



LAKELAND AREA MASS TRANSIT DISTRICT

REQUEST FOR QUALIFICATIONS (RFQu)
RFQu #12-006/lch

Miscellaneous Architectural and Engineering (A&E) Services

Important Instructions:

ONE: Did you register with the District as a vendor? If not, then go to www.ridecitrus.com, under “Business Opportunities”. You will need to prepare a copy of your IRS Form W-9 and upload it as a .pdf.

TWO: Did you provide an expression of interest to the contracting officer below via email regarding this solicitation? All communications with vendors are handled via e-mail. **If you neglect to do so, you automatically waive your firm’s rights to information, addenda, and other updates pertaining to this solicitation. The District cannot be held responsible if you do not comply with this requirement.**

THREE: Have you filled out and notarized the appropriate appendix forms, and attached those to your proposal?

FOUR: Your proposal must be submitted in a three-ring binder. The spine of that binder must state your firm’s name and the number of this RFQu. **The face of the binder must say “ORIGINAL” if it contains the originally signed appendix forms in blue ink.** If you are dropping your proposals off directly, please proceed to the reception lobby at the administrative office building at 1212 George Jenkins Blvd. You may park in any visitor’s parking spot.

For Information Contact ONLY:

Lisa Harris, Contracts Specialist
Lakeland Area Mass Transit District
1212 George Jenkins Blvd, Lakeland, FL 33815
Phone: (863) 327-1314
Fax: (863) 688-4132
E-mail: lharris@ridecitrus.com

**LEGAL NOTICE
LAKELAND AREA MASS TRANSIT DISTRICT**

Miscellaneous Architectural and Engineering (A&E) Services

Request for Qualifications #12-006/lch

LAKELAND AREA MASS TRANSIT DISTRICT requests interested parties to submit formal sealed proposals for the above referenced Request for Qualifications.

Scope of Work: The District is seeking proposals from qualified firms interested participating in a pool to provide Miscellaneous Architectural and Engineering Services for Design, Planning and Construction Projects which will enhance the District's mission of providing a comprehensive transportation system at various locations within the District's service area of Polk County, Florida. This is an indefinite quantity, indefinite delivery, task order based contract with a 1 year base term with 4 additional 1 year option terms as described in the District's RFQu #12-006.

The District will receive proposals at 1212 George Jenkins Blvd., Lakeland FL 33815 until 2:00 P.M., prevailing local time on June 7, 2012. Proposals received after such time will remain unopened and available for pickup by the offeror.

Ordering Instructions: A copy of the subject RFQu may be obtained free of charge from the District's website at www.ridecitrus.com under the "Business Opportunities" menu, "current bid postings" or through www.demandstar.com.

Pre-Proposal conference: A pre-proposal conference will be held at 2:00 p.m. on May 17, 2012. Proposers are strongly urged to attend. To insure adequate space, preregistration is requested, as detailed with Section 3 of the solicitation. This informational session presents an opportunity to discuss the work to be performed with the prospective offerors and allow them to ask questions concerning the RFQu. Proposer is cautioned that, although the pre-proposal conference is optional, no modification or any changes will be allowed in the pricing because of the failure of the proposer(s) to have visited the site or to have attended the conference.

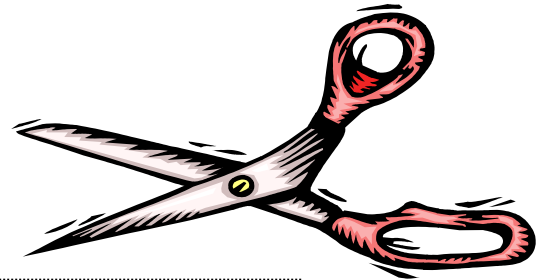
The District supports and encourages DBE certified firms to participate in the proposal process; the District DBE Program goal is 2% of total contract expenditures. The District only recognizes DBE status based on whether the firm has attained certification from the Florida Department of Transportation Unified Certification Program (UCP).

BY ORDER OF THE LAKELAND AREA MASS TRANSIT DISTRICT.

PROCUREMENT & CONTRACTS DEPARTMENT

SEALED PROPOSAL LABEL

Cut along the outer border and affix this label, or similar, to your sealed bid envelope to identify it as a "Sealed Proposal". Be sure to include the name of the company submitting the proposal where requested.



SEALED PROPOSAL

● **DO NOT OPEN**

RFQu NO.: 12-006/lch

RFQu TITLE: **Misc. A&E Services**

DELIVER TO: Attn: Lisa Harris
Contract Specialist
LAMTD
1212 George Jenkins Blvd
Lakeland, FL 33815



LAKELAND AREA MASS TRANSIT DISTRICT

**REQUEST FOR QUALIFICATIONS (RFQu)
RFQu #12-006/lch**

**Miscellaneous Architectural and Engineering (A&E) Services
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SECTION 1.0 – INTRODUCTION

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1.1 GENERAL

The District is seeking proposals from qualified firms interested in participating in a pool to provide Miscellaneous Architectural and Engineering Services for Design, Planning and Construction Projects which will enhance the District’s mission of providing a comprehensive transportation system at various locations within the District’s service area of Polk County, Florida.

Proposals must be complete, carefully worded, and must convey all of the information requested in order to be considered responsive. Should the proposal fail to conform to the essential requirements of the RFQu, the District shall determine whether the variance is significant enough to cause the RFQu to be considered non-responsive and therefore not considered for award. The District shall not accept nor request additional information of a proposer in order to determine responsiveness. This RFQu, including supporting documents, provides proposers with all information necessary to prepare and submit a written proposal.

1.2 BACK GROUND

The “Lakeland Area Mass Transit District” (LAMTD), has provided public transportation to the Polk County area since 1982. LAMTD operations include: 51 fixed route buses, 16 paratransit demand response service vehicles, and ten support vehicles. Polk County is larger than the state of Rhode Island and equal in size to Delaware, and is situated along Interstate 4 between Orlando and Tampa. The total area of the county is approximately 2,010 square miles which makes it the fourth largest county in Florida, exceeded only by Dade, Palm Beach, and Collier counties. Polk County’s total population estimate for 2005 was 541,840 (an increase of 12 percent from the 2000 U.S. Census count of 483,924). This represents an average annual growth rate of 2.4 percent or an average annual increase of 11,583 persons. Polk ranks as the eighth most populous of Florida’s of 67 counties. Polk’s total population is expected to grow to an estimated 587,600 by 2010 and 675,000 by 2020. The agency’s Board of Directors is composed of five members, who are sitting Polk County, Florida and City of Lakeland Commissioners.

For more information about Polk County, please visit: <http://www.polk-county.net>.
 A system map can be accessed at: <http://ridecitrus.com/content/routes/LakelandMap.pdf>.

1.3 RFQU TIMELINE

ISSUANCE OF RFQu	DATE: 05/07/12
PRE-PROPOSAL CONFERENCE	DATE: 05/17/12
WRITTEN QUESTIONS DUE	DATE: 05/25/12
DUE DATE FOR PROPOSALS	DATE: 06/07/12

SOURCE EVALUATION COMMITTEE MEETING (Tier I, Proposal Review)	DATE: 06/15/12
SOURCE EVALUATION COMMITTEE MEETING (Tier II, Oral Presentations)	DATE: TBD
BOARD APPROVAL	DATE: TBD
CONTRACT AWARD	DATE: TBD
NOTICE TO PROCEED	DATE: TBD

NOTE: DATES REFERENCED ABOVE ARE TENTATIVE AND FOR PLANNING PURPOSES ONLY. THEY ARE SUBJECT TO CHANGE.

1.4 COMMUNICATIONS WITH THE DISTRICT

After advertisement of any solicitation, communication with the District is limited to the methods prescribed below:

Questions: Technical or scope of service related questions concerning this RFQu, and contract award, shall be submitted, in writing. Written communication may be submitted in the form of e-mail, to: **Lisa Harris** at lharris@ridecitrus.com.

Proposers are cautioned that until this solicitation is either recommended for award or cancelled, they may have contact only with the contact person identified above. Discussions or communications regarding this solicitation with any other personnel associated in any capacity with the District, its consultants, contractors or members of its Board of Directors, are strictly prohibited, unless otherwise approved in writing by the Contracts Specialist.

Any violation of this restriction may result in the disqualification of the Offeror from further participation in this procurement, and from award of any contract or subcontract under this solicitation.

Statements made or information given during the procurement consideration and award process binds the District ONLY when such statements or information are written and executed by the District's Purchasing and Contracts Manager or his/her designee.

No proposer or other third party shall gain rights by virtue of these policies and procedures or the application thereof, nor shall any Proposer or third party have standing to sue or any cause of action arising wherefrom.

All Proposers will be notified in writing when the District makes an award recommendation.
The Contracting Officer for this RFQu is:

Lisa Harris, Contract Specialist
Lakeland Area Mass Transit District
1212 George Jenkins Blvd, Lakeland, FL 33815
(863) 327-1314 phone (863) 327-1345 fax
lharris@ridecitrus.com

1.5 CONFLICT OF INTEREST

The Proposer shall state if it represents clients that may present conflicts or potential conflicts with representation of the District. Proposers shall provide a list of any potential conflicts by description. Proposers need not identify a particular client. If conflicts are listed, the Proposer shall address how these conflicts will be resolved. (See required Form D)

1.6 MINIMUM QUALIFICATIONS

The selection of the firm(s) will be based upon criteria outlined herein under Evaluation of Proposals (see Section 5). Firms submitting proposals of qualification should have experience in architectural design, mechanical engineering,

electrical engineering, geotechnical engineering and structural engineering for various types and sizes of projects. The firm must maintain industry standard licenses, certifications and conform to the Americans with Disabilities Act (ADA) requirements in the state of Florida.

1.7 PRE-PROPOSAL CONFERENCE

A pre-proposal conference will be held at 2:00 p.m. on May 17, 2012 at 1248 George Jenkins Blvd, Building B, Lakeland, FL 33815. Attendees are required to sign in at the Administration Bldg located two buildings east, at 1212 George Jenkins Blvd. Proposers are strongly urged to attend. Preregistration is suggested to insure adequate seating is available. When registering please indicate the number of attendees, provide their names and position held; should a teleconference be specified, please indicate if a single line can be used or if attending as a listening session only as lines are designated as two way communication or non speaking

This informational session presents an opportunity to discuss the work to be performed with the prospective offerors and allow them to ask questions concerning the RFQu. Proposer is cautioned that, although the pre-proposal conference is optional, no modification or any changes will be allowed in the pricing because of the failure of the proposer(s) to have visited the site or to have attended the conference.

If you are planning to attend this conference telephonically, please inform the Contract Administrator, noted in Section 1, no later than 3 days prior to the teleconference and note the information below:

1.8 STRUCTURE AND TERM OF AGREEMENT

- A. The initial term of this Contract for the pool shall be for a two (2) year period, with three (3) one-year options to renew, at the District's sole discretion. The District reserves the right to exercise its option to extend this Contract for up to one hundred-eighty (180) calendar days beyond the current Contract period and will notify the Contractor in writing of the extension.
- B. The Type of Contract will be defined as an Indefinite Delivery/Indefinite Quantity (ID/IQ) contract. Performance under the contract will be delivered on a task order basis with a total Not to Exceed Amount to be defined.
- C. Individual projects will be authorized by the issuance of a written Work/Task Order(s), as outlined in Section 2.7, followed by a purchase order to serve as notice to proceed. The successful firm shall develop written estimates of man-hours required and an outline of corresponding cost for each task order necessary to provide the District an estimated maximum cost. If the maximum cost is agreed to by the District, a task order will be submitted to the Florida Department of Transportation (FDOT) and/or the District's Board of Directors (BOD) for approval (if applicable) based on the project phase and/or negotiated fee schedule.

1.9 DEFINITIONS

Authorized Signee: An individual who is authorized to execute a binding document on behalf Proposer/Contractor.

Contract: Contract to be executed by the District and the Proposer selected by the District for the services defined in this RFQu, in the form substantially similar to that herein.

Contractor: The successful Proposer who is awarded a contract for providing all services described in the RFQu.

Contracts Administrator: The District's contracting officer, as designated in the District's Policy Manual, who is responsible for the administration of the Contract and any changes that subsequently occur.

D.B.E.: Disadvantaged Business Enterprise, a business owned wholly or in majority by a person or persons considered to be minorities.

Project Manager: The person responsible for administering the Project / Technical advisor and responsible to the Contracting Officer of the Procuring Agency.

District or LAMTD: The Lakeland Area Mass Transit District, a body politic and corporate, created by Polk County, Florida ordinance.

Request for Qualification(s) or RFQu: This Request for Qualifications.

Proposer and/or Offeror: "Submitter" or "Respondent" to mean the person, firm, entity or organization submitting a response to this Solicitation.

Proposal and /or Offer: Statement of qualifications, submission or proposal submitted by a Offeror in accordance with this solicitation

Solicitation: An Invitation to Bid (IFB), Request for Proposal (RFP), Request for Qualification (RFQu), Request for Quote (RFQ) or Request for Information (RFI) document, and all associated addenda and attachments.

Subcontractor or Subconsultant: Any person, entity, firm or corporation, other than the employees of the Contractor, who furnishes labor and/or materials, in connection with the Work, whether directly or indirectly, on behalf and/or under the direction of the Contractor and whether or not in privities of Contract with the Contractor.

Scope of Services/Work: Section 2.0 of this solicitation, which details the work to be performed by the contractor.

Subcontractor: A business independent of the Proposer that may agree with the Proposer to perform a portion of the contract.

Subcontract: An agreement between the Proposer and the subcontractor to perform a portion of the contract between the Proposer and the District.

NEPA: National Environmental Policy Act

ADA: American's with Disabilities Act

[END OF SECTION 1.0]

SECTION 2.0 – SCOPE OF WORK

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2.1 SCOPE OF WORK

The District is seeking to establish a Pool of pre-qualified firms with applicable qualified architectural and engineering consultant teams to provide professional architectural and engineering services and assistance for various types and sizes of projects ranging from improvements, modifications and/or improvements to existing facilities to the design build plans for new transit facilities. Type of work required to undertake an as-yet unspecified list of projects includes, but is not limited to environmental investigations, studies or reports; design of various transit infrastructure improvements to include access that conforms to the Americans with Disabilities Act (ADA) requirements; field review and analysis; cost estimating; construction oversight and management; site selection of bus operating facilities and related real estate activities to be provided on an as-needed basis.

The work described within this section is a general guide and is not intended to be a complete list of all work and materials necessary to complete the project or supply goods or services. The Scope of Work contains tasks believed necessary for firms interested and capable of providing of general Architectural and Engineering Services.

Membership in the Pool is a pre-requisite for obtaining work on potential projects issued through this solicitation. However, there is no guarantee that any or all Pool members will obtain work orders through this process. When projects arise, the District will prepare a scope of work and provide Pool members with information regarding the selection process and response requirements. Work order awards will be made competitively, generally based on price and other factors. Additionally, the District reserves the right to develop an alternate, streamlined process for awarding smaller work orders.

2.2 SERVICE REQUESTED

Services requested are under budgetary constraints and should reflect innovative, cost effect design options.

Approved projects to deploy under the contract:

- 1) New Park and Ride facility and bus shelter structure located at N. US 98 and Pyramid Parkway
 - a) This project to be executed in accordance with Joint Participation Agreement (JPA) AQH55. Additional approval of contract items and task orders required.
 - b) Allocated funds \$750,000 (five hundred thousand dollars), see Exhibit 2, JPA for allowable project costs.
 - c) Plans, specifications, construction, contractual documents, and any or all other similar documents hereinafter shall be collectively referred to as “plans” and developed in accordance with sound engineering principals and applicable design criteria and with generally accepted professional standards.
 - d) Establish cost of project planning, design, site development, construction, promotion and maintenance of the facility; as approved by the Florida Department of Transportation (FDOT).
 - e) The District has entered into a lease with FDOT, for the 1.313 acres parcel on State Road 400 (I-4), Polk County FL as shown in Exhibit 2.

Potential projects over the term of the contract may be inclusive of, but not limited to:

- 2) Concrete pavement repair of bus yard
- 3) Asphalt paving of various areas
- 4) Design and construction of a pull through bus maintenance and other bus maintenance bays
- 5) Remodel of the downtown bus terminal
- 6) Ventilation and environmental work

And other projects of small to moderate size as may be required by the District.

2.3 REQUIREMENTS

The Consultant teams will assign key personnel to service the Contract from Prime Consultant staff and Subcontractors as required to meet the capabilities and qualifications defined below. The Prime Consultant is committed to maintaining availability of team members throughout the term of the Contract. Should key personnel become unavailable, qualified replacements will be submitted to the District in writing and may be substituted upon approval.

2.4 CAPABILITIES

The District desires the Consultant teams to have the capability of providing the full spectrum of architectural and engineering services associated with the design, engineering, environmental, construction, construction oversight and rehabilitation of the transit system. Examples of capabilities required include, but are not limited to:

- | | |
|--|---|
| 1) Agency design coordination | 14) Value engineering |
| 2) Site selection and NEPA documentation for small-scale discrete projects | 15) Preliminary design and review |
| 3) Geotechnical engineering | 16) Final design and shop drawing reviews |
| 4) Structural engineering | 17) Engineering support for permitting/approvals |
| 5) Environmental site assessment, NEPA assessment and documentation, feasibility studies, design and reporting | 18) Design criteria analysis |
| 6) Field review and analysis of potential transit infrastructure improvements | 19) ADA compliance review |
| 7) Site and space planning | 20) Cost estimating / Take-off of prices by qualified estimators |
| 8) Site Survey and/or layout | 21) Evaluation of biddable plans and specifications |
| 9) Architectural and engineering services by licensed and supervised personnel | 22) Construction management |
| 10) Roadway design and review | 23) Systems design coordination |
| 11) Utility engineering | 24) Systems engineering for intelligent transportation systems |
| 12) Quality assurance support | 25) Facilities analysis and programming |
| 13) Life cycle cost analysis | 26) Other types of professional services of a nature consistent with LAMTD project needs. |

2.5 Qualifications

The District desires that Proposers have personnel with the following experience and qualifications:

- | | |
|---|---|
| 1) Transit infrastructure design and construction expertise | 3) Building design and construction expertise |
| 2) Registered land surveyor | 4) Maintenance facility design and construction expertise |

- | | |
|---|---|
| <ul style="list-style-type: none"> 5) Parking lot evaluation, design and construction expertise 6) Transfer center site evaluation, design and construction expertise 7) Roadway and fixed guideway design and construction expertise 8) Intelligent transportation systems architecture and management
Traffic analysis and study, including signal warrants 9) Real property analysis expertise 10) Knowledge of local, state (Florida Department of Transportation) and federal (Federal Transit | <ul style="list-style-type: none"> Administration and Federal Highway Administration) design, permitting and construction regulatory requirements 11) Knowledge of jurisdictional land use and zoning requirements 12) Knowledge of ADA requirements 13) Knowledge of NEPA and New Starts regulatory requirements for reporting and submittals 14) Cost estimating expertise 15) Environmental impact analysis 16) Construction management expertise |
|---|---|

2.6 STRUCTURE AND TERM OF POOL

The District may periodically “refresh”, or add members to the pool, through a competitive RFQu process, at its discretion. Any “refresher” process will be solely for additive reasons. The District will notify its Board of any additional Pool membership agreements arising out of a “refresher” process.

A maximum of five Proposers may be selected to participate in the Pool, contingent on the Proposers being considered responsive and responsible and meeting the requirements of the RFQu, including any minimum score requirements. Selected Pool members must remain registered vendors with the District throughout the term of the Pool. At the District's discretion, members may be dropped from the Pool for lack of participation, which shall include failure over a reasonable time to propose on Work Orders offered through the Pool, poor performance on a Work Orders, being in arrears in obligations to the District, and any other reason specified by District policies and procedures.

Selected Proposers will be required to sign an agreement with the District in order to be accepted into the Pool. The agreement will include general legal and administrative provisions, not-to-exceed hourly rates for various staff levels and all required District affidavits, and may be updated periodically to reflect new District requirements. These agreements will be supplemented, upon project award, by individual Task/Work Orders specifying project scopes and payment and price information.

It is the District's intention to limit the total dollars any one member will be issued through Task Orders hereunder to \$1,000,000 inclusive of all service categories during the initial term of the Pool, and subsequent options to renew; therefore, if a member has reached the limit amount, the District may choose to award a Work Order to another member in the Pool in accordance with the procedures outlined in Section 2.1

2.7 TASK ORDER/WORK ORDER PROCESS

Membership in the Pool is a prerequisite for having an opportunity to submit proposals and obtain work through this Pool. However, there is no guarantee that any or all Pool members will obtain work orders through this Pool. After selection into the Pool, members will participate in a task order process. When projects arise, the District will prepare a scope of work and provide Pool members with information regarding the selection process and response requirements, potentially to include written proposals and/or oral presentations. Recommendations for task order awards will be made competitively, generally based on the process outlined in Florida Statue 287.055. Additionally, the District reserves the right to develop an alternate, streamlined process for awarding smaller work orders.

2.8 DELIVERABLES

As outlined in Section 1.8, project(s) will be authorized by the issuance of written task orders. Task order(s) will contain a completion date and define the deliverables for the work effort. Additional Task orders may be issued by project phase and/or services needed. All drawings must be signed and sealed drawings and provided to the District in both *.pdf and AutoCAD formats. Deliverables shall be accepted by the District Project Manager, in writing, before payment for such

work. Completed work on a task will be billed at negotiated hourly rates governed by the contract. Notice to Proceed (NTP) in the form of a purchase order must be issued before work is initiated.

2.9 NEGOTIATIONS

The District may award a Work Order on the basis of initial offers received, without discussions. However, the District reserves the right to enter into negotiations with the selected Proposer. If the District and the selected Proposer cannot negotiate a successful agreement, the District may terminate said negotiations and begin negotiations with subsequently ranked selected Proposers. This process will continue until a contract has been executed or all Proposals have been rejected. No Proposer shall have any rights against the District arising from such negotiations.

2.10 PRICE SCHEDULE

A sealed Price/Fee Schedules shall be based on Key Personnel and Roles outlined in Exhibit 1 - SF 330 and submitted as part of, but separate from, the offer.

[END OF SECTION 2.0]

SECTION 3.0 – PROPOSAL SUBMITTAL REQUIREMENTS

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3.1 PROPOSAL FORMAT

The following paragraphs detail the instructions and order to be followed in preparing a response to this RFQu. The District reserves the right to reject any Proposal as non-responsive if the Proposal fails to include any of the required information in the specified order. Each part of the Proposal should be clearly labeled and tabbed for easy reference. The Proposal shall be submitted in 8 ½” by 11” format with foldouts utilized as necessary.

To aid in timely, effective review of all Proposals, it is required that each respondent closely follow the content requirements provided below. Additional information, such as company brochures and literature, may be included in the submittal but should be provided as attachments to the Proposal, not part of the Proposal text.

The Proposal must address the items listed herein. Failure by a Proposer to respond to a specific requirement may be a basis for elimination from consideration during the comparative evaluation. The District reserves the right to accept or reject any or all Proposals.

Proposals shall be typed. Proposals should be prepared as simply and economically as possible while providing straightforward, concise information of the Proposer’s capabilities to satisfy the requirements of this Request for Qualifications. Fancy binding, colored displays, and promotional material, etc. are neither necessary nor desired. Technical literature about the Proposer’s experience and qualifications may be included. The emphasis should be on completeness and clarity of content. In order to expedite the evaluations, it is essential that specifications and instructions contained in this RFQu be followed as closely as possible.

3.2 AMENDMENTS TO THE SOLICITATION

The District may revise this RFQu at any time, when the District deems it to be in the best interest of the District. If it was necessary to revise any part of this RFQu, an addendum to the solicitation would have be provided to all parties who have notified the contracting officer with an expression of interest via e-mail, posted on the District web-site and Onvia DemandStar. Such amendments/clarifications or addenda must be acknowledged, as outline in Section4.

3.3 CONTENT REQUIREMENTS

The Proposal must include the following information:

- A. A cover letter on company letterhead transmitting the Proposal must be submitted and dated and limited to one (1) page. The letter must indicate that the Proposer agrees to be bound by the Proposal without modifications, unless mutually agreed to upon further negotiations between the District and the Proposer. The cover letter shall contain a statement that the Proposal is valid for one hundred twenty (120) calendar days.

The cover letter shall also contain the company name, address, and telephone number(s) of an individual(s) with authority to bind the Proposer during the period in which the District is evaluating the Proposals. The cover letter shall also identify the legal status of the Proposer. If the Proposer is a corporation, the cover letter shall identify the state of incorporation. If a consortium, joint venture or team approach is being proposed, provide the above information for all participating entities. A principal of the Proposer shall sign the cover letter or other person fully authorized to act on behalf of the Proposer. (See required Form A-1)

B. Proposals shall include a "Table of Contents" identifying the page numbers of where to find the various sections included in the Proposal. The table of contents should outline in sequential order the major areas of the proposal. All pages of the proposal, including the enclosures, must be clearly and consecutively numbered and correspond to the table of contents.

1) Experience

This portion of the proposal should demonstrate the extent to which the offeror is qualified to perform the scope of work outlined in this RFQu.

Identify the projects which are similar in nature and best illustrate the experience of the firm and current staff and/or subcontractor's current staff. Note that government experience is of importance. (List no more than five (5) projects completed with the last ten (10) years)

Demonstrate the firm's experience on Form M: Proposer Qualification Questionnaire. Submit up to five (5) copies (one per project) of Form M. PART A: to illustrate the experience of your firm.

2) Staff

Identify project related capability of in-house staff and subcontractors proposed to provide design services on this project. Indicate the adequate depth and abilities of the organization that the District can draw upon as needed.

Give a brief resume of key persons to be assigned to the project including, but not limited to:

- a) Name and title
- b) How many years with this firm
- c) How many years with other firms
- d) Experience:
 - 1) Types of projects
 - 2) Size of projects
 - 3) Specify project involvement

C. Proposer's Project Management Structures and Methodology

Describe the structures and methodologies used by the Proposer(s) to produce project deliverables. The Proposer may provide narrative and/or graphic descriptions.

1) Project Approach

Proposers shall outline in detail their project approach or plan for responding to a range of requests for services and ability to complete work in a timely manner throughout the contract term.

2) Proposer's Adherence to Time and Budgetary Schedules

(a) For each of the comparable projects identified in Section 3.4(B)(2) above, provide the scheduled completion time and budgetary information. Specify if the scheduled completion time and budgets approved by the client were met for each of the projects. If the scheduled time and budgets were not met, please provide an explanation.

(b) Describe how the Proposer will meet time schedules and budgets for subsequent projects considering that projects will be assigned on an as needed basis by the District.

3.4 INSTRUCTIONS FOR SUBMITTING PROPOSALS

A. Submittal address - Mail or deliver proposals to:

1) Submittal address - Mail or deliver proposals to:

Lisa Harris, Contracts Specialist
Lakeland Area Mass Transit District
1212 George Jenkins Blvd.
Lakeland, FL 33815

Proposals shall be enclosed in sealed envelopes or sealed cartons that should include the following on the address label (use address label on page four (4) of this solicitation):

1. RFQu #
2. RFQu Title
3. Proposal due date/time
4. Offeror(s) name, address

B. Final Submission: Due Date and Required Copies

Proposals must be submitted with one (1) original and six (6) copies to be received by the District as listed above not later than **2:00 PM local time on June 7, 2012**. Proposals received after this deadline will be deemed as non-responsive and will receive no further consideration.

3.5 LATE PROPOSAL SUBMISSIONS, MODIFICATIONS AND/OR WITHDRAWALS

Proposals received after the RFQu Submission Due Date are late and will not be considered. Modifications received after the RFQu Submission Due Date are also late and will not be considered. Letters of withdrawal received either after the Proposal submission Due Date or after contract award, whichever is applicable, are late and will not be considered.

The responsibility for submitting the proposal submissions to the District on or before the stated time and date is solely and strictly the responsibility of the Proposer. The District is not responsible for delays caused by any mail, package or couriers service, including the U.S. mail, or caused by any other occurrence.

3.6 MODIFIED PROPOSALS

A Proposer may submit a modified proposal submission to replace all or any portion of a previously submitted qualification submission up until the RFQu Submission Due Date. The Selection Evaluation Committee will only consider the latest version of the proposal/qualifications submission.

3.7 WITHDRAWAL OF PROPOSAL SUBMITTALS

Proposals submissions shall be irrevocable until contract award unless the proposal is withdrawn. A proposal may be withdrawn in writing only, addressed to the District contact person for this RFQu (in accordance with **Section 1.3**), prior to the Due Date or upon the expiration of one hundred twenty (120) calendar days after the opening of proposal submissions. Unauthorized conditions, limitations, or provisions attached to a Proposal may cause its rejection. **NO oral, telegraphic, telephonic, or facsimile (FAX) proposals or modifications will be considered.**

3.8 DBE AND SBE PARTICIPATION

A. DBE Participation

The District has established an overall agency goal of 2% participation by certified Disadvantaged Business Enterprises (DBEs) in procurements of all goods and services where federal funds may be utilized. There is a **0%** DBE goal established for the creation of the pool. The District reserves the right to establish a DBE goal for subsequent work or task orders where federal funds may be utilized.

It is the policy of the District and the Department of Transportation that Disadvantaged Business Enterprises (DBEs) as defined in 49 CFR Part 26 shall have a level playing field and an opportunity to participate in the performance of contracts financed in whole or in part with Federal funds. Please use the District's web site for resources concerning

your due-diligence FDOT Unified Certification Program directory search: www.ridecitrus.com, then click on Business Opportunities.

All DBE participation included in this RFQu must be certified by a local municipality, the state or a federal agency as specified in Form J. **Certifications for any DBE's must be included for any DBE being submitted.**

Any DBE subcontractors will be field-monitored for actual performance of any deliverables, and will be questioned as to timely payment by the prime contractor.

B. SBE Participation

The District encourages the use of Small Business Enterprise (SBE) when available. The goal is to provide opportunity for DBEs, SBEs, and community organizations to work in conjunction with, through, or as a prime contractor when Federal funds shall be utilized.

Firms seeking to participate as an SBE are defined in and pursuant to section 3 of the Small Business Act and Small Business Administration regulations implementing it (13 CFR part 121) that also may not exceed the cap on average annual gross receipts specified in §26.65(b).

3.9 INSURANCE REQUIREMENTS

Insurance Certificates: Submit a copy of a certificate, verification of coverage, or similar document as current proof of insurance for the following. For any variances, please attach an explanation.

A. **Workers Compensation** shall be maintained by the selected firm or individual for all employees engaged in the work under the contract in accordance with the laws of the State of Florida. Employers Liability Insurance shall be maintained by the selected firm or individual at limits not less than the following:

\$ 500,000	Each Accident
\$ 500,000	Disease Each Employee
\$1,000,000	Disease Aggregate

B. **Comprehensive General Liability Insurance** shall be maintained by the selected firm or individual with limits not less than the following:

\$1,000,000	Bodily Injury and Property Damage - each occurrence
\$1,000,000	Personal Injury - each occurrence
\$2,000,000	General Aggregate **
\$2,000,000	Products/Completed Operations Aggregates limit

Coverage shall include Contractual Liability and Independent Contractors Liability.

C. **Automobile Liability Insurance shall be maintained by the selected firm or individual** with a combined single limit of not less than \$1,000,000 Bodily Injury and Property Damage in accordance with the laws in the State of Florida, as to the ownership, maintenance, and use of all owned, non-owned, leased or hired vehicles.

D. **Professional Liability Insurance** shall be maintained by the selected firm or individual with a combined single limit of not less than \$1,000,000 protecting the selected firm or individual against claims of LAMTD for negligence, errors, mistakes or omissions in the performance of services to be performed and furnished by the selected firm or individual.

3.10 NO WAIVER OF SOVEREIGN IMMUNITY

The District is an agency and a body politic of the State of Florida and, as such, is entitled to the benefits of sovereign immunity provided in the Florida Constitution and the statutes and laws of the State of Florida.

With this background, nothing contained in this RFQu nor contained in the contract to be entered into herefrom, whether by action or provisions hereof, shall constitute any waiver by the District of the benefits of said sovereign immunity under the laws of the State of Florida.

THE DISTRICT SHALL NOT INDEMNIFY, HOLD HARMLESS OR DEFEND THE CONTRACTOR FOR ANY LOSSES, CLAIMS, DAMAGES, EXPENSES, JUDGMENTS, FINES, SETTLEMENTS OR OTHER AMOUNTS ARISING FROM THIS RFQu OR THE CONTRACT.

THE DISTRICT SHALL NOT PROVIDE INSURANCE FOR THE CONTRACTOR. THE CONTRACTOR MUST INCLUDE THE COST OF ANY INSURANCE IT REQUIRES IN ITS PROPOSAL.

3.11 CONTINGENCY FEES

By submission of this offer, Contractor certifies that no contingency fees (sometimes known as a finder's fee) has been paid to any person or organization other than a bona-fide employee working solely for the Contractor to secure a contract made pursuant to this solicitation. Violation of this policy may result in termination of any resultant contract and/or possible debarment of the contractor.

3.12 AFFIDAVITS/ACKNOWLEDGEMENTS

The forms marked with (X) below must be submitted with your proposal. Failure to include the required forms may cause your proposal to be deemed non-responsive and/or lacking objective criteria by which a responsibility determination can be performed. Please insert into your proposal with a separate tab, as the last section in your binder. USE BLUE INK FOR THE ORIGINAL PROPOSAL.

	Form A- No proposal form (Submit ONLY if NOT submitting a proposal)
X	Form A-1 Cover Page for Proposal
X	Form B- Business Information
X	Form C- Disputes Disclosure
X	Form D- Conflict of Interest
X	Form E- Eligible Contractor Certificate
X	Form F- Affidavit of Non-Collusion
X	Form G- Drug Free Workplace Certificate
X	Form H- Lobbying Activities Certificate
X	Form I- Buy America Act Certification
X	Form J – Disadvantaged Business Enterprise (DBE) Provisions
X	Form K- Statement of Insurance
X	Form L- Equal Employment Opportunity Certification
X	Form M - Proposer's Questionnaire
X	Form N – Proprietary/Trade Secret Confidential Requests
X	Form P- Acknowledgement of Addenda

[END OF SECTION 3.0]

SECTION 4.0 – OVERVIEW AND PROPOSAL PROCEDURES

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4.1 ADDITIONAL INFORMATION/ADDENDA

Requests for additional information or clarifications must be made in writing and received by the District’s Contracting Officer for this RFQu, in accordance with **Section 1.3** above, no later than the deadline for receipt of questions specified in the RFQu Timetable. The request must contain the RFQu number and title, Proposer’s name, name of Proposer’s contact person, address, phone number, and facsimile number.

The District will issue responses to inquiries and any other corrections or amendments it deems necessary in written addenda issued prior to the RFQu Due Date. Proposers should not rely on any representations, statements or explanations other than those made in this RFQu or in any written addendum to this RFQu. Where there appears to be conflict between the RFQu and any addenda issued, the last addendum issued shall prevail.

It is the Proposer’s responsibility to assure receipt of all addenda. The Proposer should verify with the designated Procurement Contracting Officer prior to submitting a qualifications submission that all addenda have been received. Proposers are required to acknowledge the number of addenda received as part of their qualifications submission (**see attached Form P or Addenda signature execution**).

Proposers who obtain copies of this RFQu from sources other than the District’s website or DemandStar risk the potential of not receiving addenda, since their names will not be included on the Vendor List for this particular RFQu. Such Proposers are solely responsible for those risks.

4.2 EXTENSION OF TIME

If a Proposer needs an extension of time to prepare the Proposal, a request should be forwarded in writing not later than five (5) working days prior to the due date for submittal of Proposals.

Granting an extension will be based on the number of such requests and the reason(s) for each request. The decision to grant an extension will be solely at the discretion of the District. In the event of an extension, prospective Proposers will be notified immediately and appropriate addenda will be issued.

4.3 RFQU POSPONEMENT/CANCELLATION

The District may, at its sole and absolute discretion, reject any and all or parts of any or all responses; accept parts of any and all responses; further negotiate project scope and fees; postpone or cancel at any time this Solicitation process; or waive any irregularities in this Solicitation or in the responses received as a result of this process. The District reserves the right to request and evaluate additional information from any respondent after the submission deadline as the District deems necessary.

4.4 COST INCURRED BY PROPOSERS

All expenses involved with the preparation and submission of proposals to the District, 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 Board of the Lakeland Area Mass Transit District.

4.5 BUSINESS ENTITY REGISTRATION

The District requests that business entities to complete a registration application found on the District's website, Proposers need not register with the District to present a proposal; however, the selected Proposer(s) must register prior to award of a contract as failure to register may result in the rejection of the Proposal.

It is the responsibility of the business entity to update and renew its application concerning any changes such as new address, telephone number, commodities, etc. during the performance of any agreement obtained as a result of this RFQu.

Any District employee or any member of the employee's immediate family who has a controlling financial interest, direct or indirect, with the District, or any person or agency acting for the District from competing or applying for any such contract as it pertains to this solicitation, must notify the District's Contracting Officer prior to their or their immediate family member's entering into any contract or transacting any business through a firm, corporation, partnership or business entity in which the employee or any member of the employee's immediate family has a controlling financial interest, direct or indirect, with the District or any person or agency acting for the District and that any such contract, agreement or business engagement entered in violation of this subsection, as amended, shall render this Agreement voidable.

4.6 ORAL PRESENTATIONS

The District may require Proposers to give oral presentations in support of their offer or to exhibit or otherwise demonstrate the information contained therein. If required, the presentations are anticipated to be conducted on the date indicated in this RFQu Timetable or as determined by the District.

4.7 EXCEPTIONS TO THE RFQU

Proposers may take exceptions to any of the terms of this RFQu unless the RFQu specifically states where exceptions may not be taken. All exceptions taken must be specific, and the Proposer must indicate clearly what alternative is being offered to allow the District a meaningful opportunity to evaluate and rank proposals, and the cost implications of the exception (if any).

Where exceptions are taken, the District shall determine the acceptability of the proposed exceptions. The District, after completing evaluations, may accept or reject the exceptions. Where exceptions are rejected, the District may insist that the Proposer furnish the services or goods described herein or negotiate an acceptable alternative.

All exceptions shall be referenced by utilizing the corresponding Section, paragraph and page number in this RFQu. However, the District is under no obligation to accept any exceptions. If no exception is stated, the District will assume that the Proposer will accept all terms and conditions.

4.8 PROPRIETARY/CONFIDENTIAL INFORMATION

Proposers are hereby notified that all information submitted as part of, or in support of, proposals will be available for public inspection, in accordance with Chapter 119, Florida Statutes, popularly known as the "Public Record Law."

Please note that the District is bound by a broad public records disclosure law (Chapter 286 et. seq., Florida Statutes, the "Sunshine Act"). If your firm wishes to deem any trade secret information in its submission as proprietary/confidential, please mark "Proprietary/ Confidential Information" or the substantial equivalent thereof on EACH page you wish redacted (withheld) from public records disclosure (Ch. 812.081; 815.04, et seq., Florida Statutes). You must provide the appropriate Florida Statute citation in order for each section to be deemed by the agency as trade secret/confidential, and a written explanation (Form N). However, doing so does not guarantee that the District will be able to comply with such a request should your firm provide documents which do not meet the statutory definition of a confidential trade-secret, notwithstanding the aforementioned marking, and/or if a public records requestor successfully challenges the redaction in a court of law. Accordingly, by submitting a proposal, your firm acknowledges the foregoing and consents to holding the District and its employees harmless for necessary disclosures of information pursuant to a properly filed public records request. The District is not liable for necessary and proper disclosures of information pursuant to a properly filed public records request, and by submitting a proposal, your firm consents to this waiver. The redaction or return of information pursuant to this paragraph may render a proposal non-responsive.

4.9 NEGOTIATIONS

The District may award a contract on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the Proposer's best terms from a technical standpoint.

The District reserves the right to enter into contract negotiations with the recommended Proposer. If the District and the recommended Proposer cannot negotiate a successful contract, the District may terminate said negotiations and begin negotiations with another recommended Proposer. This process will continue until a contract acceptable to the District has been executed or all proposals are rejected. No Proposer shall have any rights against the District arising from such negotiations or termination thereof.

4.10 RULES, REGULATIONS AND LICENSING REQUIREMENTS

The Proposer shall comply with all laws, ordinances and regulations applicable to the services contemplated herein, especially those applicable to conflict of interest and collusion. Proposers are presumed to be licensed to do business in the state of Florida and be familiar with all Federal, State and local laws, ordinances, codes, rules and regulations that may in any way affect the goods or services offered, especially Executive Order No. 11246 entitled "Equal Employment Opportunity" and as amended by Executive Order No. 11375, as supplemented by the Department of Labor Regulations (41 CFR, Part 60), the Americans with Disabilities Act of 1990 and implementing regulations, the Renovation Act of 1973, as amended, Chapter 553 of Florida Statutes and any and all other local, State and Federal directives, ordinances, rules, orders, and laws relating to people with disabilities.

4.11 REVIEW OF QUALIFICATION SUBMISSIONS FOR RESPONSIVENESS

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in the RFQu. A responsive proposal is one which follows the requirements of the RFQu, includes all documentation, is submitted in the format outlined in the RFQu, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in a proposal being deemed non-responsive.

4.12 CRIMINAL CONVICTION

Any individual who has been convicted of a felony during the past ten years and any corporation, partnership, joint venture or other legal entity having an officer, director, or executive who has been convicted of a felony during the past ten years shall disclose this information prior to entering into a contract with or receiving payment from the District.

4.13 INDEPENDENT PRIVATE SECTOR INSPECTOR GENERAL REVIEW

In connection with any award issued as a result of this RFQu, the District has the right to retain the services of an Independent Private Sector Inspector General ("IPSIG"), whenever the District deems it appropriate to do so. Upon written notice from the District, the selected Proposer shall make available, to the IPSIG retained by the District, all requested records and documentation pertaining to this RFQu or any subsequent award, for inspection and copying. The District will be responsible for the payment of these IPSIG services, and under no circumstance shall the Proposer's cost/price for this RFQu or any subsequent work orders awarded be inclusive of any charges relating to these IPSIG services. The terms of this provision herein, apply to the Proposer, its officers, agents, employees and assignees. Nothing contained in this provision shall impair any independent right of the District to conduct, audit or investigate the operations, activities and performance of the selected Proposer in connection with this RFQu or any contract issued as a result of this RFQu. The terms of this provision are neither intended nor shall they be construed to impose any liability on the District by the selected Proposer or third party.

4.14 PUBLIC ENTITY CRIMES

All Requests for Proposals as defined by Section 287.012(16), Florida Statutes, and any contract document described by Section 287.058, Florida Statutes, shall contain a statement informing persons of the provisions of paragraph (2)(a) of Section 287.133, Florida Statutes, which reads as follows:

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of public building or public work, may not submit proposals 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.

All vendors who submit a Proposal to the District are guaranteeing that they have read the previous statement, and by signing the proposal documents, are qualified to submit a Proposal under Section 287.133, (2)(a) Florida Statutes.

4.15 REQUIRED LISTING OF SUBCONTRACTORS AND SUPPLIERS ON DISTRICT CONTRACTS

Proposals for shall include a listing of subcontractors and suppliers who will be used on the contract. (See Form A)

4.16 FAIR SUBCONTRACTING POLICIES

All selected Proposers on District contracts in which subcontractors may be used shall be subject to and comply with, requiring Proposers to provide a detailed statement of their policies and procedures for awarding subcontracts which:

- a) notifies the broadest number of subcontractors of the opportunity to be awarded a subcontract;
- b) invites subcontractors to submit bids/proposals in a practical, expedient way;
- c) provides subcontractors access to information necessary to prepare and formulate a subcontracting bid/proposal;
- d) allows subcontractors to meet with appropriate personnel of the Proposer to discuss the Proposer's requirements; and
- e) awards subcontracts based on full and complete consideration of all submitted proposals and in accordance with the Proposer's stated objectives.

All Proposers seeking to contract with the District must provide a statement of their subcontracting policies and procedures.

4.17 BANKRUPTCY

Any Proposer who, at the time of proposal submission, is involved in an ongoing bankruptcy as a debtor, or in a reorganization, liquidation, or dissolution proceeding, or if a trustee or receiver has been appointed over all or a substantial portion of the property of the Proposer under federal bankruptcy law or any state insolvency law, may be deemed non-responsive.

4.18 CELLULAR PHONES AND ELECTRONIC DEVICES

The Contractor shall comply with the District's policy regarding the use of Cellular Phones and Electronic Devices. The Contractor and Contractor employees shall not use electronic communication devices and accessories while on duty in safety sensitive areas. Electronic communication devices include cellular phones (including those with hands-free devices), scanner, walkie-talkie, tape recorder, Compact Disc (CD) player or cassette/walkman, radio, MP3 Player, boom-box, game-boy and other electronic device used to transmit, receive or record information. The safety sensitive areas will be identified by the Project Manager at the Kick-off meeting.

[END OF SECTION 4.0]

SECTION 5.0 – SELECTION PROCESS

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5.1 EVALUATION CRITERIA

All requirements in this RFQu must be satisfied in order to ensure that a Proposal will qualify for consideration. The District and the Source Evaluation Committee (SEC) members will follow the District’s Policy and Procedures Manual, as may be amended from time to time. The SEC may be comprised of qualified District staff, District board member(s), and other entities’ personnel as determined by the District. The District shall make public notice of any and all meetings of the SEC. The selection process will utilize the "Evaluation Criteria" set forth below and in accordance with applicable the District policies and procedures.

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in this Solicitation. A responsive proposal is one which follows the requirements of this Solicitation, includes all documentation, is submitted in the format outlined in this Solicitation, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in the proposal being deemed non-responsive.

<u>Criteria</u>	<u>Weight</u>
1. Expertise, experience and qualifications of the assigned team and other key personnel, including experience, education, training and professional credentials	40%
2. Project Management Structure and Methodology; Project Approach, and Adherence to Time and Budgetary Schedules.	35%
3. Experience with Florida Government entities, past performance and other experience	15%
4. References (minimum of three – subject to verification by the District as deemed necessary)	10%

5.2 ADDITIONAL INFORMATION

The District may

- Enter into a second-tier evaluation, allowing the top qualified offerors to submit additional information, and may involve an oral presentation. Oral presentations, when required, shall be scheduled by the Source Evaluation Committee, and open as provided by Florida Statutes.
- Request proposal clarification.
- Process the selection of the successful proposer without further discussion
- Accept or reject qualifications or proposals in part or in whole.

- Waive any irregularity in any proposal, or reject any or all submittals, should it be deemed in the best interest of the District to do so.

The District shall be the sole judge of proposers' qualifications.

5.3 ORAL PRESENTATIONS

Upon completion of the criteria evaluation, rating and ranking (tier I), the SEC may conduct discussions with the most qualified firms regarding their qualifications, approach to the project, and ability to furnish the required services (tier II). To officially announce these Oral Interviews, a Public Notice will be issued by the District specifying the date, time and place of the meeting of the designated SEC to conduct these Oral Interviews with only the proposer's so selected. Additionally, each selected Proposer will be advised, in writing, of any additional documents they might require of the selected firms. To the extent possible, all "Oral Interviews" for this solicitation will be conducted on the same day.

At the conclusion of all "Oral Interviews", the SEC members will discuss the overall merits of each selected proposer. At the conclusion of this discussion, each voting member of the SEC will be required to consider the proposer's original proposal and any additional information obtained during "Oral Interviews". When all Oral Interviews are completed, the voting members of the SEC may have discussion on the merits of each proposer's interview. At the conclusion of this discussion the members shall finalize their choices, the Chairperson shall record the ranking of the firms as presented by the SEC, the proposer ranked number one, shall be designated as the most qualified Proposer for the subject solicitation and the SEC's recommendation for contract award.

5.4 RIGHT OF REJECTION

- A. The District reserves the right to, at any time, and in the District's sole discretion, reject any or all Proposals; waive any informality in such Proposals; to request new Proposals; to revise the RFQu; extend the submission date of Proposals; withdraw the RFQu; reject all Proposals; not award the Contract; reject a member of the Proposer's team; or not award a portion of the Contract. Revisions to this RFQu, if any, shall be made by written addendum.
- B. The receipt of Proposals shall NOT in any way obligate the District to enter into a consultant agreement or contract of any kind with any Proposer.
- C. The notification of intent to award the Contract to a Proposer does not create a relationship of any kind between the District and the Proposer, and Proposer shall not rely on such notification. Unless explicitly written to the contrary, all Contracts to be awarded by the District require the approval of the District's Governing Board and the District's General Counsel, and no instrument or agreement shall be binding on the District unless approved as required herein.
- D. Conditional proposals or those which take exception to the specifications may be considered non-responsive and may be rejected.

5.5 FEE NEGOTIATION

Following evaluation, the District may enter into fee negotiation with the Proposer deemed by the District to be in the best interest of the District.

5.6 CONTRACT AWARD

Any negotiated contract, as a result of the Solicitation, will be submitted to the District's Board or designee for award. All Proposers will be notified in writing when the District makes an award recommendation. The Contract award, if any, shall be made to the Proposer whose proposal shall be deemed by the District to be in the best interests of the District. The District's decision to make the award, which proposal is in the best interests of the District shall be final.

5.7 RIGHT OF PROTEST

A recommendation for contract award of a proposal may be protested by a proposer in accordance with the District's procedures. The District's Policy Manual, found at www.ridecitrus.com defines the procedure that will be followed for resolution of protests arising from the procurement process. The District reserves the right to waive any minor

informalities or irregularities that do not prejudice other Proposers and/or to reject any and all proposals submitted in response to any RFQu. Conditional proposals or those that take exception to the Scope of Services may be considered non-responsible and may be rejected by the District.

5.8 CONTRACTUAL PROVISIONS

THE SUCCESSFUL PROPOSER SHALL COMPLY WITH THE CONTRACT PROVISIONS SET FORTH IN THE MOST RECENT LAKELAND AREA MASS TRANSIT DISTRICT "GENERAL PROVISIONS DOCUMENT", AS MAY BE AMENDED FROM TIME TO TIME. THIS DOCUMENT IS ON THE DISTRICT'S WEBSITE (www.ridecitrus.com) OR IS AVAILABLE FROM THE DISTRICT BY REQUEST.

The form of contract that the District intends to use for award is enclosed for reference. Any exceptions to this standard contract must be clearly indicated by return of the standard contract with the Proposal, with exceptions clearly noted. The District has the right to require the selected respondent to sign the attached contract or to negotiate revisions to the contract language prior to execution of the contract, at its sole discretion. The District may require the successful Proposer to insert certain provisions in all subcontracts issued pursuant to the Contract. The applicable provisions are contained by exhibit attached to this solicitation.

[END OF SECTION 5.0]