

Legistar # 200090

BID COVER PAGE (Non CCNA)

City of Gainesville
Procurement Division
200 E University Avenue, Rm 339
Gainesville, FL 32601
(352) 334-5021(main)



REQUEST FOR QUALIFICATIONS (RFQ):

#CRAX-200029-GD: New Home Builders for Heartwood Neighborhood, Gainesville, FL

DUE DATE FOR SUBMITTING PROPOSAL ON DEMANDSTAR.COM: May 20, 2020, 3:00PM

PRE-PROPOSAL MEETING: ☒ Non-Mandatory ☐ Mandatory ☐ Includes Site Visit ☐ N/A

PRE-PROPOSAL MEETING DATE/TIME: Thursday, April 30, 2020, 1:30pm

PRE-PROPOSAL MEETING LOCATION: Zoom (CTRL+Click link below to access):

<https://zoom.us/j/91822959237?pwd=WUFKYkRjOWJ6THRkRy8rV0xOcXpOQT09>

Meeting ID: 918 2295 9237

Password: 8ZRxDx

BIDDER QUESTIONS DUE DATE: Thursday, May 7, 2020, 3:00pm

SUMMARY OF SCOPE OF WORK:

The Heartwood Neighborhood, located at 1717 S.E. 8th Ave, and former Kennedy Homes site, is being redeveloped by the Gainesville Community Reinvestment Area (GCRA) into a 34 single family home subdivision. The City of Gainesville is seeking home builder contractors to build homes on these properties.

For questions relating to this solicitation, contact:

Gayle Dykeman, Procurement Specialist 3, dykemangb@cityofgainesville.org

Bidder is not in arrears to City upon any debt, fee, tax or contract: ☐ Bidder is NOT in arrears ☐ Bidder IS in arrears

Bidder is not a defaulter, as surety or otherwise, upon any obligation to City: ☐ Bidder is NOT in default ☐ Bidder IS in default

Bidders who receive this bid from sources other than City of Gainesville Procurement Division or DemandStar.com **MUST** contact the Procurement Division prior to the due date to ensure any addenda are received in order to submit a responsible

ADDENDA ACKNOWLEDGMENT: Prior to submitting my offer, I have verified that all addenda issued to date are considered as part of my offer: Addenda received (list all) # _____

Legal Name of Bidder: _____

DBA: _____

Authorized Representative Name/Title: _____

E-mail Address: _____ FEIN: _____

Street Address: _____

Mailing Address (if different): _____

Telephone: (_____) _____ Fax: (_____) _____

By signing this form, I acknowledge I have read and understand, and my business complies with all General Conditions and requirements set forth herein; and,

☐ Proposal is in full compliance with the Specifications.

☐ Proposal is in full compliance with the Specifications except as specifically stated and attached hereto.

SIGNATURE OF AUTHORIZED REPRESENTATIVE: _____

SIGNER'S PRINTED NAME: _____ **DATE:** _____

This page must be completed and uploaded to DemandStar.com with your Submittal.

PART 1 – REQUEST FOR QUALIFICATIONS INFORMATION

We are very happy to know of your interest in working with the City of Gainesville on this exciting project. Should you, at any time, have questions regarding this solicitation, please contact Gayle Dykeman, Procurement Specialist 3, dykemangb@cityofgainesville.org. We look forward to working with you on this solicitation.

Pertinent information and required documents regarding this RFQ as part of a responsive offer are listed below:

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1.1 DISTRIBUTION OF INFORMATION

The City posts and distributes information pertaining to its procurement solicitations on DemandStar (www.demandstar.com). The City has transitioned from accepting hard (paper) copy submittals to accepting submittals through “E-Bidding” only. In order to submit a bid response to this solicitation the bidder must be registered with DemandStar. To access Demandstar, go to www.demandstar.com, create an account and search for this solicitation. There is no cost for viewing, downloading or responding to this solicitation.

It is the responsibility of the vendor to monitor DemandStar. Properly registered vendors can expect to receive automatic notification of solicitations for bids and proposals by participating purchasing entities. Bidder failure to retrieve available, required procurement information from DemandStar and include the appropriate documentation and information in solicitation responses may result in disqualification.

1.2 PRE-PROPOSAL MEETING/QUESTIONS/CLARIFICATIONS

Attending a pre-proposal meeting is strongly recommended as the project’s scope of work, procedures, and specifications will be discussed at this time. It is the only time during the bid process that bidders may ask questions directly of the Project Manager.

If special accommodations are needed in order to attend a pre-proposal meeting or a bid opening, please contact the Procurement Division at least 72 hours in advance.

All questions that occur outside of the pre-proposal meeting must be submitted to Procurement only, and must be received by the date indicated on the Bid Cover Page to be considered. Technical and/or specification questions will not be answered over the phone; they must be submitted by email directed to the Procurement Specialist conducting the solicitation (refer to Bid Cover Page). All questions will be answered via Addendum which will be posted on DemandStar.com for vendor access. All addenda must be acknowledged by the bidder on the Bid C

1.3 RFQ TIME TABLE

The anticipated schedule for this RFQ is:

Activity	DAY	DATE	TIME	LOCATION/COMMENTS
RFP for Distribution	Wednesday	April 23, 2020		Cone of Silence Begins
Non Mandatory Pre-Bid Meeting	Thursday	April 30, 2020	1:30pm	Zoom
Deadline for receipt of questions	Thursday	May 7, 2020	3:00pm	dykemangb@cityofgainesville.org
Deadline for receipt of proposals	Wednesday	May 20, 2020	3:00pm	DemandStar
Oral presentations, if conducted	Wednesday	June 10, 2020	8:00am-11:00am	Zoom
Projected award recommendation date	Thursday	June 11, 2020		Cone of Silence Ends
City Commission Review/Approval	TBD	TBD		
Projected start date	TBD	TBD		

All dates are subject to change. Bidders will be notified via Addendum posted in [DemandStar.com](https://www.demandstar.com) in event of any schedule change.

1.4 PROHIBITION OF LOBBYING

To ensure fair consideration, consistent and accurate dissemination of information for all bidders, the City prohibits communication to or with any department, employee, or agent evaluating or considering proposals during the submission process, except as authorized by the Procurement Division representative. **Additionally, the City prohibits communication initiated by a bidder to any city official or employee evaluating or considering the proposals (up to and including the City Commissioners) before the time an award decision has been made.** Any communication between bidder and the City required to obtain information or clarification for preparing a bid or to enable a proper, accurate evaluation of a proposal will be handled solely through the Procurement Division staff. **Any communications initiated between the bidder and the City outside these parameters may be grounds for disqualifying the offending bidder from consideration for award of the proposal and/or any future proposal.**

1.5 CONE OF SILENCE

During the Cone of Silence (formerly called Blackout period) as defined in the next paragraph, except as pursuant to an authorized appeal, no person may lobby (as defined in section 1.4) on behalf of a competing party in a particular procurement process, to City officials or employees except the Procurement designated staff in the Procurement division. Violation of this provision shall result in disqualification of the party on whose behalf the lobbying occurred.

The Cone of Silence is the period between the issue date of the RFQ, which allows for immediate submittals to the City of Gainesville Procurement Division for the request for qualifications and the time the City Officials and Employee awards the contract.

1.6 DETERMINATION OF RESPONSIBILITY OF BIDDERS

The specific qualifications of bidders for this specific Request for Qualifications are included in this section 1.6 and in Part 2, 2.3 Bidder Minimum Qualifications. Bidder must also demonstrate that it is responsible as defined in the City of Gainesville's [Financial Services Procedures Manual](#), Section 41-522, as may be amended.

As a part of the proposal evaluation process, City reserves the right to conduct a background investigation of proposer, including a record check by the Gainesville Police Department if the qualifications require it. Bidder's submission of a proposal constitutes acknowledgment of the process and consent to such investigation.

No contract will be awarded to any proposer who is in arrears to City upon any debt, fee, tax or contract, or who is a defaulter, as surety or otherwise, upon any obligation to City, or who is otherwise determined to be not responsible by City pursuant to Section 41-522, [Financial Services Procedures Manual](#), following.

These capability criteria consider:

- a) The ability of the bidder to successfully carry out a proposed contract.
- b) Past performance (including reference check), experience, business and financial capabilities, skills, technical organization, legal eligibility and reliability.
- c) Current litigation pending between the bidder and the City.
- d) Bidder and management team have paid all debts owed to the City.
- e) Bidder possesses all required licenses.

If it is determined that the bidder is not responsible, City will notify bidder of its finding, including evidence used, and allow bidder the opportunity to come into compliance within three (3) business days of notification.

Successful Bidder must either update or complete City's vendor application, pay business tax (if applicable), and register with the State of Florida. Please be advised that the City Attorney's office will not approve a contract with any vendor unless the corporation or partnership is registered with the Division of Corporations with the State of Florida (www.sunbiz.org).

1.7 RESPONSIVENESS OF PROPOSAL

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in the RFQ. A responsive proposal is one which follows the requirements of the RFQ, includes all required documentation, is submitted in the format outlined in the RFQ, is of timely submission (via upload to DemandStar.com), and has the appropriate signatures as required on each document. Failure to comply with these requirements may deem the proposal non-responsive (see Section 41-444 of the [Financial Services Procedures Manual](#)).

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PART 2 – SCOPE OF WORK

2.1 GENERAL DESCRIPTION

The City of Gainesville (hereafter “City”) is requesting the submission of Statements of Qualifications from builders to qualify to build single-family detached homes in the Heartwood neighborhood. The City is seeking to pre-qualify a number of builders to create a ‘Builders Pool’ of contractors that will be available to build homes in Heartwood. Heartwood, located at 1717 S.E. 8th Ave, (formerly Kennedy Homes), is being redeveloped by the City of Gainesville to create a 34 single family home subdivision.

The site is a total of 15 acres and includes a storm water pond, wetlands area, and a nature trail. As of August 2019, all neighborhood infrastructure has been completed and is ready for home construction. There are a total of 34 pad ready lots with one of the lots reserved for a model home, which is currently being constructed.

In order to ensure construction of these homes meets the requirements of the applicable Heartwood Subdivision [governing documents such as covenants and restrictions – see Attachment A] and to ensure the infrastructure of the neighborhood is properly maintained and protected, construction manager, Scherer Construction, will represent the City or the Heartwood Homeowner’s Association in managing conformance with the Homeowners’ Association documents and completing site work as homes are built. As a representative of the Homeowners’ Association, Scherer Construction Of North Florida, LLC or any affiliated or related entity is prohibited from submitting a response to this solicitation.

There are a total of 12 home models and floor plans ranging from 1,600 square feet to 3,200 square feet, examples attached (Attachment B). There will be a range of specifications and finishes that buyers will choose from (Attachment C). Once the home buyer [or the City if acting as the developer for any lot(s)] has made their selections, the pre-qualified builders who make up the Builders Pool from this solicitation will be asked to provide a bid. The Homebuyer will make the final decision on which prequalified builder will be awarded the work.

The City has contracted with Team Dynamo of Keller Williams Realty to act as the listing agent for each of the properties.

2.2 SCOPE OF WORK

This RFQ is intended to qualify homebuilders to build in the Heartwood Neighborhood. The Builders Pool will consist of those homebuilders that submit a responsible and responsive bid to this RFQ and have been successfully qualified to build homes in the Heartwood Neighborhood. The number of qualified builders in the Builders’ Pool will be limited to a maximum of four (4) qualified companies.

The City does not guarantee that each home builder accepted into the Builder’s Pool will be awarded a project. As noted above in Section 2.1, the final award of work will be determined by the home buyer or the City acting as the developer for any lot(s).

2.3 BIDDER MINIMUM QUALIFICATIONS

- a) Provide the current, verified, name and address of at least three (3) recent new home construction projects completed by your company in the past five (5) years. (Use the form attached to this solicitation for this purpose.)
- b) Bidder shall demonstrate through its response to this RFQ that it has at least five (5) years of experience in residential home construction.
- c) Bidder shall demonstrate through its response to the RFQ, that it has sufficient personnel and equipment necessary for the completion of the services in a timely and efficient manner.
- d) Bidder shall demonstrate that it complies with all applicable State and Federal professional licensing laws.
- e) By submitting the Statement of Qualifications, the bidder certifies that it has fully read and understands the RFQ and has full knowledge of general scope, nature, and quality of the work to be performed, the general requirements of the services to be provided, and the conditions under which the services are to be performed.

- f) Bidder shall demonstrate financial capacity to support all construction costs associated with building one home in the Heartwood neighborhood. Bidder is required to provide their most recent balance sheet and last year's tax return.
- g) If awarded, Builder must be able to offer the 2-10 Home Buyers Warranty, Attachment F

2.4 CITY RESPONSIBILITY

The City will be responsible to the selected bidder(s) for the following tasks:

- a) Definition of scope of work for specific projects.
- b) Provide information concerning the project to enable the builder to complete the project and which is available to the City to provide (i.e.: build plans).
- c) Inform the contractor of any known City design parameters or requirements.

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PART 3 – PRICE PROPOSAL

3.1 Price Proposal

What is the price of the required Home Warranty (2-10)? _____

Please respond to the following question:

- My company can bond for over \$300,000 _____
- My company cannot bond for more than \$300,000* _____

***Note:** City will consider companies that cannot bond for more than \$300,000; however, these builders will only be able to build one home at a time.

No home pricing information is required for the building of homes at this time. Pricing will be required when home projects are bid for each home buyer.

PART 4 – HOW TO SUBMIT A PROPOSAL

Instructions to bidders: Proposals must contain each of the documents listed below; each fully completed, signed, and notarized as required. Proposals submitted which do not include the following items may be deemed non-responsive and may not be considered for contract award.

4.1 STATEMENT OF QUALIFICATIONS FORMAT

1. Project Understanding and Approach: Describe your understanding of the objectives and scope of the requested services and your general approach to such. Include a general time frame for being able to respond to City requests for specific project proposals.
 - a. Provide your company's approach to, and experience with, coordinating and executing home construction.
 - b. Provide your company's understanding of the delivery intent, goals, and objectives as outlined in the Project description.
 - c. Provide your company's approach to include small, local and diverse subcontractors within the project.
 - d. Describe your company's commitment to comply with the City of Gainesville's Local and Small Business Procurement Program. More information on this program can be found at: <http://www.cityofgainesville.org/OfficeofEqualOpportunity/SmallBusinessProcurement/SmallService-DisabledVeteranBusinessProgram.aspx>
2. Discuss your company's time to completion once a right to construct has been issued.
3. Proposed Project Staff: Identify the key personnel who will be directly assigned to this project. State the qualifications and related experience of each member of the proposed project team. Provide a resume for each team member for the project.
4. Qualifications of Firm: Provide pertinent information about the firm and related experience with similar projects. Indicate what resources (professional and technical) the firm will have available to allocate to a project, if assigned.

4.2 CONTENT OF PROPOSAL

Required Documents:

The following documents are required to be included in the proposer's submission and should be located at Tab 1 at the front of the proposal:

- a. Completed and signed RFQ Cover Page
- b. Address each Minimum Qualification
- c. Provide a Statement of all Qualifications that will communicate the capabilities of the proposer to successfully complete the project
- d. Provide a copy of the proposed construction contract between the buyer and the builder
- e. Pricing Proposal Form
- f. Submit most recent balance sheet and prior year's tax return
- g. Submit a copy of your company's construction contract
- h. Drug-Free Workplace Form
- i. Bidder Verification Form
- j. Certification of Compliance with Living Wage, if applicable to proposer
- k. Bidder's W-9
- l. Copy of any applicable, current licenses and/or certifications required by City/County/State
- m. Exceptions to the RFQ (refer to Part 4, 4.5 Exception to the RFQ)
- n. Investigation of Alleged Wrongdoings, Litigation/Settlements/Fines/Penalties (refer to Section 8.10)

4.3 PROPOSAL SUBMISSION INSTRUCTIONS

The bid response, containing all required documents, with authorized signatures, must be submitted in DemandStar by 3:00 p.m. on the due date indicated on the Bid Cover Page for this project. The DemandStar technology does not permit late submittals.

Upload bid response as a PDF formatted document only, unless the solicitation states otherwise. The PDF document should be titled with bidder's name, bid number, and, if the response is submitted in parts, include "Part # of x".

~~***On occasion, the City will request proposals present pricing separately from the main proposal. If separate pricing is requested, upload a separate document that indicates Pricing as its content.~~

Not applicable to this solicitation

Modifications to or withdrawal of a bidder's submittal can be made up to the deadline date. Modifications and withdrawals must be documented in DemandStar.com in order to be recognized by the City. Any bid not withdrawn will constitute an irrevocable offer, for a period of one hundred twenty (120) days, to provide the City adequate time to award the Contract for the services specified in this solicitation.

The response must be signed by an officer of the business who is legally authorized to enter into a contractual relationship in the name of the bidder. An authorized representative who is not an officer may sign the proposal, but must attach a corporate resolution granting authorization to the representative to execute on behalf of the business.

The submittal of a response by a bidder will be considered by the City as constituting an offer by the bidder to perform the required services at the stated fees.

4.4 DISCLOSURE AND CONFIDENTIALITY

Florida's Public Records Law, Chapter 119, Florida Statutes, includes numerous exemptions to the general requirement to disclose information to the public in response to a public record's request. Exemptions are found in various provisions of the Florida Statutes, including but not limited to Section 119.071, Florida Statutes (General exemptions from inspection or copying of public records), and Section 119.0713, Florida Statutes (Local government agency exemptions from inspection or copying of public records). Section 815.045, Florida Statutes (Trade secret information), provides that trade secret information as defined in Section 812.081, Florida Statutes (Trade secrets; theft, embezzlement; unlawful copying; definitions; penalty) is confidential and exempt from disclosure because it is a felony to disclose such records. The Parties understand and agree that Florida's Public Records Law is very broad and that documents claimed by a Party to be confidential and exempt from public disclosure pursuant to the Public Records Law may in fact not be deemed such by a court of law. Accordingly, the following provisions shall apply:

- (i) Identifying Trade Secret or Otherwise Confidential and Exempt Information. For any records or portions thereof that bidder claims to be Trade Secret or otherwise confidential and exempt from public disclosure under the Public Records Law, bidder shall:
 - a. Specifically identify the records or specific portions thereof that are confidential and exempt and reference the particular Florida Statute that grants such status. Provide one redacted copy of the record and one copy of the record with the confidential and exempt information highlighted as outlined in items 1 and 2 on the following page. Bidder shall take care to redact only the confidential and exempt information within a record.
 - b. Provide an affidavit or similar type of evidence that describes and supports the basis for Contractor's claim that the information is confidential and exempt from public disclosure.
- (ii) Request for Trade Secret or Otherwise Confidential and Exempt Information.
 - a. In the event City receives a public records request for a record with information labeled by bidder as Trade Secret or otherwise as confidential and exempt, City will provide the public record requester with the redacted copy of the record and will notify bidder of the public records request.

- b. However and notwithstanding the above, in the event that City in its sole discretion finds no basis for bidder's claim that certain information is Trade Secret or otherwise confidential and exempt under Florida's Public Records Law, then City shall notify bidder in writing of such conclusion and provide bidder a reasonable amount of time to file for declaratory action requesting a court of law to deem the requested information as Trade Secret or otherwise as confidential and exempt under Florida's Public Records Law. If bidder fails to file for declaratory action within the reasonable amount of time provided, then City will disclose the information requested.
- c. If a public records lawsuit is filed against CITY requesting public disclosure of the information labeled by bidder as Trade Secret or otherwise as confidential and exempt, CITY shall notify bidder and bidder shall intervene in the lawsuit to defend the nondisclosure of such information under Florida's Public Records Law.
- d. Bidder hereby indemnifies and holds CITY, its officers and employees harmless from any and all liabilities, damages, losses, and costs of any kind and nature, including but not limited to attorney's fees, that arise from or are in any way connected with bidder's claim that any information it provided to CITY is Trade Secret or otherwise confidential and exempt from public disclosure under Florida's Public Records Law.

How to Designate Trade Secret or Otherwise Confidential and Exempt Information

If a bidder believes that its response contains trade secret or otherwise confidential and exempt information (as defined by Florida or Federal law) and should be withheld from disclosure to the public, in such cases the bidder must provide a redacted copy of the proposal for public access.

- Redacted means that the confidential/proprietary information in the proposal has been obscured so that it cannot be read.
 - Unredacted means that the entire document, including the confidential/proprietary information, has not been obscured and is visible for the evaluation team to use in their evaluation process.
1. Upload a PDF version response of the complete UNREDACTED proposal. Include "UNREDACTED, CONFIDENTIAL" in document title. This is the version that will be used by the evaluators when they are reviewing your proposal. It is essential that the items that will be redacted are highlighted in yellow to prevent the evaluation team from discussing these items after the award. The first page of the document for the **unredacted** document should provide a general description of the information bidder has designated as confidential and/or exempt, and provide a reference to the appropriate Florida or Federal statute supporting the confidential and/or exempt classification.
 2. Upload a PDF version response of the REDACTED copy of the proposal. Include "REDACTED" in the document title. This copy will be used to support any public records requests that may arise from this solicitation.

How the City will Handle Material Identified as Trade Secret or Otherwise Confidential and Exempt Information

The City's evaluators will be provided with the complete unredacted proposal, including any trade secret or otherwise confidential and exempt information. The City evaluators will maintain the confidentiality of the information through the evaluation process, including any recorded evaluation team meetings.

In the event a public record request is made to view the information which bidder claims is confidential and/or exempt, the City will notify the bidder and give the bidder a reasonable opportunity (generally 2 business days) to institute appropriate legal action to prevent the disclosure of the information claimed as confidential and/or exempt.

All public records submitted to the City, including those claimed as confidential and/or exempt, will be retained by the City and will not be returned to a bidder at the conclusion of the bidding process.

4.5 EXCEPTIONS TO THE RFQ

Bidders may take exceptions to any of the terms of this RFQ unless the RFQ specifically states where exceptions may not be taken. Should a bidder take exception where none is permitted, the proposal will be rejected as non-responsive. All exceptions taken must be specific to allow the City a meaningful opportunity to evaluate and rank proposals.

Where exceptions are permitted, the City shall determine the acceptability of the proposed exceptions and the proposals will be evaluated based on the proposals as submitted. The City, after completing evaluations, may accept or reject the exceptions. Where exceptions are rejected, the City may request that the bidder furnish the services or goods described herein, or negotiate an acceptable alternative.

NOTE: Bidders are strongly encouraged to submit any deviations or exceptions to the City before the question submittal deadline or proposals are due, so that based upon the City's response in the addendum, the bidder can determine if it is in their best interest to submit a response or not.

4.6 ONLY ONE BID

Only one bid from any individual, firm, corporation, organization or agency under the same or different name shall be considered. Should it appear to the City that any bidder has a financial interest in more than one submission under this bid, all bids in which such bidder has a financial interest will be rejected. The City considers a financial interest to include, but not be limited, to joint ventures, partnerships, and identified subcontractors.

4.7 FULLY INFORMED BIDDER

A bidder is expected to fully inform itself as to the requirements of the Specifications and Contract terms and conditions; failure to do so will be at its own risk. A bidder shall not expect to secure relief on the plea of error.

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PART 5 – EVALUATION PROCESS

5.1 EVALUATION CRITERIA

a) **Selection and Evaluation Criteria**

Proposals will be evaluated in accordance with the procedures described in the City's [Professional Services Evaluation Handbook](#).

The proposals will be evaluated using the following process: Qualifications Evaluation, Written Proposal Evaluation and/or Presentation/Interview Evaluation, and Other Factors as deemed appropriate. The City shall consider the ability of the firm's professional personnel, willingness to meet time and budget requirements, workload, location, past performance, volume of previous work with the City, and location. The Evaluation process provides a structured means for consideration of all these areas.

b) **Technical Qualifications Evaluation**

The Technical Qualifications Evaluation will assess each responding firm's ability based on experience and qualifications of key team members, the firm's capability of meeting time and budget requirements, and the firm's record with regard to this type of work, particularly in the City of Gainesville or in the State of Florida. This stage does not involve review and evaluation of a proposal addressing the project scope of work. Consideration will be given to the firm's current workload, financial stability, and the location where the majority of the technical work will be produced. The City will not be impressed with excessive amounts of boilerplate, excessive numbers of resumes, excessive length of resumes, excessive numbers of photographs, work that distant offices have performed, or work not involving personnel to be assigned to the proposed project.

c) **Written Proposal Evaluation**

The Written Proposal Evaluation will assess the firm's understanding of the project and the proposed approach to be undertaken as addressed in a written proposal. The evaluation process will assess how effectively the requirements of the scope of services have been addressed. The written proposal should identify a project manager and other key members of the project/service team. It should relate the capabilities of the project/service team to the requirements of the scope of services.

d) **Presentation/Interview Evaluation**

The Proposal Presentation/Interview Evaluation is based on an oral presentation that addresses both the technical qualifications of the firm and the approach to the project. Importance is given to the firm's understanding of the project scope of work, the placement of emphasis on various work tasks, and the response to questions. The evaluation process will assess the project manager's capability and understanding of the project and his/her ability to communicate ideas. The role of key members of the project/service team should be established based on the scope of services and the firm's approach to the project/service. The role of any subcontracted firm in the proposal should be clearly identified. Unique experience and exceptional qualifications may be considered with emphasis on understanding of the project/service, particularly "why it is to be done" as well as "what is to be done". The City of Gainesville will not be impressed with excessive boilerplate, excessive participation by "business development" personnel, and the use of "professional" presenters who will not be involved in the project or future presentations.

Scores from the shortlist phase are not additive with scores from the interview phase, but the City reserves the right to consider information provided in the submittal during the interview/oral presentation phase.

e) **Other factors**

The Other Factors to be considered, based upon the specific project (but not limited to), are those items, such as Small or Service-Disabled Veteran Business and/or Local Preference. Fee proposals, when requested and deemed appropriate, are also to be considered in the evaluation process, where the request for such fees is in accordance with the City's Procurement Policies and Procedures.

PART 6 – SELECTION PROCESS

The firm or firms will be selected from qualified businesses submitting statements as further described in Section 4.1, “Statement of Qualifications Format” of this RFQ. Since this process does not involve services that would fall under CCNA, the selection process will be as follows:

1. Evaluators consisting of City staff will review the proposals. The evaluation process provides a structured means for consideration of all proposals.
2. Upon review and evaluation, the City may request oral presentations from the top ranked proposers. During the oral presentations, the proposers shall further detail their qualifications, approach to the project and ability to furnish the required services. These presentations shall be made at no cost to the City. Proposers selected for further presentations should provide one (1) electronic copy of materials presented in PDF format on a USB Flash drive.
3. The final ranking of proposers will be in accordance with the procedures described in the City’s [Professional Services Evaluation Handbook](#).
4. If required, the final ranking of proposers will be presented to the City Commission. The City Commission will be requested to approve the recommended ranking. The ranking of builders is solely to limit the pool to four (4) qualified home builders.
5. Provided that the City Commission approves the ranking and an award, the qualified pool of home builders will be chosen for the duration of the Heartwood project. The City will organize the bidding process for each home and the qualified pool will have the opportunity to bid to construct each home. At such time a contract is reached with the home buyer, the City will negotiate a Right to Construct Agreement with the City for construction of the home. Should the home buyer be unable to negotiate a contract with their builder of choice, negotiations will be initiated with their second firm of choice and so on until a satisfactory contract is reached. The City also reserves the right to act as developer.

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PART 7 – AWARD

7.1 TIE

Whenever two or more bids which are equal with respect to price, quality and service are received, preference shall be given in the following order: (1) Bidders submitting the attached Drug-Free Workplace form with their bid/proposal certifying they have a drug free workplace in accordance with Section 287.087, Florida Statutes; (2) Bidders located within the City of Gainesville, if not subject to the Local Preference Ordinance; (3) Bidders located within Alachua County; (4) Bidders located within the State of Florida; and (5) coin toss.

7.2 DRUG-FREE WORKPLACE

Preference shall be given to submitters providing a certification with their qualifications certifying they have a drug-free workplace whenever two or more bids which are equal with respect to price, quality, and service are received in accordance with Section 287.087, Florida Statutes. The attached form should be filled out and returned with the qualifications in order to qualify for this preference.

7.3 CONTRACT TERMS AND CONDITIONS

The City may award a builder a position in the Builder Pool on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the bidder's best terms from a cost or price and technical standpoint and any changes to the sample contract.

The City/ reserves the right to enter into contract negotiations with one or more bidders regarding the terms and conditions of the contract and the technical terms. Price will not be negotiated. If the City and the selected bidders cannot negotiate a successful contract, the City may terminate said negotiations and begin negotiations with the alternative bidders. This process will continue until a contract has been executed or all proposers have been rejected. No proposer shall have any rights against the City arising from such negotiations.

7.4 CONTRACT AWARD

The selection into the Builder Pool, if any, shall be made to the bidder(s) whose proposal(s) shall be deemed by the City to be in the best interest of the City. The decision of the City of whether to make the award(s) and which proposals are in the best interest of the City shall be final.

7.5 CONTRACT

The City will award to four (4) qualified builders the right to construct in the Heartwood neighborhood.

7.6 BID PROTEST

Participants in this solicitation may protest the RFQ specifications or award in accordance with Section 41-580 of the [Financial Services Procedures Manual](#).

7.7 RFQ POSTPONEMENT/CANCELLATION/WAIVER OF IRREGULARITIES

The City may, at its sole and absolute discretion, reject any and all, or parts of any and all, proposals; re-advertise this RFQ; postpone or cancel, at any time, this RFQ process; or waive any irregularities in this RFQ or in the proposals received as a result of this RFQ. See Section 41-444 [Financial Services Procedures Manual](#).

PART 8 – GENERAL INFORMATION

8.1 LOCAL PREFERENCE

In bidding of, or letting contracts for procurement of, supplies, materials, equipment and services, as described in the purchasing policies, the city commission, or other purchasing authority, may give a preference to local businesses in making such purchase or awarding such contract in an amount not to exceed five percent of the local business' total bid price, and in any event the cost differential should not exceed \$25,000.00. Total bid price shall include not only the base bid price but also all alterations to that base bid price resulting from alternates which were both part of the bid and actually purchased and awarded by the City Commission or other authority. In the case of requests for proposals, letter of interest, best evaluated bids, qualifications or other solicitations and competitive negotiation and selection in which objective factors are used to evaluate the responses. Local Businesses are assigned five (5) percent of the total points of the total evaluation points.

Local business means the vendor has a valid business tax receipt, issued by the City of Gainesville at least six months prior to bid or proposal opening date, to do business in said locality that authorizes the business to provide the goods, services, or construction to be purchased, and a physical business address located within the limits of said locality, in an area zoned for the conduct of such business, from which the vendor operates or performs business on a day-to-day basis. Post office boxes are not verifiable and shall not be used for the purpose of establishing said physical address. In order to be eligible for local preference, in the Bid or RFQ evaluation, the vendor must provide a copy of the business tax receipt and Zoning Compliance Permit. For more information on City's Local Preference Policy: [Municipal Code Article X Local Preference Policy](#).

8.2 SMALL AND SERVICE-DISABLED VETERAN BUSINESS PARTICIPATION

Small or Service-Disabled Veteran's Business Enterprise Definition: A Small Business or a Service-Disabled Veteran's Business, which is duly licensed and authorized to engage in business and maintains a permanent principal place of operation with full time personnel within Alachua, Bradford, Columbia, Gilchrist, Levy, Putnam, or Union County and possess a current City business tax receipt as required, and is so certified by the Small and Service-Disabled Veteran's Business Program Coordinator.

It is the policy of the City of Gainesville that small and service-disabled veteran businesses as defined in the Small and Service-Disabled Veteran Business Program, have the maximum practical opportunity to participate in contracting opportunities provided by the City. In keeping with this policy, each bidder is asked to state whether it will utilize small and service-disabled veteran businesses that are eligible for assistance to perform work on the project(s) being advertised.

For bidders not yet certified by the City, a small and service-disabled veteran application may be accessed via the [Office of Equal Opportunity](#) website. To be considered as a certified small and/or service-disabled veteran business, a bidder must have a current certificate at the time of the solicitation submittal due date. For more information on certified small and service-disabled veteran businesses, please visit the [Office of Equal Opportunity](#) website.

8.3 LIVING WAGE POLICY & COMPLIANCE

- ☐ This contract is a covered service. (Refer to the Living Wage Decision Tree in Part 9 - Exhibits)
- ☐ This contract is **not** a covered service.

Living Wage ordinance, Ordinance 020663, as amended in [Ordinance 030168](#), and as shown on the City's web page, applies to certain contracts for specific "Covered Services," which the City has determined may include services purchased under this Contract, depending upon the cost/price of the contract awarded. Bidders should consider the effect/cost of compliance, if any, with the requirements of the Living Wage Ordinance if the services purchased are "Covered Services", the prime contract amount exceeds the threshold amount, the bidder meets the definition of Service Contractor/Subcontractor (and is not otherwise excluded from the application of the ordinance) and the ordinance provisions, which are incorporated herein, apply to any Covered Employees.

If applicable, the adjusted Living Wage for this contract will be \$12.3798 per hour (Living Wage with Health Benefits) or \$13.8462 per hour if Health Benefits are not offered.

If applicable, a successful Service Contractor/Subcontractor shall be required to execute the Certification of Compliance with Living Wage (refer to form in Part 9 – Exhibits), prior to the City executing the contract. Once executed, such certification will become part of the contract; however, failure to sign such certification will prevent execution of the contract, may result in forfeiture of any applicable bid or proposal bond, and could result in other adverse action.

During the performance of this contract, the Contractor agrees as follows:

- (1) The Contractor shall comply with the provisions of the City of Gainesville's living wage requirements, as applicable. Failure to do so shall be deemed a breach of contract and shall authorize the City to withhold payment of funds until the living wage requirements have been met.
- (2) The Contractor will include the provision of (1) above in each subcontract for Covered Services with a Service Contractor/Subcontractor, as defined herein, so that the provisions of (1) above will be binding upon each such Service Contractor/Subcontractor. The Contractor will take such action with respect to any such subcontract as may be directed by the contract administrator as a means of enforcing such provisions; provided, however, the City shall not be deemed a necessary or indispensable party in any litigation between the contractor and a subcontractor concerning compliance with living wage requirements.

8.4 TAXES, CHARGES AND FEES

The Proposer agrees that any applicable Federal, State and Local sales and use taxes, which are to be paid by City of Gainesville, are included in the stated bid prices. Since the City of Gainesville is often exempt from taxes for equipment, materials and services, it is the responsibility of the Contractor to determine whether sales taxes are applicable. The Contractor is liable for any applicable taxes which are not included in the stated bid prices.

8.5 COSTS INCURRED BY BIDDERS

All expenses involved with the preparation and submission of proposals to the City, or any work performed in connection therewith shall be borne by the proposer(s). No payment will be made for any responses received, nor for any other effort required of or made by the proposer(s) prior to commencement of work as defined by a contract approved by the City Commission (if so required).

8.6 RULES; REGULATIONS; LICENSING REQUIREMENT

The bidder shall comply with all laws, ordinances and regulations applicable to the services contemplated herein, including those applicable to conflict of interest and collusion. Bidders are presumed to be familiar with all Federal, State and local laws, ordinances, codes and regulations that may in any way affect the services offered.

8.7 RECORDS/AUDIT

Contractor shall maintain records sufficient to document their completion of the scope of services established by this Contract. These records shall be subject at all reasonable time to review, inspect, copy and audit by persons duly authorized by the City. These records shall be kept for a minimum of three (3) years after completion of the Contract. Records which relate to any litigation, appeals or settlements of claims arising from performance under this Order shall be made available until a final disposition has been made of such litigation, appeals, or claims.

8.8 DEBARMENT, SUSPENSION, OTHERWISE EXCLUDED

By submitting this proposal, bidder agrees that it:

- Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- Has not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements or receiving stolen property;
- Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission or any of the offenses enumerated in paragraph (2) of this certification; and

- Has not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

8.9 PUBLIC ENTITY CRIME INFORMATION STATEMENT

Section 287.133 (2)(a), Florida Statutes, contains the following provisions: "A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crime 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 a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity, in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list."

8.10 INVESTIGATION OF ALLEGED WRONGDOINGS, LITIGATION/SETTLEMENTS/ FINES/PENALTIES

The City Commission specifically requests that responders to this document indicate in writing any investigations of wrongdoings, litigation and/or settlements, and fines or penalties (anywhere in the U.S) involving the bidder and specific contractors listed as projected to provide services to the City. You may be required to respond to questions on this subject matter.

8.11 NON-DISCRIMINATION POLICY AND COMMERCIAL NON-DISCRIMINATION REQUIREMENT

As a condition of entering into this agreement, the company represents and warrants that it will comply with Title VI and Title VII of the Civil Rights Act of 1964 and all other federal, state or local laws prohibiting discrimination. The company shall not discriminate on the basis of race, color, religion, gender, national origin, marital status, sexual orientation, age, disability or gender identity, or other unlawful forms of discrimination in the solicitation, selection, hiring, commercial treatment of subcontractors, vendors, suppliers or commercial customers, nor shall the company retaliate against any person for reporting instances of such discrimination.

The City reserves the right to investigate any claims of illegal discrimination by the Contractor and in the event a finding of discrimination is made and upon written notification thereof, the Contractor shall take all necessary steps to cure and rectify such action to the reasonable satisfaction of the City. The company understands and agrees that a violation of this clause shall be considered a material breach of this agreement and may result in termination of this agreement, disqualification of the company from participating in City contracts, or other sanctions. This clause is not enforceable by or for the benefit of, and creates no obligation to, any third party.

For more information on this policy and requirement, please visit the [Office of Equal Opportunity](#).

8.12 USE OF RFQ REPLY IDEAS

The City has the right to use any or all information presented in any response to the RFQ, whether amended or not, except as prohibited by law. Selection or rejection of the submittal does not affect this right.

8.13 SPECIALITY FUNDING, IF APPLICABLE

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PART 9 – EXHIBITS

The following documents/forms are included in this section:

- Drug-Free Workplace Form
- Bidder Verification Form
- Reference Form
- Living Wage Decision Tree
- Certification of Compliance with Living Wage

DRUG-FREE WORKPLACE FORM

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

_____ does:
(Name of Proposer)

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for the drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

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

Proposer's Signature

Date

In the event of a tie bid, bidders with a Drug Free Workplace Program will be given preference. To be considered for the preference, this document must be completed and uploaded to DemandStar.com with your Submittal.

PROPOSER VERIFICATION FORM

LOCAL PREFERENCE (Check one)

Local Preference requested: ☐ YES ☐ NO

A copy of the following documents must be included in your submission if you are requesting Local Preference:

- Business Tax Receipt
- Zoning Compliance Permit

QUALIFIED SMALL BUSINESS AND/OR SERVICE DISABLED VETERAN BUSINESS STATUS (Check one)

Is your business qualified, in accordance with the City of Gainesville's Small Business Procurement Program, as a local Small Business? ☐ YES ☐ NO

Is your business qualified, in accordance with the City of Gainesville's Small Business Procurement Program, as a local Service-Disabled Veteran Business? ☐ YES ☐ NO

LIVING WAGE COMPLIANCE

See Living Wage Decision Tree: (Check as appropriate)

☐ Living Wage Ordinance does not apply (check all that apply)

☐ Not a covered service

☐ Contract does not exceed \$100,000

☐ Not a for-profit individual, business entity, corporation, partnership, limited liability company, joint venture, or similar business, who or which employees 50 or more persons, but not including employees of any subsidiaries, affiliates or parent businesses.

☐ Located within the City of Gainesville enterprise zone.

☐ Living Wage Ordinance applies and the completed Certification of Compliance with Living Wage is included with this bid.

NOTE: If Contractor has stated Living Wage Ordinance does not apply and it is later determined Living Wage Ordinance does apply, Contractor will be required to comply with the provision of the City of Gainesville's living wage requirements, as applicable, without any adjustment to the bid price.

REGISTERED TO DO BUSINESS IN THE STATE OF FLORIDA

Is Bidder registered with Florida Department of State's, Division of Corporations, to do business in the State of Florida?

☐ YES ☐ NO (refer to Part 1, 1.6, last paragraph)

If the answer is "YES", provide a copy of SunBiz registration or SunBiz Document Number (#_____)

If the answer is "NO", please state reason why: _____

Bidder's Name

Printed Name/Title of Authorized Representative

Signature of Authorized Representative

Date

This page must be completed and uploaded to DemandStar.com with your Submittal.

REFERENCE FORM

Name of Bidder: _____

Provide information for three references of similar scope performed within the past three years. You may include photos or other pertinent information.

#1 Year(s) services provided (i.e. 1/2015 to 12/2018): _____

Company Name: _____
Address: _____
City, State Zip: _____
Contact Name: _____
Phone Number: _____ Fax Number: _____
Email Address (if available): _____

#2 Year(s) services provided (i.e. 1/2015 to 12/2018): _____

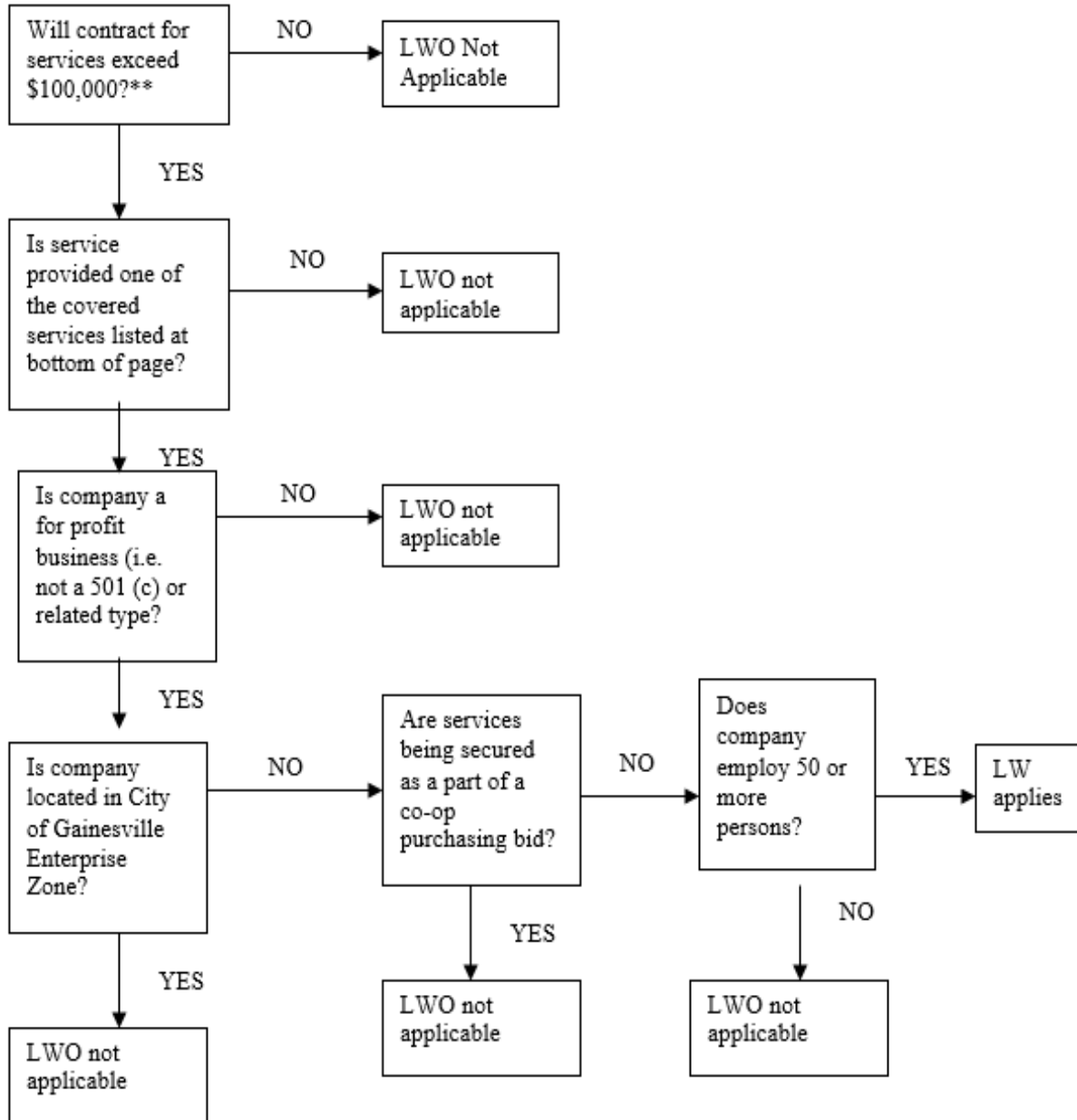
Company Name: _____
Address: _____
City, State Zip: _____
Contact Name: _____
Phone Number: _____ Fax Number: _____
Email Address (if available): _____

#3 Year(s) services provided (i.e. 1/2015 to 12/2018): _____

Company Name: _____
Address: _____
City, State Zip: _____
Contact Name: _____
Phone Number: _____ Fax Number: _____
Email Address (if available): _____

LIVING WAGE DECISION TREE

While not all encompassing, the following is provided as a guideline for contractors in determining whether the City of Gainesville Living Wage Ordinance applies to their firm in the performance of specified service contracts for covered services* with the City. Contractors are advised to review the entire text of the Living Wage Ordinance in conjunction with this guideline.



*Covered Services: food preparation and/or distribution; custodial/cleaning; refuse removal; maintenance and repair; recycling; parking services; painting/refinishing; printing and reproduction services; landscaping/grounds maintenance; agricultural/forestry services; and construction services
 **Total value of contract.

CERTIFICATION OF COMPLIANCE WITH LIVING WAGE

The undersigned hereby agrees to comply with the terms of the Living Wage Ordinance and to pay all covered employees, as defined by City of Gainesville Ordinance 020663 as amended at 030168 (Living Wage Ordinance), during the time they are directly involved in providing covered services under the contract with the City of Gainesville for New Home Builders for Heartwood Neighborhood, Gainesville, Florida a living wage of \$12.5962 per hour to covered employees who receive Health Benefits from the undersigned employer and \$13.8462 per hour to covered employees not offered health care benefits by the undersigned employer.

Name of Service Contractor/Subcontractor:_____

Address:_____

Phone Number:_____

Name of Local Contact Person:_____

Address:_____

Phone Number:_____

Amount of Contract: \$_____

Printed Name/Title of Authorized Representative

Signature of Authorized Representative

Date

PART 10 – NO BID SURVEY

GENERAL GOVERNMENT PROCUREMENT DIVISION SURVEY BID INFORMATION

RFQ #: CRAX-200024-GD

DUE DATE: March 31, 2020, @ 3:00 pm

PROPOSAL TITLE: New Home Builders for Heartwood Neighborhood, Gainesville, FL

IF YOU DO NOT BID

Please check the appropriate or explain:

- _____ 1. Not enough bid response time.
- _____ 2. Specifications not clear.
- _____ 3. Do not submit bids to Municipalities.
- _____ 4. Current work load does not permit time to bid.
- _____ 5. Delay in payment from Governmental agencies.
- _____ 6. Do not handle this item.
- _____ 7. Other: _____

Proposer Name: _____

Address: _____

Are you a small business? ☐ YES ☐ NO

Are you a service-disabled veteran business? ☐ YES ☐ NO

If you choose to not bid, complete this form, and either upload it into DemandStar.com or email to the procurement specialist.

PART 11 – ATTACHMENTS

Attachment A – Heartwood Association Documents (dated January, 19, 2018) including:

- Declaration of Covenants
- Final Plat
- Site Construction Plans
- Design Guidelines
- HOA Fees
- Lot Appraisals (out dated – see Attachment B)
- Home Model Plans
- Home Model Appraisals
- Articles of Incorporation
- Bylaws
- Deed of Conservation Easement
- Wetlands Mitigation
- Employer Identification Number

Attachment B – Neighborhood Map and Home Model Guide, November, 2019, Including:

- Heartwood Lot Map
- Appraisals and Square Footage Summary with Lot Accommodation Schedule
- Home Model Renderings, Floor Plans, and Elevations

Attachment C – Example of Finishes/Product Selections

Attachment D – Heartwood Design Guidelines

Attachment E – Heartwood Subdivision Stormwater As Built (8/26/2019)

Attachment F – National New Home Warranty Program 2-10 Home Buyer's Warranty