

Broward County Purchasing Division

115 S. Andrews Avenue, Room 212
Fort Lauderdale, FL 33301
(954) 357-6066 FAX (954) 357-8535



Finance and Administrative Services Department

PURCHASING DIVISION

115 S. Andrews Avenue, Room 212 • Fort Lauderdale, Florida 33301 • 954-357-6066 • FAX 954-357-8535

ATTENTION

Dear Vendor,

Thank you for your interest in doing business with Broward County. We look forward to a very successful procurement process.

Please take notice of the response submittal requirements outlined in this solicitation. Read and follow the instructions very carefully, as any misinterpretation or failure to comply with instructions could lead to your submittal being rejected. Any change(s) to this solicitation will be conveyed through the written addendum process. Notifications of addendums are sent electronically to vendors registered under the applicable commodity code(s) at the time the original solicitation was created. In addition, all addendums are posted on the Purchasing Division website, www.broward.org/purchasing; select current solicitations. Please read carefully and follow all instructions provided on the addendum, as well as the instructions provided in the original solicitation.

It is the intent of the Purchasing Division to provide quality services. If you have any questions, please visit our website to view the information provided on "How to Do Business with Broward County – A Vendor's Guide," or feel free to contact the agent of concern. Again, thank you for your continued interest in doing business with Broward County.

Sincerely,

A handwritten signature in cursive script that reads "Brenda J. Billingsley".

Brenda J. Billingsley, Director
Broward County Purchasing Division

Broward County Board of County Commissioners
Josephus Spallegoren, Jr. • Sue Gunthurger • Kristin D. Jacob • Ken Keen • Jane McHenry • Tracy Miller • John E. Roostrom, Jr. • Dana Wademan-Rubin • Lois Wiener
www.broward.org/purchasing

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Request for Proposals (RFP)

RFP Number: 20080505-0-WRS-01

RFP Name: Disaster Debris Management Services

REQUEST FOR PROPOSALS

Broward County is interested in securing contract(s) for management services to assist in collection, processing and disposal of disaster debris. Broward County, hereinafter referred to as the "County", seeks to establish contractual arrangements with at least one (1) primary and up to three (3) additional qualified companies/firms, hereinafter referred to as Proposer(s)/Responder(s), to provide the above referenced services as specified in the scope of services (Exhibit "A") on an as-needed basis. The contractual period shall be for three (3) years, with an option for two (2) additional 1-year renewals.

Twelve (12) sealed proposals and 2 CD's containing all proposal information in Microsoft® WORD format should be sent to:

**Broward County Purchasing Division
Room 212 Governmental Center
115 S. Andrews Avenue
Fort Lauderdale, FL 33301**

Proposals must be received by the Purchasing Division no later than 5:00 PM local time on Monday, February 23, 2009.

Please mark envelopes as following: "Proposals for Disaster Debris Management Services, RFP No. 20080505-0-WRS-01". ELECTRONICALLY TRANSMITTED, LATE OR MISDIRECTED SUBMITTALS WILL NOT BE ACCEPTED.

There will be a Pre-Submittal Conference held on February 4, 2009 at 9:00 AM Local Time in Room Second Floor Hearing Room, Government Center West (GCW), 1 North University Drive, Plantation, Florida 33324. Although attendance at the Pre-Submittal Conference is not mandatory, it is highly recommended. A call in number for the pre-submittal conference on February 4, 2009 is 954-357-6713.

In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in any proceeding concerning this RFP because of that disability shall contact Richard Meyers no later than five (5) business days prior to the proceeding. Richard Meyers may be reached at the Broward County Waste Recycling Services, telephone 954-474-1848.

FOR ADDITIONAL INFORMATION regarding this RFP, contact Richard Meyers (Project Manager) at **954-474-1848** or by email at rmeyers@broward.org.

This RFP was publicly advertised on January 23, 2009.

GENERAL DESCRIPTION OF THE DISASTER DEBRIS MANAGEMENT SERVICES

The work involves pre-event and post event services, which may include but not be limited to:

Pre-event

- Participate in meetings, workshops, training sessions and the refinement of the Countywide Disaster Debris Management Plan including data management and related systems.
- Visit County-designated temporary debris management sites (TDMS) to assess suitability.
- Provide the necessary staff at the Broward County Emergency Operations Center (EOC) to assist in the planning process.

Broward County Purchasing Division

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Post Event

- Provide technical advice to the County and support Debris Management Center (DMC) operations located at the Governmental Center West, 1 N. University Drive, Plantation, Florida 33324.
- Emergency push/road clearance in coordination with debris monitoring firm(s)
- Debris collection and hauling to County-designated locations in coordination with debris monitoring firm(s).
- Provide other as-requested field services.
- Manage County-designated TDMS in coordination with debris monitoring firm(s).
- Provide data and reports in an electronic format compatible to the debris monitoring firm(s) and County systems.

The selected Proposer(s) shall respond to the County's request for disaster debris management services in a timely manner. Selected Proposer(s) shall perform these services and provide all required reports in accordance with established Federal and State guidelines to assure that the County shall have the means to be reimbursed for all eligible disaster recovery costs. Requested services will be performed by the selected Proposer(s) through an approved Work Authorization.

*****NOTICE TO PROPOSERS*****

Proposers are requested to pay strict attention to the following requirements of this RFP. The information being requested in this section is going to be used by the Director of Purchasing and an Evaluation Committee (EC), appointed by the Director of Purchasing, for the purposes of consideration for award. The Director of Purchasing shall have the right to extend the date for the receipt of responses and all other dates set forth in this RFP by Addendum.

Definition of Responsiveness in accordance with Broward County Procurement Code Section 21.8.66: Responsive Bidder means a person who has submitted a bid which conforms in all material respects to a solicitation. A bid or proposal of a Responsive Bidder must be submitted on the required forms, which contain all required information, signatures, notarizations, insurance, bonding, security, or other mandated requirements required by the bid documents to be submitted at the time of bid opening.

RESPONSIVENESS CRITERIA

Failure to provide the information required by the below item (Small Business Development Division Program Requirements), at the time of submittal opening shall result in a recommendation of non-responsive by the Purchasing Director. The EC will determine whether the Proposer is responsive to the requirements specified herein. The Director of Purchasing reserves the right to waive minor technicalities or irregularities as is in the best interest of the County in accordance with Section 21.30.f.1(c) of the Broward County Procurement Code.

Small Business Development Division Program Requirements

The Broward County Business Opportunity Act of 2004 (Act), Broward County Ordinance 2004-07, and the Broward County Community Disadvantaged Business Enterprise Act of 2007, Broward County Ordinance 2007-32, (collectively referred to as the "Act") establish the County's policies for participation by small business enterprises, community disadvantaged business enterprises, and federal disadvantaged business enterprises in all County contracts and in other selected activities.

In accordance with the Act, participation for this contract is as follows:

Broward County Purchasing Division

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Business Enterprise Category	% of Participation Goal
Community Disadvantaged Business Enterprise (CDBE)	20%
Overall Goal	20%

Submit the forms and documentation detailed below and attached to this RFP. Copies of each form are also available on the Internet at: www.broward.org/smallbusiness/compliance.htm If the Proposer does not have access to the Internet, contact the Project Manager to receive copies by mail or fax.

Form	Content
Schedule of Participation	List each of the proposed Broward County-certified subcontractors or subconsultants, the type of work each firm will perform, and the projected subcontract dollar amount and/or percentage of professional fees to be awarded, if selected.
Letters of Intent	For each participating firm, indicate the agreed subcontract amount executed with the responding firm's signature and countersigned by the proposed subcontractor or subconsultant listed on the Schedule of Participation form.
Unavailability Report	For any instances where the specific goals were not achieved, list the subcontractors or subconsultants formally contacted and the reason unavailable to perform or whose bid was not considered.

If the Responder is unable to engage sufficient firms to achieve the participation goals established for this RFP, the Responder can demonstrate through accompanying documentation that it made a good-faith effort to meet the goal. The County will evaluate the weight of the evidence to determine if the Responder's effort was made in good faith. A pro-forma submittal will be considered non-responsive. Evidence of good-faith effort on the part of the Responder should minimally include successful completion and submission of the following requirements:

- Attendance at any pre-submission meeting;
- Timely advertisement in Community Disadvantaged Business Enterprise general circulation media, trade association publications, media, newspapers and articles;
- Efforts to assist the designated category of business enterprise subcontractors or subconsultants in obtaining bonding or insurance required by the RFP or the County and the extent of these efforts;
- Written solicitation (work specific) to the designated business enterprise firms; and
- Documentation of all outreach activities relating to solicitation to designated business enterprise firms.

For additional guidance on what information or documentation is deemed acceptable for satisfying the good faith efforts requirements, please contact the Small Business Development Division at 954-357-6400.

RIGHT OF APPEAL

Any person who has a substantial interest in the matter and who is dissatisfied or aggrieved with the determination of responsiveness by the EC pursuant to Subsection of 21.83.e of the Procurement Code may appeal said determination to the County by sending written notice to the attention of the Purchasing Director to the County Purchasing Division. Such appeal must be received by the County Purchasing Division within ten (10) calendar days of the determination by the EC to be deemed timely.

Only appeals that are in writing and timely made by or on behalf of a person who has standing to maintain a protest under Florida case law, and accompanied by an appeal bond as required by Subsection 21.120.1.3 shall be entitled to decision by a hearing officer. The written appeal shall briefly state the facts and arguments upon which the appeal is based. The institution and filing of an appeal pursuant to this

Broward County Purchasing Division

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Subsection 21.120.a.2 is an administrative remedy to be employed prior to the institution and filing of any civil action against the County concerning the subject matter of the appeal.

RESPONSIBILITY CRITERIA

It is a requirement that the Proposer(s) submit the information on Company Profile and Legal Requirements (below) at the time of response submittal. The EC will determine whether the Proposer is responsible to the requirements specified herein.

<u>Company Profile</u>	<i>Provide answers below or reference to a page number in the proposal where the answer is found</i>
1. Supply legal firm name, headquarters address, local office addresses, state of incorporation, and key firm contact names, including telephone numbers and email addresses.	
2. Supply the interested firm's federal ID number	
3. Is the interested firm legally authorized, pursuant to the requirements of the Florida Statutes, to do business in the State of Florida?	
4. Provide information about the firm's financial capabilities by supplying balance sheets, income statements, and annual reports for the past two (2) years. Include non-disclosure statement for privately held companies.	
5. List and describe all bankruptcy petitions (voluntary or involuntary) which have been filed by or against the interested firm, its parent or subsidiaries, predecessor organization(s), or any wholly owned subsidiary during the past five (5) years. Include in the description the disposition of each such petition.	

Broward County Purchasing Division

115 S. Andrews Avenue, Room 212
Fort Lauderdale, FL 33301
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6. List all claims, arbitrations, administrative hearings, and lawsuits brought by or against the interested firm, its predecessor organization(s), or any wholly owned subsidiary during the last three (3) years. The list shall include all case names; case, arbitration, or hearing identification numbers; the name of the project over which the dispute arose; a description of the subject matter of the dispute; and the final outcome of the claim.	
7. List and describe all criminal proceedings or hearings concerning business related offenses in which the interested firm, its principals, officers, predecessor organization(s), or wholly owned subsidiaries were defendants.	
8. Has the interested firm, its principals, officers, or predecessor organization(s) been debarred or suspended from bidding by any government during the last five (5) years? If yes, provide details.	
9. Has your company ever failed to complete any work awarded to you? If so, where and why?	
10. Has your company ever been terminated from a contract? If so, where and why?	
11. Insurance Requirements: Attached is a sample Certificate of Insurance (EXHIBIT "B"). It reflects the insurance requirements deemed necessary for this project. It is not necessary to have this level of insurance in effect at the time of submittal but it is necessary to submit certificates indicating that the firm currently carries the insurance or to submit a letter from the carrier indicating upgrade availability.	

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<u>Legal Requirements</u>	<i>Provide answers below or reference to a page number in the proposal where the answer is found</i>
1. Standard Agreement Language: A library of standard agreement terms and conditions resides at http://www.broward.org/purchasing/bids/caf101.pdf . If you do not have computer access to the Internet, call the Project Manager for this RFP to arrange for mailing, pick up, or facsimile transmission. Identify any standard terms and conditions with which the interested firm cannot agree.	
2. Cone of Silence: This County's ordinance prohibits certain communications among vendors, county staff, and EC members. Identify any violations of this ordinance by any members of the responding firm or its joint venturers.	
3. Public Entity Crimes Statement: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit an offer to perform work as a consultant or contract with a public entity, and may not transact business with Broward County for a period of 36 months from the date of being placed on the convicted vendor list. Submit a statement fully describing any violations of this statute by members of the interested firm or its joint venturers.	

Broward County Purchasing Division

115 S. Andrews Avenue, Room 212
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4. No Contingency Fees: By responding to this solicitation, each firm warrants that it has not and will not pay a contingency fee to any company or person, other than a bona fide employee working solely for the firm, to secure an agreement pursuant to this solicitation. For Breach or violation of this provision, County shall have the right to reject the firm's response or terminate any agreement awarded without liability at its discretion, or to deduct from the agreement price or otherwise recover the full amount of such fee, commission, percentage, gift, or consideration. Submit an attesting statement warranting that the Responder has not and will not pay a contingency fee to any company or person, other than a bona fide employee working solely for the firm, to secure an agreement pursuant to this solicitation.	
5. The Broward County Living Wage Ordinance 2002-45 will <u>not</u> apply to this agreement. In accordance with the Ordinance, certain employers who do business with the County pay a living wage to employees who work in service contracts for food preparation or distribution, security, routine maintenance, clerical positions, transportation, printing or landscaping. Employers with County service contracts that exceed \$100,000 per year and provide the services above must pay at least the rates stipulated. The County will include specific requirements of the Living Wage Program in the contract agreement within an Exhibit. Submit a statement that if awarded the contract under this solicitation, the successful Responder will abide by the requirements of the County's Living Wage Ordinance 2002-45.	
6. Drug Free Workplace: Describe any existing drug-free workplace programs as defined in Section 287.087, Florida Statutes, as amended.	
7. Location in Broward County: Provide the interested firm's business address, telephone numbers, email address, and evidence of relevant County and municipal occupational licenses.	

Broward County Purchasing Division

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8. Domestic Partnership Preference: Describe the Responder's existing domestic partner benefits program.	
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EVALUATION PROCESS

The evaluation process is designed to recommend the most qualified Proposer(s) whose proposal is in the best interest of the County. The EC will be responsible for recommending the most qualified firms with whom to begin negotiations of an Agreement. It is anticipated, but not required, that the evaluation process proceeds in the following manner:

REVIEW OF WRITTEN SUBMITTALS

Proposals will first be reviewed to determine compliance with the proposal requirements as specified in the RFP. Only proposals meeting the responsiveness criteria will be evaluated further.

It is strongly advised that the Proposer(s) submit the information on Qualifications and Experience, Technical Approach and Price (below) in the order that it is being requested at the time of response submittal.

County staff and/or the EC have the right to inspect the facilities and organization of any Proposer, to make inquiries, to conduct financial audits, to ask for further information, or to take any other action necessary to determine ability to perform in accordance with the RFP and a subsequent Agreement.

EVALUATION CRITERIA

The scoring of each proposal will be based on the following Evaluation Criteria with a maximum total of 100 points as shown below.

- I. Company resources: (10 Points)
- II. Company Experience: (15 Points)
- III. Operational Capabilities of Company: (15 Points)
- IV. Technical Approach: (10 Points)
- V. Price: (50 Points)*

*** Total points awarded for price will be determined by applying the following formula:
(Lowest Proposed Price/Proposer's Price) x 50 = Price Score**

Please note that prices may be negotiated in the best interest of the County after the scoring is completed.

It is extremely important that the Proposer(s) provide responses to all information requested for each numbered item below (items 1 through 53). These responses will be the main source of information used to evaluate the Proposer(s). All responses should be provided on the provided electronic worksheet which has been included as part of this RFP. The response to each item (1 through 53) should not exceed 200 words. For items that are not applicable, please list your response as N/A. The proposer(s) may submit additional information as it relates to the evaluation criteria as an attachment to the worksheet if so desired.

I. Company Resources

1. Provide brief company history
 2. Provide location of office which will manage debris related work
 3. State how long the company has been in existence
 4. State the number of permanent employees
 5. List the type of work normally handled by the company
 6. Summarize the company's Information Technology (IT) resources and networking capabilities
 7. Summarize the company's telephone/radio communications resources
 8. State the contingencies in place to allow the company to continue its operations in case of unforeseen conditions
 9. List any additional office locations
 10. Provide a description, location and size of debris management sites owned or leased by company
- Provide the qualifications and years of experience for the following key staff members as it relates to debris management services **(also attach resumes for key staff members and an organizational chart for the project management team including office telephone, cell telephone, email address and office location for each of the key staff members)**:
 11. Owner/VP
 12. Regional Manager
 13. Project Manager
 14. Site Manager
 15. Data Manager
 - Provide the following information relating to debris management training/certifications/licensing and regulatory agency involvement:
 16. List professional certifications relating to debris management
 17. List completed training relating to debris management
 18. List licensing relating to debris management
 19. Describe situations where the company has worked in conjunction with regulatory agencies such as FEMA, FHWA, NRCS and State of Florida agencies as it relates to governing disaster debris management and reimbursement processes/procedures

II. Company Experience

- Provide the following information on each of up to five (5) disaster debris management projects successfully completed over the last five (5) years:
 20. List client name and address
 21. List relationship to client (prime contractor or subcontractor)
 22. List work performed as prime contractor as it relates to emergency push, debris collection, debris processing, debris disposal methods/locations used, data collection/reporting, other)
 23. List work performed as subcontractor as it relates to emergency push, debris collection, debris processing, debris disposal methods/locations used, data collection/reporting, other)
 24. List main contact person for which work was performed with name, title, telephone and email information (not used for scoring, used for verification purposes only)

Broward County Purchasing Division

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25. Length of project (beginning and end date)
26. Total billings for work performed- List percentage (%) of work completed with the company's in-house resources

III. Operational Capabilities of Company

- List the dedicated equipment to be used to manage debris for the following (make a distinction between company-owned and subcontracted equipment) – (also attach a full equipment list with rates):

27. Emergency Push
28. Debris Collection
29. Debris Processing
30. Debris Hauling
31. Debris Disposal
32. Specialty Equipment

- List all current obligations as it relates to debris management services for the following:

33. Current debris management obligations within Broward County
34. Current debris management obligations in other Florida counties or municipalities
35. Current debris management obligations outside of Florida
36. How will company service Broward County in the event of a regional or statewide emergency

- Provide the following information as it relates to data management, reporting and reconciliation processes associated with debris management:

37. Description of data management system/software
38. Describe data reporting and recordkeeping processes
39. List the debris monitoring firms worked with over the last five (5) years
40. Describe experience with reconciling data with debris monitoring firms

- Describe the company's management approach to subcontractors and the role of subcontractors in the debris management process for the following:

41. Emergency Push
42. Debris Collection
43. Debris Processing
44. Debris Hauling
45. Debris Disposal
46. Other

IV. Technical Approach:

- Discuss the approach that will be used to ensure the timely and successful completion of the scope of services as it relates to the following:

47. Pre-event planning
48. Distribution of resources – mobilization following a disaster event
49. Emergency Push and Debris Collection/Hauling
50. TDMS management and close-out documentation
51. Recycling approach as it relates to debris management
52. Record Keeping, Data Management and Reporting

Broward County Purchasing Division

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53. Project Closeout

V. Price:

- Provide pricing information in accordance with Attachment A of the scope of services.

CONE OF SILENCE

At the time of the first scheduled meeting of the EC in this RFP process, a Cone of Silence will be imposed. Section 1-266, Broward County Code of Ordinances, provides that after the first scheduled EC meeting, potential vendors and their representatives are substantially restricted from communicating regarding this RFP with any county commissioner or commissioner's staff, the county administrator, deputy and assistants to the county administrator and their respective support staff, or any person appointed by the county commission to evaluate or recommend evaluation in this RFP process. After the application of the Cone of Silence, inquiries regarding this RFP should be directed to the Director of Purchasing or designee.

The Cone of Silence terminates when the County Commission or other awarding authority takes action which ends the solicitation.

LOCAL PREFERENCE CLAUSE

In accordance with Broward County Ordinance No. 2004-29, the Broward County Board of County Commissioners provides a local preference. This preference includes any county with which the Broward County Board of County Commissioners has entered into an inter-local agreement of reciprocity.

Except where otherwise provided by federal or state law or other funding source restrictions, a local Proposer whose submittal is within 5% of the highest total rated Proposer outside of the preference area will become the firm with whom the County will proceed with negotiations for a final contract.

Local business means the vendor has a valid occupational license issued by the county within which the vendor conducts their business at least one year prior to bid or proposal opening, that authorizes the business to provide the goods, services or construction to be purchased and a physical address located within the limits of said county, in an area zoned for the conduct of such business, from which the vendor operates or performs business on a day-to-day basis that is a substantial component of the goods or services being offered. Post Office Boxes are not verifiable and shall not be used for the purpose of establishing a physical address.

DOMESTIC PARTNERSHIP PREFERENCE

The Broward County Board of County Commissioners reserves the right to apply a preference in the award of a contract to those firms providing for benefits to employees' domestic partners and domestic partners dependents whose submittal is within 10% of the highest total rated, and who certify to same on a form prescribed by the Purchasing Division. **To be eligible for this preference, the firm must submit the certification form (Exhibit "C") within five (5) days after written request by the County, and in any case, prior to the award.**

RESOLVE PROTESTED SOLICITATIONS AND PROTESTED AWARDS

According to the Broward County Procurement Code Part IX, "Pre-Litigation Protested Solicitations and Proposed Awards," any actual or prospective contractor or Proposer who is aggrieved in connection with the solicitation or proposed award of a contract which does not exceed the amount of the award authority of the Director of Purchasing, may protest to the Director of Purchasing. The protest shall be submitted in writing within three working days from the time the recommendation for award is made by a Purchasing Agent to the Director of Purchasing or his/her designee and posted on the Purchasing Bulletin Board.

The entire Chapter of the Broward County Procurement Code describing the aforementioned subject matter can be obtained from the Purchasing Division's Secretary by calling (954) 357-6071.

Broward County Purchasing Division

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CANCELLATION OF PROCUREMENT

The EC may choose at any time prior to award to recommend to the Purchasing Director that this procurement be cancelled and that all request for proposals be rejected.

INSURANCE REQUIREMENTS

Insurance requirements will be determined by Broward County's Risk Management Division and will be included in the Agreement. It is not necessary to have insurance in effect at the time of response to this RFP, but certificates indicating that the insurance is in effect will be required when the Furnish and Install Agreement is executed. Refer to Sample Insurance Certificate (Exhibit "B") for a listing of minimum requirements. For additional information please contact Risk Management at (954) 357-7219.

LICENSING REQUIREMENTS

The licensing requirement for the above referenced project contractor or subcontractor must possess one (1) of the following licenses and State Registration (if applicable), and provide such to County as follows:

STATE: CERTIFIED GENERAL CONTRACTOR; OR
CERTIFIED BUILDING CONTRACTOR; OR
CERTIFIED RESIDENTIAL CONTRACTOR; OR

COUNTY: GENERAL BUILDING CONTRACTOR CLASS "A"; OR
(Must be registered with the State)
GENERAL BUILDING CONTRACTOR CLASS "B"; OR
(Must be registered with the State)
GENERAL RESIDENTIAL CONTRACTOR CLASS "C"; OR
(Must be registered with the State)
DEMOLITION (*Non-explosive*)--Class "D"

Please note that all work not within the scope of the above contractor should be completed by a licensed subcontractor. All contractors must have current liability insurance and workers compensation, or proof of exemption from workers compensation.

CONFIDENTIAL and PROPRIETARY

Broward County is subject to Chapter 119, Florida Statutes Public Records Law. No claim of confidentiality or proprietary information in all or any portion of a response to the RFP will be honored unless a specific exemption from the Public Records Law exists and it is cited in the response to the RFP. A blanket statement that the entire response is exempt from the Public Records Law is not acceptable and will not be honored. Any claimed exemption must be specifically identified by page and paragraph number(s). An incorrectly claimed exemption does not disqualify the firm, only the exemption claim.

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SPECIAL NOTICE

In accordance with OSHA Regulation 29 CFR 1926.1101(k)(2), bidders are notified of the presence of asbestos containing material and/or presumed asbestos containing material at some Broward County locations. For a listing of those locations, refer to www.broward.org/purchasing/bids/asbestos.pdf. You may request a copy of subject location listing by calling (954) 357-6066.

DAVIS-BACON ACT

The Davis-Bacon Act as amended, requires that each contract over \$2,000 to which the United States or the District of Columbia is a party for the construction, alteration, or repair of public buildings or public works shall contain a clause setting forth the minimum wages to be paid to various classes of laborers and mechanics employed under the contract. Under the provisions of the Act, contractors or their subcontractors are to pay workers employed directly upon the site of the work no less than the locally prevailing wages and fringe benefits paid on projects of a similar character. The Davis-Bacon Act directs the Secretary of Labor to determine such local prevailing wage rates. A "wage determination" is the listing of wage rates and fringe benefit rates for each classification of laborers and mechanics, which the Administrator of the Wage and Hour Division of the U. S. Department of Labor has determined to be prevailing in a given area for a particular type of construction (e.g., building, heavy, highway, or residential).

Project wage determinations are issued at the specific request of a contracting agency; each is applicable to the named project only; and expires 180 calendar days from the date of issuance unless an extension of the expiration date is requested by the agency and approved by the Wage and Hour Division. If such a determination is not used in the period of its effectiveness, it is void. Project determinations are issued in response to contracting agencies submitting to the Wage and Hour Division a Standard Form 308 requesting a wage determination.

Debris management activities on federal roads for which cost reimbursement is being sought from the Federal Highway Administration may be subject to Davis-Bacon Act requirements. Debris management activities to which Davis-Bacon Act requirements are applicable shall be reimbursed at the Proposer(s)' hourly rate(s) as stipulated in the contract to be executed as a result of this RFP or at the prevailing wage rate as determined by Davis-Bacon Act procedures, whichever is higher.

It shall be the responsibility of the Proposer(s) to submit a Standard Form 308 and/or other necessary form(s) to the Wage and Hour Division of the Department of Labor to request a Davis-Bacon Act wage determination. The wage determination secured from the Wage and Hour Division of the Department of Labor shall be provided by the Proposer(s) to the County. It shall additionally be the responsibility of the Proposer(s) to abide by all Davis-Bacon Act requirements and to be knowledgeable about the applicability of the Act. The Proposer(s) shall be financially responsible for any expenses denied reimbursement due to failure to adhere to Davis-Bacon Act requirements.

GOVERNING LAW

The Agreement(s) shall be governed by the laws of the State of Florida, and the venue for any legal action will be Broward County, Florida. A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit an offer to perform work as a consultant or contract with a public entity, and may not transact business with Broward County for a period of 36 months from the date of being placed on the convicted vendor list.



LETTER OF INTENT

To Utilize a Community Disadvantaged Business Enterprise (CDBE) Subcontractor/Subconsultant

From: _____
(Name of Proposer/Bidder)

To: Broward County, Selection Committee

Project Description:

In response to Broward County's RLI/RFP/Bid No. _____, the undersigned hereby agree to utilize the minority firm listed below, if awarded the contract. The undersigned further certify that the firm has been contacted and properly apprised of the projected work assignment(s) upon execution of the contract with Broward County.

Name of Firm:

(Proposed CDBE Subcontractor/Subconsultant)

Expiration of CDBE Certification:

Projected Work Assignment: Enter description of work assignment

Projected Percentage of Prime's Contract Fees to be Awarded: (Dollar Amount or Percentage %)

(Signature of Owner or Authorized Rep.)

(Date)

Subscribed and sworn to before me this _____ day of _____ 200__.

(Notary's Signature)

(Notary Seal)

(ACKNOWLEDGEMENT BY THE PROPOSED CDBE FIRM)

The undersigned intends to perform work in connection with the above Contract as (check one) ___ an individual ___ a partnership ___ a corporation ___ a joint venture. The undersigned agrees with the prime contractor's/consultant's proposal and further certifies that all information provided herein is true and correct.

(Signature of Owner or Authorized Rep.)

(Date)

Subscribed and sworn to before me this _____ day of _____ 200__.

(Notary's Signature)

(Notary Seal)



SCHEDULE OF (CDBE) PARTICIPATION

(Submit this form with an executed Letter of Intent from each CDBE firm listed in this form)

Bid/RLI/RFP #:		Project Location:		Date Form Submitted:	
Project Name:				Project Start Date:	
Prime Contractor:			Address:		
Contact Person:		Telephone #:		Fax #:	
CDBE Subcontractor	CDBE Expiration date	Address	Phone	Type of Work to be Performed	Sub-contract Amount (Agreed Price (\$) or Percentage (%))
Total CDBE Participation					
Total Contract Amount					
CDBE Subcontractor Participation Percentage					
(Total amount allocated to CDBEs divided by Total Contract Amount)					%

The listing of a CDBE shall constitute a representation by the bidder/responder to Broward County that such CDBE has been contacted and properly apprised of the upcoming County project. Bidders/Responders are advised that the information contained herein is subject to verification by the Small Business Development Division and that submission of said information is an assertion of its accuracy, per the requirements of the Small Business Development Program.

I certify that the above information is true to the best of my knowledge:

Signature:	Title:	Date:
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THIS DOCUMENT MUST BE PROVIDED WITH THE SUBMITTAL AND SIGNED BY THE PERSON SIGNING THE SUBMITTAL

SBDD COMPLIANCE FORM 2007-3



CDBE UNAVAILABILITY REPORT

RLI/RFP/BID NO. _____

(NAME OF PRIME CONTRACTOR) (ADDRESS) (TELEPHONE NO.)

The undersigned representative of the Prime Contractor personally appeared before the undersigned officer authorized to administer oaths who after being duly sworn states that the undersigned has contacted the CDBEs listed below and that said CDBEs are unavailable to perform or submit a bid which was not the low acceptable bid set forth and that the following information regarding CDBE subcontractors is true and correct to the best of his/her knowledge:

1. The following CDBE contractors were invited to bid subcontract work, but were not available to work. (Attach list if necessary.)

Name

2. The following CDBE contractors were invited to bid subcontract work, but did not respond to the invitation. (Attach list if necessary.)

Name

3. The following CDBE contractors submitted bids which were not the low acceptable bids. (Attach list if necessary.)

Name

If you did not get any responses to your solicitation of CDBE contractors, please detail your efforts to recruit eligible firms, i.e., advertising, personal calls, mailing lists, etc. Information provided will be verified. Attach all supporting documents such as newspaper ads, phone lists, mailing lists, etc.

Signature: _____ Title: _____

Date: _____

SBDD Compliance Form 2007-4

EXHIBIT "C"
CERTIFICATION OF VENDORS PROVIDING
BENEFITS FOR DOMESTIC PARTNERS

THE UNDERSIGNED VENDOR HEREBY CERTIFIES THAT ITS EMPLOYEE BENEFITS POLICIES ARE IN COMPLIANCE WITH BROWARD COUNTY ORDINANCE #1999-03, AS AMENDED BY BROWARD COUNTY ORDINANCE #1999-18, AS FOLLOWS:

A. VENDOR'S EMPLOYEE BENEFITS PROGRAM INCLUDES THE FOLLOWING MINIMUM STANDARDS:

1. ANY VENDOR'S EMPLOYEE WHO IS A PARTY TO A DOMESTIC PARTNERSHIP RELATIONSHIP IS ENTITLED TO ELECT INSURANCE COVERAGE FOR HIS OR HER DOMESTIC PARTNER OR A DEPENDENT OF SUCH DOMESTIC PARTNER ON THE SAME BASIS IN WHICH ANY OTHER VENDOR'S EMPLOYEE MAY ELECT INSURANCE COVERAGE FOR HIS OR HER SPOUSE OR DEPENDENTS. A VENDOR'S EMPLOYEE'S RIGHT TO ELECT INSURANCE COVERAGE FOR HIS OR HER DOMESTIC PARTNER, OR THE PARTNER'S DEPENDENT, EXTENDS TO ALL FORMS OF INSURANCE PROVIDED BY THE VENDOR TO THE SPOUSES AND DEPENDENTS OF VENDOR'S EMPLOYEES.
2. ANY VENDOR'S EMPLOYEE WHO IS A PARTY TO A DOMESTIC PARTNERSHIP RELATIONSHIP IS ENTITLED TO USE ALL FORMS OF LEAVE PROVIDED BY THE VENDOR INCLUDING, BUT NOT LIMITED TO SICK LEAVE AND ANNUAL LEAVE TO CARE FOR HIS OR HER DOMESTIC PARTNER OR THE DEPENDENT OF THE DOMESTIC PARTNER AS APPLICABLE.
3. ALL OTHER BENEFITS AVAILABLE TO THE SPOUSES AND DEPENDENTS OF VENDOR'S EMPLOYEES ARE MADE AVAILABLE ON THE SAME BASIS TO THE DOMESTIC PARTNER, OR DEPENDENT OF SUCH DOMESTIC PARTNER, OF A VENDOR'S EMPLOYEE WHO IS PARTY TO A DOMESTIC PARTNERSHIP RELATIONSHIP.
4. IT IS WITHIN THE VENDOR'S DISCRETION AS TO WHAT BENEFITS ARE PROVIDED TO ITS EMPLOYEES AND WHETHER VENDOR'S EMPLOYEES WHO ARE PARTY TO A DOMESTIC PARTNERSHIP RELATIONSHIP MUST BE REGISTERED IN ACCORDANCE WITH BROWARD COUNTY ORDINANCE No. 1999-03, AS AMENDED, IN ORDER TO BE ELIGIBLE FOR ACCESS TO EMPLOYEE BENEFITS.

B. THE VENDOR'S DOMESTIC PARTNERSHIP ELIGIBILITY CRITERIA ARE SUBSTANTIALLY EQUIVALENT TO THE FOLLOWING:

1. EACH DOMESTIC PARTNER IS AT LEAST 18 YEARS OLD AND COMPETENT TO CONTRACT.
2. NEITHER DOMESTIC PARTNER IS MARRIED NOR A PARTNER TO ANOTHER DOMESTIC PARTNERSHIP RELATIONSHIP.
3. THE DOMESTIC PARTNERS ARE NOT RELATED BY BLOOD.
4. CONSENT OF EITHER DOMESTIC PARTNER TO THE DOMESTIC PARTNERSHIP RELATIONSHIP HAS NOT BEEN OBTAINED BY FORCE, DURESS, OR FRAUD.
5. EACH DOMESTIC PARTNER AGREES TO BE JOINTLY RESPONSIBLE FOR EACH OTHER'S BASIC FOOD AND SHELTER.

(VENDOR SIGNATURE)

(PRINT VENDOR NAME)

STATE OF _____

COUNTY OF _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____,

BY _____ AS

(NAME OF PERSON WHOSE SIGNATURE IS BEING NOTARIZED) (TITLE)

OF _____, KNOWN TO ME TO BE THE PERSON DESCRIBED

(NAME OF CORPORATION/ENTITY)

HEREIN, OR WHO PRODUCED _____ AS IDENTIFICATION, AND WHO DID/DID NOT TAKE AN OATH.

(TYPE OF IDENTIFICATION)

NOTARY PUBLIC: _____ (SIGNATURE)

(PRINT NAME)

STATE OF _____ AT LARGE (SEAL)

MY COMMISSION EXPIRES: _____

EXHIBIT "B"

Sample Insurance Certificate

Insurance Request for Disaster Debris Removal

The following coverages are deemed appropriate for minimum insurance requirements for this project and will be required of the selected firm and identified in the negotiated agreement. Any deviation or change during the contract negotiation period shall be approved by Risk Management.

TYPE OF INSURANCE	Limits on Liability in Thousands of Dollars			
		Each Occurrence	Aggregate	
GENERAL LIABILITY ☒ Commercial General Liability ☒ Premises-Operations ☐ Explosion & Collapse Hazard ☐ Underground Hazard ☒ Products/Completed Operations Hazard ☒ Contractual Insurance ☒ Broad Form Property Damage ☒ Independent Contractors ☒ Personal Injury	Bodily Injury Property Damage Bodily Injury and Property Damage Combined Personal Injury	 \$1000K 	 \$2000k 	
AUTO LIABILITY ☒ Comprehensive Form ☒ Owned ☒ Hired ☒ Non-owned ☒ Any Auto If applicable	Bodily Injury (each person) Bodily Injury (each accident) Property Damage Bodily Injury and Property Damage Combined	 \$1000K	Broward County reserves the right to review and revise any insurance requirements at the time of contract renewal, not limited to the limits, coverages and endorsements based on insurance market conditions and/or changes in the scope of services.	
EXCESS LIABILITY ☐ Umbrella Form ☐ Other than Umbrella Form	Bodily Injury and Property Damage Combined	\$		\$
☒ WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY (NOTE *)	☒ STATUTORY	(each accident)		100K MIN
☐ PROFESSIONAL LIABILITY ~ E&O	Max. Ded. \$100K	CONTRACTOR RESPONSIBLE FOR DEDUCTIBLE		\$1,000K
☒ PROPERTY COVERAGE / ALL RISK	Max. Ded. \$150k	VENDOR RESPONSIBLE FOR DEDUCTIBLE	Agreed value Replacement Cost	
Contractor responsible for all tools, materials, equipment, machinery, etc., until completion and acceptance by County.				
Description of Operations/Locations/Vehicles Certificate must show on general liability and excess liability Additional Insured: Broward County Board of County Commissioners, Broward County, Florida. Also when applicable certificate should show B.C.B.C.C as a named insured for property and builders risk and as a loss payee for installation floater when coverage's are required. Certificate Must be Signed and All applicable Deductibles shown. CONTRACTOR RESPONSIBLE FOR ALL DEDUCTIBLES UNLESS OTHERWISE STATED. Indicate bid number, RLI/RFP, and project manager.				

NOTE * - If the Company is exempt from Workers' Compensation Coverage, please provide a letter on company letterhead or a copy of the State's exemption which documents this status and attaché to the Certificate of Insurance for approval. If any operations are to be undertaken on or about navigable waters, coverage must be included for U.S. Longshoremen & Harbor Workers' Act/ & Jones Act

CANCELLATION: Thirty (30) Day written notice of cancellation required to the Certificate Holder:

Name & Address of Certificate Holder
 Broward County Board of County Commissioners
 Risk Management Division, RM 210
 115 South Andrews Avenue
 Fort Lauderdale, FL 33301
RE: (J. Willard, Solid Waste Ops Division)


 Dawn Mehler
 Risk Management Division

Digitally signed by Dawn Mehler
 DN: cn=Dawn Mehler, o=US, ou=Broward County,
 email=dmebler@broward.org
 Date: 2008.10.09 17:30:52 -0400

InsuranceLimitsForm.03 Revised certificateofinsrevised2005.DOC COI