

**PALM BEACH COUNTY
NOTICE**

Pursuant to Florida Statutes 287.055, NOTICE is hereby given that Palm Beach County Water Utilities Department requires professional consulting services on the following project:

ALL ENGINEERING AND CONSTRUCTION SERVICES REQUIRED FOR:

**OPTIMIZATION AND IMPROVEMENTS DESIGN-BUILD
WUD PROJECT NO. 23-015R
PALM BEACH COUNTY, FLORIDA**

Each Proposer interested in this project is required to furnish EIGHT (8) originals (bound as a combed and/or notebook format), one copy (unbound) and one PDF on a CD of their proposal no later than 2:30 P.M., on Tuesday, May 09, 2023, with the following:

- 1) Letter of Interest (20 printed pages maximum) including reference to this Notice. Minimum font of 11 and minimum margins of 0.75" requested along with sufficient spacing within the letter.**
- 2) GSA Form SF 330, to include those personnel within your firm, or sub-consultants who have expertise in the following categories:**

5.02	Topography - Engineering Surveying
6.01	Soils, Foundation and Material Testing - Geological and Geophysical Studies
7.01-7.05	Architectural - Architect
7.06	Architectural - Landscape Architecture
8.01	Mechanical Engineering - Waste Water Treatment Systems
8.02	Mechanical Engineering - Waste Water Collection Systems
8.03	Mechanical Engineering - Water Supply Treatment Systems
8.04	Mechanical Engineering - Water Distribution Systems
9.03	Electrical Engineering - Industrial Facilities
10.03	Structural Engineering - Industrial
12.06	Environmental Engineering - Water Resource Evaluation and Development
12.07	Environmental Engineering - Water and Wastewater Treatment Process Design
-	Subsurface Utility Engineering

- 3) Prime Consultant Questionnaire**
- 4) Sub-Consultant Qualification Questionnaire (for each sub-consultant)**
- 5) EBO Schedules 1 and 2**
- 6) Commercial Non-Discrimination Certification**
- 7) Conflict of Interest Disclosure Form**
- 8) Details of Proposer's competence in the following:**
 - Design-Build Experience**
 - Safety Record**
 - Bonding Capacity**
 - Licensure**
 - Design Staff Experience**
 - Construction Staff Experience**
 - Integrated Design-Build Team Experience**

Relevant forms may be obtained by contacting the Roadway Production Division at 561-684-4150 or at <http://discover.pbcgov.org/engineering/roadwayproduction/Pages/Roadway-Publications.aspx>.

Note: In accordance with Palm Beach County Code 2-351 through 2-358, "**Cone of Silence**" hereby applies and shall be in effect as of the deadline to submit the proposal, bid, or other response to a competitive solicitation, and is defined as the prohibition on any communication, except for written correspondence, regarding a particular Request for Proposal, Request for Qualification, bid, or any other competitive solicitation between any person or person's representative seeking an award from such competitive solicitation, and/or any County Commissioner or Commissioner's staff, or any employee authorized to act on behalf of the Commission to award a particular contract and shall terminate at the time the Board, or a County Department authorized to act on behalf of the Board, awards or approves a contract, rejects all bids or responses, or otherwise takes action which end the solicitation.

The proposals should be sent to:

Krystin Berntsen, P.E., PMP, Deputy Director
Palm Beach County Water Utilities Department
8100 Forest Hill Blvd.
West Palm Beach, FL 33413

Additional information pertaining to this project may be obtained from the Director of Engineering, Jane House, at the Palm Beach County Water Utilities Department Engineering Division by email to jhouse@pbcwater.com.

A non-mandatory pre-proposal meeting will be held on Tuesday, April 18, 2023, at 9:30 a.m. local time at the Central Region Operations Center, Conference Room 158, 8100 Forest Hill Blvd, West Palm Beach, FL 33413. All Proposers planning to submit a Proposal are encouraged to attend this meeting. Attendees shall provide sufficient time to ensure arrival prior to the time indicated.

The Proposer is encouraged to review the ***Design-Build Agreement*** example. The Design-Build Agreement is intended to provide a continuing contractual mechanism for Palm Beach County to obtain Design-Build professional engineering and construction services within the scope of the practice of architecture, engineering, land surveying, preconstruction, construction management and construction as defined by the laws of the State of Florida related to Palm Beach County Water Utilities Department Water Treatment Facilities, Production and Disposal wells, Wastewater Treatment Facilities, Reclaimed Water Treatment Facilities, storage, pumping and transmission facilities and other County and non-County facilities. Work Authorizations shall be issued for the Projects per the requirements of the Consultants' Competitive Negotiation Act (CCNA) Florida Statutes 287.055.

The professional/consulting engineering and construction services may include, but are not limited to, the following:

- Optimization and Improvements
- Safety improvements
- Regulatory requirements
- Replacement or repair of critical components
- Expansion of capacity
- Energy efficiency
- Alternate energy
- Reduction of greenhouse gas emissions
- Sustainability
- Alternative water supply
- Security improvements
- Redundancy of critical components
- Survey including easements
- Sub-surface utility explorations
- Geotechnical investigations (e.g. soil survey, corrosion analysis)
- Environmental assessment (e.g. Phase I and/or Phase II audits, cultural/historical resources, ecological resources, endangered species)
- Field testing
- Studies and reports
- Stakeholder coordination
- Public outreach
- Hydraulic analysis and modeling
- Hydrogeological services
- Pilot testing
- Laboratory analysis
- Permitting
- Cost estimating
- Value engineering
- Asset management
- Engineering services during planning, evaluation, design and/or construction
- Education/Learning consulting services
- Procurement
- Progressive Design-Build Services
- Construction
- Construction management services
- Other related Progressive Design-Build services

Assignment of tasks to the selected Design-Build Entity will be at the sole discretion of the County. The County may elect to choose multiple Design-Build Entity firms for this Design-Build Agreement. The County may choose to select another firm or use in-house staff to perform any of the above described items in whole or in part. Task assignments will be subject to scope definition through Design-Build Criteria and fee negotiation on a task by task basis. No amount of professional services or compensation is guaranteed to the selected firm.

The Proposer shall have a minimum of five years of successful experience in providing Design-Build Services as a Prime Design-Build Entity to other public service entities. A "Design-Build Firm" or "Design-Build Entity" means a partnership, corporation, or other legal entity that: 1) is certified under F.S. 489.119 to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or 2) is certified under F.S. 471.023 to practice or to offer to practice engineering; or certified under F.S. 481.219 to practice or to offer to practice architecture. Qualifications based selection shall be in accordance with CCNA requirements and Palm Beach County's Policy Procedure Manual (PPM) CW-O-094. After review of the submitted written proposals, a Short-List will be developed followed by oral interviews for final selection.

Palm Beach County may adjust the scope and activities of the project to accommodate budgetary and other constraints. The services shall be non-exclusive, allowing Palm Beach County to use other firms at its sole discretion. No minimum amount of services or compensation is guaranteed to the selected Design-Build Entity. The selected Design-Build Entity may act as the Engineer of Record for design and construction activities at Palm Beach County's discretion.

Only one (1) firm will be selected. The term of the contract is three (3) years.

Pursuant to the Palm Beach County Code Section 2-80.20 – 2-80.40 (EBO Ordinance), the County will provide contracting opportunities for S/M/WBEs in the area of professional services pursuant to Section 287.055, Florida Statutes, as amended, known as the "Consultants' Competitive Negotiation Act" (CCNA).

Responses will be evaluated based on the selection criteria set out in the County's PPM No. CW-O-094 and the Affirmative Procurement Initiatives (APIs) determined by the County's Goal Setting Committee. The APIs for this solicitation are:

1. *The SBE goal for this project is a mandatory minimum of 20% participation, See EBO Ordinance Section 2-80.27(1)(c), of which 3% shall be among certified African American and/or Hispanic American owned firms, See EBO Ordinance Section 2-80.27(2)(b).*
2. *Evaluation Preference for Mentoring: Up to five (5) evaluation preference points shall be awarded based upon the commitment of the proposer to mentor certified African American and/or Hispanic American owned firm(s) for purposes of providing management guidance and training. The M/WBE Evaluation Preference for Mentoring program will be administered in accordance with the Palm Beach County CM / SBE Partnering Guidelines which sets out the program objectives, qualifications and the Mentor and Protege responsibilities. A copy of the Palm Beach County CM / SBE Partnering Guidelines may be obtained by contacting the designated Project Manager. (See EBO Ordinance Section 2-80.27(2)(e) and OEBO PPM No. CW-O-043 Attachment 3, Section 2.)*
3. *Evaluation Preference for M/WBE Participation: Up to ten (10) evaluation preference points shall be awarded, on a sliding scale, based upon the relative level of dollar participation by certified African American and/or Hispanic American owned firms that have been committed to on the proposer's team. The sliding scale shall be based upon the following factors: 1. Firm's history of M/WBE participation on prior government or private sector projects; 2. Firm's M/WBE participation plan, i.e. how the firm will achieve applicable APIs when subcontracts are let, and 3. Firm's commitment to achieving APIs applicable to subcontracts. (See EBO Ordinance Section 2-80.27(2)(e) and OEBO PPM No. CW-O-043 Attachment 3, Section 2.)*

Explanation of Goal Setting Committee's reasons for applying these APIs: The Goal Setting Committee's reason for applying these particular APIs to this project was that the most recent data on the utilization of the foregoing MBEs indicates that contracts of this type have exhibited significant disparities in the utilization of these MBEs.

If a mandatory SBE or MWBE goal applies to this solicitation, then any proposal that fails to comply with the required goal shall be deemed non-responsive after the period allowed for waiver requests has lapsed. If a proposer is unable to comply with a required goal, such proposer shall submit a request for a waiver or partial waiver at least 7 days prior to the proposal due date. If a proposer requests a waiver from a goal from the Office of EBO at least 7 days prior to proposal due date, then the proposal due date will be extended pending the outcome of the waiver request. Additionally, if the waiver is granted the solicitation will be amended accordingly and the due date extended again. Fillable pdfs of all EBO forms can be found on the OEBO website at <http://discover.pbcgov.org/oebo/Pages/Compliance-Programs.aspx>. Also, see the EBO Ordinance and Countywide PPM No. CW-O-043 for further information on the County's EBO Program.

In addition, prior to submission of a proposal, any firm or individual, as a prime consultant or as a sub-consultant, desiring to provide architectural, engineering, and landscape architectural, or surveying and mapping professional services to Palm Beach County must first be CCNA certified with the Roadway Production Division of the Engineering and Public Works Department as qualified pursuant to law, and in accordance with the most recent administrative procedures for awarding of consulting contracts adopted by Palm Beach County.

In order to do business with Palm Beach County, vendors are required to create a Vendor Registration Account OR activate an existing Vendor Registration Account through the Purchasing Department's Vendor Self Service (VSS) System, which can be accessed <https://pbcvssn.co.palmbeach.fl.us/webapp/vss/AltSelfService>. IF PROPOSER INTENDS TO USE SUBCONSULTANTS, PROPOSER MUST ALSO ENSURE THAT ALL SUBCONSULTANTS ARE REGISTERED AS VENDORS IN VSS. ALL SUBCONSULTANT AGREEMENTS MUST INCLUDE A CONTRACTUAL PROVISION REQUIRING THAT THE SUBCONSULTANT REGISTER IN VSS. COUNTY WILL NOT FINALIZE A CONTRACT AWARD UNTIL THE COUNTY HAS VERIFIED THAT THE PROPOSER AND ALL OF ITS SUBCONSULTANTS ARE REGISTERED IN VSS. This will allow the County to notify you of upcoming solicitations.

Proposers shall not add or delete team members, or adjust team participation after the proposal due date. If a S/M/WBE team member withdraws before final selection, the Proposer shall submit a new Subconsultant's Questionnaire Form or new Schedules 1 and 2 and request a substitution from the Palm Beach County's Office of Equal Business Opportunity.

In accordance with F.S. 287.133 (2) (a), persons and affiliates who have been placed on the convicted vendor list may not submit bids, contract with or perform work (as a contractor, supplier, subcontractor or consultant) with any public entity (i.e. Palm Beach County) in excess of Ten Thousand Dollars (or such other amount as may be hereafter established by the Florida Division of Purchasing in accordance with F.S. 287.017) for a period of 36 months from the date of being placed on the convicted vendor list.

The County, in accordance with the provisions of the Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d-4) and the implementing regulations, hereby notifies all Proposers that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit proposals in response to this solicitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

After the notification of recommended award has been posted, any unsuccessful proposer may request a debriefing from the Deputy Director, Krystin Berntsen, P.E., PMP, by email to kberntsen@pbcwater.com.

Palm Beach County reserves the right to reject any or all responses; to waive any or all informalities and/or irregularities; to re-advertise with either an identical or revised scope, or to cancel the solicitation in its entirety. Any plans are subject to reuse in accordance with Section 287.055(10), Florida Statutes.

**This Notice given this 9th day of April 2023.
PALM BEACH COUNTY WATER UTILITIES DEPARTMENT**


BY: Krystin Berntsen
Krystin Berntsen, P.E., PMP, Deputy Director
Palm Beach County Water Utilities Department

ATTEST:

JOSEPH ABRUZZO, CLERK OF THE CIRCUIT
COURT & COMPTROLLER
PALM BEACH COUNTY

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BY: GREGG K. WEISS, MAYOR

**PUBLISH: THE PALM BEACH POST
SUNDAY, April 9, 2023 and SUNDAY, April 16, 2023**