

**REQUEST FOR QUALIFICATIONS
TO PROVIDE PROFESSIONAL CONSULTANT AND DESIGN SERVICES
FOR
CONSTRUCTION OF
DAMES POINT AUTOMATED CONTAINER TERMINAL NO. 02
JPA AGREEMENT # AE-171**

Statements of Qualification (SOQ's) will be received by the Procurement Department of the Jacksonville Port Authority (JPA) until 2:00 P.M. local time, on August 21, 2009 to provide Professional Consulting and Design Services for the Construction of an Automated Container Terminal for the JPA, located in Jacksonville, Duval County, Florida.

This request is for a Professional Consultant with qualified experience in maritime port development and related projects to assist the JPA by providing survey, geotechnical, environmental permitting, planning, engineering and architectural services. The term of these services is intended to extend from Notice to Proceed for this Contract through the completion of construction of the new Dames Point Automated Container Terminal No. 2 (the "Project"). These services are anticipated to commence in January 2010.

The procurement of the Professional Consultant to complete the design and planning of the Project will follow a phased selection process consisting of submission of SOQ's in response to this advertisement, JPA shortlisting a minimum of 3 Professional Consultant Teams based on evaluation of the SOQ's, submission of a Written Technical Proposal by shortlisted Professional Consultant Teams, participation in an Oral Presentation / Interview by shortlisted Professional Consultant Teams, and further evaluation and ranking of shortlisted Professional Consultant Teams by JPA based on written submissions and oral presentations / interviews.

The SOQ developed in response to this advertisement shall focus on demonstrating capability to perform the noted work. The subsequent Written Technical Proposal and

Oral Presentations / Interviews, to be submitted and/or completed only by shortlisted Professional Consultant Teams, will provide the shortlisted Professional Consultant Teams with the opportunity to specifically present their approach to the Project in the areas noted in the Project Synopsis section of this RFQ. The Consultant selection process will be in accordance with the Consultants Competitive Negotiations Act (CCNA) based on information provided in the Professional Consultant Team's SOQ's and, if shortlisted, subsequent written submissions, oral presentations / interviews.

It is the stated intent of this "Request for Qualifications (RFQ)" to solicit responses from Professional Consultants who can provide at least 50 percent of the services needed (measured in contract fee dollars) from within their own staff. The JPA will award this contract to one firm (Proposer), who will be the Prime Consultant and who will be the single point of contact and will be fully responsible for the Project. The JPA does not encourage nor discourage the formation of teams, as long as team members are subconsultants to the Prime Consultant. It is the desire of the JPA that the work elements required by the Project and included in the negotiated Agreement are shared with other qualified consultants of the City of Jacksonville to the extent that such goal does not diminish the goal of selecting the most qualified consultants. Joint Ventures will not be considered.

It is anticipated that respondents to the RFQ may consist of a Consultant Team comprised of a Prime Consultant leading the Team with one or more subconsultants to supplement the Prime Consultant's resources within specific areas of expertise. The Prime Consultant must identify their available resources anticipated for use on the Project based on the types of work that are advertised. The Prime Consultant must also identify the subconsultant resources that are anticipated for use on the Project. Consultants serving in the role as a Prime Consultant on a Consultant Team will be limited to participating only on that Consultant Team for which they are the Prime Consultant. Subconsultants will be allowed to participate on more than one Consultant Team.

A. EVENT SCHEDULE

- | | |
|---|------------------------------|
| 1. Statement of Qualifications Submittal Date | August 21, 2009 |
| 2. Notification of Shortlisted Consultants | September 11, 2009 |
| Request for Proposals & Draft Scope of Services
Distributed to Shortlisted Consultants | |
| 3. Mandatory Pre-Proposal Meeting | September 18, 2009 |
| 4. Written Technical Proposal Submittal Date | October 16, 2009 |
| 5. Oral Presentation / Interview Date | November 4, 2009 |
| 6. Final Consultant Ranking | November 12, 2009 |
| 7. JPA Board Approval of Ranking | December, 2009 Board Meeting |
| 8. Contract Negotiations Complete | January 8, 2009 |
| 9. JPA Board Approval and Notice to Proceed | January 18, 2010 |

B. PROJECT SYNOPSIS

The successful Proposer shall provide the professional consulting and design expertise necessary for the construction of an approximately 88 acre Automated Container Terminal. The terminal equipment will be supplied by the future tenant and includes ship to shore container cranes, rail mounted gantry cranes, top pick / side pick straddle carriers, and other miscellaneous equipment. The terminal design will be required to accommodate tenant provided equipment and software. It is anticipated that the Proposer

/ Consultant Team will be required, at a minimum, to provide a cost effective and functional design of the following major elements related to the Project site:

- Site Development / Grading
- Stormwater Management System / Drainage Infrastructure Including New Retention Ponds or Reconfiguration of Existing Ponds
- New Wharf / Bulkhead and/or Reconfiguration of Existing Wharf / Bulkhead
- Dredging of Channel Adjacent to Project Site to Accommodate Cargo Ships
- Utility Infrastructure such as Potable Water, Sewerage, Power, and Communications
- Container Storage Yard
- Infrastructure to Accommodate Ship to Shore Cranes, Automated Rail Mounted Gantries and other Cargo Handling Equipment
- Access from Heckscher Drive to the Project Site
- Parking Areas
- Administration Facilities
- Maintenance Facilities
- Automated Entrance / Exit Facilities
- Security / Customs Facilities
- Lighting of Access Road and all Terminal Locations
- Reconfiguration of Existing Project Site Elements to Sustain and Support Ongoing Cruise Terminal Operations during Construction
- Any other Physical Elements Necessary to Satisfy the Agreement Between JAXPORT and the future tenant
- Stormwater permitting and any other permits, including supporting information, that may be required from regulatory agencies, including any mitigation that may be required due to the potential impacts to wetlands and /or conservation lands from the proposed Project and all ancillary facilities required for its functional integrity.
- Serving in the Engineer of Record role for the Integration of Terminal Equipment / Infrastructure and Terminal Operating System into Project Planning, Design and Construction

C. REQUIREMENTS FOR STATEMENT OF QUALIFICATIONS (SOQ)

Fifteen (15) copies of the Statement of Qualifications will be required for submission. The SOQ shall be a maximum of ten 8-1/2 inch x 11 inch single sided pages. Respondents can include one single sided 11 inch x 17 inch "z-fold" in the SOQ submittal. The "z-fold" will be counted as two pages. Text shall be a minimum font size of ten (10). A copy of the SOQ must also be submitted in electronic format on a CD. The format shall be a PDF. The Statement of Qualifications should be addressed to:

Louis Naranjo
Manager of Procurement
Jacksonville Port Authority
2831 Talleyrand Avenue
Post Office Box 3005
Jacksonville, FL 32206-0005
Telephone: (904)357-3065
Facsimile: (904)357-3007

The SOQ shall contain the following information:

1. Proposer Identification/Authorized Signatories

SOQ's shall clearly indicate the legal name, address, and telephone number of the Proposer (corporation, firm, partnership, individual, or sole proprietorship). SOQ's shall be signed above the typed or printed name and title of the signer. SOQ's must be signed by an individual with the authority to bind the Proposer. The signature of Authorized Representative on the SOQ must be made by an officer of the Proposer if the Proposer is a corporation, by a partner if the firm is a partnership, or by the proprietor, if the firm is a sole proprietorship.

2. Minimum Requirements

In order to be considered responsive to this RFQ, Proposers must provide the following documentation with their SOQ submittal. This documentation shall be included in a separate section designated "Required Forms and Documentation" and is not included in the SOQ page limitation. A Proposer's SOQ that does not include this documentation will be deemed non-responsive. Additionally, if the Proposer's submitted documentation does not, in the sole opinion of JPA, meet the intent of JPA's minimum requirements, the Proposer's SOQ will be deemed non-responsive.

Required Documentation

- a) Current license or registration as regulated by the State of Florida to perform the professional services required of this RFQ.
- b) Registration with the Florida Department of State, if the Proposer is a corporation or limited partnership.
- c) A financial audit report prepared by an independent Certified Public Accountant in accordance with auditing standards issued by AICPA for the Proposer's most recently completed fiscal year.
- d) Proof of minimum indemnification and insurance requirements in the form of a current certificate from a company or companies authorized to do business in Florida. The submitted documentation shall demonstrate compliance with the following minimum indemnification and insurance requirements (inclusive of any amounts provided by an umbrella or excess policy) in the following amounts:

LIMITS

General Aggregate Limit (other than Products/Completed Operations)	\$2,000,000
Products/Completed Operations Aggregate Limit	\$1,000,000
Personal and Advertising Injury Limit	\$1,000,000
Each Occurrence Limit	\$1,000,000
Fire Damage Limit	\$0
Medical Expense Limit	\$0

The Proposer / Consultant shall continue to maintain Products/Completed Operations coverage for a period of three (3) years after the Agreement completion date.

The insurance must specifically include the Owner, the members of its Governing Body and its officers, officials, and employees as Additional Insured, with respect to liability arising out of services performed in connection with this Agreement.

Business Auto Policy

The Proposer / Consultant's insurance shall cover the Proposer / Consultant for those sources of liability which would be covered by Part IV of the latest occurrence edition of the standard Business Auto Policy⁸ (ISO Form CA 00 01), including coverage for liability contractually assumed, as filed for use in the State of Florida by the Insurance Services Office, without the attachment of restrictive endorsements. Coverage shall include owned, non-owned, and hired autos.

The minimum limits to be maintained by the Consultant (inclusive of any amounts provided by an umbrella or excess policy) shall be \$1,000,000 per accident combined single limit for Bodily Injury Liability and Property Damage Liability.

Professional Liability

The Proposer's / Consultant's insurance shall be on a form acceptable to JPA, and shall cover the Proposer / Consultant for those sources of liability arising out of the rendering or failure to render professional services in the performance of this Agreement, including any hold harmless and/or indemnification agreement.

The minimum limits to be maintained by the Proposer / Consultant (inclusive of any amounts provided by an umbrella or excess policy) shall be \$5,000,000 per occurrence, and in the aggregate.

The Proposer / Consultant shall provide and maintain such professional liability insurance from the inception of its services, and until at least three (3) years after completion of all services required under this Agreement.

Prior to commencement of services, the Proposer / Consultant shall provide to JPA a certificate or certificates of insurance, signed by an authorized representative of the insurer(s) evidencing the insurance coverage specified in the foregoing Articles and Sections. The required certificates shall not only name the types of policies provided, but shall also refer specifically to this Agreement and Article, and to the above paragraphs in accordance with which insurance is being furnished, and shall state that such insurance is provided as required by such paragraphs of this Agreement. The required certificates shall contain a provision that the JPA shall be given not less than 30 days' written notice prior to cancellation or restriction of coverage. The Proposer / Consultant shall also provide to the JPA a certified copy of the Professional Liability Insurance coverage. The required policies shall contain a provision that the JPA shall be given not less than 30 days' written notice prior to cancellation or restriction of coverage. If the initial insurance policies required by this Agreement expire prior to the termination of this Agreement,

renewal certificates of insurance or policies shall be furnished 30 days prior to the date of their expiration.

- e) Completion of Sworn Statement on Public Entity Crimes
- f) Completion of Conflict of Interest Form

Please note:

- i. Section 1.201-28 of the Procurement Code requires that a public official who has a financial interest in a bid or contract make a disclosure at the time that the bid or contract is submitted or at the time that the public official acquires a financial interest in the bid or contract, including but not limited to the public official's name, public office or position held, bid or proposal number, and the position or relationship of the public official with the bidder or proposer.
- ii. A person or affiliate who has been placed on the State of Florida convicted vendor list following a conviction for a 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 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 for a period of 36 months from the date of being placed on the convicted vendor list.
- iii. Collusion: The Proposer, by affixing his signature to this proposal agrees to the following: "Proposer certifies that this proposal is made without any previous understanding, agreement or connection with any person, firm, or corporation making a bid for the same service; and is in all respects fair, without outside control, collusion, fraud or otherwise illegal action."

3. Project Work Types

The submitted SOQ shall include the manner and personnel by which the Consultant will supply the following areas of expertise needed for the planning and design of the Project

- a) Marine Port Development
- b) Civil / Site Planning and Engineering
- c) Dredging
- d) Wharf / Bulkhead Design
- e) Environmental Permitting
- f) Surveying and Mapping
- g) Geotechnical Investigation
- h) Architecture / Structural Engineering
- i) Electrical / Mechanical Engineering
- j) Security
- k) Automated Terminal Planning and Simulation
- l) Automated Terminal Operating Systems
- m) Automated Terminal Equipment / Infrastructure

The SOQ shall demonstrate a minimum of ten (10) years of experience in the professional consulting and design expertise necessary to fully implement this contract in an efficient manner.

4. Staffing Organizational Chart / Resumes / Responsible Office

The Proposer / Consultant shall submit, as part of the SOQ, a staffing organizational chart which clearly illustrates the key elements of the organizational structure proposed to accomplish the planning, design, and environmental permitting activities necessary for the Project as well as the

integration of these activities with automated terminal operation, management and administration.

Project management and key personnel within each area of required service shall be identified and past experience of each, as it relates to this Project, shall be discussed. Resumes for key personnel are limited to a maximum of 2 pages per resume with the total number of aggregate resume pages limited to 20 pages. The staffing organizational chart is included in the SOQ page limitation. Resumes are not included in the SOQ page limitation.

The personnel contained in the Organizational Chart submitted with the SOQ cannot be changed or substituted throughout the course of the procurement process without specific authorization from JPA. Additionally, the selected Proposer's / Consultant Team's personnel contained in the Organizational Chart submitted with the SOQ cannot be changed or substituted throughout the course of the design and construction of the project without specific authorization from JPA. JPA reserves the right to deny Proposer / Consultant Team's proposed personnel substitutions and/or changes and can, within its authority, remove the shortlisted Proposer / Consultant Team from consideration and/or remove the selected Proposer / Consultant Team from the design contract if, as deemed by JPA, inappropriate personnel substitutions or changes are made.

Proposers / Consultant Teams being considered for this Project may have more than one office location. The office assigned responsibility for the work shall be identified in the SOQ. If different elements of the work will be done at different locations, these locations shall be listed.

5. JSEB Requirements

The JPA has established a minimum of an 8% Jacksonville Small Emerging Business (JSEB) participation goal which shall be considered in the selection of the Proposer / Consultant Team for the requested services

6. Shortlisting / SOQ Evaluation Criteria

Proposers / Consultant Teams should be aware that the SOQ will be evaluated in accordance with the criteria prescribed herein and accordingly would be advised to structure their SOQ in a manner to properly address each of the evaluation criteria. The JPA shall determine qualifications, interest and availability by reviewing all written SOQ's received that express an interest in performing these services. The determinations shall be based upon the following criteria, and respondents are requested to provide, as a minimum, the information listed under each criterion. Failure to provide adequate information on any written criterion will result in lower scores and could result in rejection of the SOQ as non-responsive. The response to each criterion will be evaluated relative to other responses received and awarded a score of one (1) through the maximum points allowed. JPA will shortlist a minimum of 3 Proposers / Consultant Teams to continue into the next phase of procurement. The evaluation criteria are set forth below.

Letter of Response Evaluation Criteria	Point Value
A. Experience Record	20 Points
B. Project Manager	20 Points
C. Proposer / Prime Consultant's Staff	20 Points
D. Current Workload	5 Points
E. JSEB Participation	10 Points
F. Financial Statement	5 Points
G. Proximity to Projects	10 Points
H. Prior Work Volume with Using Agencies	10 Points
TOTAL	100 Points

A. Experience Record (20 Points Maximum)

Provide list of completed projects similar in scope to this Project previously performed by Proposer / Prime Consultant and Subconsultants with references to include Owner's contact person and their contact information. Describe any outstanding accomplishments of the Proposer / Prime Consultant and Subconsultants that relate to the specific services being sought. Proposers are requested to state with specificity project names, professional contract dollar amounts, Owner's evaluation grades, project construction costs, and date-specific periods of professional service engagements.

Additionally, responding to this evaluation criterion necessitates that Proposers (both Prime Consultant and subconsultants) include statements of their past and present record of professional accomplishments of performance on projects undertaken for the Jacksonville Port Authority, the Jacksonville Electric Authority, the Jacksonville Airport Authority, the Jacksonville Transportation Authority, Duval County Public Schools and the City of Jacksonville. Proposers are requested to state with specificity project names, professional contract dollar amounts, Owner's evaluation grades, project construction costs, and date-specific periods of professional service engagements.

B. Project Manager (20 Points Maximum)

In addition to the Project Manager's resume, discuss overall experience of the Project Manager as it relates to the services being sought. Commit to the stability of the proposed Project Manager for the duration of the project. Discuss current time commitments of Project Manager to other ongoing projects. The Proposer / Consultant Team's Project Manager must be available locally during the duration of the project.

C. Proposer / Prime Consultant's Staff (20 Points Maximum)

In addition to resumes of key Proposer / Prime Consultant and Subconsultant staff, discuss overall experience of the staff as it relates to the services being sought. Commit to the stability of the key proposed staff for the duration of the project. Discuss current time commitments of key Proposer / Prime Consultant and Subconsultant staff to other ongoing projects.

Provide the name and office locations of any subconsultants proposed to be used on these services, and the estimated percentage of the work, which will be done by each such subconsultant. The evaluation will include a consideration of any proposed subconsultants in addition to Prime Consultant's staff.

D. Current Workload (5 Points Maximum)

Provide number and size of projects currently being performed in the project office, personnel assigned thereto and stage of completion of such projects, status of each project relative to completion schedules, reasons for any delayed projects, and projected personnel availability. Discuss ability of firm to prosecute multiple concurrent projects and contracts given its current workload. Current workload for Proposer / Prime Consultant and subconsultants shall be provided.

E. JSEB Participation (10 Points)

This evaluation criterion is intended to solicit responses from Proposers that indicate their past and present commitment to Jacksonville small, and emerging businesses. More specifically, responses to this evaluation criterion should include, without limitation, statements that document the Proposer's

commitment to and/or utilization of Jacksonville small and emerging businesses for the project solicitation in question.

Commitment to meeting the minimum goal of 8% will result in receiving maximum amount of points for this criterion.

F. Financial Statement (5 Points)

Supplying the minimum required documentation specified in RFQ Section C2: Minimum Requirements will result in assignment of 1 point for this criterion. Additional points may be awarded by providing additional information documenting form of business, i.e., proprietorship, partnership, corporation; years in business; changes in ownership; bank references; any other information the applicant may wish to supply to verify financial responsibility. A Dunn and Bradstreet Report Rating reflecting the Firm's Financial Strength and Composite Credit Appraisal scores or a financial statement including a balance sheet for the most recently completed Fiscal Year shall be considered positively in the assessment of additional points in this criterion.

G. Proximity to Project (10 Points)

In assessing points for this criterion, JPA will consider positively the local presence of Proposers / Consultant Teams. Disclose location of the Prime Consultant's Jacksonville area office location as well as subconsultants' Jacksonville area office locations. Please indicate how long the Jacksonville area offices have been in existence and the number of qualifying employees in the Prime Consultant's and subconsultants' offices. (Note: Qualifying employees are those who are assigned to the Jacksonville area offices and have lived in the Jacksonville area for the previous twelve (12) months. If neither the Prime Consultant nor the subconsultants are located in the

Jacksonville area, the response should so clearly state. Minimum points will be awarded in this criterion in this instance. The selected Prime Consultant will be required to verify its location by furnishing, prior to execution of an Agreement for professional services, a photo-copy of a current Occupational License issued by the Tax Collector of the County. A local office is not required to respond to this RFQ, but the Prime Consultant must establish a local office prior to execution of a contract.

For purposes of this RFQ, the term "Jacksonville area" shall mean Duval, Clay, St. John's and Nassau counties.

H. Prior Work Volume with Using Agencies (10 Points)

The volume of current and prior work performed for using agencies shall be considered a minus factor, with the objective of effecting an equitable distribution of contracts among qualified firms, provided such distribution does not violate the principle of selection of the most highly qualified firms.

Using the form provided, submit a list of all local JPA projects on which Prime Consultant and subconsultants have been awarded fees during the past five (5) fiscal years. Include only those in which Consultant was the prime Consultant (do not delete fees paid to subconsultants or others). Such list shall include work for the City of Jacksonville, Jacksonville Aviation Authority, JEA, Jacksonville Transportation Authority, Duval County Public Schools, and the City's Using Agencies which include the Jacksonville Children's Commission, the Jacksonville Economic Development Commission, and the Duval County Housing Finance Authority. Form(s) are not included in page limitation.

If the Proposer / Prime Consultant and subconsultants have not performed work for any of these agencies during the past five (5) years, the response should so clearly state.

Failure to provide complete and accurate information will result in lower score on evaluation. Failure to list amounts of all fees may result in rejection of proposal as non-responsive.

7. Evaluation of SOQ

Following the receipt of SOQ's, the JPA Manager of Procurement will conduct a review to assure that each SOQ is responsive to this RFQ. SOQ's deemed unresponsive will be returned to the Proposer with a brief explanation of the reason for rejection.

Following the initial screening, the Manager of Procurement will convene the members of the Evaluation Committee that will each independently evaluate and rank each SOQ in accordance with the eight (8) Evaluation Criteria contained in Section C6 of this RFQ.

Each Evaluation Criteria will have a value from one to the maximum point value noted for that criterion. The total of a perfect score for all eight (8) Evaluation Criteria would equal 100. Each member of the Evaluation Committee will be required to provide an ordinal for each Proposer / Consultant Team at the completion of the evaluation, ranking the SOQ's with the most qualified (best) getting a "1"; the second most qualified a "2" and so on. Only the ordinals will be totaled from all members of the Evaluation Committee to determine the final ranking of each SOQ.

After review and evaluation of the written SOQ's, a short list of a minimum of three Proposers / Consultant Teams will be determined. Those Proposers / Consultant Teams on the short list will be notified and will be informed of the next steps in the Selection / Procurement process. These next steps will be defined in the Request for Proposals (RFP) that will be distributed to the shortlisted Proposers / Consultant Teams.

It is the intent of the JPA to award this Professional Services Agreement to the Proposer / Consultant Team, which, in our sole opinion, is the most qualified and capable of providing the best overall service consistent with the goals and objectives of JPA. The JPA reserves the right to waive informalities in any SOQ, to reject any or all SOQ's received in response to this "Request for Qualifications", with no liability to JPA for rejection of any SOQ for any reason.

8. Ex-Parte Communication Prohibited

From the time of receipt, or publication of this Request for Qualifications, all parties who intend to submit, or be a team member of a Proposal to qualify under this Invitation, agrees to direct all contact with the JPA through the Manager of Procurement. If the question or comment deals with subject matter that is outside of the responsibility of the Manager of Procurement, he will ensure that the question or comment is directed to the appropriate person or authority. Proposers for the work covered by this Request for Qualifications will neither contact any of the Evaluation Committee, Selection Committee, nor any member of the JPA Board of Directors, nor the JPA Executive Director from the date of first advertisement of this RFQ and throughout the date of award by the JPA for purposes of discussing the merits of any specific SOQ or Proposer / Consultant Team.

Any Ex-Parte communication concerning the solicitation, evaluation, and selection process denies all Proposers / Consultant Teams submitting proposals fair, open, and impartial consideration. Adherence to procedures which ensure fairness is essential to the maintenance of public confidence in the value and soundness of the important process of public procurement of professional services. Therefore, during the solicitation, evaluation, and selection process, any ex-parte communication between a Proposer, a Consultant Team, its employees, agents, or representatives, and the JPA, its members, employees, agents, legal counsel, or representatives, other than the JPA's Manager of Procurement is

strictly prohibited. Failure to observe this requirement shall result in rejection of a Proposer's / Consultant Team's SOQ. For purposes of this section, the term "ex-parte communication" shall mean any oral or written communication relative to this solicitation, evaluation, and selection process which occurs outside of an advertised public meeting, pursuant to Section 286.011, Florida Statutes. This requirement shall not prohibit:

- a) Meeting called or requested by JPA and attended by Proposers / Consultant Teams for the purpose of discussing this solicitation, evaluation, and selection process, including but not limited to, substantive aspects of this RFQ;
- b) The addressing of any elected or appointed governing authority of the JPA at public meetings advertised and conducted pursuant to, and in compliance with, Section 286.011 Florida Statutes;
- c) The filing and prosecution of a written protest to any proposed award to be made pursuant to this solicitation, evaluation, and selection process, which filing and prosecution shall give notice to all Proposers / Consultant Teams. Protest proceedings shall be limited to open public meetings, with no ex-parte communication outside those meetings;
- d) Contacts with elected officials

9. Waiver of Irregularities

JPA may waive minor informalities or irregularities in SOQ's received where such is merely a matter of form and not substance, and the correction or waiver of which is not prejudicial to other Proposers / Consultant Teams. Minor irregularities are defined as those that will not have an adverse effect on the JPA's interest and will not affect the review of the SOQ by giving a Proposer / Consultant Team an advantage or benefit not enjoyed by other Proposers.

10. Protest Procedures

Any Consultant adversely affected during this solicitation process may file a notice of protest, including all particulars of facts and laws on which the protest is based. This notice must be in writing and addressed to the Manager of Procurement, Jacksonville Port Authority, Post Office Box 3005, Jacksonville, FL 32206. A notice of protest should be filed at any time prior to award of a contract, or within five (5) business days of any action taken by JAXPORT Awards Committee. Receipt of a protest will be acknowledged by certified letter. The administrative procedures that will be followed by JAXPORT will be provided to the Protester with this certified letter, but are available to all bidders upon request, at any time.

VOLUME OF LOCAL GOVERNMENT WORK WITHIN LAST FIVE FISCAL YEARS

Please list the original contract amount, plus total of any amendments in the year they were executed. Include multiple forms if necessary.

Project Name	General Description of Work Performed	Date Started and Date Completed	Name, Address and Telephone Number of Project Owner's Contact Person	FY 05 Oct 2004 Thru Sept 2005	FY 06 Oct 2005 Thru Sept 2006	FY 07 Oct 2006 Thru Sept 2007	FY 08 Oct 2007 Thru Sept 2008	FY 09 Oct 2008 Thru Sept 2009
			YEARLY TOTALS					

CONFLICT OF INTEREST CERTIFICATE
JPA Agreement AE-171

Proposer must execute either Section I or Sections II and III, hereunder, relative to Florida Statute 112.313(12). Failure to execute either Section may result in the rejection of the Statement of Qualifications.

SECTION I

I hereby certify that no official or employee of the Jacksonville Port Authority requiring the goods or services described in this Request for Qualifications has a material financial interest in the Proposer / Consultant Team including all subconsultants.

Signature

Company Name

Name of Official (type or print)

Business Address

City, State, Zip Code

SECTION II

I hereby certify that the following named JPA official(s) and/or employee(s) having material financial interest(s) (in excess of 5%) in this Proposer / Consultant Team including all subconsultants have filed "Conflict of Interest Statements" with the JPA Office of the Executive Director, 2831 Talleyrand Avenue, Jacksonville, Florida 32206, prior to the submission of this Statement of Qualifications.

Name

Title or Position

Date of Filing

Name of Official (type or print)

Business Address

City, State, Zip Code

SECTION III

PUBLIC OFFICIAL DISCLOSURE

The Jacksonville Port Authority requires that a public official who has a financial interest in a professional services contract, make a disclosure at the time that the Proposer / Consultant Team submits qualifying material for selection or at the time that the public official acquires a financial interest in the Proposer / Consultant Team seeking selection for professional services. Please provide disclosure with submitted Statement of Qualifications, if applicable.

Public Official: _____

Position Held: _____

Position or Relationship with Bidder: _____

DATE: _____

SWORN STATEMENT PURSUANT TO SECTION 287.133 (3) (a),
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR
OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to JAXPORT by

(Print individual's name and title)

For _____
(Print name of entity submitting sworn statement)

Whose business address is _____
And (if applicable) its Federal Employer Identification Number (FEIN) is

(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn
statement _____.)

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1) (g), FLORIDA STATUTES, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133 (1) (b), FLORIDA STATUTES, means a finding of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere..

4. I understand that an "affiliate" as defined in Paragraph 287.133 (1) (a), FLORIDA STATUTES, means:

1. A predecessor or successor of a person convicted of a public entity crime; or
2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding thirty-six (36) months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133 (1) (e), FLORIDA STATUTES, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.
6. Based on information and belief, the statement, which I have marked below, is true in relation to the entity submitting this sworn statement (indicate which statement applies).

_____ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (Attach a copy of the final order)

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES, FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

Signature

Date

STATE OF _____

COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority, _____,
who, after first being sworn by me, affixed his/her signature in the space provided above on this _____ day of _____, 20_____,

Notary Public

My commission expires: _____

(Stamp here)