

CITY OF TAMPA, FLORIDA - RFP

c/o Contract Administration Department
306 East Jackson Street #280A4N
Tampa, Florida 33602

21-C-00005; Mass Transit Facility Public Private Partnership

Public announcement in compliance with requirements of section 255.065, Florida statutes, applicable law, rules, regulations, code chapter 2, article v, division 3, section 2-282, applicable Federal law, and the City's standard procedures. A notice of intent to award may be emailed to submitters or posted, if at all, on the city's website accessible by utilizing this website link:

www.tampagov.net/contract-administration/programs/architectural-engineering-construction-and-related-rfqs .

The City of Tampa ("City"), has received an unsolicited proposal for a qualifying public-private partnership (P3) project to develop a mass transit facility for the City of Tampa connecting Tampa International Airport, Westshore, Downtown, and East Tampa, and points in between through a Public Private Partnership (the Project). Pursuant to this Request for Proposal ("RFP"), and in accordance with **§ 255.065 Florida Statute**, the City requests alternative Proposals from qualified firms to deliver the Project and design, build, finance, operate and maintain the Project in accordance with the specifications set forth in this RFP. The City anticipates executing an Interim Agreement with the responsive and responsible Proposer whose Proposal is determined to be the most advantageous to the City. The successful Proposer will have the opportunity to implement the Project through negotiation of mutually acceptable Interim Agreement and Comprehensive Agreement in accordance with [F.S. 255.065](#).

Additional material may be found at demandstar.com and at: www.tampagov.net/contract-administration/programs/architectural-engineering-construction-and-related-rfqs .

Questions may be directed to Jim Greiner, P.E., Contract Administration, City of Tampa, (813) 274-8598, or E-Mail jim.greiner@tampagov.net.

An individual or entity ("Firm") responding to this RFQ must provide evidence of any required licenses, certificates, or registrations with its submission or within 10 days thereof in order to be considered. The City shall own all ideas, documents, plans, and materials developed as a result of this solicitation and Firm is informed same shall be subject to reuse in accordance with Section 287.055(10), Florida Statutes. Firm (i) confirms it has read and is familiar with Section 119.071(3), Florida Statutes regarding certain building plans, blueprints, schematic drawings, which depict the internal layout and structural elements of a building, facility, or other structure owned or operated by the City or other agency that are per said section exempt from Section 119.07(1), Florida Statutes and Section 24(a), Art. I of the Florida Constitution ("Exempt Plans") and (ii) agrees Firm shall remain in compliance with same, including maintaining the exempt status of such Exempt Plans for so long as they are held by Firm or otherwise in its possession. The City may cancel, withdraw, or modify this RFP at any time and reserves the right to reject any or all responses and to waive irregularities, formalities, and informalities as it determines in the City's best interest.

Per §287.133, Fla. Stat., individuals or entities (including those meeting the §287.133, Fla. Stat. definition of "affiliate") placed on the convicted vendor list ("List") following a conviction for public entity crimes may not submit a bid, proposal, or reply ("Response") on a contract to provide any goods or services to a public entity, may not submit a Response on a contract with a public entity for the repair or construction of a public building or public work, may not submit a Response for leases of real property to a public entity, and 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 §287.017, Fla. Stat. for CATEGORY TWO for a period of 36 months from the date of placement on the List. By its submission of its RFP, the Firm declares that neither Firm nor its affiliates have been placed on the List. For information purposes, Firms are asked to report whether the Firm's own initial application for employment has criminal history screening practices similar to those contained in Chapter 12, Article VI, Tampa Code. Responses will not be used as a basis for award or denial, or for any protest. Firm shall comply with all applicable governmental rules & regulations, including the City's Ethics Code (Sec. 2-522, Tampa Code). The City's Charter & Ethics Code prohibit any City employee from receiving any substantial benefit or profit out of any award or obligation entered into with the City, or from having any direct or indirect financial interest in effecting any such award or obligation. If Firm is successful, it shall ensure no City employee receives any such benefit or interest as a result of such award (See Sec.2-514(d), Tampa Code). Firm must not be in arrears and is not in default upon any obligation to the City of Tampa. If the City of Tampa determines the Firm has participated in any collusive, deceptive, or fraudulent practices with regard to this submittal, in addition to any other remedy it may exercise, the City will have the right to debar Firm and deem invalid any contract let under such circumstances.

Firms desiring to provide these services to the City must submit a single electronic file in searchable PDF format, Smaller than 25MB, that includes the attached RFP Transmittal Memorandum completed as appropriate, a Letter of Interest addressed to Brad L, Baird, P.E., Deputy Administrator of Infrastructure, and referring to this RFP by number, together with a Statement of Qualifications and any supplemental material allowing evaluation for further consideration (short-listing) based upon the following criteria/point system:

Project Understanding (20); Approach, including innovative design ideas and potential financing plans (15); Successful Comparable Project Experience (15); Schedule (10); Standard Form #A305 or similar outline (with financial info. provided in a separate PDF) (10); Planned WMBE Solicitation & Utilization, Form MBD 10 & 20 (20); Workforce Development Programs (10)..

The PDF file must be E-Mailed to ContractAdministration@tampagov.net BEFORE 2 P.M., Monday December 7, 2020. As a courtesy, the City will endeavor provide an email acknowledgement usually sent within a few days after submission receipt (submissions received on the day of the deadline may not be acknowledged before the deadline or at all). It is Firm's responsibility to confirm its submission (PDF file) has been received.



Mobility Department
Request for Proposals (RFP) 21-C-00005 for Development and
Operation of a Mass Transit Facility under a Public Private
Partnership (P3) Agreement

Contents

Request for Proposals 21-C-00005 for Development and Operation of a Mass Transit Facility under a Public Private Partnership (P3) Agreement..... 3

1. Introduction..... 3
 - 1.1 General 3
 - 1.2 Proposed Project Scope..... 3
 - 1.3 Addendum and Amendment to the RFP..... 4
 - 1.4 Registrations and Licensure..... 4
 - 1.4.1 Authorization to Transact Business in the State of Florida..... 4
 - 1.4.2 Licensed to Conduct Services in the State of Florida..... 4
2. Reservations and Responsiveness of Proposals 4
 - 2.1 General 4
 - 2.2 Responsiveness of Proposals 5
 - 2.3 Waiver of Irregularities 5
 - 2.4 City Reserved Rights 5
 - 2.5 Contractual Obligations 6
3. Proposal Submission..... 6
 - 3.1 General 6
 - 3.2 Submittals Due..... 6
 - 3.4 Modification, Resubmittal and Withdrawal 7
4. Proposal Format Instructions 7
 - 4.1 General Information 7
 - 4.2 Proposal 7
5. Proposal Opening and Evaluation..... 8
 - 5.1 Proposal Opening 8
 - 5.1 Responsive/Non-Responsive 8
 - 5.2 Evaluation of Competing Proposals..... 9
 - 5.2.1 Evaluation Process..... 9
 - 5.2.3 Criteria for Evaluation..... 9
 - 5.3 Posting of Intended Decision/Award..... 9
 - 5.3.1 General 9
 - 5.3.2 Procurement Protest Procedure..... 9**
 - 5.3.3 Request to Withdraw Proposal..... 10
6. Reference Documents 10
7. Procurement Schedule 10
8. General Conditions 11
 - 8.1 Proposer’s Responsibility..... 11
 - 8.2 Costs Incurred by Proposers..... 11
 - 8.3 Relationship to the City..... 11
 - 8.4 City of Tampa Ethics Code..... 11
 - 8.5 Public Entity Crimes 11
 - 8.6 Scrutinized Companies 12
 - 8.7 Employee Verification..... 12
 - 8.8 Communication Policy..... 12
 - 8.9 Florida Public Records Law..... 13
 - 8.10 Non-Discrimination..... 13

Request for Proposals 21-C-00005 for Development and Operation of a Mass Transit Facility under a Public Private Partnership (P3) Agreement

1. Introduction

1.1 General

The City of Tampa ("City"), has received an unsolicited proposal for a qualifying public-private partnership (P3) project to develop a mass transit facility for the City of Tampa connecting Tampa International Airport, Westshore, Downtown, and East Tampa, and points in between through a Public Private Partnership (the "Project"). In accordance with **§ 255.065, Florida Statutes**, the City requests alternative Proposals from qualified firms ("Proposers") to deliver the Project and design, build, finance, operate and maintain the Project in accordance with the specifications set forth in this RFP.

1.2 Proposed Project Scope

The Project consists of the development and operation of a mass transit facility within the City of Tampa along a corridor connecting Tampa International Airport, Westshore, Downtown, East Tampa, with stops in between. The Project is a key component in the Mayor's Transforming Tampa's Tomorrow (T3) strategic transit initiatives of connecting Westshore, Downtown, and USF by beginning the planning and project development for major projects along key transit corridors starting with the connection from Downtown to Westshore. There is a public need for timely and cost-effective design, construction, maintenance, operation, implementation, and installation of the Project and as such, a public-private partnership (P3) could meet the needs of the City and its residents by improving the schedule for delivery, lowering the cost, and providing other benefits to the public. The Project will be generally consistent with the Fixed Guideway Transit Project from Westshore to Downtown and Fixed Guideway Transit Project from Tampa International Airport to Westshore as listed in the [Hillsborough MPO 2045 Long Range Transportation Plan \(LRTP\)](#), although a Locally Preferred Alternative for preferred route and transit mode is to be determined.

The scope of the Project contemplates a full "turn-key" delivery approach that includes the design, construction, financing, operation, and maintenance of the Project. The Project includes vehicles and associated power, communications, signalization, and other systems required for the functionality of the Project ("Vehicle/Systems Technology"); operation and maintenance facilities, related civil infrastructure, including "curb-to-curb" road reconstruction, and related services pertaining to the Project. The City anticipates a performance-based availability payment structure over the operating period. The City will consider negotiating with the successful Proposer an option for milestone payments during the construction phase of the Project, if funds are available and appropriated for such purposes. A preliminary estimated start of service is in 2026.

Proposers need to be knowledgeable of state and federal requirements, in addition to City requirements, and have the ability to meet and comply with those requirements. For purposes of the Proposals, Proposers must assume that the Project may be federally and/or state funded and that the Project shall incorporate all applicable federal and state requirements.

The City anticipates executing an Interim Agreement with the responsive and responsible Proposer whose Proposal is determined to be the most advantageous to the City. The successful Proposer will have the opportunity to implement the Project through negotiation of a mutually acceptable Interim Agreement and Comprehensive Agreement in accordance with [F.S. 255.065](#). Any comprehensive agreement entered into with a

successful Proposer shall be subject to, and contingent upon, environmental clearance/approval of Project components by applicable governmental entities.

1.3 Addendum and Amendment to the RFP

No negotiations, decisions or actions in connection with this request for proposals shall be initiated or relied upon by a Proposer as a result of any oral discussions with a City employee, agent, officer, or consultant. Only those communications regarding this request for proposals which are in writing from the City will be considered as a duly authorized expression on behalf of the City. Written responses of the City to a Proposer's questions will be forwarded by the City to all Proposers.

Only written communications from Proposers which are signed by persons who are authorized to contractually bind the Proposers will be recognized by the City as duly authorized expressions on behalf of the Proposers. Any questions arising from this RFP must be submitted via e-mail to the contact e-mail address provided in Section 3.2 of this RFP. In order for technical questions to be answered in a timely manner, they must be received no later than November 30, 2020, at 1:00 P.M., Eastern Time.

The City will post addenda demandstar.com and to the City's website at:

- www.tampagov.net/contract-administration/programs/architectural-engineering-construction-and-related-rfqs

1.4 Registrations and Licensure

1.4.1 Authorization to Transact Business in the State of Florida.

The Proposer must be authorized to transact business in the State of Florida. Such authorization should be obtained by the proposal due date and time, but in any case, must be obtained prior to posting of the intended award. For further information, contact:

Department of State Division of Corporations Corporate Filings
P.O. Box 6327 Tallahassee, FL 32314
Tel: (850) 245-6052
Website: <http://www.sunbiz.org>
Filing forms - <http://www.sunbiz.org/downloads.html>

1.4.2 Licensed to Conduct Services in the State of Florida

If a Proposal includes services being provided that require individuals to be licensed by the Florida Department of Business and Professional Regulation, such licenses should be obtained by the proposal due date and time, but in any case, must be obtained prior to posting of the intended award. For licensing, contact:

Florida Department of Business and Professional Regulation
Customer Contact Center
2601 Blair Stone Road
Tallahassee, Florida 32399
(850) 487-1395

2. Reservations and Responsiveness of Proposals

2.1 General

The City reserve the right to accept or reject any or all proposals received and reserve the right to make an award without further discussion of the proposals submitted; therefore, the proposals should be submitted in the most

favorable manner. It is understood that the proposal will become a part of the City's official file, without obligation of the City.

2.2 Responsiveness of Proposals

The City will not consider Proposals found to be non-responsive. A responsive Proposal is an offer to an agreement in accordance with all requirements of this RFP. Proposals will not be considered if not received by the City on or before the date, time, and place specified in this RFP.

Proposals may be rejected if found to be irregular or not in conformance with the requirements and instructions contained in this RFP. A proposal may be found to be irregular or non-responsive for reasons that include, but are not limited to, failure to utilize or complete prescribed forms, conditional proposals, incomplete proposals, indefinite or ambiguous proposals, and improper, missing and/or undated signatures.

Other conditions which may cause rejection of proposals include, but are not limited to, evidence of collusion among Proposers or submission of more than one Proposal from an individual, firm, or corporation under the same or a different name.

2.3 Waiver of Irregularities

The City may waive minor informalities or irregularities in proposals 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. Minor irregularities are defined as those that will not have an adverse effect on the City's interests and will not give a Proposer an advantage or benefit not enjoyed by other Proposers.

2.4 City Reserved Rights

In connection with this procurement, the City reserves all rights (which rights shall be exercisable by the City at its sole discretion) available to it under applicable law, including without limitation, with or without cause and with or without notice, the right to:

- a) Proceed with the project in any manner that the City, at its sole discretion, deems necessary. If the City is unable to agree with the highest rated Proposer or does not negotiate and execute satisfactory Interim Agreement with the highest rated Proposer, the City may negotiate with the next highest rated Proposer, terminate this procurement and pursue other development or solicitations relating to the project, or exercise such other rights under the provisions of State law as it deems appropriate;
- b) Cancel this RFP in whole or in part at any time prior to the execution of an Interim Agreement, without incurring any cost obligations or liabilities;
- c) Reject at any time any and all submittals, responses, and Proposals;
- d) Modify all dates set or projected in this RFP;
- e) Terminate at any time evaluations of Proposals;
- f) Suspend and terminate Agreement discussions and clarifications at any time, and elect not to commence Agreement discussions and clarifications with any responding Proposer and engage in discussions and clarifications with a Proposer that is not the highest ranked Proposer;
- g) Issue addenda, supplements and modifications to this RFP or a subsequent RFP;
- h) Appoint evaluation committee to review Proposals, make recommendations to the Project Selection Committee and seek the assistance of outside technical experts and consultants in Proposal evaluation;
- i) Require confirmation of information furnished by a Proposer, require additional information from a Proposer concerning its Proposal and require additional evidence of qualifications to achieve the purpose of the Agreement described in this RFP or a subsequent RFP;

- j) Seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to this RFP;
- k) Add or delete Proposer responsibilities from the information contained in this RFP or any subsequent RFP;
- l) Waive administrative and otherwise immaterial deficiencies in a Proposal or permit clarifications or supplements to a Proposal;
- m) Disqualify any Proposer who changes its Proposal without City approval;
- n) Make any adjustments it deems necessary to the technical evaluation criteria and weightings for purposes of its evaluation;
- o) Exercise any other right reserved or afforded to the City under this RFP or a subsequent RFP and applicable law; including waiving deficiencies in a Proposal or accept and review a non-conforming Proposal.

This RFP does not commit the City to enter into an Interim Agreement or to proceed with the procurement described herein. The City assumes no obligations, responsibilities, and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred or alleged to have been incurred by parties considering a response to and/or responding to this RFP, or any subsequent RFP. All such costs shall be borne solely by each Proposer.

In no event shall the City be bound by, or liable for, any obligations with respect to the contemplated Agreements until such time (if at all) as the Agreements, in form and substance satisfactory to the City, have been executed by the City and have become effective, and then, only to the extent set forth in the Agreements. Any Agreement between the City and a Proposer for the use of City property or rights-of-way will be subject to the written consent and approval of the City.

2.5 Contractual Obligations

The selected Proposer will be required to ensure that each individual, partnership, firm or corporation that is part of the Proposer's team, by subcontract, will be subject to, and comply with, the contractual requirements contained in the Interim and Comprehensive Agreements.

3. Proposal Submission

3.1 General

By submitting a Proposal, the Proposer represents that it understands and accepts the terms and conditions, and scope of services. All Proposals and associated forms will be signed and dated in ink by a duly authorized representative of the Proposer.

3.2 Submittals Due

Proposals will be accepted until 2 PM, December 7, 2020. Proposals received after that time and date will not be considered and will be returned to the sender after the posting period ends.

The Proposals shall be submitted to:

c/o Contract Administration Department
306 East Jackson Street #280A4N
Tampa, Florida 33602

Attention: Brad Baird, P.E., Deputy Administrator of Infrastructure

And EMAILED to ContractAdministration@tampagov.net

For questions:

Jim Greiner, P.E., Contracts Management Supervisor
Contract Administration
City of Tampa,
Tel: (813) 274-8598),
e-mail: jim.greiner@tampagov.net

3.4 Modification, Resubmittal and Withdrawal

Proposers may modify submitted Proposals at any time prior to the Proposal due date. Requests for modification of a submitted Proposal will be in writing and will be signed by an authorized representative of the Proposer.

4. Proposal Format Instructions

4.1 General Information

All Proposals submitted shall be marked as follows:

Proposal to Develop a Mass Transit Facility for the City of Tampa Connecting Tampa International Airport, Westshore, Downtown, and East Tampa (and Points in Between) through a Public-Private Partnership.

4.2 Proposal

The Proposer must submit a single electronic file in searchable PDF format, Smaller than 25 MB, that includes: the attached RFP Transmittal Memorandum completed as appropriate; a Letter of Interest addressed to Brad L, Baird, P.E., Deputy Administrator of Infrastructure, and referring to this RFP by number; a Statement of Qualifications and any supplemental material.

Proposals shall be formatted as follows:

- General Administrative Information
 - Project Approval Requirements
 - Description of the Proposed Project
 - Method to Secure Necessary Property Interests - description of the method by which the Proposer intends to secure the necessary property interests that are required for the qualifying project
 - Plans for Financing the Qualifying Project - description of the private entity's general plans for financing the project, including the sources of the private entity's funds and the identity of any dedicated revenue source or proposed debt or equity investment on behalf of the private entity
 - Contact for Additional Information Concerning the Proposal
 - Proposed Fees and Payments over the Term of the Comprehensive Agreement
 - References – list of clients available for contact by the City to provide feedback on comparable P3 development projects
 - Insurance
 - Compliance with City Equal Employment Opportunity Provisions
 - Workforce Development Plan
 - Proposal Affirmation and Declaration
- Executive Summary
 - Background and Summary
 - Proposed Project
 - Collaborative Development Process and DBFOM Delivery

- Team
- Conclusion
- Project Need
 - History
 - Benefits of the Project and Challenges to be Addressed
- Conceptual Project Overview
 - Overview - including an operations plan, and the extent to which the planned service will enhance the transportation system.
 - Route – discussion of potential route alternatives to be evaluated
 - Mode – discussion of proposed vehicle types to be evaluated
 - Cost Estimates – discussion of potential capital and O&M costs and key assumptions
 - Schedule – proposed for the initiation and completion of the qualifying project
 - Transit Oriented Development (TOD) – discussion of land use, zoning and TOD within proposed alignment
- Proposer Overview and Qualifications
 - Background and Overview
 - Project Experience (Comparable Project Experience) – Example and relevancy of comparable ongoing or completed P3 projects within past 10 years.
- Project Development and Delivery Process and Approach
 - Phase 1: Collaborative Development Process (CDP) – comprehensive overview of approach during Interim Agreement phase
 - Phase 2: Design-Build, Finance, Operate and Maintain (DBFOM) Concession – Delivery – comprehensive overview of approach under Comprehensive Agreement phase.
 - Organizational Structure
- Commercial Framework
 - Phase 1: CDP – Interim Agreement – overview of deliverables and milestones
 - Phase 2: DBFOM – Comprehensive Agreement – overview of deliverables and milestones
- Appendices
 - Key Personnel Resumes
 - Draft Interim Agreement

5. Proposal Opening and Evaluation

5.1 Proposal Opening

All materials submitted in response to this RFP and accepted will become a public document pursuant to Chapter 119, Florida Statutes.

There will be a two-step evaluation process. The first step will determine if the proposer is either Responsive or Non-Responsive to this RFP as outlined below. Responsive proposals will then be evaluated as outlined below. The City intends to award the contract to the responsive and responsible Proposer with the highest cumulative total points for the evaluation criteria specified in this RFP.

5.1 Responsive/Non-Responsive

Responsive Proposals shall meet all the requirements identified under **Part 1. Introduction** and **Part 2.2. Responsiveness of Proposals**

5.2 Evaluation of Competing Proposals

5.2.1 Evaluation Process

During the process of evaluation, the Evaluation/Selection Committee will review Proposals for responsiveness to requirements of the RFP. The City may reject Proposals determined to be nonresponsive. Subsequent to the responsiveness review, the Technical Review Committee will review and evaluate all Proposals. The Committee members will independently evaluate the Proposals based on the criteria established in **Part 5.2.3 Criteria for Evaluation**, in order to assure that Proposals are uniformly rated. The scores will be evaluated based on the best rated proposal providing the highest quality of service to the City of Tampa.

Upon completion of the initial evaluation of the proposals by the Evaluation/Selection Committee, a short-list will be made. If the Evaluation/Selection Committee chooses to request oral presentations, then the Proposers on the short-list will be contacted and scheduled for oral presentations by the Evaluation/Selection Committee. Upon completion of the oral presentations, the Committee may re-evaluate, re-rate, and re-rank the proposals remaining in consideration based upon the written documents combined with the oral presentation.

5.2.3 Criteria for Evaluation

The City will evaluate Responsive proposals for further consideration based upon the following criteria/point system:

- Project Understanding **(20)**;
- Approach (including innovative design ideas and preliminary finance plan) **(15)**;
- Successful Comparable Project Experience **(15)**;
- Schedule **(10)**;
- Standard Form #A305 or similar outline (with financial information provided in a separate PDF) **(10)**;
- Planned WMBE Solicitation & Utilization, Form MBD 10 & 20 **(20)**;
- Workforce Development Program **(10)**.

5.3 Posting of Intended Decision/Award

5.3.1 General

The City's decision will be posted on the City's Procurement website, at www.tampagov.net/contract-administration/programs/architectural-engineering-construction-and-related-rfqs on the date and time listed below, and it will remain posted for a period of seventy two (72) hours.

5.3.2 Procurement Protest Procedure

A Protest must be filed with the Director of the Contract Administration Department within five (5) business days of posting the City's intent to award and may be filed by an actual Developer or Developer, who is allegedly aggrieved in connection with the issuance of a bid solicitation, proposal solicitation or pending award of any Contract in any competitive process utilized by the City of Tampa for procurements of supplies, materials or services and construction of public improvements and has standing to protest under Florida Law. Any protest must be filed in accordance with the City of Tampa Code, Chapter 2, Article V, Division 3, Purchases and Contracts, Section 2-282, Procurement Protest Procedures. Protests not complying with the provisions of this Section shall not be reviewed.

All dates and times specified in the Protest Procedures in Section 2-282 are calculated as city business days. A City business day shall mean 8:00 am to 5:00 pm Monday through Friday, with the exception of city holidays. In all

instances any document required to be transmitted by a certain date must be received in the required office by 4:30 pm. An envelope which is postmarked by the required date is not sufficient. Transmittal by fax, email or other electronic means may be accepted. However, it shall be the responsibility of the party transmitting the document(s) to ensure that the document(s) were received, and the transmitting party shall bear any risk of interruption or failure in the electronic transmission.

Pursuant to Section 2-282, City of Tampa Code, during the solicitation period, including any protest and/or appeal, NO CONTACT with City officers or employees is permitted from any Proposer, other than as specifically stated in this solicitation and as follows:

Director of the Contract Administration Department (CAD)
 Contracts Management Supervisor, Jim Greiner
 Contract Officer, Jody Gray
 City Legal Department

5.3.3 Request to Withdraw Proposal

Requests for withdrawal of a proposal will be considered if received by the City, in writing, within 24 hours after the proposal posting time and date. Requests to withdraw received in accordance with this provision will be granted by the City upon proof of the impossibility to perform based upon an obvious error on the part of the Proposer.

6. Reference Documents

The following documents are provided to Proposers as reference documents and general information only. The documents are not being incorporated into and not being made part of the RFP, the Interim Agreement documents, or any other document that is connected or related to the Project, except as otherwise specifically stated in this RFP. No information contained in these documents shall be construed as a representation of any field condition or any statement of facts upon which the Proposer may rely upon in entering into or performance of an Interim Agreement. All information contained in these documents must be verified by a proper factual investigation.

The Proposer agrees that by accepting copies of these documents, any and all claims for damages, time, or any other impacts based on the documents are expressly waived by the Proposer.

- [InVision Tampa Streetcar Project \(City of Tampa\)](http://www.tampagov.net/streetcar) (<http://www.tampagov.net/streetcar>)
- [Downtown Transit Assets & Opportunities Study \(2014\)\(Hillsborough MPO\)](http://www.planhillsborough.org/downtown-transit-assets-study/) (<http://www.planhillsborough.org/downtown-transit-assets-study/>)
- [2045 LRTP – Supplemental Technical Memorandum – Major Investment Project Needs Assessment \(Hillsborough MPO\)](http://www.planhillsborough.org/wp-content/uploads/2020/02/FinalTM-2045LRTP-MajorInvestments-with-Appendices.pdf) (<http://www.planhillsborough.org/wp-content/uploads/2020/02/FinalTM-2045LRTP-MajorInvestments-with-Appendices.pdf>)

7. Procurement Schedule

| Activity | Date |
|--|--------------|
| Advertise | Nov 6, 2020 |
| Cut-off date for technical questions | Nov 30, 2020 |
| Proposals Due 2 PM | Dec 7, 2020 |
| Proposals to be posted by 2 PM | Dec 8, 2020 |
| City determines responsiveness of proposals | Dec 15, 2020 |
| City Technical Review Committee Final Rankings | Jan 4, 2021 |
| Presentations (if needed) | Jan 22, 2021 |

| Activity | Date |
|-------------------------|--------------|
| Final Selection Meeting | Jan 22, 2021 |
| Notice of Selection | Jan 25, 2021 |

8. General Conditions

8.1 Proposer's Responsibility.

Before submitting a response, each Proposer shall be solely responsible for making any and all investigations, evaluations, and examinations, as it deems necessary, to ascertain all conditions and requirements affecting the full performance of the contract. Ignorance of such conditions and requirements, and/or failure to make such evaluations, investigations, and examinations, will not relieve the Proposer from any obligation to comply with every detail and with all provisions and requirements of the contract, and will not be accepted as a basis for any subsequent claim whatsoever for any monetary consideration on the part of the Proposer.

8.2 Costs Incurred by Proposers.

All expenses involved with the preparation and submission of Proposals, or any work performed in connection therewith, shall be the sole responsibility (and shall be at the sole cost and expense) of the Proposer, and shall not be reimbursed by the City.

8.3 Relationship to the City.

It is the intent of the City, and Proposers hereby acknowledge and agree, that the successful Proposer is considered to be an independent contractor, and that neither the Proposer, nor the Proposer's employees, agents, and/or contractors, shall, under any circumstances, be considered employees or agents of the City.

8.4 City of Tampa Ethics Code.

The Bidder shall comply with all applicable governmental and city rules and regulations including the City's Ethics Code, which is available on the City's website. (City of Tampa Code, Chapter 2, Article VIII. - Section 2-522). Moreover, each firm responding to this Request for Proposal acknowledges and understands that the City's Charter and Ethics Code prohibit any City employee from receiving any substantial benefit or profit out of any contract or obligation entered into with the City, or from having any direct or indirect financial interest in effecting any such contract or obligation. The Awardee shall ensure that no City employee receives any such benefit or interest as a result of the award of this Invitation to Bid or Request for Proposal. (City of Tampa Code, Chapter 2, Article VIII. - Section 2-514(d)).

Please note that the City's Ethics Code may be accessed on the Internet by utilizing the website link <http://www.tampagov.net/human-resources/info/lobbyist-information> or can be found in the City of Tampa's municipal codes published online by the Municipal Code Corporation at the website link https://www.municode.com/library/fl/tampa/codes/code_of_ordinances. Printed copies of the Ethics Code can also be obtained from the City Clerk's Office for a fee of \$0.15 cents a page.

8.5 Public Entity Crimes

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; submit a proposal on a contract with a public entity for the construction or repair of a public building or public work;
- submit proposals on leases of real property to a public entity;
- be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity; and,
- transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for Category Two (currently \$35,000) for a period of 36 months from the date of being placed on the convicted vendor list.

8.6 Scrutinized Companies

Section 287.135, Florida Statutes prohibits a company from bidding on, submitting a proposal for, or entering into or renewing a contract for goods or services of any amount if, at the time of contracting or renewal, the company is on the Scrutinized Companies that Boycott Israel List, created pursuant to Section 215.4725, Florida Statutes, or is engaged in a boycott of Israel. Section 287.135, Florida Statutes, also prohibits a company from bidding on, submitting a proposal for, or entering into, or renewing a contract for goods or services of \$1,000,000 or more, that are on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector Lists which were created pursuant to s. 215.473, Florida Statutes.

8.7 Employee Verification

The employment of unauthorized aliens by any contractor is considered a violation of Section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of the contract.

In accordance with Section 448.095, Florida Statutes, the successful Proposer agrees to register with and utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired during the term of the Contract for the services specified in the Contract. The successful Proposer must also include a requirement in subcontracts that the subcontractor must register with and utilize the E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the Contract term. If the successful Proposer enters into a contract with a subcontractor, the subcontractor must provide the successful Proposer with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien. The successful Proposer shall maintain a copy of such affidavit for the duration of the Contract. If the City has a good faith belief that the successful Proposer has knowingly violated Section 448.09(1), Florida Statutes, the City shall terminate the Contract with the successful Proposer, and the successful Proposer may not be awarded a contract with the City for at least 1 year after the date on which the Contract was terminated. The successful Proposer is liable for any additional costs incurred by the City as a result of the termination of the Contract. If the City has a good faith belief that a subcontractor knowingly violated the law, but the successful Proposer has otherwise complied with the law, the City shall promptly notify the successful Proposer and order the successful Proposer to immediately terminate the contract with the subcontractor.

8.8 Communication Policy.

During any solicitation period, including any protest and/or appeal, no contact with City officials or employees, other than with the individuals specifically identified in the solicitation, the Director of Purchasing or the Legal Department is permitted from any proposer/bidder. Such communication shall result in an automatic disqualification for selection in the pending solicitation and any subsequent City solicitations for a period of six (6) months, no matter the outcome of the solicitation or any protest and/or appeal.

8.9 Florida Public Records Law.

In accordance with Chapter 119 of the Florida Statutes, and, except as may be provided by Chapter 119 of the Florida Statutes and other applicable State and Federal Laws, all Proposers should be aware that the RFP and the responses thereto are in the public domain and are available for public inspection and copying. If the Proposer is asserting that certain information in its Proposal is confidential and/or proprietary and/or exempt from public disclosure, then the Proposer is required to do the following:

- (1) identify, with specificity, the information which the Proposer asserts is confidential and/or proprietary and/or exempt from public disclosure;
- (2) place such information (including any applicable electronic media on which such information is contained) in a sealed envelope that is separate from the Proposer's other Proposal documents;
- (3) clearly label the envelope that contains the confidential, proprietary and/or exempt information as follows: "EXEMPT FROM PUBLIC DISCLOSURE" with Proposer's name and the RFP number marked on the outside; and,
- (4) specifically cite the applicable Florida Statute(s) that exempts such information from public disclosure - such citation must be placed on the sealed envelope and also on a separate document contained within the sealed envelope along with any relevant explanations.

The envelope that contains the Bidder's confidential/proprietary/exempt information must be submitted with the Proposer's other Proposal documents. Bidder is advised that failure to follow the aforementioned instructions may result in Proposer's alleged confidential/proprietary/exempt information being disclosed to the public. All submittals received in response to this RFP will become the property of the City of Tampa and will not be returned. In the event of an award, all documentation produced as part of the contract will become the exclusive property of the City.

Be aware that the designation of an item as exempt from public disclosure by a Proposer may be challenged in court by any person or entity. By designation of material in your Bid submittal as exempt from public disclosure, Bidder agrees to defend the City of Tampa (and its employees, agents and elected and appointed officials) against all claims and actions (whether or not a lawsuit is commenced) related to Bidder's designation of material as exempt from public disclosure and to hold harmless the City of Tampa (and its employees, agents and elected and appointed officials) for any award to a plaintiff for damages, costs and attorneys' fees, and for costs and attorneys' fees incurred by the City by reason of any claim or action related to your designation of material as exempt from public disclosure.

8.10 Non-Discrimination

Proposer certifies that it is in compliance with the non-discrimination clause contained in Section 202, Executive Order 11246, as amended by **Executive Order 11375**, relative to equal employment opportunity for all persons, **Title VII of the 1964 Civil Rights Act**, as amended, the **Florida Civil Rights Act of 1992**, and the **City of Tampa Code of Ordinances, Chapter 12**, in that the Awardee does not on the grounds of race, color, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, familial status, or marital status, discriminate in any form or manner against said Awardee's employees or applicants for employment.

Furthermore, the successful Proposer assures the City that it will comply with Title VI of the Civil Rights Act of 1964 when federal grant(s) is/are involved. This Statement of Assurance shall be interpreted to include Vietnam-Era Veterans and Disabled Veterans within its protective range of applicability.

Proposer further acknowledges that it must comply with City of Tampa Code of Ordinances, Chapter 26.5 if awarded a contract.

Per City of Tampa Code of Ordinances, Section 2-284, Proposer(s) are requested to provide information as to whether Proposer(s) has criminal history screenings similar in nature to the practices contained in Chapter 12,

Article VI, City of Tampa Code of Ordinances. The City of Tampa's municipal codes are published online by the Municipal Code Corporation at the website link:

- https://www.municode.com/library/fl/tampa/codes/code_of_ordinances.

**RFQ TRANSMITTAL MEMORANDUM
FOR A SUBMITTAL TO THE CITY OF TAMPA, FLORIDA**

TRANSMITTAL DATE:

RFP NO. & TITLE: 21-C-00005: RFP Transit Facility - Public Private Partnership
TO: Brad L. Baird, P. E., Chairman Selection & Certification Committee (CCNA)
c/o Contract Administration Department via ContractAdministration@tampagov.net
306 East Jackson Street, 4th Floor North, Tampa, Florida 33602

SUBMITTER ("Firm") NAME:

FEDERAL TAX ID#:

FIRM TYPE:

Individual/Sole Proprietor Joint Venture (JV)* Partnership (PN)* Corporation
 Limited Liability Company Other: _____

FIRM CONTACT NAME:

EMAIL:

PHONE:

CERTIFICATIONS: Firm is licensed, permitted, and certified as required to do business in Florida: Yes | No
License/registration/certification no(s): _____

Per §287.133, Fla. Stat., individuals or entities (including those meeting the §287.133, Fla. Stat. definition of "affiliate") placed on the convicted vendor list ("List") following a conviction for public entity crimes may not submit a bid, proposal, or reply ("Response") on a contract to provide any goods or services to a public entity, may not submit a Response on a contract with a public entity for the repair or construction of a public building or public work, may not submit a Response for leases of real property to a public entity, and 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 §287.017, Fla. Stat. for CATEGORY TWO for a period of 36 months from the date of placement on the List.
Neither Firm nor its affiliates have been placed on the List. Yes | No

Firm's own initial application for employment has criminal history screening practices similar to those contained in Chapter 12, Article VI, Tampa Code (responses, whether "Yes" or "No", are for informational purposes only and will not be used as a basis for award or denial, or for any protest). Yes No

Firm shall comply with all applicable governmental rules & regulations, including the City's Ethics Code (Sec. 2-522, Tampa Code). The City's Charter & Ethics Code prohibit any City employee from receiving any substantial benefit or profit out of any award or obligation entered into with the City, or from having any direct or indirect financial interest in effecting any such award or obligation. If Firm is successful, it shall ensure no City employee receives any such benefit or interest as a result of such award (See Sec.2-514(d), Tampa Code). Yes No

Firm is not in arrears and is not in default upon any obligation to the City of Tampa: Yes | No

Firm agrees that if the City of Tampa determines Firm has participated in any collusive, deceptive, or fraudulent practices with regard to this submittal, in addition to any other remedy it may exercise, the City will have the right to debar Firm and deem invalid any contract let under such circumstances: Yes | No

Data or material Firm asserts to be exempted from public disclosure under Chapter 119, Fla. Stat., is submitted in a separate, single electronic searchable PDF file labeled with the above RFQ number and the phrase "Confidential Material", which identifies the data/material to be protected, states the reasons the data/material is exempt from public disclosure, and the specific Florida statute allowing such exemption (if "No" or otherwise, then Firm waives any possible or claimed exemption upon submission, effective at opening): Yes | No

FAILURE TO COMPLETE THE ABOVE MAY RESULT IN FIRM'S SUBMITTAL BEING DECLARED NON-RESPONSIVE

[SEAL] Authorized Signature (wet): _____
Printed Name: _____
Title: Sole Prop Pres Sr VP Gen Ptnr LLC Auth.Mbr/Mgr
 Other _____ (attach proof of authority)

STATE OF _____
COUNTY OF _____

The forgoing instrument was sworn (or affirmed) before me by means of physical presence or online notarization, this ____ day of _____, 20____ by _____ of _____ either in his/her individual capacity or where Firm is an entity as the _____ of _____, on behalf of such entity. He/She is personally known to me OR produced identification. Type of identification produced: _____

[NOTARY SEAL]

Printed Name: _____ Notary Public, State of _____
My Commission Expires: _____ Commission No: _____

* With submittal or within 10 days thereafter, Firm must provide a signed copy of the complete agreement between all JV/PN members indicating respective roles, responsibilities, and levels of participation.



| Points Pursuant to Designated Industry Category: _____ FORM MBD-71 | | |
|--|--|--------------|
| (Refer to MBD Form 70 and Form 50-GFECF Outreach) | | |
| | Evaluation Criteria | Point Values |
| A. | Underutilized WMBE Firms participating as the Prime Contractor (City of Tampa Certified Only) | 20 |
| B. | City of Tampa Certified SLBE firms participating as the Prime Contractor, which include City of Tampa Certified WMBE/SLBE sub-(contractor, consultant) participation | 5 - 15 |
| C. | Non-City of Tampa Certified WMBE/SLBE Prime Contractor with meaningful sub-(contractor, consultant) participation by City Certified Underutilized WMBE and/or SLBE firms | 1 - 15 |
| D. | * External agency WMBE/SLBE/DBE certifications recognized by City of Tampa for designated RFP, RFQ, RFI solicitations | 0 – 7 |
| NOTE: The maximum points available for WMBE and/or SLBE participation will not exceed twenty (20) | | |

Points are determined by the Equal Business Opportunity Program as follows (Requires Form 50-GFECF):

- A. A maximum of twenty (20) rating points may be awarded when the Proposer is a City of Tampa Certified WMBE firm deemed underutilized within the Industry category established by the RFQ.
- B. A maximum of fifteen (15) rating points may be awarded when the Proposer is a City of Tampa certified SLBE with meaningful participation by City certified WMBE/SLBE sub-contractors/consultants.
- C. One to Fifteen (1-15) rating points may be awarded when the Proposer is not a City of Tampa certified WMBE/SLBE prime contractor but utilizes either Underutilized WMBE and/or SLBE certified firm(s) as sub-contractors/consultants and assigned to perform meaningful segments of the contractual services detailed herein and documented on the enclosed MBD Form 10-20.
- D. A maximum of seven (7) “discretionary” rating points may be awarded when the Proposer provides WMBE/SLBE participation from an external agency recognized by the City. Discretionary points may be awarded for ancillary participation (see definition). The point values for ancillary participation may be subordinate to weighted values outlined in categories A, B and C above.

NOTE: *WMBE participation is narrowly-tailored (per policy) to target underutilization of affected groups in specific trade/industry categories. Any WMBE/SLBE achievement that was not designated on MBD Form 70 is considered ancillary. Ancillary participation may be counted with overall participation and credited to your rating points when underutilization criteria are met.

The maximum number of points available for WMBE and/or SLBE participation will not exceed a total of twenty (20) points.



Equal Business Opportunity Evaluation Weighted Points: CCNA Proposal Guidelines

Under CCNA solicitations, proposers must submit to preconstruction Good Faith Efforts (GFE) requirements covering the inclusion of City of Tampa certified WMBE & SLBE firms. Such inclusion shall be clearly addressed and documented utilizing Forms MBD 10, 20 & 50. Proof of certification shall include copies of current certification certificates. This applies to ALL Phase 1 preconstruction design services.

Points awarded during the shortlist selection process will be more heavily weighted predominantly on the design side (this does not preclude identification of phase 2 projections of construction participation which follow in the future, i.e., GMPs). In order to ensure the maximum points, a proposer must **clearly identify and quantify** its planned participation without ambiguity. Simply marking "To Be Determined" (TBD) will not satisfy this requirement and may receive significantly lower ratings. Finally, additional favorable consideration will be granted to the firm(s) that beyond all others and provide(s) the highest *relevant* and most binding participation.

GMP Exhibit

Tampa's Equal Business Opportunity Program Procedures for GMP Contracts

- The City of Tampa's Equal Business Opportunity Program (EBO) requires setting a construction subcontract goal on each GMP under the CM /or D-Build delivery system.
- Prior to the time construction subcontract goals are set, the Construction Manager (CM) or the Design-Builder (D-B) provides information on subcontract packages planned for the construction phase(s) and their sequencing.
(Ref: use Detailed GMP Estimate and MBD Form-80 PTW)
- The CM (or D-B) participates in a meeting wherein the City will establish narrowly-tailored project goals for SLBE and/or W/MBE subcontractor participation on the project.
(Ref: use MBD Form-70)
- For each subcontracting package to be bid, the CM (or D-B) confirms with the MBD Office, the City's minimum contact list of available SLBE and/or W/MBE firms to be solicited. Note: strategic, extensive outreach is the CM/DB's responsibility (i.e. GFCEP)
(Ref: use Minimum Contact List provided w/final Project EBO Determination Goal)
- The CM (or D-B) documents the notification of **all** potential subcontractors, including the SLBE or W/MBE firms identified above, i.e. minimum contact list of certified firms.
(Ref: use DMI 10-20 for construction phase Solicitation/Utilization outcomes)
- The CM (or D-B) receives, opens, and tabulates subcontract bid results. The City, including representatives of the managing department and the MBD Office, may be present for the bid openings or to review the bids submitted.
(Ref: use MBD Form-50 GFCEP outreach w/documentation)
- The CM (or D-B) provides to the City, a tabulation of all bids received and its determination of the lowest responsive/responsible bidder. If bids received exceed contracted Guaranteed Maximum Price, CM (or D-B) advises City as to how they will proceed. If re-bidding is selected, notification at least equal to the original solicitation will occur. **(Ref: Reaffirm EBO Outreach)**
- As all subcontracts are executed, final copies are provided to the City. Where participation is achieved via sub-subcontractors and/or suppliers, the CM (or D-B) provides the City and MBD with copy of executed agreement or purchase order as documentation. **(Ref: use MBD Form-40 LOIs execute "Letters-of-Intent")**
- During construction, monitoring activities may including but may not be limited to, subcontractor payment reports to be submitted with pay requests, prior approval by the MBD Office and the managing departments, of any replacement of SLBE or W/MBE subcontractors, and a report of final amounts paid to all subcontractors.
(Ref: use #1-DMI 30 Form w/Pay Applications; #2-Prime & Subs must log into Diversity Mgt. Compliance System to report payment activity)



Good Faith Effort Compliance Plan Guidelines

for Women/Minority Business Enterprise/Small Local Business Enterprise Participation
City of Tampa - Equal Business Opportunity Program
(MBD Form 50 – detailed instructions on page 2 of 2)

Contract Name _____ Bid Date _____

Bidder/Proposer _____

Signature _____ Date _____

Name _____ Title _____

The Compliance Plan with attachments is a true account of Good Faith Efforts (GFE) made to achieve the participation goals as specified for Women/Minority Business Enterprises/Small Local Business Enterprises (WMBE/SLBE) on the referenced contract:

The WMBE/SLBE participation **Goal is Met or Exceeded**. See DMI Forms 10 and 20 which accurately report all subcontractors solicited and all subcontractors to-be-utilized.

The WMBE/SLBE participation Goal is **Not Achieved**. The following list is an overview of the baseline GFE action steps already performed. Furthermore, it is understood that these GFE requirements are weighted in the compliance evaluation based on the veracity and demonstrable degree of documentation provided with the bid/proposal:

(Check applicable boxes below. Must enclose supporting documents accordingly with remarks)

- (1) Solicited through reasonable and available means the interest of WMBE/SLBEs that have the capability to perform the work of the contract. The Bidder or Proposer must solicit this interest within sufficient time to allow the WMBE/SLBEs to respond. The Bidder or Proposer must take appropriate steps to follow up initial solicitations with interested WMBE/SLBEs. See DMI report forms for subcontractors solicited. See enclosed supplemental data on solicitation efforts. Qualifying Remarks:
- (2) Provided interested WMBE/SLBEs with adequate, specific scope information about the plans, specifications, and requirements of the contract, including addenda, in a timely manner to assist them in responding to the requested-scope identified by bidder/proposer for the solicitation. See enclosed actual solicitations used. Qualifying Remarks:
- (3) Negotiated in good faith with interested WMBE/SLBEs that have submitted bids (e.g. adjusted quantities or scale). Documentation of negotiation must include the names, addresses, and telephone numbers of WMBE/SLBEs that were solicited; the date of each such solicitation; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why agreements could not be reached with WMBE/SLBEs to perform the work. Additional costs involved in soliciting and using subcontractors is not a sufficient reason for a bidder/proposer's failure to meet goals or achieve participation, as long as such costs are reasonable. Bidders are not required to accept excessive quotes in order to meet the goal. DMI Utilized Forms for sub-(contractor/consultant) reflect genuine negotiations This project is an RFQ/RFP in nature and negotiations are limited to clarifications of scope/specifications and qualifications. See enclosed documentation. Qualifying Remarks:
- (4) Not rejecting WMBE/SLBEs as being unqualified without justification based on a thorough investigation of their capabilities. The WMBE/SLBEs standing within its industry, membership in specific groups, organizations / associations and political or social affiliations are not legitimate causes for rejecting or not soliciting bids to meet the goals. Not applicable. See attached justification for rejection of a subcontractor's bid or proposal. Qualifying Remarks:
- (5) Made scope(s) of work available to WMBE/SLBE subcontractors and suppliers; and, segmented portions of the work or material consistent with the available WMBE/SLBE subcontractors and suppliers, so as to facilitate meeting the goal. Sub-Contractors were allowed to bid on their own choice of work or trade without restriction to a pre-determined portion. See enclosed comments. Qualifying Remarks:
- (6) Made good faith efforts, despite the ability or desire of Bidder/Proposer to perform the work of a contract with its own forces/organization. A Bidder/Proposer who desires to self-perform the work of a contract must demonstrate good faith efforts if the goal has not been met. Sub-Contractors were not prohibited from submitting bids/proposals and were solicited on work typically self-performed by the prime. Qualifying Remarks:
- (7) Segmented portions of the work to be performed by WMBE/SLBEs in order to increase the likelihood that the goals will be met. This includes, where appropriate, breaking out contract work items into economically feasible units (quantities/scale) to facilitate WMBE/SLBE participation, even when the Bidder/Proposer might otherwise prefer to perform these work items with its own forces. Sub-Contractors were allowed to bid on their own choice of work or trade without restriction to a pre-determined portion. Sub-Contractors were not prohibited from submitting bids/proposals and were solicited on work typically self-performed by the prime. See enclosed comments. Qualifying Remarks:
- (8) Made efforts to assist interested WMBE/SLBEs in obtaining bonding, lines of credit, or insurance as required by the city or contractor. See enclosed documentation on initiatives undertaken and methods to accomplish. Qualifying Remarks:
- (9) Made efforts to assist interested WMBE/SLBEs in obtaining necessary equipment, supplies, materials, or related assistance or services, including participation in an acceptable mentor-protégé program. See enclosed documentation of initiatives and/or agreements. Qualifying Remarks:
- (10) Effectively used the services of the City and other organizations that provide assistance in the recruitment and placement of WMBE/SLBEs. See enclosed documentation. The following services were used:

Note: Provide any unsolicited information that will support the Bid/RFP Compliance Evaluation. Named Documents Are:



Participation Plan: Guidance for Complying with Good Faith Efforts Outreach
(page 2 of 2)

1. All firms on the WMBE/SLBE Goal Setting List must be solicited and documentation provided for email, fax, letters, phone calls, and other methods of outreach/communication with the listed firms. The DMI Solicited and DMI-Utilized forms must be completed for all firms solicited or utilized. Other opportunities for subcontracting may be explored by consulting the City of Tampa MBD Office and/or researching the on-line Diversity Management Business System Directory for Tampa certified WMBE/SLBE firms.
2. Solicitation of WMBE/SLBEs, via written or electronic notification, should provide specific information on the services needed, where plans can be reviewed and assistance offered in obtaining these, if required. Solicitations should be sent a minimum of a week (i.e. 5 business days or more) before the bid/proposal date. Actual copies of the bidder's solicitation containing their scope specific instructions should be provided.
3. With any quotes received, a follow-up should be made when needed to confirm detail scope of work. For any WMBE/SLBE low quotes rejected, an explanation shall be provided detailing negotiation efforts.
4. If a low bid WMBE/SLBE is rejected or deemed unqualified the contractor must provide an explanation and supporting documentation for this decision.
5. Prime shall break down portions of work into economical feasible opportunities for subcontracting. The WMBE/SLBE directory may be useful in identifying additional subcontracting opportunities and firms not listed in the "WMBE/SLBE Goal Setting Firms List."
6. Contractor shall not preclude WMBE/SLBEs from bidding on any part of work, even if the Contractor may desire to self-perform the work.
7. Contractor shall avoid relying solely on subcontracting out work-scope where WMBE/SLBE availability is not sufficient to attain the pre-determined subcontract goal set for the Bid or when targeted sub-consultant participation is stated within the RFP/RFQ.
8. In its solicitations, the Bidder should offer assistance to WMBE/SLBEs in obtaining bonding, insurance, et cetera, if required of subcontractors by the City or Prime Contractor.
9. In its solicitation, the Bidder should offer assistance in obtaining equipment for a specific job to WMBE/SLBEs, if needed.
10. Contractor should use the services offered by such agencies as the City of Tampa Minority and Small Business Development Office, Hillsborough County Entrepreneur Collaborative Center, Hillsborough County Economic Development Department's MBE/SBE Program and the NAACP Empowerment Center to name a few for the recruitment and placement of WMBEs/SLBEs.



Failure to Complete, Sign and Submit Both Forms 10 & 20 SHALL render the Bid or Proposal Non-Responsive

**Page 1 of 4 – DMI Solicited/Utilized Schedules
City of Tampa – Schedule of **All Solicited** Sub-(Contractors/Consultants/Suppliers)
(FORM MBD-10)**

Contract No.: _____ Contract Name: _____
Company Name: _____ Address: _____
Federal ID: _____ Phone: _____ Fax: _____ Email: _____

Check applicable box(es). Detailed Instructions for completing this form are on page 2 of 4.

- No Firms were contacted or solicited for this contract.
- No Firms were contacted because: _____
- See attached list of additional Firms solicited and all supplemental information (List must comply to this form)
Note: Form MBD-10 must list ALL subcontractors solicited including Non-minority/small businesses

NIGP Code Categories: Buildings = 909, General = 912, Heavy = 913, Trades = 914, Architects = 906, Engineers & Surveyors = 925, Supplier = 912-77

| S = SLBE W=WMBE O = Neither | Company Name Address Phone, Fax, Email | Type of Ownership (F=Female M=Male) BF BM = African Am. HF HM = Hispanic AF AM = Asian Am. NF NM = Native Am. CF CM = Caucasian | Trade or Services NIGP Code (listed above) | Contact Method L=Letter F=Fax E=Email P=Phone | Quote or Response Received Y/N |
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Failure to Complete, Sign and Submit
this form with your Bid or Proposal
Shall render the Bid N -

It is hereby certified that the information provided is an accurate and true account of contacts and solicitations for sub-contracting opportunities on this contract.

Signed: _____ Name/Title: _____ Date: _____

Failure to Complete, Sign and Submit Both Forms 10 & 20 SHALL render the Bid or Proposal Non-Responsive
Forms must be included with Bid / Proposal



Instructions for completing The Sub-(Contractors/Consultants/ Suppliers) Solicited Form (Form MBD-10)

This form must be submitted with all bids or proposals. All subcontractors (regardless of ownership or size) solicited and subcontractors from whom unsolicited quotations were received must be included on this form. The instructions that follow correspond to the headings on the form required to be completed. Note: Ability or desire to self-perform all work shall not exempt the prime from Good Faith Efforts to achieve participation.

- **Contract No.** This is the number assigned by the City of Tampa for the bid or proposal.
- **Contract Name.** This is the name of the contract assigned by the City of Tampa for the bid or proposal.
- **Contractor Name.** The name of your business and/or doing business as (dba) if applicable.
- **Address.** The physical address of your business.
- **Federal ID. FIN.** A number assigned to your business for tax reporting purposes.
- **Phone.** Telephone number to contact business.
- **Fax.** Fax number for business.
- **Email.** Provide email address for electronic correspondence.
- **No Firms were contacted or solicited for this contract.** Checking the box indicates that a pre-determined Subcontract Goal or Participation Plan Requirement was not set by the City resulting in your business not using subcontractors and will self-perform all work. If during the performance of the contract you employ subcontractors, the City must pre-approve subcontractors. Use of the “Sub-(Contractors/Consultants/Suppliers) Payments” form (MBD Form-30) must be submitted with every pay application and invoice. Note: Certified **SLBE or WMBE firms** bidding as Primes **are not exempt** from outreach and solicitation of subcontractors.
- **No Firms were contacted because.** Provide brief explanation why no firms were contacted or solicited.
- **See attached documents.** Check box, if after you have completed the DMI Form in its entirety, you need more space to list additional firms and/or if you have supplemental information/documentation relating to the form. All DMI data not submitted on the MBD Form-10 must be in the same format and have all requested data from MBD Form-10 included.

The following instructions are for information of any and all subcontractors solicited.

- **“S” = SLBE, “W” = WMBE.** Enter “S” for firms Certified by the City as Small Local Business Enterprises and/or “W” for firms Certified by the City as either Women/Minority Business Enterprise; **“O” = Non-certified others.**
- **Federal ID. FIN.** A number assigned to a business for tax reporting purposes. This information is critical in proper identification and payment of the contractor/subcontractor.
- **Company Name, Address, Phone & Fax.** Provide company information for verification of payments.
- **Type of Ownership.** Indicate the Ethnicity and Gender of the owner of the subcontracting business.
- **Trade, Services, or Materials** indicate the trade, service, or materials provided by the subcontractor. NIGP codes aka “National Institute of Governmental Purchasing” are listed at top section of document.
- **Contact Method L=letter, F=fax, E=Email, P=Phone.** Indicate with letter the method(s) of soliciting for bid.
- **Quote or Resp. (response) Rec’d (received) Y/N.** Indicate “Y” Yes if you received a quotation or if you received a response to your solicitation. Indicate “N” No if you received no response to your solicitation from the subcontractor. Must keep records: log, ledger, documentation, etc. that can validate/verify.

If additional information is required or you have questions, please contact the Equal Business Opportunity Program - Minority and Small Business Development Office at (813) 274-5522.



Failure to Complete, Sign and Submit Both Forms 10 & 20 SHALL render the Bid or Proposal Non-Responsive

Page 3 of 4 – DMI Solicited/Utilized Schedules
City of Tampa – Schedule of All To-Be-Utilized Sub-(Contractors/Consultants/Suppliers)
(FORM MBD-20)

Contract No.: _____ Contract Name: _____
Company Name: _____ Address: _____
Federal ID: _____ Phone: _____ Fax: _____ Email: _____

Check applicable box(es). Detailed Instructions for completing this form are on page 4 of 4.

See attached list of additional Firms Utilized and all supplemental information (List must comply to this form)

Note: Form MBD-20 must list ALL subcontractors To-Be-Utilized including Non-minority/small businesses

No Subcontracting/consulting (of any kind) will be performed on this contract.

No Firms are listed to be utilized because: _____

NIGP Code General Categories: Buildings = 909, General = 912, Heavy = 913, Trades = 914, Architects = 906, Engineers & Surveyors = 925, Supplier = 912-77

Enter "S" for firms Certified as Small Local Business Enterprises, "W" for firms Certified as Women/Minority Business Enterprise, "O" for Other Non-Certified

| S = SLBE W=WMBE O =Neither | Company Name Address Phone, Fax, Email | Type of Ownership (F=Female M=Male) BF BM = African Am. HF HM = Hispanic Am. AF AM = Asian Am. NF NM = Native Am. CF CM = Caucasian | Trade, Services, or Materials NIGP Code Listed above | \$ Amount of Quote. Letter of Intent (LOI) if available | Percent of Scope or Contract % |
|----------------------------------|--|---|---|---|--|
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Failure to Complete, Sign and Submit
this form with your Bid or Proposal
Shall render the Bid Non-Responsive

Total ALL Subcontract / Supplier Utilization \$ _____
Total SLBE Utilization \$ _____
Total WMBE Utilization \$ _____
Percent SLBE Utilization of Total Bid/Proposal Amt. _____% Percent WMBE Utilization of Total Bid/Proposal Amt. _____%

It is hereby certified that the following information is a true and accurate account of utilization for sub-contracting opportunities on this Contract.

Signed: _____ Name/Title: _____ Date: _____

Failure to Complete, Sign and Submit Both Forms 10 & 20 SHALL render the Bid or Proposal Non-Responsive
Forms must be included with Bid / Proposal



Page 4 of 4 DMI – Solicited/**Utilized**

Instructions for completing **The Sub-(Contractors/Consultants/ Suppliers) to be Utilized Form (Form MBD-20)**

This form must be submitted with all bids or proposals. All subcontractors (regardless of ownership or size) projected to be utilized must be included on this form. Note: Ability or desire to self-perform all work shall not exempt the prime from Good Faith Efforts to achieve participation.

Contract No. This is the number assigned by the City of Tampa for the bid or proposal.

- **Contract Name.** This is the name of the contract assigned by the City of Tampa for the bid or proposal.
- **Contractor Name.** The name of your business and/or doing business as (dba) if applicable.
- **Address.** The physical address of your business.
- **Federal ID. FIN.** A number assigned to your business for tax reporting purposes.
- **Phone.** Telephone number to contact business.
- **Fax.** Fax number for business.
- **Email.** Provide email address for electronic correspondence.
- **No Subcontracting/consulting (of any kind) will be performed on this contract.** Checking box indicates your business will not use subcontractors when no Subcontract Goal or Participation Plan Requirement was set by the City, but will self-perform all work. When subcontractors are utilized during the performance of the contract, the “Sub-(Contractors/Consultants/Suppliers) Payments” form (MBD Form-30) must be submitted with every pay application and invoice. Note: certified **SLBE or WMBE firms** bidding as Primes **are not exempt** from outreach and solicitation of subcontractors, including completion and submitting Form-10 and Form-20.
- **No Firms listed To-Be-Utilized.** Check box; provide brief explanation why no firms were retained when a goal or participation plan requirement was set on the contract. Note: mandatory compliance with Good Faith Effort outreach (GFECF) requirements applies (MBD Form-50) and supporting documentation must accompany the bid.
- **See attached documents.** Check box, if after completing the DMI Form in its entirety, you need more space to list additional firms and/or if you have supplemental information/documentation relating to the scope/value/percent utilization of subcontractors. Reproduce copies of MBD-20 and attach. All data not submitted on duplicate forms must be in the same format and content as specified in these instructions.

The following instructions are for information of Any and All subcontractors To Be Utilized.

- **Federal ID. FIN.** A number assigned to a business for tax reporting purposes. This information is critical in proper identification of the subcontractor.
- **“S” = SLBE, “W” = WMBE.** Enter “S” for firms Certified by the City as Small Local Business Enterprises and/or “W” for firms Certified by the City as Women/Minority Business Enterprise; **“O” = Non-certified others.**
- **Company Name, Address, Phone & Fax.** Provide company information for verification of payments.
- **Type of Ownership.** Indicate the Ethnicity and Gender of the owner of the subcontracting business.
- **Trade, Services, or Materials (NIGP code if Known)** Indicate the trade, service, or material provided by the subcontractor. Abbreviated list of NIGP is available at <http://www.tampagov.net/mbd> “Information Resources”.
- **Amount of Quote, Letters of Intent** (required for both SLBEs and WMBEs).
- **Percent of Work/Contract.** Indicate the percent of the total contract price the subcontract(s) represent. For CCNA only (i.e. Consultant A/E Services) you must indicate subcontracts as percent of total scope/contract.
- **Total Subcontract/Supplier Utilization.** – Provide total dollar amount of all subcontractors/suppliers projected to be used for the contract. (Dollar amounts may be optional in CCNA depending on solicitation format).
- **Total SLBE Utilization.** Provide total dollar amount for all projected SLBE subcontractors/Suppliers used for this contract. (Dollar amounts may be optional in CCNA proposals depending on the solicitation format).
- **Total WMBE Utilization.** Provide total dollar amount for all projected WMBE subcontractors/Suppliers used for this contract. (Dollar amounts may be optional in CCNA proposals depending on the solicitation format).
- **Percent SLBE Utilization.** Total amount allocated to SLBEs divided by the total bid/proposal amount.
- **Percent WMBE Utilization.** Total amount allocated to WMBEs divided by the total bid/proposal amount.

If additional information is required or you have questions, please contact the Equal Business Opportunity Program - Minority and Small Business Development Office at (813) 274-5522.

Procurement Guidelines To Implement Minority & Small Business Participation

Underutilized WMBE Primes by Industry Category

| FORMAL PROCUREMENT | Construction | Construction-Related | Professional | Non-Professional | Goods |
|---------------------------|--------------|----------------------|--------------|------------------|------------|
| | Black | Asian | Black | Black | Black |
| | Hispanic | Native Am. | Hispanic | Asian | Hispanic |
| | Native Am. | Woman | Asian | Native Am. | Asian |
| | Woman | | Native Am. | | Native Am. |
| | | | Woman | | Woman |

Underutilized WMBE Sub-Contractors / Sub-Consultants

| SUB WORK | Construction | Construction-Related | Professional | Non-Professional | Goods |
|-----------------|--------------|----------------------|--------------|------------------|------------|
| | Black | Black | Black | Black | Black |
| | | Asian | Hispanic | Asian | Asian |
| | | Native Am. | Asian | Native Am. | Native Am. |
| | | Woman | Native Am. | | Woman |
| | | | Woman | | |

Policy

The Guidelines apply to formal procurements and solicitations. WMBE participation will be narrowly-tailored.

Index

- Black = Black/African-American Business Enterprise
- Hispanic = Hispanic Business Enterprise
- Asian = Asian Business Enterprise
- Native Am. = Native American Business Enterprise
- Woman = Woman Business Enterprise (Caucasian)

Industry Categories

Construction is defined as: new construction, renovation, restoration, maintenance of public improvements and underground utilities.

Construction-Related Services are defined as: architecture, professional engineering, landscape architecture, design build, construction management services, or registered surveying and mapping.

Professional Services are defined as: attorney, accountant, medical doctor, veterinarian, miscellaneous consultant, etc.

Non-Professional Services are defined as: lawn maintenance, painting, janitorial, printing, hauling, security guard, etc.

Goods are defined as: all supplies, materials, pipes, equipment, machinery, appliances, and other commodities.

MBD Form-70