

**Solicitation
For Participation in
Progressive Design-Build Services for the Walnut Street Emergency Bypass Force Main
for**



Jacksonville, FL

Solicitation Number 042-19

Mandatory Pre-Proposal Meeting in person or teleconference on January 18, 2019, at 10:00 AM

JEA Customer Center, 1st Floor, Room 002

21 W. Church Street, Jacksonville, FL

Call In Line: 1-888-714-6484

Call Passcode: 992663

Proposals are due on February 12, 2019 by 12:00 PM EST

Direct delivery or mail to JEA Bid Office, Customer Center 1st Floor, Room 002

21 W. Church Street, Jacksonville, FL 32202

**JEA will publicly open all Proposals received from qualified Proposers on February 12, 2019, at
2:00 PM in the JEA Bid Office, Customer Center 1st Floor, Room 002, 21 W. Church Street, Jacksonville, FL**

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SOLICITATION

1. REQUEST FOR PROPOSALS

1.1. INVITATION

1.1.1. SCOPE OF WORK

JEA is requesting proposals from qualified Design-Build (DB) firms to provide design and construction services for the Walnut Street Emergency Bypass Force Main project. The scope of work includes the installation of approximately 600 linear feet (LF) of sewer force main constructed by horizontal directional drill (HDD) method from the north side of Martin Luther King Jr Parkway to the south side of MLK Parkway. The work also includes installation of new JEA Type G manhole on the north side of MLK Parkway and connecting the new bypass Force Main to an existing manhole on the south side of MLK. The force main on the north side will not terminate in the new structure.

Further information can be found in the attached appendices:

- 042-19 Appendix A - Design Criteria
- 042-19 Appendix C - Walnut Street Trunk Sewer As-builts
- 042-19 Appendix C - Route Study

1.1.2. BACKGROUND

JEA owns, operates and manages the electric system established by the City of Jacksonville, Florida in 1895. In June 1997, JEA also assumed operation of the water and sewer system previously managed by the City. JEA is located in Jacksonville, Florida, where we proudly serve an estimated 470,000 electric, 351,000 water and 274,000 sewer customers. JEA is Florida's largest community owned utility and the eighth largest municipal in the United States.

The JEA Walnut Street Gravity Trunk Sewer is a 60-inch gravity trunk sewer which begins at a junction chamber at the discharge of force mains from the 32nd Street Pump Station (PS) (named the Hubbard Street PS in the record drawings) and the Norwood PS and extends 4,060 LF to the junction with the Buckman Interceptor at the intersection of 16th Street E and Walnut Street. The trunk sewer consists of single-cage reinforced concrete pipe with an asphaltic coating that was constructed in the late 1950s.

Beginning in 2015, sinkholes, caused by failures of the trunk sewer, along its alignment required emergency repairs. Inspections of the pipe revealed significant losses of asphaltic coating, exposed concrete aggregate and circumferential rebar, and circumferential bars hanging from the pipe crown. Following several additional pipe failures of the trunk sewer in 2016 and 2017, the level of service and reliability of the trunk sewer to serve JEA's customers was determined to be critical and needing immediate response.

1.1.3. INVITATION - REQUEST FOR PROPOSAL

You are invited to submit a Proposal in response to the Request for Proposals noted below:

Request for Proposals (RFP) Title: Progressive Design-Build Services for the Walnut Street Emergency Bypass Force Main

To obtain more information about this RFP:

Download a copy of the Solicitation, PDF quality drawings (if applicable) and any required forms at jea.com.

JEA RFP Number: 042-19

Proposal Due Date: February 12, 2019

Proposal Due Time: 12:00 PM

All Proposals must reference the RFP Title and Number noted above. All Proposals must be made on the appropriate forms as specified within the RFP and placed in an envelope marked to identify the RFP and delivered or mailed to:

JEA Bid Office, 21 West Church Street, Customer Center 1st Floor, Room 002, Jacksonville, FL 32202

The Proposer shall be solely responsible for delivery of its Proposal to the JEA Bid Office. **Please note, JEA employs a third party courier service to deliver its mail from the local U.S. Post Office (USPS) which could cause a delay of Proposal delivery if mailed through the USPS.** Therefore, JEA recommends direct delivery to the JEA Bid Office. Reliance upon the USPS, the courier service employed by JEA to make pick-ups from the local USPS, or public carriers is at the Proposer's risk.

1.1.4. OPENING OF PROPOSALS

All Proposals received shall be publicly announced and recorded at 2:00 PM on February 12, 2019, in the JEA Bid Office, 21 W. Church Street, Customer Center 1st Floor, Room 002, Jacksonville, FL 32202. At the opening of Proposals, a JEA representative will publicly open each Proposal that was received prior to the due date and time, except for those Proposals that have been properly withdrawn. JEA has the right to waive any irregularities or informalities in the Proposals.

1.1.5. MANDATORY PRE-PROPOSAL MEETING

There will be a Mandatory Pre-Proposal meeting associated with this Solicitation. All interested Companies must attend the Pre-Proposal meeting in person or by teleconference. Each Proposer will be required to sign in at the beginning of the meeting. A Proposer shall only sign in representing one company, unless otherwise specified by JEA. Companies not attending the Pre-Proposal meeting may have their Proposals rejected and returned unopened.

Those planning to attend by teleconference should email their name and contact information to: krucdr@jea.com, at least 24 hours prior to the Pre-Proposal meeting to facilitate roll call.

Proposers must be on time to the meeting and must be present at the starting time of the meeting. Proposers not arriving on time for the meeting may have their Proposals rejected and returned unopened.

PLEASE BE AWARE DUE TO JEA SECURITY AND/OR SIGN IN PROCEDURES IT MAY TAKE UP TO FIFTEEN (15) MINUTES TO OBTAIN ACCESS TO A JEA FACILITY. PLEASE PLAN ACCORDINGLY SO AS TO ARRIVE TO THE MEETING ON TIME.

Meeting Date: January 18, 2019

Meeting Time: 10:00 AM

Meeting Location: JEA Customer Center, 1st Floor, Room 002, 21 W. Church Street, Jacksonville, FL

Teleconference Line: 1-888-714-6484

Teleconference Passcode: 992663

1.1.6. QUESTIONS

All questions must be submitted in writing to the JEA Buyer listed below at least five (5) business days prior to the opening date. Questions received within five (5) business days prior to the opening date will not be answered.

For Procurement Related Questions:

Buyer: Dan Kruck

E-mail: krucdr@jea.com

For Technical Questions:

Contact: Elizabeth DiMeo

E-mail: dimeea@jea.com

1.1.7. PROPOSAL SCHEDULE

The following is the anticipated scheduled calendar of events with important dates and times. Dates are subject to change by the Chief Procurement Officer (“CPO”) or designee, at their sole discretion. If the CPO determines that it is necessary to change these dates/times prior to the Proposal due date, the change will be announced via an addendum.

Action:	Date:
RFP Released	01/11/2019
Mandatory Pre-Proposal Conference	01/18/2019
Cut-off date for Questions by Proposers	02/05/2019
Proposal Due Date and Time	02/12/2019
Public Evaluation Meeting	03/04/2019
Initial Negotiation Meeting (Draft Scope due)	03/15/2019
Final Scope and Fee Agreement	04/15/2019
Approval by the JEA Awards Committee	04/25/2019
Contract Executed	05/09/2019

1.2. SPECIAL INSTRUCTIONS

1.2.1. MINIMUM QUALIFICATIONS FOR SUBMISSION

Proposer shall have the following Minimum Qualifications to be considered eligible to submit a Proposal in response to this RFP.

It is the responsibility of the Proposer to ensure and certify that it meets the Minimum Qualifications stated below. A Proposer not meeting all of the following criteria will have their Proposals rejected:

- The Proposer shall have performed the majority of the work and completed at least two (2) similar Design-Build projects.
 - A similar Design-Build project is defined as design and installation of a minimum of 1,000 LF of minimum internal diameter of 16 inches, using the horizontal directional drilling (HDD) method.
 - One (1) of the similar projects shall have been a Design-Build project in the State of Florida.
- The Proposer or Partner for the engineering services shall have a State of Florida Certificate of Authorization for Engineering.
- The Proposer or Partner for the construction services shall have a State of Florida General Contractors License or Utility Contractors License.

Please note, any Proposer whose contract with JEA was terminated for default within the last two (2) years shall have their Proposal rejected.

1.2.2. SAFETY QUALIFICATION REQUIREMENT (RFP)

Proposer shall be approved as JEA Safety Qualified within ten (10) business days of receiving written notice from the JEA Bid Office that it is the highest ranked Proposer. If the Proposer fails to obtain JEA approval as a JEA Safety Qualified company by 4:00 PM Eastern Time on the 10th business day, JEA will reject the company's Proposal, and proceed to Award to the next highest ranked Proposer.

JEA Safety Qualification information is available online at jea.com. Please note that it may take up to five (5) business days for a company to be approved as JEA Safety Qualified. It is the Proposer's responsibility to ensure it is JEA Safety Qualified. A list of JEA Safety Qualified vendors can be found on jea.com. For additional information, contact Jerry Fulop at (904) 665-5810.

1.2.3. EVALUATION METHODOLOGY

1.2.3.1. COMPETITIVE SEALED PROPOSALS - CONSULTANTS' COMPETITIVE NEGOTIATION ACT (CCNA)

JEA shall evaluate the Proposer's qualifications, rank the qualifications from all Proposers, and negotiate a Contract for the Work in accordance with Florida Statute, Section 287.055, known as the Consultants' Competitive Negotiation Act ("CCNA").

In evaluating the qualifications, JEA will not consider price, but may consider factors including, but not limited to, the Proposer's professional personnel, past performance, whether the Proposer is a Jacksonville Small and Emerging Business (JSEB); recent, current and projected workloads of the Proposer, and volume of work previously awarded to each Proposer by JEA. JEA may also request interviews or presentations from the Proposers during its selection. Interviews or presentations, if any, will be evaluated and up to twenty-five (25) points will be added to the Proposers written Proposal evaluation score.

After approving the rankings of all the Proposers, JEA will enter into negotiations of contractual terms with the best ranked Proposer. During negotiations, JEA will consider detailed information regarding the Contract Price, the Proposer's hourly rates, and scope of the Contract for the various phases of the Design Build project.

If JEA and the Company are unable to negotiate a satisfactory Contract, JEA will formally terminate the negotiations with the Proposer and undertake negotiations with the next ranked Proposer. JEA will Award the Contract to the highest-ranking qualified Proposer that successfully completes Contract negotiations with JEA.

1.2.3.2. PROGRESSIVE DESIGN-BUILD APPROACH TO DEFINING SCOPE AND FEES.

For purposes of this RFP the Proposer (Design-Build firm) is defined as a contractual entity, properly licensed under the Florida law, comprised of a firm possessing both design and construction resources in-house, or a joint venture between designer and contractor, or a contractor-led team with the designer in a subcontractor role.

Phase I (up to 60% Design Completion) Planning - up to 5% and or 10% of the project will consist of engineering evaluation, assessment and concept development as listed below. Note: an Opinion cost will be provided at each design stage.

If at the completion of 5%, 10% or 30% engineering, JEA is not satisfied with the engineering plans for any of the stations, JEA shall retain ownership of all work, may have the Design-Builder complete 5%, 10% or 30% deliverables, terminate any remaining work in process in phase I of the project and may use the information in re-advertising the project for completion of design, or new Design-Build contract.

60% Detail Design of the project will consist of engineering and may include some construction tasks to determine the Design-Builder's project approach to design and construction, schedule, and Guaranteed Maximum Price (GMP).

Once the Design-Builder has completed Phase I, it will submit its proposal for Phase II to JEA for approval.

Phase II (from 60% to 100% to Design Completion through Construction) shall consist of any remaining engineering, equipment purchases, and construction to complete the project per requirements and applicable standards. A Guaranteed Maximum Price ("GMP") and a Guaranteed Completion Date (GCD) to complete Phase II, final design, and construction will be negotiated.

If acceptable, an Award shall be made to allow the Design-Builder to commence Phase II and to complete the project. If the fees or GMP cannot be successfully negotiated, JEA shall retain ownership of all work, have the Design-Builder complete Phase II deliverables up to Design Completion, terminate the previous phase of the project and JEA may use the information in re-advertising the project for Construction.

1.2.4. BASIS OF AWARD

1.2.4.1. EVALUATED PROPOSAL

JEA will use the "Selection Criteria" listed below to evaluate the Proposals. JEA may make its Award decision based solely upon the information submitted in the Proposals. JEA may also choose to have one or more Proposer make presentations to representatives of JEA. It is always in the best interest of the Proposer to provide informative, concise, well-organized technical and business information relative to the Work, in both the initial submittal of its Proposal and in any subsequent submittals. **Please note, JEA may reject Proposals that request material changes or take exceptions to JEA commercial terms and conditions.** Material changes to the commercial terms and conditions can only be made by JEA prior to public opening of the Proposals.

Proposals will be scored and ranked by a committee of 3 to 5 evaluators consisting of JEA's staff. Each evaluator will individually score the Proposals using the evaluation matrix attached to this Solicitation. Using these scores, each evaluator will rank the Proposals using "1" for the Proposal receiving the highest number of points from the matrix. Proposals with an equal number of points will receive the same numerical ranking. JEA will total the numerical rankings for each Proposal and consider the Proposal with the lowest total to be the most highly qualified Proposal. Any tie will be broken using the total of the matrix scores of all evaluators.

1.2.5. SELECTION CRITERIA

1.2.5.1. PROFESSIONAL STAFF EXPERIENCE

Maximum score for this criterion is: 30 POINTS - Points for each subsection will be awarded as described on the Evaluation Matrix attached to this RFP.

1. Team Members

The Proposer shall provide a maximum of four (4) primary resumes and four (4) back up resumes of the professional staff to be assigned to perform the Work. The resumes provided shall identify the Project Manager, Engineer of Record, Construction Manager and Drilling Superintendent (collectively, the "Team Members"). **Primary positions (as shown in the attached Evaluation Matrix) shall only serve in one (1) role.** Note, the Project Manager must be from the company submitting the Proposal and not a Subcontractor. **All proposed engineering staff shall be registered Professional Engineers in Florida.** Persons whose resumes are submitted as a Team Member must actually perform the Work unless Proposer receives prior approval by the JEA Project Manager to use a backup Team Member. Finally, if Proposer submits a resume of a Subcontractor that is employed by a JSEB firm, please note this on the resume.

At a minimum, each resume shall present the Team Member's name, title, years of service with company, total years of experience, applicable professional registrations, education, and work experience. Resumes shall also identify any specialty or technical process expertise. **Resumes shall be no more than one (1) page in length, single sided, and on 8.5" by 11" sized paper. If more than one page is submitted, only the information contained on the first page will be evaluated by JEA. No more than eight (8) resumes will be evaluated.**

Years of Relevant Experience will be graded on the following scale:

Project Manager and Construction Manager:

- Greater than or equal to 20 years = 10 points
- Greater than or equal to 15 years but less than 20 years = 8 points
- Greater than or equal to 10 years but less than 15 years = 6 points
- Less than 10 years = 2 points

Engineer of Record and Drilling Superintendent:

- Greater than or equal to 15 years = 10 points
- Greater than or equal to 10 years but less than 15 years = 8 points
- Greater than or equal to 8 years but less than 10 years = 6 points
- Less than 8 years = 2 points

An additional five (5) points will be given if the “Engineer of Record” position is filled by a person working at a JSEB firm, as shown on the Evaluation Matrix.

2. Organizational Chart

Finally, Proposer shall provide an organizational chart delineating company's personnel responsibilities and functions associated with the Work. If applicable, this chart shall also delineate any responsibilities and functions of subcontractor(s) and/or JSEB firm(s).

1.2.5.2. DESIGN APPROACH AND WORK PLAN

Maximum score for this criterion is: 30 POINTS

Proposer shall provide an explanation of how it typically manages its engagements to realize project budgetary goals, timetables and quality control objectives. Proposer shall explain, for this specific Scope of Work, how it intends to meet the budgetary goals, timetables and quality criteria established herein. Consideration shall be given for cost effectiveness of potential solution(s), creativity and innovation of proposed solutions and comprehensive utilization of proposed personnel to meet the deliverables.

Proposer shall also provide a project schedule indicating: (i) all the activities envisioned to fulfill the requirements of the Work; (ii) the estimated duration for each activity; (iii) the estimated man-hours for each activity; and (iv) the total estimated man-hours each primary Team Member, identified in the Section titled "Professional Staff Experience", will devote to the Work through completion. Additionally, the project schedule must demonstrate the utilization of any Subcontractors.

Required Information:

NARRATIVE OF PROJECT & UNDERSTANDING OF PROJECT ISSUES

Provide a narrative demonstrating the Company's understanding of the project goals, requirements, objectives, challenges, the project delivery method, and how the Company intends to ensure the scope, budget, and schedule will be met.

Describe the Company's project delivery process for design and for construction.

CREATIVITY & INNOVATION IN PROJECT APPROACH AND SOLUTION SELECTION OPTIONS

Discuss how the Company intends to use innovative approaches and/or best practices to achieve results, considering safety, quality, cost and time as they relate to any and all aspects of design, equipment, materials, pre-construction services, and construction.

Discuss the Company's approach to renovate the service center architecturally, structurally, mechanically and electrically.

COST EFFECTIVENESS OF PROPOSED SOLUTIONS

Provide a description of the Company's approach to cost estimating during the various phases of the design (i.e., conceptual, schematic, final and construction documents). Indicate the methodology and estimating system used in preparation of the estimates. Address how the Company will prepare, submit, reconcile and obtain approval of the GMP notice.

Discuss the cost effectiveness of the proposed solutions, taking into account expected life of the equipment, capital costs and operating & maintenance costs over the life of the equipment.

COMPREHENSIVE RESOURCE PLAN & SCHEDULE

Discuss how the Design Build firm will manage and balance the design and construction of this project to meet budget and schedule, including staffing and organization plans.

Discuss how the Company will utilize best practice techniques such as value engineering and constructability reviews and provide evidence of previous experience with any of the methodologies presented.

Provide a schedule which details the Company's proposed activities and how the Company intends to meet the required in-service date.

Provide the strategy the Company will employ for subcontracting work, including the use of JSEB firms. Address the Company's approach to implementation of a Quality Control/Quality Assurance plan for both self-performing and subcontracted work.

Work plan shall be no more than twenty two (22) pages in length, single sided, and on 8.5" x 11" sized paper.
Project schedule shall be no more than two (2) pages in length, single sided, and on up to 11" x 17" sized paper.
Project delivery process schematic shall be no more than two (2) pages in length, single sided, and on up to 11" x 17" sized paper.

Please use your own form for this section.

Each Evaluator will independently evaluate.

1.2.5.3. COMPANY EXPERIENCE

Maximum score for this criterion is: 30 POINTS

Proposer shall provide the following:

Required Information:

The company performing the engineering for this project must submit two (2) projects similar in scope with a summary for each project. These projects must have been completed within the last ten (10) years. A project similar in scope is defined as a project which includes a similar scope as stated in this solicitation.

The company performing the engineering shall provide published project documents of one of the two submitted similar project, including conformed drawings, specs, and final basis of design report with a brief description of how the report framework will be modified for JEA's project. These documents must be submitted on a CD or USB drive and submitted along the Proposal (One (1) CD or USB drive per copy of Proposal).

The company performing the construction for this project must submit two (2) projects. These projects must have been completed within the last ten (10) years. A project similar in scope is defined as a project which includes similar scope as stated in this solicitation.

A total of four (4) projects are required for this section; two (2) projects demonstrating engineering design experience from the company performing the design, and two (2) projects demonstrating construction experience from the company constructing the project. At least one (1) of the projects for the engineering experience and one (1) project for the construction experience must have been delivered via a collaborative delivery method (design-build, CMAR, etc.).

Each project should at a minimum list the following:

- Name of Client/Customer with contact information that should include:
 - Name and title of Contact
 - Contact's phone number and email address.
 - Project Title
 - Project Cost
 - Project Timeframe
- Identify whether any of the proposed Team Members worked in key roles in the projects.
- Provide detailed information to describe how Company managed the engagements to realize project budgetary goals, timetables and quality control objectives.
- Describe any working relationship with subcontractors that will be used for this project.
- Identify the project stage—i.e., design, construction, construction completed, etc.
- Include a project reference for each project.

Brief project description (no more than one (1) page per project) **Descriptions longer than one (1) page will only have the first page reviewed.**

Each Evaluator will independently evaluate the submitted Experience.

1.2.5.4. PAST PERFORMANCE

Maximum score for this criterion is: 4 POINTS

A common questionnaire will be used in evaluating one project reference in the proposal for the designer and the builder. At least one evaluator will be assigned this task and then score the matrix accordingly.

1.2.5.5. PROJECT MANAGER PROXIMITY TO JEA

Maximum score for this criterion is: 1 POINTS

Provide the address of Proposer's office that the proposed Project Manager normally works from and its distance from JEA Headquarters located at 21 West Church St. JEA will use Google Maps to verify distance.

In order to receive points for this criterion, Proposer's office must be occupied and staffed with at least three (3) employees for a duration of six (6) months prior to the Proposal Due Date stated in this RFP. Additionally, the office shall not be used as a residential premise. If necessary, JEA will use zoning records and tax rolls to validate this criteria.

1.2.5.6. JACKSONVILLE SMALL AND EMERGING BUSINESS (JSEB) - RFP

Maximum score for this criterion is: 5 POINTS

Proposer shall indicate if it is certified as a Jacksonville Small and Emerging Business (JSEB) as defined by Jacksonville Ordinance 2004-602; Chapter 126, Part 6A and 6B.

If Proposer is not a certified JSEB, the Proposer shall list any JSEB certified subcontractors that it intends to utilize in the performance of the Design and Engineer Work, Phase I and II. The listing should include names of the JSEBs, the type of service they will provide, and the percentage of work being subcontracted. Points will be awarded based on the type and amount of work that will be conducted by JSEB firms.

The points will be awarded as follows:

Proposer is a COJ/JEA certified JSEB = 5 pts;

Proposer is not a JSEB but will subcontract Work to JSEBs:

Amount of Work to be Subcontracted:

≥ 5% of work = 4 pts.

≥ 3% and < 5% = 3 pts.

≥ 2% and < 3% = 2 pts.

≥ 1% and < 2% = 1 pts.

< 1% = 0 pts.

During the Development of GMP during Phase I in preparation for Phase II, the DB Firm will provide project documentation to the JSEB Manager for the Development of the JSEB goal for Phase II. Once the JSEB goal for Phase II has been established the DB firm will submit documentation to demonstration compliance to the JSEB Manager.

1.2.6. REQUIRED FORMS TO SUBMIT WITH PROPOSAL

To submit a Proposal in response to this RFP, all of the following forms must be completed and submitted as part of the Proposal. The Proposer must obtain the required forms, other than the Minimum Qualification Form, by downloading them from JEA.com. If the Proposer fails to complete or fails to submit one or more of the following forms, the Proposal shall be rejected.

The following forms are required to be submitted:

- Company's Proposal
- Proposal Form - This form can be found in Appendix B of this Solicitation
- Minimum Qualification Form – This form can be found in Appendix B of this Solicitation
- List of JSEB Certified Firms (if any)
- State of Florida General Contractor License (Enter License Number on the Proposal Form).
- List of Subcontractors/Shop Fabricators (if any)

If the above listed forms are not submitted with the Proposal by the Proposal Due Time and Date, JEA shall reject the Proposal.

JEA also requires the following documents to be submitted prior to Contract execution. A Proposal will not be rejected if these forms are not submitted at the Proposal Due Time and Date. However, failure to submit these documents prior Contract execution could result in Proposal rejection.

- Conflict of Interest Certificate Form - This form can be found on JEA.com
- Insurance Certificate
- W-9
- Evidence of active registration with the State of Florida Division of Corporations (www.sunbiz.org)
- Any technical submittals as required by the Technical Specifications

1.2.7. NUMBER OF CONTRACTS TO BE AWARDED

JEA intends to Award one (1) Contract for the Work. JEA reserves the right to Award more than one Contract based on certain groupings of the Work items, or JEA may exclude certain Work items, if JEA determines that it is in its best interest to do so.

1.2.8. JACKSONVILLE SMALL AND EMERGING BUSINESS (JSEB) PROGRAM REQUIREMENTS

1.2.8.1. OPTIONAL USE OF JACKSONVILLE SMALL AND EMERGING BUSINESS (JSEB) PROGRAM

It is at the Respondent's option as to whether it chooses to subcontract to a JSEB firm for Design and Engineering work during the Phase I and II of this project. JEA encourages the use of JSEB qualified firms; however, the Respondent is not required to utilize JSEB firms to be Awarded this Contract.

JSEB firms that qualify for this Contract are only those shown on the current City of Jacksonville JSEB directory appearing at www.COJ.net. Certification of JSEB firms must come from the City of Jacksonville. No other agency or organization is recognized for purposes of this Contract.

In no case shall the Respondent make changes to the JSEB firms listed in its Proposal, revise the JSEB Scope of Work or amount of Work as stated in its Proposal without prior written notice to the JEA Contract Administrator, and without subsequent receipt of written approval for the JEA Contract Administrator.

Any subcontractors of Respondent shall procure and maintain the insurance required of Respondent hereunder during the life of the subcontracts. Subcontractors' insurance may either be by separate coverage or by endorsement under insurance provided by Respondent. Note: Any JSEB firms identified by Respondent for this Solicitation are considered "Subcontractors" under the direct supervision of the Prime or General Contractor (herein referred to as Respondent in this Solicitation). Respondents should show good faith efforts in providing assistance to JSEB firms

in the securing of Subcontractors' insurance requirements stated in this section. Respondent shall submit subcontractors' Certificates of Insurance to JEA prior to allowing subcontractors to perform Work on JEA's job sites.

All question and correspondence concerning the JSEB program should be addressed to the following contact:
Rita Scott
JSEB Manager
scotrl@jea.com

1.3. COMPLETING THE SUBMITTAL DOCUMENTS

1.3.1. SUBMITTING THE PROPOSAL

The Proposer shall submit one (1) original Proposal, five (5) duplicates (hardcopies) and six (6) electronic copies (CD or USB drive). If there is a discrepancy between the electronic copy and the hard copy, the hard copy will prevail. JEA will not accept Proposals transmitted via email. **IF PROPOSER IS INTERESTED IN SUBMITTING A RESPONSE TO THIS RFP, PLEASE EMAIL krucdr@jea.com TO RECEIVE THIS PROPOSAL FORM IN A WORD FORMAT. REQUESTS MUST BE MADE NO LATER THAN FIVE (5) BUSINESS DAYS BEFORE PROPOSAL OPENING.**

1.3.2. COMPLETING THE PROPOSAL

Proposers shall submit their Proposals and any enclosed documents attached to this RFP with responses typewritten or written in ink. Proposers should refer to the Special Instructions of this RFP to review specific items which may be required with the submittal of the Proposal. The Proposer, or its authorized agent or officer of the firm, shall sign the Proposal. Failure to sign the Proposal may disqualify the Proposal. JEA-approved erasures, interlineations or other corrections shall be authenticated by affixing in the margin, immediately opposite the correction, the handwritten signature of each person executing the Proposal. Failure to authenticate changes may disqualify the Proposal. JEA may disqualify any Proposals that deviate from the requirements of this RFP, and those that include unapproved exceptions, amendments, or erasures.

1.3.3. OBTAINING OFFICIAL SPECIFICATION DRAWINGS FOR THIS RFP

If drawings are required to be reviewed prior to submitting a Proposal, JEA offers electronic drawing files for viewing at no charge at JEA.com.

1.3.4. ADDENDA

JEA may issue Addenda prior to the Proposal opening date to revise, in whole or in part, or clarify the intent or requirements of the Solicitation. The Proposer shall be responsible for ensuring it has received all Addenda prior to submitting its Proposal and shall acknowledge receipt of all Addenda by indicating where requested on the Proposal Form. JEA will post all Addenda when issued online at jea.com. The Proposer must obtain Addenda from the JEA website. All Addenda will become part of the Solicitation and any resulting Contract Documents. It is the responsibility of each Proposer to ensure it has received and incorporated all Addenda into its Proposal. Failure to acknowledge receipt of Addenda may be grounds for rejection of a Proposal.

1.3.5. MODIFICATION OR WITHDRAWAL OF PROPOSALS

The Proposer may modify or withdraw its Proposal at any time prior to the Proposal Due Date and Time by giving written notice to JEA's Chief Purchasing Officer. JEA will not accept modifications submitted by telephone, telegraph, email, or facsimile, or those submitted after Proposal Due Date and Time. The Proposer shall not modify or withdraw its Proposal from time submitted and for a period of ninety (90) days following the opening of Proposals.

1.4. GENERAL INSTRUCTIONS

1.4.1. CONTRACT EXECUTION AND START OF WORK

Within thirty (30) days from the date of Award, JEA will present the successful Proposer with the Contract Documents. Unless expressly waived by JEA, the successful Proposer shall execute a Contract for the Work or Services within ten (10) days after receiving the Contract from JEA. If the Proposer fails to execute the Contract or

associated documents as required, or if it fails to act on a JEA-issued Purchase Order (PO), JEA may cancel the Award with no further liability to the Proposer, retain the bid security or bond (if applicable), and Award to the next-ranked company.

Upon JEA's receipt of the executed Contract, certificate of insurance, and recorded Payment and Performance bonds (if applicable), JEA will issue a PO, in writing and signed by an authorized JEA representative as acceptance of the Proposal and authorization for the company to proceed with the Work, unless otherwise stated in the Contract or PO.

For Construction Services: In the event that JEA intends to authorize the successful Proposer to proceed with administrative work only, or with only a portion of the Work, then the PO shall state the specific limitations of such authorization and JEA will issue a separate written Notice to Proceed to authorize the Proposer to begin Field Work, when applicable, or to perform the remainder of the Work, or any portion thereof. The Proposer shall ensure that it is prepared to begin Field Work upon receipt of Notice to Proceed. Any Work performed outside of this partial authorization shall be at the Proposer's risk and JEA shall have no obligation to pay for such Work.

1.4.2. AVAILABILITY OF PROPOSALS AFTER OPENING

In accordance with the Florida Public Records Law, Florida Statute, Chapter 119, copies of all proposals are available for public inspection thirty (30) days after the opening of Proposals or on the date of Award announcement, whichever is earlier. Proposers may review opened Proposals once they are available for public inspection by contacting the designated Buyer or JEA's Public Records custodian whose contact information can be found at jea.com. JEA will post a summary of proposal opening results at www.jea.com.

1.4.3. THIRD PARTY AGREEMENT REQUESTS

In the event Company will or may request JEA execute a third party agreement (including but not limited to: a joint check agreement, or revocable or irrevocable letter of direction with surety), then Company will disclose this fact in writing in its Proposal. This information will be taken into consideration by JEA in evaluating each Proposal. In the event Company is awarded this Work, then JEA will execute such documents, provided however, the same incorporates any additional language required by JEA's Chief Purchasing Officer.

1.4.4. JEA PUBLICATIONS

Applicable JEA publications are available at jea.com.

1.4.5. CONFLICT OF INTEREST

A person or company who receives a Contract which was not procured pursuant to public bidding procedures to perform a feasibility study, or who participated in the drafting of an invitation to bid or request for proposals, or who developed a program for future implementation shall not be eligible to contract with JEA for any other contracts dealing with that specific subject matter.

Should JEA erroneously Award a Contract in violation of this policy, JEA may terminate the Contract at any time with no liability to Proposer, and Proposer shall be liable to JEA for all damages, including but not limited to the costs to rebid the Work. The purpose of this policy is to encourage bidding and eliminate any actual or perceived advantage that one Proposer may have over another.

1.4.6. ETHICS (RFP)

By signing the Proposal, the Proposer certifies this Proposal is made without any previous understanding, agreement or connection with any other person, firm, or corporation submitting a Proposal for the same Work other than as a Subcontractor or supplier, and that this Proposal is made without outside control, collusion, fraud, or other illegal or unethical actions. The Proposer shall comply with all JEA and City of Jacksonville ordinances, policies and procedures regarding business ethics.

The Proposer shall submit only one (1) Proposal in response to this RFP. If JEA has reasonable cause to believe the Proposer has submitted more than one (1) Proposal for the same Work, other than as a Subcontractor or subsupplier, JEA shall disqualify the Proposal and may pursue debarment actions.

The Company shall disclose the name(s) of any public officials who have any financial position, directly or indirectly, with this Proposal by completing and submitting the Conflict of Interest Certificate Form found at jea.com. Failure to fully complete and submit the Conflict of Interest Certificate will disqualify the Proposal. If JEA has reason to believe that collusion exists among the Companies, JEA will reject any and all Proposals from the suspected Company and will proceed to debar Company from future JEA Awards in accordance with the JEA Purchasing Code.

JEA is prohibited by its Charter from awarding contracts to JEA officers or employees or companies in which a JEA officer or employee has a financial interest. JEA shall reject any and all Proposals from JEA officers or employees as well as any and all Proposals in which a JEA officer or employee has a financial interest.

In accordance with Florida Statutes Sec. 287.133, JEA will reject Proposals from any persons or affiliates convicted of a public entity crime as listed on the Convicted Vendor list maintained by the Florida Department of Management Services. JEA shall not make an Award to any officer, director, executive, partner, shareholder, employee, member, or agent active in management of the Company listed on the Convicted Vendor list for any transaction exceeding \$35,000.00 for a period of thirty-six (36) months from the date of being placed on the Convicted Vendor list.

If the Company violates any requirement of this clause, the Proposal may be rejected and JEA may debar offending companies and persons.

1.4.7. EX PARTE COMMUNICATION

Ex Parte Communication is strictly prohibited. Ex Parte Communication is defined as any inappropriate communication concerning a Solicitation between a firm submitting a Proposal and a JEA representative during the time in which the Solicitation is being advertised through the time of Award. Examples of inappropriate communications include: private communications concerning the details of Solicitation in which a Proposer becomes privy to information not available to the other Proposers. Social contact between Proposers and JEA representatives should be kept to an absolute minimum during the solicitation process.

Failure to adhere to this policy will disqualify the noncompliant Company's Proposal. Any questions or clarifications concerning a Solicitation must be sent in writing via email to the JEA Buyer at least five (5) business days prior to the opening date. If determined by JEA, that a question should be answered or an issue clarified, JEA will issue an addendum to all Proposers.

For more information on Ex Parte communications, see JEA Procurement Code, Article 1-110, which is available at www.jea.com.

1.4.8. RESERVATIONS OF RIGHTS TO JEA

The Solicitation provides potential Companies with information to enable the submission of written offers. The Solicitation is not a contractual offer or commitment by JEA to purchase products or services.

Proposals shall be good for a period of ninety (90) days following the opening of the Proposals.

JEA reserves the right to reject any or all Proposals, or any part thereof, and/or to waive informalities if such action is in its best interest. JEA may reject any Proposals that it deems incomplete, obscure or irregular including, but not limited to, Proposals that omit a price on any one or more items for which prices are required, Proposals that omit Unit Prices if Unit Prices are required, Proposals for which JEA determines that the Proposal is unbalanced, Proposals that offer equal items when the option to do so has not been stated, Proposals that fail to include a Bid Bond, where one is required, and Proposals from Companies who have previously failed to satisfactorily complete JEA contracts of any nature or who have been scored by JEA as "Unacceptable" and as a result, are temporarily barred from bidding additional work.

JEA reserves the right to cancel, postpone, modify, reissue and amend this Solicitation at its discretion.

JEA reserves the right to cancel or change the date and time announced for opening of Proposals at any time prior to the time announced for the opening of Proposals. JEA may Award the Contract in whole or in part. In such cases whenever JEA exercises any of these reservations, JEA will make a commercially reasonable effort to notify, in

writing, all parties to whom Solicitations were issued. JEA may award multiple or split Contracts if it is deemed to be in JEA's best interest.

1.4.9. CERTIFICATION AND REPRESENTATIONS OF THE COMPANY

By signing and submitting a proposal, the Proposer certifies and represents as follows:

- a. That it has carefully examined all available records and conditions, including sites if applicable, and the requirements and specifications of Solicitation prior to submitting its Proposal. Where the Proposer visits sites, no Work or other disturbance is to be performed while at the site without written permission by JEA in advance of the site visit. The Proposer shall comply with all safety requirements described in the Proposal and shall be prepared to show proof of a minimum of \$1 million of general liability insurance or the amount specified in this Solicitation (whichever is greater).
- b. That every aspect of the Proposal and the detailed schedule for the execution of the Work, are based on its own knowledge and judgment of the conditions and hazards involved, and not upon any representation of JEA. JEA assumes no responsibility for any understanding or representation made by any of its representatives during or prior to execution of the Contract unless such understandings or representations are expressly stated in the Contract and the Contract expressly provides that JEA assumes the responsibility.
- c. That the individual signing the Proposal is a duly authorized agent or officer of the firm. Proposals submitted by a corporation must be executed in the corporate name by the President or Vice President. If an individual other than the President or Vice President signs the Proposal, satisfactory evidence of authority to sign must be submitted upon request by JEA. If the Proposal is submitted by a partnership, the Proposal must be signed by a partner whose title must under the signature. If an individual other than a partner signs the Proposal, satisfactory evidence of authority to sign must be submitted upon request by JEA.
- d. The corporation or partnership must be in active status at the Florida Division of Corporations (www.sunbiz.org) prior to Award.
- e. That the firm maintains in active status any and all licenses, permits, certifications, insurance, bonds and other credentials including, but not limited to, contractor's license and occupational licenses necessary to perform the Work. The Proposer also certifies that, upon the prospect of any change in the status of applicable licenses, permits, certifications, insurances, bonds or other credentials, the Proposer shall immediately notify JEA of status change.
- f. That it has read, understands and will comply with these instructions and the Section titled Ethics.

1.4.10. PROHIBITION AGAINST CONTINGENT FEES

The Company warrants that it has not employed or retained any company or person, other than a bona fide employee working for the Company, or an independent sales representative under contract to the Company, to solicit or secure a contract with JEA, and that it has not paid or agreed to pay any person, company, corporation, individual or Company, other than a bona fide employee working solely for the Company, or an independent sale representative under contract to the Company, any fee, commission, percentage, gift, or any other consideration, contingent upon or resulting from the Award or making of the Contract. For a breach or violation of these provisions occurs, JEA shall have the right to terminate the Contract without liability, and at its discretion, to deduct from the Contract Price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.

1.4.11. PROTEST OF RFP AND AWARD PROCESS

Companies shall file any protests regarding this RFP in writing and in accordance with the JEA Procurement Code, as amended from time to time. The JEA Procurement Code is available online at jea.com.

2. SECTION 2 CONTRACTUAL COMMERCIAL TERMS

- 042-19 Appendix C - Progressive Design-Build Terms and Conditions and Articles of Indexes

3. TECHNICAL SPECIFICATIONS/DETAILED SCOPE OF WORK

3.1. TECHNICAL SPECIFICATIONS/DETAILED SCOPE OF WORK (APPENDIX A)

Technical Specifications and a Detailed Scope of Work are located in Appendix A of this document.

- 042-19 Appendix A – Design Criteria

4. FORMS

4.1. FORMS (APPENDIX B)

Forms required to be submitted with this solicitation are provided in Appendix B or can be obtained on the JEA website at www.jea.com.

5. EVALUATION MATRIX

5.1. EVALUATION MATRIX

The attached form (042-19 Evaluation Matrix.xlsx) is the matrix that will be used to evaluate all proposals submitted in response to this RFP.

6. SUPPLEMENTAL DOCUMENTS

6.1. SUPPLEMENTAL DOCUMENTS (APPENDIX C)

The following supplemental documents can be found as Appendix C.

- 042-19 Appendix C - PDB Terms and Conditions and Article of Indexes
- 042-19 Appendix C - Route Evaluation
- 042-19 Appendix C - Walnut Street Trunk Sewer As-builts