

DATE: July 30, 2020

LOI NO. 2020-01

REQUEST FOR LETTERS OF INTEREST/QUALIFICATIONS

ALL INTERESTED PARTIES:

Palm Bay Education Group, Inc., hereinafter referred to as PALM BAY, will receive sealed Letters of Interest (L.O.I.) together with the Qualifications Statements and Proposal Form included herein and any other information relative to the experience, expertise or proficiency of the Proposer, at the offices of the Palm Bay Education Group, Inc., Attn: Carla Lovett, 1104 Balboa Avenue, Panama City, Florida 32401, for furnishing the services described below:

CONSTRUCTION MANAGER AT RISK SERVICES FOR THE CONSTRUCTION OF THE PALM BAY ADMINISTRATION BUILDING AND THE DEMOLITION AND EXPANSION OF THE KITCHEN

L.O.I.'s must be received and time stamped by PALM BAY, either by mail or hand delivery, no later than 2:00 p.m. local time on August 14, 2020. A public opening will take place at or before 2:15 p.m. at the offices of the Palm Bay Education Group, Inc., 1104 Balboa Avenue, Panama City, Florida 32401 on the same date. Facsimile submittals will not be accepted. Any L.O.I.'s received after 2:00 p.m. local time on said date will not be accepted under any circumstances. Any uncertainty regarding the time a L.O.I. is received will be resolved against the Proposer.

Specifications/Instructions for the L.O.I. can be obtained by downloading them from PALM BAY's website at www.palmbayprep.org.

Any questions you may have regarding this L.O.I. can be sent via email to Carla.lovett@palmbayprep.org. The last day to submit questions will be August 7, 2020 by 5:00 p.m. Questions received after the stated date and time will not be addressed.

PALM BAY reserves the right to reject any or all L.O.I.'s, to waive any or all L.O.I.'s received, to re-advertise for L.O.I.'s, to award in whole or in part to one or more Proposer's, or take any other such actions that may be deemed to be in the best interests of PALM BAY.

Carla Lovett
Executive Director

I. REQUEST FOR LETTERS OF INTEREST PROCEDURE

Pursuant to the Request for Letters of Interest (LOI), PALM BAY is soliciting interested firms and entities to submit qualifications statements, performance data and other information relative to the proposed projects in accordance with the Consultant's Competitive Negotiation Act (C.C.N.A. - Florida Statute 287.055). Responses to this LOI will be evaluated by a Selection/Negotiation Committee. Firms and entities which did not provide the information requested or which failed to meet the minimum qualification criteria shall be disqualified from further consideration. This LOI is divided into three (3) sections:

1. Instructions
2. Proposer's Qualifications Form (Standard Form 330)
3. Proposer's Forms, (Non-collusive Affidavit, Qualification Statement)

Completed proposals shall be submitted by enclosing the Qualifications Form and the Proposer Form response in a sealed envelope. The outside of the envelope shall positively identify the Proposer, the form enclosed and the name of the projects.

After review of all submissions, the evaluation committee may short list a minimum of three (3) firms for an interview. In determining whether a firm is qualified, PALM BAY shall consider such factors as the ability of professional willingness to meet time and budget requirements; location; recent, current and projected workloads of the firms; and the volume of work previously awarded to each firm by PALM BAY. After firms are short listed, those firms will be notified by email and advised of date, time, and location of presentation. After presentations, each voting member will indicate their choice of firms in order of preference. PALM BAY shall enter into negotiations with the most qualified firm for professional services at compensation which PALM BAY determines is fair, competitive, and reasonable to establish an agreement to be executed by both parties. When agreement is reached between PALM BAY and the selected firm, PALM BAY shall prepare a final contract. Should PALM BAY and the firm considered to be most qualified not reach agreement, the negotiations shall be formally terminated before negotiation begins with the second most qualified firm. Upon completion of successful negotiations, a recommendation of award of contract will then be presented to PALM BAY's Governing Board. As the best interest of PALM BAY may require, the right is reserved to reject any and all or waive any minor irregularity or technicality in Letters of Interest received.

II. STATEMENT OF THE WORK

A. Provision of Construction Manager at Risk Services for the following projects:

- The construction of a new one-story administration building (approximately 13,000 s.f.) to replace the administration and assembly building that was

destroyed during Hurricane Michael. This building will be the new front door to the campus and will house a main reception area, clinic, administration offices, conference rooms, large meeting rooms and media center.

- The demolition of the existing kitchen (approximately 2,000 s.f.) to accommodate the expansion of the existing cafeteria (approximately 6,000 s.f.), outside dining area (approximately 2,600 s.f.), and the addition of a new food court style serving line, kitchen, custodial receiving, and mechanical/electrical space (approximately 5,800 s.f.).

III. SCOPE OF SERVICES

The Construction Manager at Risk services required include but are not necessarily limited to the following:

- Collaboration with the Architect (DAG Architects) and PALM BAY
- Options analysis, value engineering, cost estimating, and scheduling
- Market analysis, cultivation of bidders, preparation of bid packages and bidding of trade contracts
- Participation in PALM BAY's direct materials purchase program to recover sales tax
- Preparation of a guaranteed maximum price for the entire project
- Providing a performance, labor, and materials bond
- Construction management and site supervision
- Reporting and documentation of subcontractors' licenses and costs with each pay application including an updated progress schedule
- Warranty management

IV. L.O.I. SUBMISSION REQUIREMENTS

1. Firm Qualifications

Attached to this LOI is a Qualifications Statement which all responding firms must complete in full. Failure to complete this form shall constitute grounds for disqualification of the responding firm from further consideration regarding these projects. Responding firms are not required to submit this form together with their qualification statement submittals, however, PALM BAY shall require the successful firm to complete and submit said form prior to award. In the interest of administrative convenience, PALM BAY strongly encourages responsive firms to submit this form prior to the date established for short-listing. Standard Form 330 shall also be submitted.

Proposers shall provide a description of the firm, including the size, range of activities, financial history, strength, stability, experience, honors, awards, recognitions, etc. Particular emphasis should be given as to how the firm-wide experience and expertise in design of similar facilities will be directly beneficial to PALM BAY in the design of the projects.

Proposers shall identify the contact person chief/primary design professional(s) and supervisory personnel who will work on the projects. Resumes of each person shall be provided with emphasis on their experience with similar projects. If resumes are not available at the time the proposal is submitted, Proposer's should provide a listing of the qualifications, including education, experience, honors and awards received, professional associations of which the firm and/or its personnel are members.

2. Copies of Submission

One (1) original, five (5) copies and one (1) electronic copy (either CD or thumb drive) of the entire Letter of Interest should be submitted to the offices of the Palm Bay Education Group, Inc., 1104 Balboa Avenue, Panama City, Florida 32401, to the attention of Carla Lovett, Executive Director.

3. Addenda, Additional Information

Any addenda or answers to written questions supplied by PALM BAY to participating Proposers shall become part of this Request for Letters of Interest and the resulting contract. The Proposer's Certification form shall be signed by an authorized company representative, dated and returned with the Letter of Interest.

No negotiations, decisions or actions shall be initiated by the Proposer as a result of any discussions with any PALM BAY employee. Only those communications which are in writing from the Executive Director may be considered as a duly authorized expression. Also, only communications from Proposers which are signed and in writing will be recognized by PALM BAY as duly authorized expressions on behalf of the Proposer.

V. INSURANCE

1. Prior to Award and in any event prior to commencing work, the Successful Proposer shall provide PALM BAY with certified copies of all insurance policies providing coverage as required.
2. The Successful Proposer shall secure and maintain, at its own expense, and keep in effect during the full period of the contract a policy or policies of insurance, which must include the following coverages and minimum limits of liability:
 - (a) Professional Liability Insurance in an amount not less than \$1,000,000 per occurrence.
 - (b) Worker's Compensation and Employer's Liability Insurance for all employees of the Successful Proposer engaged in work under the Contract in accordance with the laws of the State of Florida. The Successful Proposer shall agree to be responsible for the employment, control and conduct of its employees and for any injury sustained by such employees in the course of their employment.

- (c) Comprehensive General Liability Insurance with the following minimum limits of liability:

\$1,000,000.00 Combined Single Limit, Bodily
Injury and Property Damage
Liability per occurrence

Coverage shall specifically include the following minimum limits not less than those required for Bodily Injury Liability and Property Damage:

\$1,000,000.00 Combined Single Limit, Bodily
Injury and Property Damage
Liability per occurrence

- (1) Premises and Operations;
- (2) Independent Contractors;
- (3) Products and Completed Operations;
- (4) Broad Form Property Damage;
- (5) Broad Form Contractual Coverage applicable to the Contract and specifically confirming the indemnification and hold harmless agreement in the Contract;
- (6) Personal Injury Coverage with employment and contractual exclusions removed and deleted.

- (d) Comprehensive Automobile Liability Insurance for all owned, non-owned and hired automobiles and other vehicles used by Successful Proposer in the performance of the work with the following minimum limits of liability:

\$1,000,000.00 Combined Single Limit, Bodily
Injury and Property Damage
Liability per occurrence

3. ALL LIABILITY INSURANCE POLICIES SHALL SPECIFICALLY PROVIDE THAT THE PALM BAY EDUCATION GROUP, INC. IS AN ADDITIONAL NAMED INSURED OR ADDITIONAL INSURED WITH RESPECT TO THE REQUIRED COVERAGES AND THE OPERATIONS OF THE CONTRACTOR UNDER THE CONTRACT. INSURANCE companies selected must be acceptable to PALM BAY. All of the policies of insurance so required to be purchased and maintained shall contain a provision or endorsement that the coverage afforded shall not be canceled, materially changed or renewal refused until at least thirty (30) calendar days written notice has been given to PALM BAY by certified mail.
4. The required insurance coverage shall be issued by an insurance company duly authorized and licensed to do business in the State of Florida with the following

minimum qualifications in accordance with the latest edition of A.M. Best's Insurance Guide:

Financial Stability B+ to A+

5. Proposers are required to submit a list of claims presently outstanding against their professional liability coverage. This information must be provided by and signed by the agent of the insurance carrier. If no outstanding claims exist, a statement of this fact must be provided by and signed by the agent of the insurance carrier.

VI. INDEMNIFICATION

1. GENERAL INDEMNIFICATION: To the fullest extent permitted by laws and regulations, Successful Proposer shall indemnify and hold harmless PALM BAY and its officers and employees, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorneys' fees, to the extent caused by the negligence, recklessness or intentionally wrongful conduct of the Successful Proposer and other persons employed or utilized by the Successful Proposer in the performance of the contract.

PATENT AND COPYRIGHT INDEMNIFICATION: To the fullest extent permitted by laws and regulations, Successful Proposer agrees to indemnify and hold harmless PALM BAY, its officers and employees, from liabilities, damages, losses and costs, including, but not limited to, reasonable attorneys' fees arising out of the infringement of copyrights, patent rights and/or the unauthorized or unlicensed use of any material, property or other work in connection with the performance of the Contract.

VII. PUBLIC ENTITY CRIMES INFORMATION STATEMENT

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

VIII. SCHEDULE OF EVENTS

The schedule of events, relative to this procurement shall be as follows:

<u>Event</u>	<u>Date (on or by)</u>
1. Issuance of Request for Letters of Interests	07/31/2020
2. Deadline for Questions	08/07/2020

3.	Opening of Letters of Interest	08/14/2020
4.	Submission Evaluations	08/17/20
5.	Presentations	08/20/2020-08/24/2020
6.	Contract Negotiations	08/28/2020-09/03/2020
7.	Award of Contract	09/03/2020

PALM BAY reserves the right to delay scheduled dates and to provide notice to all persons responding to Requests for Letter of Interest.

IX. SUMMARY OF DOCUMENTS TO BE SUBMITTED WITH L.O.I.'s

1. The following documents are to be executed, notarized, (if applicable) and submitted as a condition to this Request for Letters of Interest:
 - a) Proposer's Certification
 - b) Certificate of Insurance
 - c) Standard Form 330
 - d) Non-Collusive Affidavit
 - e) Qualifications Statement

X. AWARD OF CONTRACT

The contract shall be awarded to the most qualified Proposer who agrees to provide the requisite professional services at compensation which PALM BAY determines is fair, reasonable and competitive.

OFFEROR'S CERTIFICATION

WHEN OFFEROR IS AN INDIVIDUAL

IN WITNESS WHEREOF, the Offeror hereto has executed this Proposal Form this _____ day of _____, 202__.

By: _____
Signature of Individual

Witness

Printed Name of Individual

Witness

Business Address

City/State/Zip

Business Phone Number

State of _____
County of _____

On this, the _____ day of _____, 2020, before me by means of _____ physical presence OR _____ online notarization, the foregoing instrument was acknowledged by _____ (name) _____ (title) of _____ (corporation), a _____ (state) corporation, on behalf of the corporation.

WITNESS my hand and official seal.

NOTARY PUBLIC

(Name of Notary Public: Print, Stamp,
or type as Commissioned)

OFFEROR'S CERTIFICATION

WHEN OFFEROR IS A SOLE PROPRIETORSHIP OR OPERATES UNDER A FICTITIOUS OR TRADE NAME

IN WITNESS WHEREOF, the Offeror hereto has executed this Proposal Form this _____ day of _____, 202__.

Printed Name of Firm
By: _____
Signature of Owner

Witness

Printed Name of Individual

Witness

Business Address

City/State/Zip

Business Phone Number

State of _____
County of _____

On this, the _____ day of _____, 2020, before me by means of _____ physical presence OR _____ online notarization, the foregoing instrument was acknowledged by _____ (name) _____ (title) of _____ (corporation), a _____ (state) corporation, on behalf of the corporation.

WITNESS my hand and official seal.

NOTARY PUBLIC

(Name of Notary Public: Print, Stamp,
or type as Commissioned)

OFFEROR'S CERTIFICATION

WHEN OFFEROR IS A PARTNERSHIP

IN WITNESS WHEREOF, the Offeror hereto has executed this Proposal Form this _____ day of _____, 202__.

Printed Name of Partnership

By: _____
Signature of General or Managing Partner

Witness

Printed Name of partner

Witness

Business Address

City/State/Zip

Business Phone Number

State of Registration

State of _____
County of _____

On this, the ____ day of _____, 2020, before me by means of ___ physical presence OR ___ online notarization, the foregoing instrument was acknowledged by _____ (name) _____ (title) of _____ (corporation), a _____ (state) corporation, on behalf of the corporation.

WITNESS my hand and official seal.

NOTARY PUBLIC

(Name of Notary Public: Print, Stamp,
or type as Commissioned)

OFFEROR'S CERTIFICATION

WHEN OFFEROR IS A CORPORATION

IN WITNESS WHEREOF, the Offeror hereto has executed this Proposal Form this _____ day of _____, 202__.

Printed Name of Corporation

Printed State of Incorporation

By: _____
Signature of President or other authorized officer

(CORPORATE SEAL)

Printed Name of President or other authorized officer

ATTEST: _____
Address of Corporation

By _____
Secretary

City/State/Zip

Business Phone Number

State of _____
County of _____

On this, the _____ day of _____, 2020, before me by means of ___ physical presence OR ___ online notarization, the foregoing instrument was acknowledged by _____ (name) _____ (title) of _____ (corporation), a _____ (state) corporation, on behalf of the corporation.

WITNESS my hand and official seal.

NOTARY PUBLIC

(Name of Notary Public: Print, Stamp, or type as Commissioned)

NON-COLLUSIVE AFFIDAVIT

State of _____)

)ss.

County of _____)

_____ being first duly sworn, deposes and says that:

- (1) He/she is the _____, (Owner, Partner, Officer, Representative or Agent) of _____ the Bidder that has submitted the attached Bid;
- (2) He/she is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;
- (3) Such Bid is genuine and is not a collusive or sham Bid;
- (4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Bidder, firm, or person to submit a collusive or sham Bid in connection with the Work for which the attached Bid has been submitted; or to refrain from bidding in connection with such Work; or have in any manner, directly or indirectly, sought by agreement or collusion, or communication, or conference with any Bidder, firm, or person to fix the price or prices in the attached Bid or of any other Bidder, or to fix any overhead, profit, or cost elements of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposed Work;
- (5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Bidder or any other of its agents, representatives, owners, employees or parties in interest, including this affiant.

Signed, sealed and delivered
in the presence of:

By: _____

(Printed Name)

(Title)

ACKNOWLEDGEMENT

State of _____
County of _____

On this, the ____ day of _____, 2020, before me by means of ___ physical
presence OR ___ online notarization, the foregoing instrument was acknowledged by
_____(name) _____ (title) of _____ (corporation), a
_____ (state) corporation, on behalf of the corporation.

WITNESS my hand and official seal

NOTARY PUBLIC

(Name of Notary Public: Print,
Stamp, or Type as Commissioned.)

OFFEROR'S
QUALIFICATION STATEMENT

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter:

SUBMITTED TO: Palm Bay Education Group, Inc.
Attn: Carla Lovett, Executive Director
ADDRESS: 1104 Balboa Avenue
Panama City, Florida 32401

CIRCLE ONE

SUBMITTED BY: _____

Corporation
Partnership
Individual
Other

NAME: _____

ADDRESS: _____

TELEPHONE NO. _____

FAX NO. _____

E-MAIL ADDRESS: _____

1. State the true, exact, correct and complete name of the partnership, corporation, trade or fictitious name under which you do business and the address of the place of business.

The correct name of the Offeror is: _____

The address of the principal place of business is: _____

2. If Offeror is a corporation, answer the following:

a. Date of Incorporation: _____

b. State of Incorporation: _____

c. President's name: _____

d. Vice President's name: _____

e. Secretary's name: _____

f. Treasurer's name: _____

g. Name and address of Resident Agent:

3. If Offeror is an individual or a partnership, answer the following:

a. Date of organization: _____

b. Name, address and ownership units of all partners:

c. State whether general or limited partnership: _____

4. If Offeror is other than an individual, corporation or partnership, describe the organization and give the name and address of principals:

5. If Offeror is operating under a fictitious name, submit evidence of compliance with the Florida Fictitious Name Statute.

6. How many years has your organization been in business under its present business name?

a. Under what other former names has your organization operated?

7. Indicate registration, license numbers or certificate numbers for the businesses or professions which are the subject of this Proposal. Please attach certificate of competency and/or state registration.

8. Have you ever failed to complete any work awarded to you? If so, state when, where and why?

9. State the names, telephone numbers and last known addresses of three (3) owners, individuals or representatives of owners with the most knowledge of work which you have performed or goods you have provided, and to which you refer (government owners are preferred as references).

(name)	(address)	(phone number)
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(name)	(address)	(phone number)
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(name)	(address)	(phone number)
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10. List the pertinent experience of the key individuals of your organization (continue on insert sheet, if necessary).

11. State the name of the individual who will have personal supervision of the work:

THE OFFEROR ACKNOWLEDGES AND UNDERSTANDS THAT THE INFORMATION CONTAINED IN RESPONSE TO THIS QUALIFICATIONS STATEMENT SHALL BE RELIED UPON BY PALM BAY IN AWARDING THE CONTRACT AND SUCH INFORMATION IS WARRANTED BY OFFEROR TO BE TRUE. THE DISCOVERY OF ANY OMISSION OR MISSTATEMENT THAT MATERIALLY AFFECTS THE OFFEROR'S QUALIFICATIONS TO PERFORM UNDER THE CONTRACT SHALL CAUSE THE PALM BAY TO REJECT THE PROPOSAL, AND IF AFTER THE AWARD TO CANCEL AND TERMINATE THE AWARD AND/OR CONTRACT.

Signature

State of _____
County of _____

On this, the ____ day of _____, 2020, before me by means of ___ physical presence OR ___ online notarization, the foregoing instrument was acknowledged by _____(name) _____ (title) of _____ (corporation), a _____ (state) corporation, on behalf of the corporation.

WITNESS my hand and official seal.

NOTARY PUBLIC

(Name of Notary Public: Print, Stamp,
or type as Commissioned)