



REQUEST FOR PROPOSALS (RFP) 2016 -02
UNDERGROUND UTILITIES FEASIBILITY STUDY

ISSUE DATE: February 15, 2016
SUBMITTAL DATE AND DEADLINE: March 14, 2016 by 2:00 P.M.



VILLAGE OF KEY BISCAIYNE

VILLAGE COUNCIL

Mayra Pena Lindsay, Mayor
Edward London, Vice Mayor
Franklin H. Caplan
Luis de la Cruz
Theodore Holloway
Michael E. Kelly

VILLAGE ATTORNEY

Weiss Serota Helfman Cole & Bierman, P.L.

OFFICE OF THE VILLAGE CLERK

Conchita H. Alvarez, MMC

ADMINISTRATION

John C. Gilbert, Village Manager
Jud Kurlancheek, AICP, Building, Zoning, and Planning Director

REQUEST FOR PROPOSALS (RFP) #2016 -02

UNDERGROUND UTILITIES FEASIBILITY STUDY

INFORMATION FOR THE PROPOSERS

SECTION NO. 1

1.0 INTRODUCTION

The Village of Key Biscayne (the “Village”), an island municipality located in Miami-Dade County, Florida, hereby requests proposals for the selection of a qualified firm (the “Consultant”) to provide professional services (the “Services”) to the Village for a study to assess the feasibility of undergrounding existing overhead utilities throughout the Village, which include electrical distribution facilities, telephone, television cable lines and facilities. A map of the Village service areas to be assessed is attached to this RFP as Exhibit “A.”

The Services sought by this RFP do not include those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping. Therefore, the provisions of Section 287.055, Florida Statutes are not applicable to this RFP.

1.1 SCHEDULE OF EVENTS

No.	Event	Date*	Time* (EST)
1	Advertisement/ Distribution of RFP	February 15, 2016	TBA
2.	Deadline to Submit Questions/Requests for Clarifications	February 29, 2016	5:00 P.M.
3	Deadline to Submit RFP-Responses	March 14, 2016	2:00 P.M.
4.	Public/Oral Presentations	TBA	TBA
5.	Village Council Selection and Award of Agreement to Consultant	TBA	TBA

*The Village reserves the right to change the scheduled dates and time.

1.2 RESPONSE //(QUALIFICATION PACKAGE) PREPARATION

In addition to other requirements stated in this document, to be eligible to respond to this RFP, the Consultant shall submit a response that includes all of the following information, appropriately tabbed, in this order:

- A. Cover Page:** Each response submitted shall have a cover page entitled "Response to Village of Key Biscayne RFP 2016-02 for an Underground Utilities Feasibility Study.
- B. Table of Contents;**
- C. Letter of Intent:** A Letter of Intent shall be provided that briefly introduces the Consultant and the aspects of the proposal;
- D. Firm's Experience:** The Consultant shall have five (5) years of continuous operation under the same name with professional licenses and insurance, qualifier for company name and type of licenses, official complaint history along with any disciplinary administrative action taken within the last five (5) years;
- E. Qualifications of Project Team:** The Project Team must have prior experience within the past ten (10) years of preparing similar feasibility studies;
- F. Principal in Charge's Experience:** This individual must have significant experience, a minimum of ten (10) years' experience, in underground utility relocation and distribution systems, and design and installation of utility systems, and been the principal in charge of the preparation of at least three (3) utility feasibility studies;
- G. Project Manager's Experience:** This individual must have a minimum of ten (10) years' experience in utility systems and been the project manager of at least three (3) underground utilities feasibility studies. This individual must be capable of speaking and making decisions on behalf of the Consultant.
- H. Fee Proposal:** Submit a signed, firm, fixed fee for providing the Services, and materials, travel expenses, etc., required for completion of the Services.
- I. Insurance:** Consultant shall secure and maintain throughout the duration of this RFP and agreement, if selected, insurance of such types and in such amounts not less than those specified below as satisfactory to Village, naming the Village as an Additional Insured, underwritten by a firm rated A-X or better by A.M. Best and qualified to do business in the State of Florida. The insurance coverage shall be primary insurance with respect to the Village, its officials, employees, agents and volunteers naming the Village as additional insured. Any insurance maintained by the Village shall be in excess of the Consultant's insurance and shall not contribute to the Consultant's insurance. The insurance coverages shall include at a minimum the amounts set forth in this section and may be increased by the Village as it deems necessary or prudent.

Commercial General Liability coverage with limits of liability of not less than a \$1,000,000.00 per Occurrence combined single limit for Bodily Injury and Property

Damage. This Liability Insurance shall also include Completed Operations and Product Liability coverages and eliminate the exclusion with respect to property under the care, custody and control of Consultant. The General Aggregate Liability limit and the Products/Completed Operations Liability Aggregate limit shall be in the amount of \$2,000,000 each.

Workers Compensation and Employer's Liability insurance, -to apply for all employees for statutory limits as required by applicable State and Federal laws. The policy(ies) must include Employer's Liability with minimum limits of \$1,000,000.00 each accident. No employee, subcontractor or agent of the Consultant shall be allowed to provide Services pursuant to this RFP who is not covered by Worker's Compensation insurance.

Business Automobile Liability with minimum limits of \$1,000,000 per Occurrence, combined single limit for Bodily Injury and Property Damage. Coverage must be afforded on a form no more restrictive than the latest edition of the Business Automobile Liability policy, without restrictive endorsements, as filed by the Insurance Service Office, and must include Owned, Hired, and Non-Owned Vehicles.

Professional Liability Insurance in an amount of not less than One Million Dollars (\$1,000,000.00) per occurrence, single limit.

- J. Project Team:** Provide an Organizational Chart of the Project Team including key personnel and sub-consultants. Provide a schedule of your personnel, as well as, the main personnel of key sub-consultants, who will be assigned and directly involved and responsible throughout the duration of the Project. Information shall include the names, title and resumes of all assigned personnel, including but not limited to:

Name, Title and Resume

Experience with similar projects (include the specific role of the individual employee on the project);

Description of tasks key personnel, including key sub-consultants, will perform; Indicate relative involvement (based on number of hours per week) of each Project Team member;

Indicate relative involvement of the Prime Consultant and each key sub-consultant;

- K. Project Implementation Strategy:** Describe the Consultant's strategy for implementing the project including methods of obtaining public participation. The strategy must include the method and means of gathering information in a usable format for the Village to use to update the study in the future;

- L. Computer Aided Design (CAD):** Provide acknowledgement that your firm will produce all work product using the latest version of AutoCAD. The Consultant agrees that any submitted work product will be the property of the Village upon submittal;

M. Special Considerations: Describe any special resources which your firm or your personnel assigned may bring to the Project or in-house expertise in technical areas which will specifically benefit the project;

N. Financial Information: Provide information regarding your firm's financial condition and type of ownership;

O. Appendices: Completed Appendices A, B and C; and

P. Proof of Authorization: Proofs of authorization to transact business in the State from the Florida Secretary of State, from prime as well as supporting firms.

1.3 QUESTIONS/REQUESTS FOR CLARIFICATIONS.

The failure by the Consultant to ask questions regarding this RFP shall constitute acknowledgement, understanding and acceptance by the Consultant of all the terms, conditions and requirements set forth in this RFP. All questions and requests for clarifications regarding this RFP shall be submitted in writing to DemandStar by the date and time specified hereinabove in Section 1.1. The Village's responses to Consultants' questions or requests for clarifications will be posted by addendum on DemandStar. .

1.4 ADDENDA

If the Village finds it necessary to add to, or amend this document prior to the Response submittal deadline, the Village will issue written addenda/addendum. Each Consultant must acknowledge receipt of each addendum by signing the acknowledgement (Appendix A) and providing it with its Response.

1.5 CERTIFICATION

The signer of the Response (to this RFP) must declare by signing Appendices A and B that the person(s), firm (s) and parties identified in the Response are interested in and available for providing the Services; that the Response is made without collusion with any other person(s), firm(s) and parties; that the Response is fair in all respects and is made in good faith without fraud; and that the signer of the cover letter of the Response has full authority to bind the person(s), firm(s) and parties identified in the Response.

1.6 PUBLIC RECORDS

Florida law provides that municipal records should be open for inspection by any person under Section 119, F.S. Public Records law. All information and materials received by the Village in connection with responses shall become property of the Village and shall be deemed to be public records subject to public inspection.

1.7 RETENTION OF RESPONSES

The Village reserves the right to retain all Responses submitted and to use any ideas contained in any Response, regardless of whether that Consultant is selected.

1.8 VILLAGE AUTHORITY

Proposals will be selected at the sole discretion of the Village. The Village reserves the right to waive any irregularities in the request process or proposals submitted, to reject any or all proposals, reject a proposal which is in any way incomplete or irregular, re-bid the entire solicitation or enter into agreements with more than one respondent. Proposals received after the deadline provided in this RFP will not be considered.

1.9 LOBBYIST REGISTRATION

Proposers must comply with the Village's lobbyist regulations. Please contact the Village Clerk at (305) 365-5506 for additional information.

1.10 PRESENTATION COSTS

The Village shall not be liable for any costs, fees, or expenses incurred by any Consultant in responding to this RFP, or subsequent inquiries or presentations relating to its response.

END OF SECTION

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SECTION NO. 2

SERVICES REQUESTED BY THE VILLAGE

2.1 GENERAL BACKGROUND

The Village is an island located approximately six (6) miles into Biscayne Bay and connected to the mainland via the Rickenbacker Causeway. Crandon Boulevard, a four lane road with a median, bisects the Village. Shopping centers and single purpose commercial buildings line Crandon Boulevard. Towards the west lie single family homes. The east side of Crandon Boulevard contains mid to high rise multiple family buildings, one single family district, townhomes, and another single family area that is part of a planned unit development.

The incorporated Village is flanked by two large parks: Crandon Park to the north and Bill Baggs Cape Florida Recreation Area to the south. The latter receives over a million visitors per year. The Village is the home to approximately 13,000 residents residing on 1.1 sq. miles.

Much of the Village is served by utilities (electrical, cable, telephone) located above ground on an array of support structures, including wood and concrete poles. Those areas are shown on the map attached to this RFP as Exhibit "A."

2.2 SCOPE OF SERVICES

The intent of the feasibility study is to assess and determine the following:

Task 1. Existing System Overview and Utilities Infrastructure Condition Assessment.

Survey, assess and provide a comprehensive overview of the present condition and location of existing overhead and underground utilities. Include field investigations and analysis to ascertain the existing utility facilities infrastructure within and outside the municipal boundaries and identify problems and deficiencies (outages, storms, lack of service capacity) in the existing systems, as well as advantages of the existing system.

Task 2. Identify and Assess Benefits and Disadvantages of Relocation and Design Options for Underground Utilities.

Identify the advantages in relocating all or a portion of the utilities underground (reduction and shortening of outages and utility service interruption, improved utility service and reliability, improved aesthetics, safety and reduction of damage to property and motor vehicles, reduction of tree trimming, etc.) and recommend the best options and alternatives to accomplish this objective. Identify specific areas of the Village where undergrounding of utilities is economically and physically feasible and best suited for undergrounding of utilities, and determine priority of improvements. Similarly, identify and assess the problems and anticipate disadvantages in connecting an underground system, including cost, disruption and adverse site conditions.

Identify possible improvements to the existing facilities and infrastructure to provide a proper and state-of-the-art level of utility services to residents and property owners (e.g. fiber optic quality internet service and Village-wide WiFi service). Identify and assess the extent of facility upgrades needed to meet the existing and future needs of the community, without converting to any underground system.

Prepare a detailed conceptual plan(s) (drawings and text), including phasing for any recommended conversion plan. This plan would serve as a basis for developing a detailed master plan for the entire scope of recommended work.

Task 3. Benefit and Cost Analysis of Undergrounding Utilities.

Provide benefit and cost analysis. Identify and determine benefits and advantages of installing underground utilities, including aesthetic improvements, reduced storm damage and restoration, service improvement and reliability, potential property value increase, and reduction in vegetation and tree management.

Identify capital and all other costs of undergrounding utilities, including relocation and/or removal of existing overhead facilities, equipment and facilities costs, installation and construction costs, obtaining easements and rights on property, operation, repair and maintenance costs, replacement and life cycle costs, design, engineering and financing costs, and connection costs. Further identify costs saved or avoided by undergrounding utilities.

Task 4. Cost Allocation Options and Financing.

Determine the cost (hard and soft) of implementing a full relocation of the existing systems to an underground system. Provide payment options and methods, including allocation of costs among utility providers, residents and property owners, and the Village. Address how customer rates may be impacted to compensate for cost recovery of undergrounding utilities.

Finally and importantly, provide various financing options (i.e., tax exempt bonds) taking into consideration the borrowing limits of the Village.

Task 5. Other Considerations and Additional Information and Work Necessary to Accomplish Undergrounding of Utilities.

Address other considerations in undergrounding of utilities, advantages and disadvantages, as may be relevant for the feasibility study, including any unique engineering or environmental concerns relating to construction and maintenance. Identify and provide any additional information or work necessary or relevant to assess feasibility and project goals.

Task 6. Report/Recommendations to Village.

Prepare a comprehensive feasibility assessment and report to the Village with conclusions and recommendations, including a schedule for implementation with phasing plan and

priorities. Also provide interim (30/60/90) presentations to the Village Council on the progress of your work.

The report prepared pursuant to this RFP shall provide for the above described work, but is not limited to the foregoing. The information provided pursuant to this RFP will be used by the Village to evaluate and make a determination as to undergrounding of utilities. The Village intends to execute an agreement with the selected Consultant for provision of the Services requested in this RFP.

To the extent needed to prepare the feasibility assessment and study, attached is a map of the Village identifying all service areas.

END OF SECTION

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SECTION NO. 3

RESPONSE SUBMISSION REQUIREMENTS AND EVALUATION

1 (one) signed Letter of Intent and 11 bound copies of your qualifications and one (1) CD shall be submitted in one sealed package, clearly marked on the outside "Response to Village of Key Biscayne RFP 2016 -02 for an Underground Utilities Feasibility Study. The outside of the sealed envelope shall also show the name of the respondent.

All responses must be received by **2:00 p.m. on March 14, 2016** at the Village Clerk's Office located at:

Village Clerk
Attn: Underground Utilities Feasibility Study
RFP No. 2016 - 02
Conchita H. Alvarez, MMC
Village Clerk
88 West McIntyre Street, Suite 220
Key Biscayne, Florida 33149
Phone: 305-365-5506
Fax: 305-365-8914
calvarez@keybiscayne.fl.gov

All responses must be received by the Village Clerk by the due date and time. All Responses received after the due date and time will not be considered.

3.1 RESPONSE EVALUATION CRITERIA

The Village Council will evaluate the responses based on the factors provided below:

- A. Qualifications, ability, expertise and experience of professional personnel;
- B. Past performance on similar projects in type, size and scope;
- C. Location;
- D. Familiarity with the unique, local conditions of the Village;
- E. Recent, current, and projected workloads of the firm;
- F. Fees for Services/Price; and
- G. Suitability for the Project.

3.2 PROCESS OF SELECTION

The Village staff will review the proposals submitted to confirm that the minimum requirements of Section 1.2 of this RFP have been met. Those proposals that have met the minimum requirements will be evaluated by an Evaluation Committee established by the Village in accordance with the criteria set forth in this RFP, scored and ranked. The Village Council may require public or oral presentations by Consultants regarding their proposals, approach to the project, and ability to furnish the required Services. The Village Council shall select the Consultant and award a contract to perform the required Services. The

Village Council reserves the right to reject any or all proposals, reject a proposal which is in any way incomplete or irregular, re-bid the entire solicitation or enter into agreements with more than one respondent.

END OF SECTION

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SECTION NO. 4

OTHER CONDITIONS

4.1 TERM OF ENGAGEMENT

The terms of the engagement are to be negotiated.

4.2 PERMITS, TAXES, LICENSES

The Consultant shall, at its own expense, obtain all necessary permits, pay all licenses, fees and taxes required to comply with all local ordinances, state and federal laws, rules, regulations and professional standards that would apply to the Services and the contract to be entered into with the Village.

4.3 LAWS, ORDINANCES

The Consultant shall observe and comply with all federal, state and local laws, ordinances, rules, regulations and professional standards that would apply to the Services and the contract to be entered into with the Village.

END OF SECTION

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**VILLAGE OF KEY BISCAYNE
REQUEST FOR PROPOSALS (RFP) 2016 -02
UNDERGROUND UTILITIES FEASIBILITY STUDY**

APPENDIX "A"

ACKNOWLEDGEMENT, WARRANTY AND ACCEPTANCE

A. Consultant warrants that it is willing and able to comply with all applicable State of Florida laws, rules and regulations.

B. Consultant warrants that they have read, understand and are willing to comply with all of the requirements of the RFP and all addendum/addenda.

C. Consultant warrants that it will not delegate or subcontract its responsibilities under an agreement without the prior written consent of the Council.

D. Consultant warrants that all information provided by it in connection with this proposal is true and accurate.

E. CONTINGENCY FEE AND CODE OF ETHICS WARRANTY:

Consultant warrants that neither it, nor any principal, employee, agent, representative or family member has promised to pay, and Consultant has not, and will not; pay a fee the amount of which is contingent upon the Village of Key Biscayne awarding this contract. Consultant warrants that neither it, nor any principal, employee, agent, representative has procured, or attempted to procure, this contract in violation of any of the provisions of the Miami-Dade County conflict of interest and code of ethics ordinances. Further, Consultant acknowledges that a violation of this warranty will result in the termination of the contract and forfeiture of funds paid, or to be paid, to the Consultant, if the Consultant is chosen for performance of the contract.

Signature of Official: _____

Name (typed): _____

Title: _____

Consultant: _____

Date: _____

ACKNOWLEDGMENT

State of Florida

County of _____

On this _____ day of _____, 2016, before me, the undersigned

Notary Public of the State of Florida personally appeared

and whose name(s) is/are subscribed to the within instrument, and he/she/they acknowledge that he/she/they executed it.

WITNESS my hand
and official seal

NOTARY PUBLIC, STATE OF FLORIDA

NOTARY PUBLIC
SEAL OF OFFICE:

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

- Personally known to me, or
- Produced identification:

(Type of Identification Produced)

- Did take an oath. or
- Did not take an oath.

**VILLAGE OF KEY BISCAYNE
REQUEST FOR PROPOSALS (RFP) 2016 -02
UNDERGROUND UTILITIES FEASIBILITY STUDY**

APPENDIX "C"

**SWORN STATEMENT PURSUANT TO
SECTION 287.133 (3)(a) FLORIDA STATUES, ON PUBLIC ENTITY CRIMES**

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to the VILLAGE OF KEY BISCAYNE, FLORIDA

By _____

For _____

Whose business address is: _____

And (if applicable) its Federal Employer Identification Number (FEIN) is: _____

(if the entity has no FEIN, include the Social Security Number of the individual signing this

Sworn statement - S.S. # _____)

2. I understand that a "public entity crime" as defined In Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with any agency or political subdivision of any other State or of the United States, including, but not limited to, any Proposal or contract for goods or services to be provided to any public entity or an agency or any political subdivision of any other state or of the United Sates and involving antitrust fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation

3. I understand that "convicted" or "conviction"" as defined in Paragraph 287.133(1)(b), Florida Statutes means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result or a jury verdict, non jury trial, or entry of a plea or guilty or nab contenders.

4. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, and means:

- A. A predecessor or successor of a person convicted of a public entity crime; or
- B. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate.

The ownership by one person of shares constituting a controlling interest in another person, or pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which applies to Proposal on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of any entity.

Signed, sealed and delivered

In the presence:

By:

(Printed Name)

(Title)

State of Florida

County of _____

On this _____ day of, 2016, before me, the undersigned Notary Public of the State of Florida personally appeared _____ and whose name(s) is/are subscribed to the within instrument, and he/she/they acknowledge that he/she/they executed it.

WITNESS my hand and official seal

NOTARY PUBLIC, STATE OF FLORIDA

NOTARY PUBLIC
SEAL OF OFFICE:

(Name of Notary Public: Print, Stamp or Type as commissioned)
 Personally known to me, or
 Produced identification:

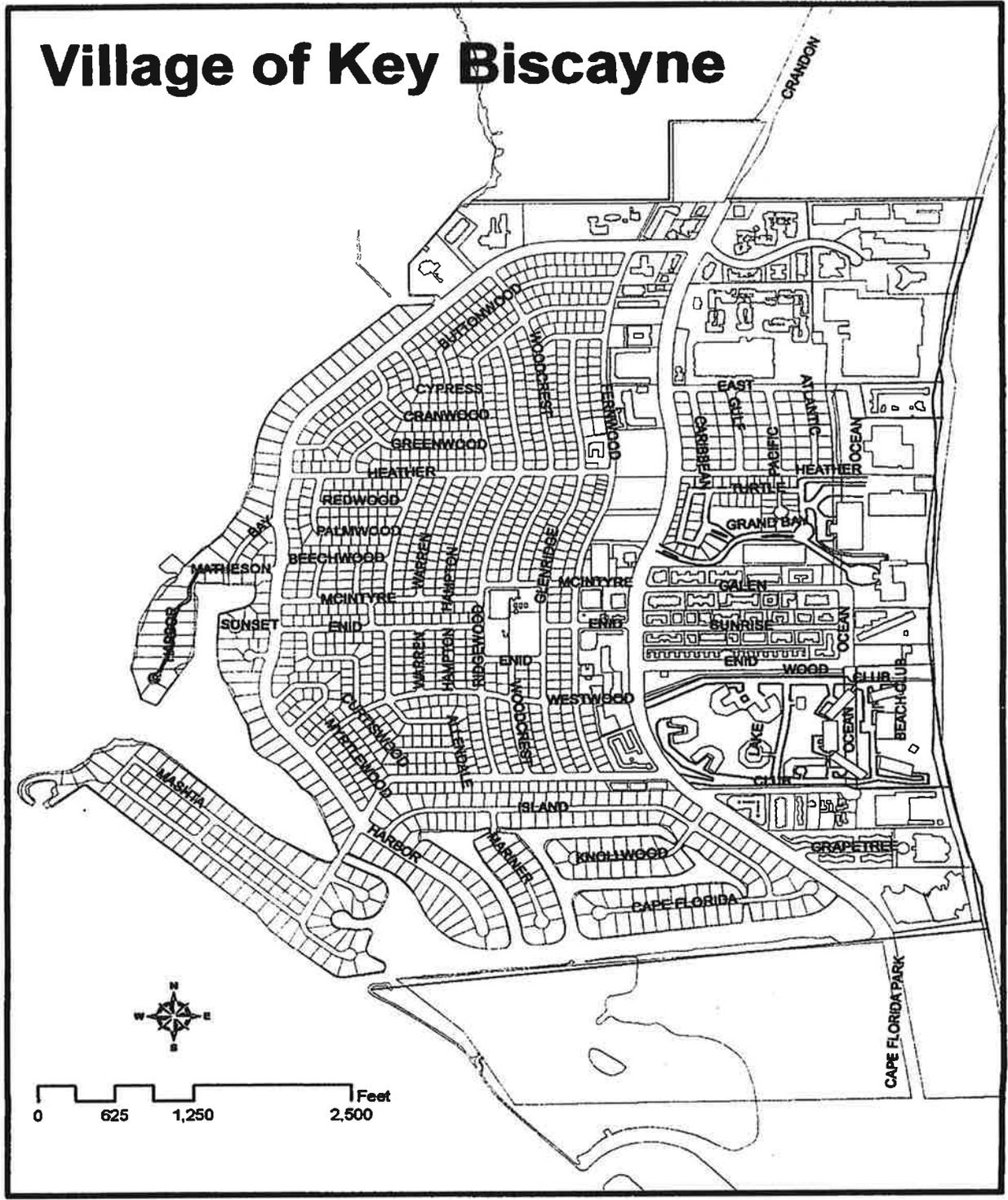
(Type of Identification Produced)
 Did take an oath. or
 Did not take an oath.

Appendix-C Page 3 of 3

END OF DOCUMENT

EXHIBIT "A"

Village of Key Biscayne





ADVERTISEMENT FOR REQUEST FOR PROPOSALS (RFP) 2016- 02

VILLAGE OF KEY BISCAYNE

UNDERGROUND UTILITIES FEASIBILITY STUDY

The Village of Key Biscayne will receive proposals until March 14, 2016 at 2:00 P.M. at the Village Clerk's office, Village of Key Biscayne Village Hall, 88 W. McIntyre Street, Suite 220, Key Biscayne, Florida 33149, at which time they will be opened publicly for the following:

UNDERGROUND UTILITIES FEASIBILITY STUDY

The Village will accept proposals from qualified Consultants for an Underground Utilities Feasibility Study ("Proposals").

Interested Consultants may obtain a full information RFP package (Proposal Package) through the DemandStar portal, or in person from the Village Clerk's office for a fee of \$35.00 per set, payable by cash or check, on or after February 15, 2016. Make checks payable to Village of Key Biscayne. Copies of the Proposal Package are non-returnable and non-refundable. Proposal Packages will **not** be mailed or shipped.

All proposals shall be submitted in accordance with the requirements of this RFP. The Village reserves the right to select the Proposal that is most advantageous and best serves the needs of the Village in accordance with the requirements of the RFP. The Village reserves the right to waive any informality in any Proposal, and the Village Manager may reject any or all proposals.

The selected Consultant shall be required to execute an Agreement with the Village consistent with its Proposal and with any additional terms that may be agreed upon as conditions for selection.

All questions and requests for clarifications regarding this RFP shall be submitted in writing to DemandStar by the date and time specified in the RFP. The Village's responses to Consultants' questions or requests for clarifications will be posted by addendum via DemandStar.

All notices and any addenda issued by the Village with respect to the RFP will be sent via DemandStar, and all Consultants are responsible for obtaining all notices and any addenda issued directly from the DemandStar portal.

Conchita H. Alvarez, MMC
Village Clerk