that demonstrate their experience and qualifications, education and performance record.

TAB 3 Prime Proposer Experience & Qualifications

Qualifications of Proposing Firm. Describe experience and qualifications of the Prime Respondent in providing the services detailed herein.

1. **Company Information:** Provide background information, including company history, years in business, number of employees, and any other information communicating capabilities and experience. (recommend 1 page)
2. **Company's List of Similar Experience and Qualifications:** Provide a list of the company's experience and qualifications with the services detailed herein. Provide a table that includes the following information: project name, type of project (convention center, airport, etc.), convention center square feet if applicable, the years constructed, hard costs, and whether a design-build project for your firm or construction only. (recommend 1 page)
3. **Relevant Experience:** Summarize 10 (ten) of the company's most similar projects of comparable size and scope where similar services to those described in this RFP have been provided. Please list similar convention center projects first followed by other relevant project experience. (Recommend 1 page per project) For each project include:
 - a. Project name and location
 - b. Project description
 - c. Years project constructed (or "Under Construction")
 - d. Project hard cost
 - e. If convention center, indicate gross square feet constructed, exhibit hall square feet, ballroom square feet, meeting room square feet
 - f. Indicate whether your role was construction manager (no risk), construction manager at risk, GMAX contract, or design-builder
 - g. If applicable, a brief description of how the Prime Proposer maintained operations while under construction
 - h. The names of the key project managers, highlighting any individuals who will also work on this project
 - i. Reference contact information

TAB 4 Convention Center Designer Experience & Qualifications

Qualifications of Proposing Firm. Describe experience and qualifications in providing construction documentation for convention centers.

1. **Company Information:** Provide background information, including company history, years in business, number of employees, and any other information communicating capabilities and experience. (recommend 1 page)
2. **Company's List of Similar Experience and Qualifications:** Provide a list of the company's experience with preparing construction documentation for convention centers. Provide a table to include the following information: convention center name, exhibit square feet, ballroom/meeting square feet, renovation or new build, year design completed, and the hard cost budget. (recommend 1 one page)

3. **Florida Registration:** Provide evidence of professional registration pursuant to Chapter 287.055, Florida Statutes, the Consultants Competitive Negotiations Act (CCNA).
4. **Experience:** Summarize five (5) of the company's most similar convention center projects where construction documentation was provided. (recommend 1 page per project) For each project include:
 - a. Convention center name and location
 - b. Project description
 - c. Convention center exhibit square feet, ballroom square feet, meeting square feet
 - d. Project hard cost
 - e. Architect of record (firm name)
 - f. Indicate whether project was a new build and/or renovation
 - g. Years project designed (or "Under Design")
 - h. The names of the key project architects, highlighting any individuals who will also work on this project
 - i. Reference contact information

TAB 5 Landscape Designer Experience & Qualifications

Qualifications of Proposing Firm. Describe experience and qualifications in providing construction documentation for parks and large landscape areas.

1. **Company Information:** Provide background information, including company history, years in business, number of employees, and any other information communicating capabilities and experience. (recommend 1 page)
2. **Company's List of Similar Experience and Qualifications:** Provide a list of the company's experience with preparing construction documentation for parks and other significant landscape projects. Provide a table to include the following information: park name, square feet of project, year design completed, and the hard cost budget. (recommend 1 page)
3. **Relevant Experience:** Summarize five (5) of the company's most similar landscape projects where construction documentation was provided. (recommend 1 page per project) For each project include:
 - a. Project name and location
 - b. Project description
 - c. Park size (square feet)
 - d. Architect of record (firm name)
 - e. Years project designed (or "Under Design")
 - f. The names of the key project architects, highlighting any individuals who will also work on this project
 - g. Reference contact information
 - h. Project hard cost

TAB 6 Other Subcontractors

Provide a list of any other key team members. For each team member provide a description of their role and a summary of the relevant qualifications and experience (recommend 3 pages per team member).

TAB 7 Financial Capability

1. **Audited Financial Statement:** Provide the Prime Respondent's most recent annual reviewed/audited financial statement with the auditor's notes. Such statements should include, as a minimum, balance sheets (statements of financial position) and statements of profit and loss (statement of net income).

2. **Bonding Capacity:** Provide evidence that the Prime Respondent has adequate bonding capacity for construction of the Project. Proposers shall provide proof of its bonding capacity by a statement from a Surety firm rated by AM Best as to be no less than A- (Excellent). The statement of bonding capacity shall be directly from the Surety firm on its official letterhead and signed by an authorized agent of the firm.
3. **Dun & Bradstreet:** The Prime Proposer shall pay D&B to send the Supplier Qualifier Report (SQR) to the City through electronic means, emailing to MariaEstevez@miamibeachfl.gov. The cost of the preparation of the D&B report shall be the responsibility of the Respondent. The proposer can request the report from D&B at:
<https://supplierportal.dnb.com/webapp/wcs/stores/servlet/SupplierPortal?storeId=11696>

TAB 8	Forms
Provide Certification, Questionnaire & Requirements Affidavit (Appendix A). Attach Appendix A fully completed and executed. The Certification, Questionnaire & Requirements Affidavit (Appendix A) must be signed by the Prime Respondent.	
TAB 9	Other
Provide any other information the Prime Proposer believes will help the City understand the team's capabilities.	

PHASE II RESPONSE FORMAT

Following City Commission selection of the short-listed proposers pursuant to Phase II of the RFP, the short-listed proposers will be required to prepare a detailed proposal for the Project. The Design Criteria Package is to be completed in mid-November and planned to be approved by City Commission on December 17, 2014. The Design Criteria Package, form of contract, and other requirements are planned to be issued to the Phase I short-listed proposers on December 22, 2014, and proposals are planned to be due on February 27, 2015.

In order to maintain comparability, facilitate the review process, and assist the Evaluation Committee in review of responses, it is recommended that responses be organized and tabbed in accordance with the sections and manner specified below. Hard copy submittals should be bound and tabbed as enumerated below and contain a table of contents with page references. Electronic copies should also be tabbed and contain a table of contents with page references. Proposers should prepare their submittal on 8.5 x 11 paper. Please feel free to include other materials, such as covers, appendices, brochures, etc. at your discretion. The recommended number of pages the City desires for each submittal item is indicated below. These are recommendations only and actual pages may exceed the recommendation.

Due Diligence and Site Inspections: It is the responsibility of each Proposer, before submitting the Phase II proposal, to:

- Visit the site or structure to become familiar with conditions that may affect costs, progress, performance or furnishing of the Work;
- Take into account federal, state and local (City and Miami-Dade County) laws, regulations, permits, and ordinances that may affect costs, progress, performance, furnishing of the Work, or award;
- Study and carefully correlate Proposer's observations with the RFP; and

The submission of a proposal shall constitute an incontrovertible representation by proposer that proposer has complied with the above requirements and understands all terms and conditions for performance and furnishing of the Work.

The City reserves the right to require additional information to determine financial capability. Proposer shall have ten (10) calendar days respond to such a request.

TAB 1 Organization Plan / Personnel

Prime Proposer shall submit an updated design-build team organizational structure that has a sufficient number of professionals and other personnel to perform the work, including:

1. An organizational chart depicting the structure and lines of authority and communication. A narrative that describes the intended structure regarding project management, accountability and compliance with the terms of the RFP.
2. Identify all key personnel who will be assigned to the Project and their intended functions and responsibilities. Also indicate the percentage of time commitment of each key person on this Project.
3. Resumes of the team's key personnel who were not provided in the Phase I response to this RFP.

TAB 2 Key Construction Subcontractor Experience & Qualifications

Qualifications of Proposing Firm(s). For each key construction subcontractor representing 10% or more of the hard cost budget, describe experience and qualifications as detailed below.

1. **Company Information:** Provide background information, including company history, years in business, number of employees, and any other information communicating capabilities and experience. (recommend 1-2 pages)
2. **Company's List of Similar Experience and Qualifications:** Provide a list of the company's experience and qualifications with the Services detailed herein. Provide a table to include the following information: project name, type of project (convention center, airport, etc.), convention center square feet if applicable, the years constructed, and subcontractor hard costs. (recommend 1 page)
3. **Relevant Experience:** Summarize 5 (five) of the company's most similar projects of comparable size and scope where similar construction services have been provided. Please list similar convention center projects first followed by other relevant project experience. (recommend 1 page per project) For each project include:
 - a. Project name and location
 - b. Project description
 - c. If convention center, indicate gross square feet constructed, exhibit square feet, ballroom square feet, meeting square feet
 - d. Years project constructed (or "Under Construction")
 - e. Reference contact information
 - f. Subcontractor hard cost

TAB 3 Approach & Methodology Plan

Describe the plan for designing, managing, monitoring, coordinating and constructing the Project. As part of this, include a summary of your plan to maximize the employment of City of Miami Beach and Miami-Dade County residents in the design and construction of the Project, with an emphasis on residents that reside in the City's areas with the highest level of poverty. Include any aspirational goals as a percentage of total project employment that will be City of Miami Beach and Miami-Dade County residents. Include your approach to providing periodic reporting to monitor success. At a minimum, the City shall require monthly progress reports to be submitted to the City Commission documenting success throughout the Project duration.

TAB 4 Project Schedule

Provide a Project schedule and describe the plan for adherence to the critical path schedule defined therein. Also describe how the proposer will work with the MBCC manager and staff to ensure all schedule events are accommodated, and that the entire facility is available for the Art Basel dates.

TAB 5 Construction Logistics Plan

Describe plan on understanding the importance of the daily operation of the MBCC and address how construction staging areas, pedestrian paths, vehicular traffic patterns, etc. will be handled in order to mitigate disruption.

TAB 6**Guaranteed Maximum Price**

Submit a Guaranteed Maximum Price (GMP) for delivering the completed Project consistent with the Design Criteria Package, on a date certain, while accommodating Art Basel and other events under the Construction Booking Policy. Submission of the GMP shall be included in a Pricing and Draw Schedule Form that will be supplied by the City in December 2014 as an addendum to this RFP. All GMP's shall take into account that construction workers will not be allowed to park on site and shall be bussed in from a remote location.

Any notice to proceed of the ultimate contract will be subject to City Commission budget appropriation.

TAB 7**Voluntary Alternate Proposals**

It is the goal of the City for the Prime Proposer to develop the Project consistent with the Design Criteria Package. Nevertheless, Prime Respondent is also encouraged to submit suggested alternates or "Voluntary Alternate Proposals" for the Project which may result in cost and/or time savings to the City. Voluntary Alternate Proposals may only be submitted in relation to alternative materials, equipment or building systems, and must maintain the design intent. The City reserves the right to utilize any Voluntary Alternate Proposal in the design and construction of the Project even though it may be a Voluntary Alternate Proposal proposed by an unsuccessful proposer. Notwithstanding the foregoing, the City will only utilize that portion of a Voluntary Alternate Proposal of an unsuccessful proposer which is not subject to a copyright or other intellectual property right of such Proposer.