

**BID COVER**

**Franklin-98 Living Shoreline Project  
Apalachee Regional Planning Council**

(850) 488-6211

Issue Date: September 21, 2022

**INVITATION TO NEGOTIATE #22-ENV2**

**Franklin 98 (F-98) Living Shoreline Planning Program**

**Due Date to Submit Proposal: November 11, 2022 at 3:00pm**

*Note: All meetings and submittal deadlines are Eastern Time (ET).*

**PRE-PROPOSAL CONFERENCE**

A mandatory pre-proposal conference will be held October 12 at 10:00am at Apalachicola National Estuarine Research Reserve Nature Center (ANERR). 108 Island Drive Eastpoint, FL 32328

**Due Date to Submit Questions:** October 19, 2022 at 3pm

To: All Submitters

From: Josh Adams, Environmental Planning Manager

You are invited to submit sealed proposals subject to the terms, conditions, and specifications contained herein and are hereby made part of this request.

All proposals must be submitted no later than November 11, 2022 at 3:00pm in a sealed envelope to:

Apalachee Regional Planning Council  
c/o Josh Adams  
2507 Callaway Road, Suite 200  
Tallahassee, FL 32303

Faxed proposals will not be accepted.

The face of the envelope shall contain the "Request for Proposals #13/14-08" and Bidder Name

Proposals will be opened publicly on Monday, November 14, 2022.

Proposals received after due date and time will be rejected.

Proposals will not be evaluated at this time.

The evaluation date and time is noted in the RFP document.

With the consent and agreement of the successful proposer, ARPC encourages and agrees to successful proposer extorning the pricing, terms and conditions of this solicitation or resultant contract to other governmental entities at the discretion of the successful proposer.

Proposers shall note exceptions to the above paragraph, if any.

In order to insure uniformity, all proposals must be submitted on the enclosed forms or exact photo copies and

signed by an authorized representative of the company submitting the proposal. Proposals not submitted in accordance with the terms, conditions, specifications, and other instructions contained herein may be subject to rejection.

#### SUMMARY OF SCOPE OF WORK

The Apalachee Regional Planning Council has been authorized to create a living shoreline along submerged lands through the placement of reef habitat fill material to create up to 20 acres of nearshore reef habitat in conjunction with the planting of up to 30 acres of intertidal marsh habitat along portions of Highway-98 in Franklin County. The reef habitat will provide irregularly shaped reefs which consist of shapes up to 75 feet long with 5-foot minimum gaps between segments to reduce the chance of swimming species entrapment. This project will begin with the installation of 2.43 acres (Phase 1) of intertidal reef structures and sill, with additional acreage of reefs anticipated to be added after construction commences. Planting of the saltmarsh will occur by

others (not included in this scope of work) after the construction of the reefs/sills. Each structure will maintain a 15-foot buffer between the reefs and existing submerged aquatic vegetation (SAV). Depending on the voluntary participation by private property owners along the project study area, these reef habitat structures will cover up to 20 acres and consist of a combination of non-plastic materials such as rocks/recycled concrete, concrete-soaked natural materials, and precast concrete reef units in various shapes/sizes and configurations. All project activities will occur between the MHWL and -6 feet water depth (NAVD88).

**For questions relating to this solicitation, contact Josh Adams, Environmental Planning Manager, Apalachee Regional Planning Council at [jadams@arpc.org](mailto:jadams@arpc.org).**

# BIDDER INFORMATION FORM (1 OF 2)

LEGAL NAME OF PARTNERSHIP, CORPORATION OR INDIVIDUAL:

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DBA: \_\_\_\_\_ FEIN: \_\_\_\_\_

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AUTHORIZED REPRESENTATIVE NAME/TITLE: \_\_\_\_\_

---

EMAIL ADDRESS \_\_\_\_\_

---

STREET ADDRESS \_\_\_\_\_

---

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

---

MAILING ADDRESS (IF DIFFERENT) \_\_\_\_\_

---

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

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TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_

**ACKNOWLEDGEMENT OF DEFAULT (PLEASE INITIAL)**

Is bidder a defaulter, as surely or otherwise, upon any obligation to Franklin County?

\_\_\_\_\_ Bidder IS NOT in default.      \_\_\_\_\_ Bidder IS in default.

**ADDENDA ACKNOWLEDGEMENT**

Prior to submitting my offer, I have verified that all addenda issues to date are considered as part of my offer.

Addenda Received (list all) # \_\_\_\_\_

Bidders who receive this bid from sources other than the Apalachee Regional Planning Council MUST contact them prior to the due date to ensure any addenda are received in order to submit a responsible and responsive offer. Submitting an incomplete document may deem the offer non-responsive, causing rejection. The ARPC reserves the right to reject all proposals. The bid and all addenda can be found on the ARPC website at [www.arpc.org](http://www.arpc.org).

## BIDDER INFORMATION FORM (2 of 2)

By signing this form, I acknowledge I have read and understand, and my firm complies with all General Conditions and requirements set forth herein; and, Bidder or bidder's representative agrees to attend a mandatory pre-proposal meeting to understand potential bid criteria. ARPC shall conduct the meeting in person at designated location in Apalachicola and will provide a virtual platform for mandatory attendance.

- Proposal is in full compliance with the Specifications.
- Proposal is in full compliance with the Specifications except as specifically state and attached hereto.

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SIGNATURE OF AUTHORIZED REPRESENTATIVE

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SIGNER'S PRINTED NAME DATE

***This form must be completed and included with your submittal.***

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# PART 1

## INVITATION TO BID INFORMATION

### 1.1 INTRODUCTION/BACKGROUND

The ARPC has been authorized to create a living shoreline along submerged lands through the placement of reef habitat fill material to create up to 20 acres of nearshore reef habitat in conjunction with the planting of up to 30 acres of intertidal marsh habitat between the Mean High Water Line (MHWL) and -6 feet and not farther than 500 foot seaward of the MHWL. The reef habitat will provide irregularly shaped reefs which consist of shapes up to 75 feet long with 5-foot minimum gaps between segments to reduce the chance of swimming species entrapment. This project will begin with the installation of 2.43 acres (Phase 1) of intertidal reef structures and sill, with additional acreage of reefs anticipated to be added after construction commences. Each structure will maintain a 15-foot buffer between the reef segments and existing submerged aquatic vegetation (SAV). Depending on the voluntary participation by private property owners along the project study area, these reef habitat structures will cover up to 20 acres and consist of a combination of non-plastic materials such as rocks/recycled concrete, concrete-soaked natural materials, and precast concrete reef units in various shapes/sizes and configurations. The reef habitat structures will provide wave attenuation for the marsh. Intertidal marsh habitat will cover approximately 30 acres and be composed of a fringe marsh, dominated by *Spartina alterniflora*, landward of the reef habitat. All project activities will occur between the MHWL and -6 feet water depth (NAVD88).

## PART 2

# INVITATION TO NEGOTIATE INFORMATION

### 2.1 DISTRIBUTION OF INFORMATION

The Apalachee Regional Planning Counsel posts and distributes information pertaining to its procurement solicitations on at [www.arpc.org](http://www.arpc.org) and DemandStar ([www.demandstar.com](http://www.demandstar.com)).

It is the responsibility of the bidder to monitor the ARPC website and, if applicable, DemandStar. Properly registered bidders can expect to receive automatic notification of solicitations for bids and proposals, by participating purchasing entities. Bidder failure to retrieve available, required procurement information and include the appropriate documentation and information in solicitation responses may result in disqualification.

### 2.2 PRE-PROPOSAL MEETING, QUESTIONS, CLARIFICATIONS AND BID OPENING

Attending a pre-proposal meeting is mandatory as the project's scope of work, procedures, and specifications will be discussed at this time. It is the only time during the bid process that bidders may ask questions directly of the ARPC prior to submitting a bid.

ARPC will conduct the mandatory pre-proposal meeting in-person at the Apalachicola National Estuarine Research Reserve Nature Center (ANERR), 108 Island Drive, which will include a site visit to the project areas.

NOTE: For a bidder's attendance of a mandatory pre-proposal meeting to count, the bidder must sign-in before the Procurement Specialist calls the end of that meeting. If the bidder is not signed in by that time, they will be disqualified from bidding on the project. If the mandatory pre-proposal meeting also includes a required site visit, then bidder must sign in, both at the pre-proposal meeting, and again at the end of the site visit, in order to have their attendance count and not be disqualified from submitting a proposal.

***NOTE: Failure to attend a mandatory pre-proposal meeting will result in disqualification of your proposal.***

If special accommodations are needed in order to attend a pre-proposal meeting or a bid opening, please contact the Apalachee Regional Planning Council at least 72 hours in advance.

All questions that occur outside of the pre-proposal meeting must be submitted to Procurement only, and must be received by the date indicated on the Bid Cover Page to be considered. Technical and/or specification questions will not be answered over the phone; they must be submitted by email directed to the Procurement Specialist conducting the solicitation (refer to Bid Cover Page). All questions submitted during the pre-proposal meeting are required to be formally submitted to be included as part of the addendum for legal inclusion into the ITN/procurement process. All questions will be answered via Addendum which will be posted on the ARPC website at [www.arpc.org](http://www.arpc.org) for vendor access. All addenda must be acknowledged by the bidder on the Bid Cover Page.

### 2.3 ITN TIME TABLE

The anticipated schedule for the ITN and contract approval is as follows:

ACTION	COMPLETION DATE
ITN available for distribution	September 21, 2022
Mandatory Pre-Proposal Meeting	October 12, 2022
Deadline for receipt of questions	October 19, 2022 at 3 pm
Deadline for submittal of proposals	November 11, 2022 at 3 pm
Evaluation/Selection process	November 11-18, 2022
Negotiations	Complete by December 2, 2022
Projected award date	December 2, 2022
Projected contract start date	December 5, 2022

All dates are subject to change. Bidders will be notified via Addendum available on the ARPC website in



event of any schedule changes.

## **2.4 PROHIBITION OF LOBBYING**

To ensure fair consideration, consistent and accurate dissemination of information for all bidders, the ARPC prohibits communication to or with any department, employee, or agent evaluating or considering proposals during the submission process, except as authorized by the representative. Additionally, the ARPC prohibits communication initiated by a bidder to any city official or employee evaluating or considering the proposals before the time an award decision has been made. Any communication between proposer and the ARPC required to obtain information or clarification for preparing a bid or to enable a proper, accurate evaluation of a proposal will be handled solely through the Procurement Division staff. Any communications initiated between the bidder and the ARPC outside these parameters may be grounds for disqualifying the offending bidder from consideration for award of the proposal and/or any future proposal.

## **2.5 CONE OF SILENCE**

During the Cone of Silence (formerly called Blackout period) as defined in the next paragraph, except as pursuant to an authorized appeal, no person may lobby (as defined in section 2.4 on behalf of a competing party in a particular procurement process, ARPC officials or employees except the Procurement designated staff contact in the Procurement Division. Violation of this provision shall result in disqualification of the party on whose behalf the lobbying occurred.

The Cone of Silence is the period between the issue date of the ITN, which allows for immediate submittals to ARPC for the Invitation to Negotiate and the time the ARPC Officials and Employee awards the contract.

## **2.6 DETERMINATION OF RESPONSIBILITY OF BIDDERS**

The minimum qualifications of bidders for this specific ITN are included in Part 3. As a part of the proposal evaluation process, the ARPC reserves the right to conduct a background investigation of bidder, including a record check if the qualifications require it. Bidder's submission of a proposal constitutes acknowledgment of the process and consent to such investigation.

The criteria considered by the ARPC to evaluate the bidder's capability to perform:

- a) The ability of the bidder to successfully carry out a proposed contract.
- b) Past performance (including reference check), experience, business and financial capabilities, skills, technical organization, legal eligibility and reliability.
- c) Bidder possesses all required licenses.

CRITERIA	MAXIMUM POINTS
<p><b>Understanding of the work to be done</b></p> <p>Did the firm follow submittal requirements and clearly demonstrate an understanding of the purpose for the Request for Proposals?</p> <ul style="list-style-type: none"> <li>• Demonstrate understanding of the project opportunities and challenges.</li> <li>• Identify the potential project challenges and how you would recommend that each be addressed.</li> </ul>	10
<p><b>Qualifications &amp; Experience</b></p> <p>Did the firm follow submittal requirements and clearly demonstrate qualifications and required experience?</p> <ul style="list-style-type: none"> <li>• Demonstrate experience and qualifications of the lead firm on marine construction projects, as well as sub-firms on the project team. Experience should detail relevant experience in marine construction and/or aquatic environmental restoration.</li> <li>• Provide a staff organization chart. Identify key individuals involved on this project, their affiliation and office location.</li> <li>• For each key staff member identified in the organization chart, provide a summary of relevant experience and qualifications. Detailed resumés should be submitted for key staff. The brief overview should identify the individual experience on similar projects and their availability to support this project.</li> <li>• Please indicate which individuals will attend the proposed interview, if an interview is requested.</li> <li>• Should sub-consultant(s) be listed as part of the project team, the proposer shall provide a letter from each sub-consultant that indicates the sub-consultant's intent to be part of the project team.</li> <li>• Provide three (3) client references (contact information only) for marine construction projects led by the proposed Project Manager within the past 5-years</li> </ul>	20

CRITERIA	MAXIMUM POINTS
<p><b>Construction and Technical Equipment Capabilities</b></p> <p>Did the firm clearly demonstrate their construction and technical equipment capabilities?</p> <ul style="list-style-type: none"> <li>• <b>Demonstrate aquatic construction capabilities, and technical equipment and facilities, or ability to acquire.</b></li> </ul>	25
<p><b>Schedule for Completion</b></p> <p>Does the firm describe their current workload and potential effect on the project and scheduled deliverables?</p> <ul style="list-style-type: none"> <li>• Demonstrate ability to comply with the required delivery and performance schedule, taking into consideration all existing commercial and governmental business commitments</li> <li>• From a detailed project schedule, show the firm's general workload capacity.</li> <li>• Time is an important aspect of the project and if the firm does not believe the stated timeframe is achievable, please indicate the reasons and provide an alternative schedule.</li> </ul>	15
<p><b>Cost</b></p> <p>Did the firm provide costs proposed to complete the scope of work?</p> <ul style="list-style-type: none"> <li>• Provide a signed Cost / Schedule of Values as contained within the bid documents.</li> </ul>	22
<p><b>Minority Business Enterprise (MBE)</b></p> <p>Did the firm provide documentation to support MBE designation?</p> <ul style="list-style-type: none"> <li>• Documentation showing if firm possesses Minority Business Enterprise (MBE) certification.</li> </ul>	3
<p><b>Local Considerations</b></p> <p>Did the firm provide details that demonstrate their ability to consider local conditions and use of local workforce?</p> <ul style="list-style-type: none"> <li>• For anticipating challenges associated with the project sites, what is the anticipated involvement of individuals with firsthand local conditions, including presence of seagrass beds, sediment types, and navigation of the project sites (including both land and water access)?</li> <li>• To maximize cost-effectiveness and accountability for project success, how much of the construction work will be completed by individuals who currently live within a 30-minute drive of the project sites?</li> </ul>	5

If it is determined that the bidder is not responsible, ARPC will notify bidder of its finding, including evidence used, and allow bidder the opportunity to come into compliance within three (3) business days

of notification.

Successful Bidder must either update or complete ARPC's vendor application, pay business tax (if applicable), and register with the State of Florida. Please be advised that the ARPC Attorney's office will not approve a contract with any vendor unless the corporation or partnership is registered with the Division of Corporations with the State of Florida ([www.sunbiz.org](http://www.sunbiz.org)).

## **2.7 RESPONSIVENESS OF PROPOSAL**

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

**PART 3  
MINIMUM QUALIFICATIONS**

**3.1 VENDOR REQUIREMENTS**

Vendor shall have, as a minimum, the following within the last five (5) years:

<b>REQUIREMENTS</b>
<b>Marine Construction</b>
<b>Obtaining Permits from Florida Department of Transportation</b>
<b>Maintaining safe and steady traffic patterns while working in right-of-way</b>
<b>Carefully working around sensitive habitats</b>
<b>Working in tidal systems while maintaining good water quality</b>

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## **PART 4**

### **SCOPE OF WORK**

#### **4.1 GENERAL DESCRIPTION**

Project Identification: Franklin-98 Living Shoreline Project, Contract No. 22-ENV2

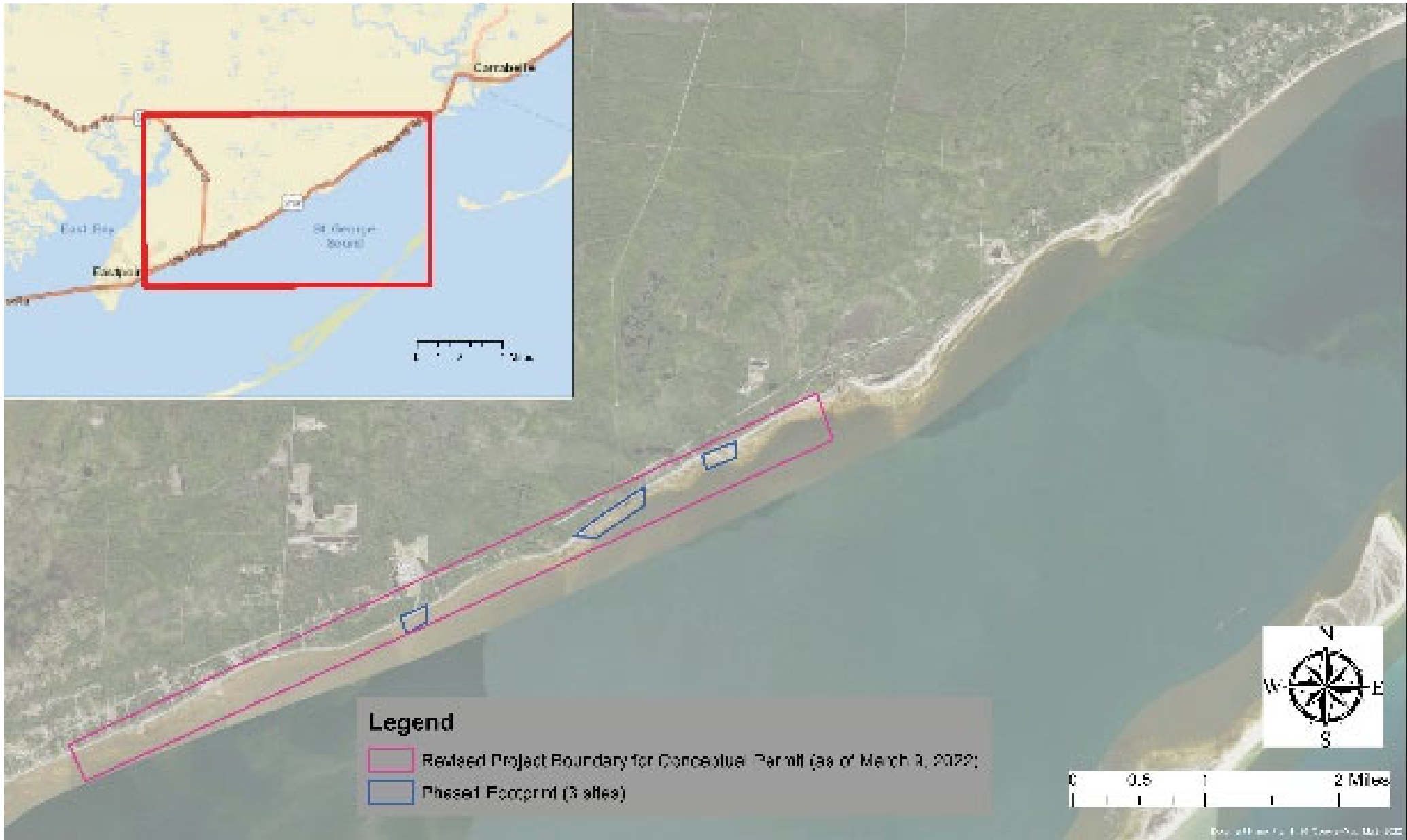
Installation of rock sill structure, manufactured reef units and rock beds along approximately 3.5 miles of the Apalachicola Bay shoreline in Eastpoint, Franklin County, Florida.

#### **4.2 SCOPE OF WORK**





The habitat restoration work plan shall be consistent with the requirements of the Contract Documents and must provide, at a minimum, sections on waste handling, site work controls, quality assurance/quality control (QA/QC) protocols, temporary soil erosion and sedimentation controls, equipment description including safety devices to be utilized for the Work, a detailed schedule of all tasks required to fulfill the Work of the Project, and a work sequencing for the site.

Work sequencing shall describe procedures to be utilized for the Work at the site. Include procedures for completing all restoration features as shown on the Contract Drawings.

# Project Boundary

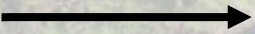


**Legend**

-  Phase 1 Footprint (1 of 3 sites)
-  NewReefSillsAndReefbeds\_Phase1-ReefSills\_Phase1
-  NewReefSillsAndReefbeds\_Phase1-Reefbeds\_Phase1\_Reefbeds\_Phase1
-  Reefbeds\_Phase1\_Reefbeds\_Phase1\_Reefbeds\_Phase1





This plan shows the anticipated approximate layout of the proposed sills/reefs. The exact feature locations will be determined in the field at the time of construction.

Phase 1  
West Site  
(School)



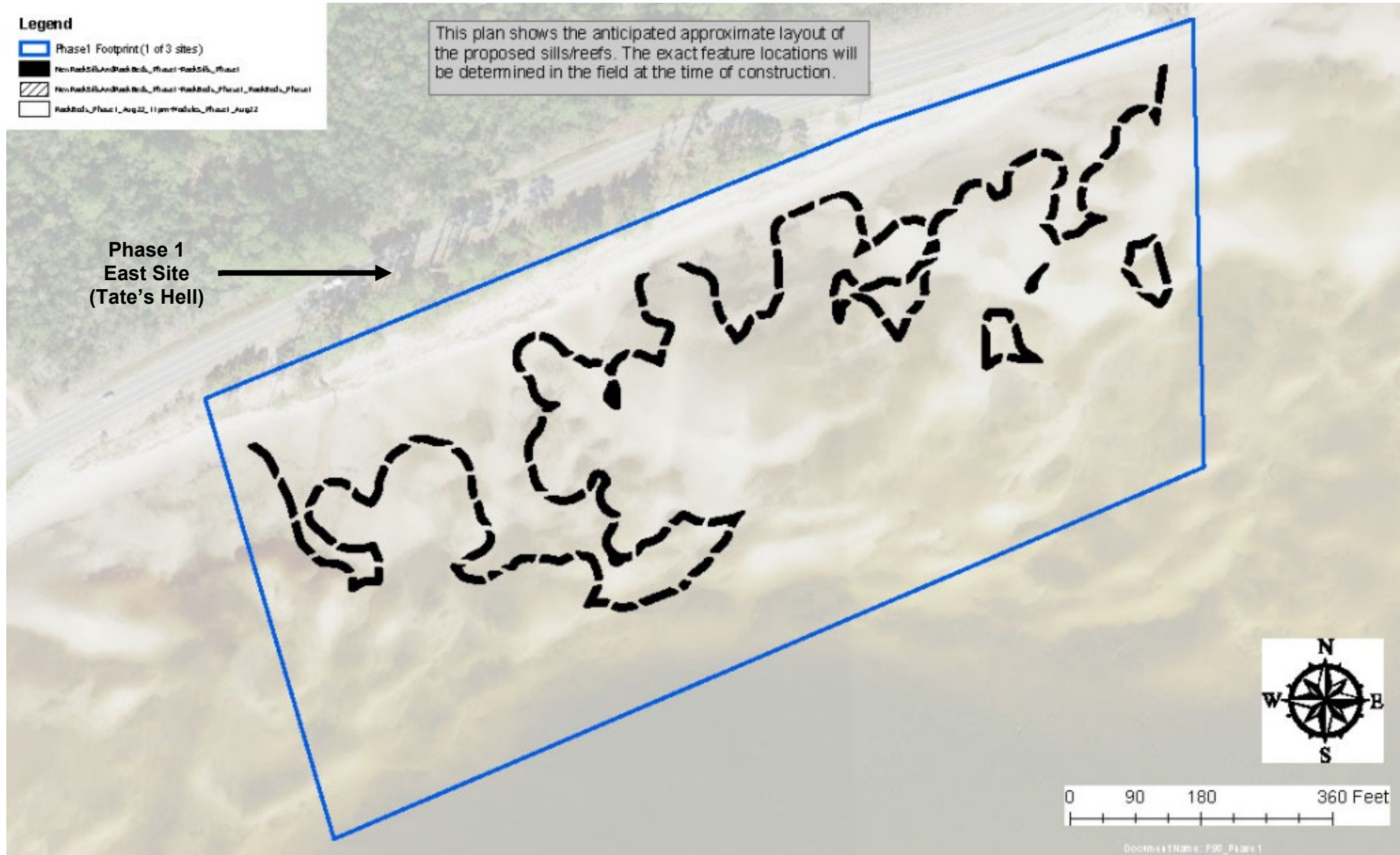


**Legend**





-  Phase1 Footprint(1 of 3 sites)
-  NewReefSillsAndReefBeds\_Phase1-ReefSills\_Phase1
-  NewReefSillsAndReefBeds\_Phase1-ReefBeds\_Phase1-ReefBeds\_Phase1
-  ReefBeds\_Phase1\_Aug22\_HighReefBeds\_Phase1\_Aug22

This plan shows the anticipated approximate layout of the proposed sills/reefs. The exact feature locations will be determined in the field at the time of construction.

Phase 1  
East Site  
(Tate's Hell) →

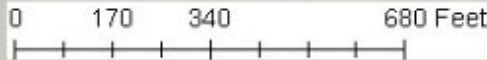


**Legend**

-  Phase 1 Footprint (1 of 3 sites)
-  Revised Sill/Reef/Island, Phase 1 - Revised Sill, Phase 1
-  Revised Sill/Reef/Island, Phase 1 - Revised Sill, Phase 1 - Hatched, Phase 1
-  Revised Sill/Reef/Island, Phase 1 - Revised Sill, Phase 1 - White, Phase 1

This plan shows the anticipated approximate layout of the proposed sills/reefs. The exact feature locations will be determined in the field at the time of construction.

Phase 1  
Middle Site  
(Tate's Hell) →



Document Name: F90\_P12061

# PART 5

## HOW TO SUBMIT A PROPOSAL

**Instructions to bidders:** Proposals must contain each of the documents listed below; each fully completed and signed, as required. Proposals submitted which do not include the following items may be deemed non-responsive and may not be considered for contract award.

### 5.1 STATEMENT OF QUALIFICATIONS FORMAT

- **Project Understanding and Approach** Describe your understanding of the objectives and scope of the requested services and your general approach to such. Include a general time frame for being able to respond to ARPC requests for specific project proposals.
- **Proposed Project Staff:** Identify the key personnel who will be directly assigned to this project. State the qualifications and related experience of each member of the proposed project team. Provide a resume for each team member key personnel for the project.
- **Qualifications of Firm** Provide pertinent information about the firm and related experience providing similar collection services.

### 5.2 CONTENT OF PROPOSAL

**Required Documents:** The following documents are required to be included in the bidder's submission:

- a) ITN Cover Page
- b) Address each Minimum Qualification
- c) Provide a Statement of all Qualifications that will communicate the capabilities of the bidder to successfully complete the project
- d) Pricing Proposal
- e) Drug-Free Workplace Form
- f) Bidder Verification Form
- g) References Form
- h) Experience form
- i) Bidder's W-9
- j) Copy of any applicable, current licenses and/or certification required by City/County/State

**5.3 PROPOSAL SUBMISSION INSTRUCTIONS** The bid response, containing all required documents, with

**authorized signatures, must be received by 3:00 p.m. on the due date indicated on the Bid Cover Page for this project.** The bidder's complete response must be delivered to ARPC prior to the 3:00 p.m. deadline. Late submittals will not be accepted. Bidder needs to deliver seven (7) hard copies of the proposal.

Modifications to or withdrawal of a bidder's submittal can be made up to the deadline date. Modifications and withdrawals must be documented by written receipt from the ARPC. Any bid not withdrawn will constitute an irrevocable offer, for a period of one hundred twenty (120) days, to provide the ARPC adequate time to award the Contract for the services specified in this solicitation.

Both the response and the price proposal, if required to be submitted as a separate document, must be signed by an officer of the business who is legally authorized to enter into a contractual relationship in the name of the bidder. An authorized representative who is not an officer may sign the proposal, but must attach a corporate resolution granting authorization to the representative to execute on behalf of the business.

The submittal of a response by a bidder will be considered by the City as constituting an offer by the bidder to perform the required materials/services.

**5.4 DISCLOSURE AND CONFIDENTIALITY** Florida's Public Records Law, Chapter 119, Florida Statutes, includes numerous exemptions to the general requirement to disclose information to the public in response to a public record's request. Exemptions are found in various provisions of the Florida Statutes, including but not limited to Section 119.071, Florida Statutes (General exemptions from inspection or copying of public records), and Section 119.0713, Florida Statutes (Local government agency exemptions from inspection or copying of public records). Section 815.045, Florida Statutes (Trade secret information), provides that trade secret information as defined in Section 812.081, Florida Statutes (Trade secrets; theft, embezzlement; unlawful copying; definitions; penalty) is confidential and exempt from disclosure because it is a felony to disclose such records. The Parties understand and agree that Florida's Public Records Law is very broad and that documents claimed by a Party to be confidential and exempt from public disclosure pursuant to the Public Records Law may in fact not be deemed such by a court of law. Accordingly, the following provisions shall apply:

- i. Identifying Trade Secret or Otherwise Confidential and Exempt Information. For any records or portions thereof that bidder claims to be Trade Secret or otherwise confidential and exempt from public disclosure under the Public Records Law, bidder shall:
  - a. Specifically identify the records or specific portions thereof that are confidential and exempt and reference the particular Florida Statute that grants such status. Provide one redacted copy of the record and one copy of the record with the confidential and exempt information highlighted as outlined in items 1 and 2 on the following page. Bidder shall take care to redact only the confidential and exempt information within a record.
  - b. Provide an affidavit or similar type of evidence that describes and supports the basis for

Contractor's claim that the information is confidential and exempt from public disclosure.

ii. Request for Trade Secret or Otherwise Confidential and Exempt Information.

- a. In the event ARPC receives a public records request for a record with information labeled by bidder as Trade Secret or otherwise as confidential and exempt, ARPC will provide the public record requester with the redacted copy of the record and will notify bidder of the public records request.
- b. However and notwithstanding the above, in the event that ARPC in its sole discretion finds no basis for bidder's claim that certain information is Trade Secret or otherwise confidential and exempt under Florida's Public Records Law, then ARPC shall notify bidder in writing of such conclusion and provide bidder a reasonable amount of time to file for declaratory action requesting a court of law to deem the requested information as Trade Secret or otherwise as confidential and exempt under Florida's Public Records Law. If bidder fails to file for declaratory action within the reasonable amount of time provided, then ARPC will disclose the information requested.
- c. If a public records lawsuit is filed against ARPC requesting public disclosure of the information labeled by bidder as Trade Secret or otherwise as confidential and exempt, ARPC shall notify bidder and bidder shall intervene in the lawsuit to defend the nondisclosure of such information under Florida's Public Records Law.
- d. Bidder hereby indemnifies and holds ARPC, its officers and employees harmless from any and all liabilities, damages, losses, and costs of any kind and nature, including but not limited to attorney's fees, that arise from or are in any way connected with bidder's claim that any information it provided to ARPC is Trade Secret or otherwise confidential and exempt from public disclosure under Florida's Public Records Law.

How to Designate Trade Secret or Otherwise Confidential and Exempt Information

If a bidder believes that its response contains trade secret or otherwise confidential and exempt information (as defined by Florida or Federal law) and should be withheld from disclosure to the public, in such cases the bidder must provide a redacted copy of the proposal for public access.

- Redacted means that the confidential/proprietary information in the proposal has been obscured so that it cannot be read.
- Unredacted means that the entire document, including the confidential/proprietary information, has not been obscured and is visible for the evaluation team to use in their evaluation process.

Deliver version of the response of the complete UNREDACTED proposal. Include “UNREDACTED, CONFIDENTIAL” in document title. This is the version that will be used by the evaluators when they are reviewing your proposal. It is essential that the items that will be redacted are highlighted in yellow to prevent the evaluation team from discussing these items after the award. The first page of the document for the **unredacted** document should provide a general description of the information bidder has designated as confidential and/or exempt, and provide a reference to the appropriate Florida or Federal statute supporting the confidential and/or exempt classification.

In addition a REDACTED copy of the proposal should be delivered contemporaneously. Include “REDACTED” in the document title. This copy will be used to support any public records requests that may arise from this solicitation.

*How the ARPC will Handle Material Identified as Trade Secret or Otherwise Confidential and Exempt Information*

The ARPC evaluators will be provided with the complete unredacted proposal, including any trade secret or otherwise confidential and exempt information. The ARPC evaluators will maintain the confidentiality of the information through the evaluation process, including any recorded evaluation team meetings.

In the event a public record request is made to view the information which bidder claims is confidential and/or exempt, the ARPC will notify the bidder and give the bidder a reasonable opportunity (generally 2 business days) to institute appropriate legal action to prevent the disclosure of the information claimed as confidential and/or exempt.

All public records submitted to the ARPC , including those claimed as confidential and/or exempt, will be retained by the ARPC and will not be returned to a bidder at the conclusion of the bidding process.

## **5.5 EXCEPTION TO THE ITN**

Bidders may take exceptions to any of the terms of this ITN unless the ITN specifically states where exceptions may not be taken. Should a bidder take exception where none is permitted, the proposal will be rejected as non-responsive. All exceptions taken must be specific to allow the ARPC a meaningful opportunity to evaluate and rank proposals.

Where exceptions are permitted, the ARPC shall determine the acceptability of the proposed exceptions and the proposals will be evaluated based on the proposals as submitted. The ARPC, after completing negotiations, may accept or reject the exceptions. Where exceptions are rejected, the ARPC may request that the bidder furnish the services or goods described herein, or negotiate an acceptable alternative.

**NOTE: Bidders are strongly encouraged to submit any deviations or exceptions to the ARPC before the question submittal deadline, so that based upon the ARPC response in the addendum, the bidder can determine if it is in their best interest to submit a response or not.**

## **5.6 ONLY ONE BID**

Only one bid from any individual, firm, corporation, organization or agency under the same or different name shall be considered. Should it appear to the ARPC that any bidder has a financial interest in more than one submission under this bid, all bids in which such bidder has a financial interest will be rejected. A subcontractor is permitted to appear in more than one submittal for the same bid, as long as the subcontractor is not a lead bidder in any of the submittals. The ARPC considers a financial interest to include, but not be limited, to joint ventures and, partnerships.

## **5.7 FULLY INFORMED BIDDER**

A bidder is expected to fully inform itself as to the requirements of the Specifications and Contract terms and conditions; failure to do so will be at its own risk. A bidder shall not expect to secure relief on the plea of error.

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## PART 6 EVALUATION PROCESS

CRITERIA	MAXIMUM POINTS
<b>CRITERIA</b>	
<p><b>Understanding of the work to be done</b></p> <p>Did the firm follow submittal requirements and clearly demonstrate an understanding of the purpose for the Request for Proposals?</p> <ul style="list-style-type: none"> <li>• Demonstrate understanding of the project opportunities and challenges.</li> </ul> <p>Identify the potential project challenges and how you would recommend that each be addressed.</p>	10
<p><b>Qualifications &amp; Experience</b></p> <p>Did the firm follow submittal requirements and clearly demonstrate qualifications and required experience?</p> <ul style="list-style-type: none"> <li>• Demonstrate experience and qualifications of the lead firm on marine construction projects, as well as sub-firms on the project team. Experience should detail relevant experience in marine construction and/or aquatic environmental restoration.</li> <li>• Provide a staff organization chart. Identify key individuals involved on this project, their affiliation and office location.</li> <li>• For each key staff member identified in the organization chart, provide a summary of relevant experience and qualifications. Detailed resumés should be submitted for key staff. The brief overview should identify the individual experience on similar projects and their availability to support this project.</li> <li>• Please indicate which individuals will attend the proposed interview, if an interview is requested.</li> <li>• Should sub-consultant(s) be listed as part of the project team, the proposer shall provide a letter from each sub-consultant that indicates the sub-consultant's intent to be part of the project team.</li> </ul> <p>Provide three (3) client references (contact information only) for marine construction projects led by the proposed Project Manager within the past 5-years</p>	20



<p><b>Construction and Technical Equipment Capabilities</b></p> <p>Did the firm clearly demonstrate their construction and technical equipment capabilities?</p> <ul style="list-style-type: none"> <li>• Demonstrate aquatic construction capabilities, and technical equipment and facilities, or ability to acquire.</li> </ul>	25
<p><b>Schedule for Completion</b></p> <p>Does the firm describe their current workload and potential effect on the project and scheduled deliverables?</p> <ul style="list-style-type: none"> <li>• Demonstrate ability to comply with the required delivery and performance schedule, taking into consideration all existing commercial and governmental business commitments</li> <li>• From a detailed project schedule, show the firm's general workload capacity.</li> </ul> <p>Time is an important aspect of the project and if the firm does not believe the stated timeframe is achievable, please indicate the reasons and provide an alternative schedule.</p>	15
<p><b>Cost</b></p> <p>Did the firm provide costs proposed to complete the scope of work?</p> <p>Provide a signed Cost / Schedule of Values as contained within the bid documents.</p> <p><b>Minority Business Enterprise (MBE)</b></p> <p>Did the firm provide documentation to support MBE designation?</p> <p>Documentation showing if firm possesses Minority Business Enterprise (MBE) certification.</p>	22
<p><b>Local Considerations</b></p> <p>Did the firm provide details that demonstrate their ability to consider local conditions and use of local workforce?</p> <ul style="list-style-type: none"> <li>• For anticipating challenges associated with the project sites, what is the anticipated involvement of individuals with firsthand local conditions, including presence of seagrass beds, sediment types, and navigation of the project sites (including both land and water access)?</li> </ul> <p>To maximize cost-effectiveness and accountability for project success, how much of the construction work will be completed by individuals who currently live within a 30-minute drive of the project sites?</p>	5

## PART 7 AWARD

**7.1 TIE BIDS** Whenever two or more bids which are equal with respect to price, quality and service are received, preference shall be given in the following order: (1) Bidders submitting the attached Drug-Free Workplace form with their bid/proposal certifying they have a drug free workplace in accordance with Section 287.087, Florida Statutes; (2) Bidders located within Franklin County; (3) Bidders located within the State of Florida; and (4) coin toss.

**7.2 DRUG-FREE WORKPLACE** Preference shall be given to submitters providing a certification with their qualifications certifying they have a drug-free workplace whenever two or more bids which are equal with respect to price, quality, and service are received in accordance with Section 287.087, Florida Statutes. The attached form should be filled out and returned with the qualifications in order to qualify for this preference.

**7.3 CONTRACT TERMS AND CONDITIONS** The ARPC may award a contract on the basis of initial offers received, without discussions. The ARPC reserves the right to enter into contract negotiations with the selected bidder regarding the terms and conditions of the contract and technical terms. If the ARPC and the selected bidder cannot negotiate a successful contract, the ARPC may terminate said negotiations and begin negotiations with the next selected bidder. This process will continue until a contract has been executed or all bidders have been rejected. No bidder shall have any rights against the

ARPC arising from such negotiations.

**7.4 CONTRACT AWARD** The award(s), if any, shall be made to the bidder(s) whose proposal(s) shall be deemed by the ARPC to be in the best interest of the ARPC. The decision of the ARPC of whether to make the award(s) and which proposal is in the best interest of the ARPC shall be final.

**7.5 CONTRACT** The Contract, Franchise Agreement, to be entered into will designate the successful bidder as the ARPC Contractor. The terms and conditions in the Franchise Agreement, Part 9, shall be applicable and binding. The successful bidder will be required to execute a Franchise Agreement with the ARPC in a format to be agreed upon.

**7.6 BID PROTEST** Participants in this solicitation may protest the ITN specifications or award in accordance with Florida Law and local ordinance as applicable.

**7.7 ITN POSTPONEMENT / CANCELLATION / WAIVER OF IRREGULARITIES** The ARPC may, at its sole and absolute discretion, reject any and all, or parts of any and all, proposals; re-advertise this ITN; postpone or cancel, at any time, this ITN process; or waive any irregularities in this ITN or in the proposals received as a result of this ITN.

## PART 8

### GENERAL INFORMATION

**8.1 REIMBURSABLES** If travel is involved in the execution of an awarded contract for it shall be the sole responsibility of the Vendor.

**8.2 TAXES, CHARGES AND FEES** The bidder agrees that any applicable Federal, State and Local sales and use taxes, which are to be paid by ARPC, are included in the stated bid prices. Since the ARPC is often exempt from taxes for equipment, materials and services, it is the responsibility of the Contractor to determine whether sales taxes are applicable. The Contractor is liable for any applicable taxes which are not included in the stated bid prices.

**8.3 COSTS INCURRED BY BIDDERS** All expenses involved with the preparation and submission of proposals to the ARPC , or any work performed in connection therewith shall be borne by the bidder(s). No payment will be made for any responses received, nor for any other effort required of or made by the bidder(s) prior to commencement of work as defined by a contract approved by the ARPC Commission (if so required).

**8.4 RULES; REGULATIONS; LICENSING REQUIREMENT** The bidder shall comply with all laws, ordinances and regulations applicable to the services contemplated herein, including those applicable to conflict of interest and collusion. Bidders are presumed to be familiar with all Federal, State and local laws, ordinances, codes and regulations that may in any way affect the services offered.

**8.5 RECORDS/AUDIT** Contractor shall maintain records sufficient to document their completion of the scope of services established by this Contract. These records shall be subject at all reasonable time to review, inspect, copy and audit by persons duly authorized by the ARPC . These records shall be kept for a minimum of three (3) years after completion of the Contract. Records which relate to

any litigation, appeals or settlements of claims arising from performance under this Order shall be made available until a final disposition has been made of such litigation, appeals, or claims.

**8.6 DEBARMENT, SUSPENSION, OTHERWISE EXCLUDED** By submitting this proposal, bidder agrees that it:

- Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- Has not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements or receiving stolen property;
- Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission or any of the offenses enumerated in paragraph (2) of this certification; and
- Has not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

**8.7 PUBLIC ENTITY CRIME INFORMATION STATEMENT** Section 287.133 (2)(a), Florida Statutes, contains the following provisions: "A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real

property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity, in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.”

### **8.8 INVESTIGATION OF ALLEGED WRONGDOINGS, LITIGATION/**

**SETTLEMENTS/FINES/PENALTIES** The ARPC specifically requests that responders to this document indicate in writing any investigations of wrongdoings, litigation and/or settlements, and fines or penalties (anywhere in the U.S) involving the bidder and specific contractors listed as projected to provide services to the ARPC. You may be required to respond to questions on this subject matter.

### **8.9 NON-DISCRIMINATION POLICY AND COMMERCIAL NON-DISCRIMINATION**

**REQUIREMENT** As a condition of entering into this agreement, the company represents and warrants that it will comply with Title VI and Title VII of the Civil Rights Act of 1964 and all other federal, state or local laws prohibiting discrimination. The company shall not discriminate on the basis of race, color, religion, gender, national origin, marital status, sexual orientation, age, disability or gender identity, or other unlawful forms of discrimination in the solicitation, selection, hiring, commercial treatment of subcontractors, vendors, suppliers or commercial customers, nor shall the company retaliate against any person for reporting instances of such discrimination.

The ARPC reserves the right to investigate any claims of illegal discrimination by the Contractor and in the event a finding of discrimination is made and upon written notification thereof, the Contractor shall take all necessary steps to cure and rectify such action to the reasonable satisfaction of the ARPC . The company understands and agrees that a violation of this clause shall be considered a material breach of this agreement and may result in termination of this agreement, disqualification of the

company from participating in ARPC contracts, or other sanctions. This clause is not enforceable by or for the benefit of, and creates no obligation to, any third party.

**8.10 USE OF ITN REPLY IDEAS** The ARPC has the right to use any or all information presented in any response to the ITN, whether amended or not, except as prohibited by law. Selection or rejection of the submittal does not affect this right.

**8.11 E-VERIFY REQUIREMENT** Section 448.095, Florida Statute states the statute shall be construed in a manner so as to be fully consistent with any applicable federal laws or regulations. The Contractor shall (1) utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Contractor during the term of the Contract; and (2) shall expressly require any subcontractors performing work or providing services pursuant to the Contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term. Alternatively, Contractor shall provide proof that one of the exceptions to the E-Verify federal contractor rule applies.

**8.12 Performance Bond** In the event the Contract is awarded to the Bidder, Bidder will thereafter enter into a written contract with the ARPC and furnish a Payment and Performance Bond in an amount equal to the estimated annual contract price. The form of the bonds shall be in accordance with Section 255.05 of Florida Statutes. Failing to do so, Bidder shall forfeit its bid security.

**8.13 Parent Corporation Guaranty (if applicable)** The Contractor shall provide a corporate guarantee from the Contractor's parent company ("Guarantor"), whereby the Guarantor shall guarantee the performance of the Contractor's obligations under this Agreement.

**8.14 Payment and Billing** See Bid Form Exhibit 5 .

## **PART 9 EXHIBITS**

The following documents/forms are included in this section:

- Exhibit 1 – Drug-Free Workplace Form
- Exhibit 2 – Bidder Verification Form
- Exhibit 3 – Reference Form
- Exhibit 4 – Experience Form
- Exhibit 5 – Bid Form

# DRUG-FREE WORKPLACE FORM

The undersigned bidder in accordance with Florida Statute 287.087 hereby certifies that

does:

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(NAME OF BIDDER)

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for the drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

---

BIDDER'S SIGNATURE

DATE

***In the event of a tie bid, bidders with a Drug Free Workplace Program will be given preference. To be considered for the preference, this document must be completed and submitted along with your submittal.***

# BIDDER VERIFICATION FORM

**LOCAL PREFERENCE** (Check One)

Local Preference requested:  YES  NO

A copy of the following documents must be included in your submission if you are requesting Local Preference:

- Business Tax Receipt
- Zoning Compliance Permit

**REGISTERED TO DO BUSINESS IN THE STATE OF FLORIDA**

Is Bidder registered with Florida Department of State's, Division of Corporations, to do business in the State of Florida?  YES  NO (*refer to Part 1, 1.6, last paragraph*)

If the answer is "YES", provide a copy of SunBiz registration or SunBiz Document Number (# \_\_\_\_\_)

If the answer is "NO", please state reason why:

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**DIVERSITY AND INCLUSION (APPLIES TO SOLICITATIONS ABOVE \$50,000)**

Does your company have a policy on diversity and inclusion?  YES  NO

If yes, please attach a copy of the policy to your submittal.

*Note: Possessing a diversity and inclusion policy will have no effect on the ARPC's consideration of your submittal but is simply being requested for information gathering purposes.*

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BIDDER'S NAME

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PRINTED NAME/TITLE OF AUTHORIZED REPRESENTATIVE

---

SIGNATURE OF AUTHORIZED REPRESENTATIVE

DATE

*This form must be completed and included with your submittal.*

## REFERENCE FORM

Name of Bidder: \_\_\_\_\_

Provide information for three references of similar scope of artificial reef installation performed within the past three years. You may include photos or other pertinent information.

#1 Year(s) services provided (i.e. 1/2018 to 8/2002): \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State Zip: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address (if available): \_\_\_\_\_

#2 Year(s) services provided (i.e. 1/2018 to 8/2002): \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State Zip: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address (if available): \_\_\_\_\_

#3 Year(s) services provided (i.e. 1/2018 to 8/2002): \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State Zip: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address (if available): \_\_\_\_\_



*This form must be completed and included with your submittal.*

## EXPERIENCE FORM

Name of Bidder: \_\_\_\_\_

### Fleets and Type of Vehicles

LOCATION	# OF UNITS INSTALLED	TYPE OF MATERIAL	TYPE OF VEHICLES USED

# BID FORM

## Franklin-98 Living Shoreline Project (Phase I)

ITEM #	DESCRIPTION	SPECIFICATION SECTION NUMBER	UNITS	UNIT COST	ESTIMATED QUANTITY	AMOUNT
LS-1	Site Preparation, Mobilization and Demobilization	012200, 015000, 017700	LS	\$	1	\$
UC-1	Temporary Facilities and Controls	012200, 013100, 013200, 013300, 014000, 015000, 017300, 017700	Day	\$	125	\$
UC-2	Rock Sills	012200, 354800	Tons	\$	4,438	\$
UC-3	Manufactured Reef Units	012200, 354800	EA	\$	40	\$
UC-4	Rock Beds	012200, 354800	Tons	\$	770	\$
UC-5	Seeding and Restoration of Disturbed Areas	012200, 015000	MSF	\$	20	\$
UC-6	Waterway Markers	012200, 101400	EA	\$	17	\$

\*Items include all construction costs.

Company  
Name:

\_\_\_\_\_

EIN:

\_\_\_\_\_

Email:

\_\_\_\_\_

Name and Title of Individual Completing This Schedule:

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(TITLE)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(TITLE)