



CRA BOARD MEETING OF: January 10, 2012

Consent Agenda	Old Business	X	New Business	Legal	Executive Director's Report
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SUBJECT: Consideration of Issuing General Contracting Services Construction Bid Proposal RFP for the Boynton Harbor Marina Slip Open Space Project

SUMMARY: At their regular meeting of September 13, 2011, the CRA Board approved funding for the Boynton Harbor Marina Open Space project located at the existing site of the CRA owned "dive shop" building at 700 Casa Loma Boulevard (see attached). Construction design documents and specifications have been completed by the agency's professional services design consultant, VHB MillerSellen, and were submitted to the City of Boynton Beach Building Department for review on December 28, 2012. It is anticipated that permit approval will be obtained by the end of the January.

CRA staff is seeking Board direction on their preferred method of engaging a general contractor to provide a cost proposal and complete this project. Staff is providing the following options for the Board's discussion:

- Option 1: Issue a task order to Kaufman Lynn to perform the work.
- Option 2: Request a cost proposal from the Agency's three approved construction companies currently under Professional Services contract with a 30 day turn around time period.
- Option 3: Issue a General Contracting Services Construction Bid Proposal RFP to the general public, including those general contractors currently under Professional Services contract with a 30 day turn around time period.

FISCAL IMPACT: To be Determined.

CRA PLAN, PROGRAM OR PROJECT: CRA Redevelopment Plan, Downtown Master Plan, Boynton Harbor Marina Redevelopment Master Plan

RECOMMENDATIONS: Staff recommends Option 3.


Michael Simon, Development Director







REQUEST FOR PROPOSAL

The Boynton Beach Community Redevelopment Agency (CRA) will receive sealed price proposals in its office, 710 N. Federal Highway, Boynton Beach, FL 33435 until **3:00 PM on the due date**, _____, 2012. Proposals will be opened at a public opening in the CRA offices at **3:15 PM** on the above due date. Request for Proposal documents, construction plans and specifications must be obtained from the CRA office.

GENERAL CONTRACTING SERVICES
CONSTRUCTION BID PROPOSAL

For the

BOYNTON HARBOR MARINA OPEN SPACE PROJECT

Issue Date: _____

There will be a mandatory pre-submittal meeting at the time and place listed below. See Section 1.8 for contact information for this RFP.

The Board of the CRA reserves the right to accept or reject any proposal or any part thereof or any combination of proposals and to waive any or all formalities.

A mandatory Pre-Submittal meeting to answer questions concerning this RFP will be held the CRA office, 710 N. Federal Highway, Boynton Beach, FL 33435 on

Boynton Beach CRA Contact Information:
Vivian Brooks – 561-737-3256 ext. 211
Michael Simon – 561-737-3256 ext. 206
Fax: 561-737-3258

1.0 REQUEST FOR PROPOSAL REQUIREMENTS

The Boynton Beach Community Redevelopment Agency (CRA) is accepting proposals for the selection process to enter into a contract with a qualified General Contracting Firm to provide a Construction Bid Proposal; and perform complete construction services consistent with a construction delivery process for the following project (hereinafter referred to as the Project):

BOYNTON HARBOR MARINA OPEN SPACE

This document provides information for interested parties to prepare and submit a response to this Request for Proposal (RFP) for consideration by the CRA.

PROPOSERS ARE ADVISED TO SUBMIT A COMPLETE RESPONSE TO ALL REQUIREMENTS IN STRICT ACCORDANCE WITH THE SECTION NUMBERING SHOWN IN SECTIONS 2.0 AND 3.0 OF THIS RFP.

1.1 General Information

The RFP provides the information necessary to prepare and submit qualifications, fee proposals, and general conditions prices for CONSTRUCTION BID PROPOSAL. The CRA will rank the Proposers in the order that they provide the “best overall value” for the CRA based on the selection criteria set forth in Section 1.12.

1.2 Interviews of Proposer Firms

Following the CRA’s evaluation of the proposals for further evaluation, prior to negotiations, interviews may be conducted at the CRA’s option. The CRA reserves the right to reject any proposal for noncompliance, and to award the Project, at the CRA’s sole discretion, in whole or in part to one or more Proposer firms, or to not many any award of the Project.

1.3 Scope of Project Work – See *Attachment “A” Construction Documents (on disk)*

1.4 Project Delivery

The completion date for construction is anticipated to be no later than _____, 2012, unless a different negotiated date is agreed upon.

1.5 Type of Contract

Any contract awarded from this RFP will be ion the form negotiated with the successful proposer and in a form approved by the CRA attorney.

1.6 Definitions

As used in this RFP, the terms have the meanings set forth below:

1.6.1 “Construction Contract” means a contract with a construction firm to provide construction services for the complete construction of the Project as described in *Exhibit “A” Construction Documents*.

1.6.2 “Construction Manager” means the individual, corporation, company, partnership, firm or other organization that has contracted to perform the Project work under a Construction Services Agreement with the CRA.

1.6.3 “CRA” means the Boynton Beach Community Redevelopment Agency or its designated representative or agent.

1.7 Direction and Management

The work of this Project will fall under the direction and management of the CRA or its designated representative or agent.

1.8 Contacts

Questions regarding this Request for Proposal may be directed to:

Boynton Beach Community Redevelopment Agency
Attn: Michael Simon, Development Director
710 N. Federal Highway
Boynton Beach, FL 33435
(561) 737-3256
simonm@bbfl.us

1.9 Submittal Deadline

The CRA will accept proposals at the location listed below until 3:00 PM _____, 2012. It is the responsibility of the Proposer to insure that submittals are received at the designated submittal location by the Submittal Deadline. Proposals received after the submittal deadline will be returned to the Proposer unopened.

1.10 Submittal Location

The Proposals must be received in the office of the CRA, 710 N. Federal Highway, Boynton Beach, FL 33435, on or before the Submittal Deadline.

1.11 Number of Copies

In total, five (5) copies of the Submittals are required. One of the five Submittals is required to be an original. One copy shall be unbound to facilitate copying. Facsimile or emailed copies will not be accepted.

Clearly mark the outside of the Proposal as:

**Response to General Contracting Services Bid Proposal RFP
Boynton Harbor Marina Open Space Project
Date Issued: _____, 2012**

1.12 Selection Criteria

The Proposer(s) selected to be the General Contracting Firm will be the firm(s) whose verified experience and qualifications, as presented in response to the RFP, reference checks, and any interviews the CRA may conduct, establish it, in the opinion of the CRA, as offering the greatest benefits, experience, and value to the CRA and the Project. The Selection Committee will review and consider the following major items throughout the selection process, but these are not listed in any particular order of importance:

1.12.1 35 Points: Experience & Performance

Proposer's successful time in relevant business, free from adversarial legal actions, as well as conducting successful safety, quality control, MBE/WBE, and LEED programs. Proposer's ability to keep the CRA advised of the project construction costs and schedules at all times. The CMAR will have the responsibility to advise the CRA that a design decision or user requirement is impacting budget or schedule beyond the established parameters. Proposer's ability to develop conceptual cost estimates based on Construction Documents that anticipate the types of costs associated with buildings of this type and complexity and to develop a Guaranteed Maximum Price based on Construction Documents. Finally, the Proposer's ability to perform the subcontractor buyout based on the GMP.

1.12.2 25 Points: Staffing

Proposer's appropriate staff qualifications during the Construction phases under General Contracting Firm construction delivery process. Proposer's capability and ability to successfully interact with the CRA and/or the CRA representative or agent.

1.12.3 40 Points: Pricing

Competitive cost and fees associated with Project delivery using the General Contracting Firm process. Proposer's ability to produce a timely Guaranteed Maximum Price that is within the amount Available for Construction Contract. Proposer's ability to perform the labor, material and subcontractor buyouts within the established GMP.

1.12.4 Interviews

Interviews, if required, to further expand on the qualifications and pricing information provided in the Proposer's response to this RFP.

1.12.5 Proposers are not required, nor encouraged, to provide narrative descriptions of how the Proposer intends to achieve or perform the items as organized above. Rather, Proposers should provide the information specified in Sections 2.0 and 3.0 related to the above. Proposers past

performance of these items will be determined by the CRA from reference checks and interviews when required.

1.13 Proposer's Acceptance of Evaluation Methodology

A submission of qualifications and pricing proposals in response to this RFP indicates Proposer's acceptance of the CRA's evaluation techniques set forth herein and the recognition that subjective judgment suits be made by the CRA during the evaluation process and in its final selection.

1.14 Public Information Statement

The CRA considers all information, documentation and other material submitted in response to this solicitation to be of non-confidential and/or non-proprietary nature and therefore subject to public disclosure under Chapter 119 of the Florida State Statutes.

1.15 Clarifications and Interpretations

1.15.1 Answers to Questions

Proposers are required to restrict all contact and questions regarding this RFP to the named individual(s) listed in 1.8. Contacts. All such requests must be submitted in writing, no later than five (5) business days prior to the Submittal Deadline. Submit questions no later than 12:00 p.m. (noon) on _____, 2012.

1.15.2 Clarifications or Interpretations

Any clarifications or interpretations of this RFP that materially affect or change its requirements will be issued by the CRA or its representative as an addendum. All such addenda issued by the CRA before the Proposals are due, are part of the RFP, and Proposers shall acknowledge receipt of and incorporate the requirements of each addendum in its Proposal by completing and including in their response package *Attachment "B" Addenda Acknowledgement*.

1.15.3 Addenda

Proposers shall consider only those clarifications and interpretations that the CRA issues by addenda at least three (3) business days prior to the Submittal Deadline. Interpretations or clarifications in any other form, including oral statements, will not be binding on the CRA and should not be relied upon in preparing the Proposal.

1.16 Obligations of Parties

1.16.1 Assumed Requirements

Proposer understands and acknowledges by submitting a Proposal that the Proposal presented is based on assumed requirements for the proposed Project; and, that the CRA has made no written or oral representations that

any such assumed requirements are accurate should a contract arise from the presented Proposal. Proposer is required to qualify all assumptions it makes.

1.16.2 Costs of Proposal Submission

Furthermore, Proposer understands and acknowledges by submitting a Proposal that any and all costs incurred by the Proposer as a result of the Proposer's efforts to participate in this selection process shall be at the sole risk and obligation of the Proposer.

1.16.3 Reimbursement

The CRA will not provide compensation to Proposers for any expenses incurred for proposal preparation or for any presentations made.

1.16.4 Award of Contract

The CRA makes no guarantee that an award will be made as a result of this RFP, and reserves the right to accept or reject any or all proposals, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFP or resulting contract when deemed to be in the CRA's best interest. Representations made within the Proposal response will be binding on responding firms.

1.17 Completeness of Proposal

1.17.1 Completeness

Proposer should carefully read the information contained herein, the totality of which shall govern the Construction Services. It is the responsibility of the Proposer to submit a complete response to all requirements and questions.

1.17.2 Conditional Clauses

Proposals which are qualified with conditional clauses, or alterations, or items not called for in the RFP documents, or irregularities of any kind are subject to disqualification at the option of the CRA.

1.17.3 Clarity

Each Proposal should be prepared simply and economically, providing a straightforward, concise description of the firm's ability to meet the requirements of the RFP. Emphasis should be on completeness, clarity of content, responsiveness to the requirements, and an understanding of the CRA's needs.

1.17.4 Compliance

Failure to comply with the requirements contained in the RFP may cause rejection of the Proposal.

1.17.5 Rejection

Proposals submitted after the Submittal Deadline will be returned unopened.

1.18 Withdrawal or Modification

A Proposal may be withdrawn and resubmitted any time prior to the time set for receipt of Proposals. Outside of the approved negotiation process, no Proposal may be changed, amended, or modified after the Submittal Deadline. No Proposal may be withdrawn after the Submittal Deadline without approval of the CRA which shall be based on Proposer's written request stating reasons for withdrawing the proposal that are acceptable, in the CRA's sole discretion.

1.19 Ownership of Proposals

Proposals and any other information submitted by Proposer's shall become the property of the CRA; however, the CRA may return all other Proposal information, upon written request, once a contract award is made. All "techniques bids" or other deviations from the pricing requested must be submitted as alternates and will be considered only if the proposal pricing information requested by CRA is provided.

1.20 Validity Period

Proposals are to be valid for the CRA's acceptance for a minimum of 90 days from the submittal deadline date to allow time for evaluation and selection. A Proposal, if accepted, shall remain valid for the life of the Contracts resulting from this selection process.

1.21 No Response

Firms wishing to submit a "No-Response" are requested to complete *Attachment "C" Statement of No Response*. Such a response will in no way disqualify or limit any future bids or proposals from the firm.

1.22 Proposer Acknowledgement and Compliance Certification

Proposal shall complete and include a signed Proposer Acknowledgement and Compliance Certificate exactly as shown in *Attachment "D" Proposer Acknowledge and Compliance Certificate*.

1.23 Tentative Schedule of Actions

- 1.23.1 Release of RFP _____, 2012
- 1.23.2 Pre-Submittal Meeting _____, 2012, 10:00 am
- 1.23.3 Proposal Submittal Deadline _____, 2012, 3:00 pm
- 1.23.4 Complete Evaluation of Submittals _____, 2012
- 1.23.5 Interview of Short-Listed Firms _____, 2012
- 1.23.6 Internal Recommendation _____, 2012
- 1.23.7 CRA Takes Action on Award _____, 2012

1.24 Execution of Agreement

1.24.1 Offer of Contract

Upon selection of the successful Proposer by the CRA, the CRA will extend to said Proposer an offer to enter into a General Contracting Firm Contract. The terms and conditions of the Contract are subject to negotiation, but shall not deviate substantially from the qualifications and proposals identified by the Contractor in its Proposal and accepted by CRA in negotiations.

1.24.2 CRA's Right to Withdraw

In the event the successful Contractor fails to return an executed contract, and can identify to the CRA in writing negotiated terms that were omitted, the CRA reserves the right to withdraw its offer to enter into a contract with the Proposer.

1.25 Proposal Format

1.25.1 Content

Proposals shall consist of Responses (certifications, answers to questions, and information) to requirements and questions identified in Sections 2.0 and 3.0 of this RFP. Please reference the Section number at the top of the page of your corresponding response.

1.25.2 Conditional Responses

Responses that are qualified with conditional clauses, alterations, items not called for in the RFP, or irregularities of any kind are subject to rejection by the CRA.

1.25.3 Additional Information

Except for alternate or technique bids, additional attachments shall not be included in the Response. Only the Responses provided by the Proposer to the questions identified in Section 3 of this RFP will be used by the CRA for evaluation.

1.25.4 Table of Contents

Include a Table of Contents that provides page number references. The Table of Contents should be in sufficient detail to facilitate easy reference of the section so the Proposal. Attachments shall also be listed in the Table of Contents.

1.25.5 Page Size and Binders

Proposals must be 12-point font on letter size paper. Five (5) copies (one should be an original) of the Submittals are required. All copies of the Proposals, including the original, shall be unbound but clipped together. One (1) digital copy of the Proposal on CD/DVD in PDF format is

required. The cover of the Proposal must clearly show the project, as well as the name and return address of the Proposer.

1.25.6 Divider Tabs

Divider tabs should be used to separate the different sections of the Proposal.

1.25.7 Pagination

All pages of the Proposal shall be numbered sequentially in Arabic numerals (1, 2, 3, etc.) is required.

1.26 Public Entity Crimes

1.26.1 Legal Requirements

Federal, State, County and City laws, ordinances, rules and regulations that in any manner affect the items covered herein apply. Lack of knowledge by the Proposer will in no way be a cause for relief from responsibility.

1.26.2 Public Entity Crimes

All invitations to proposal as defined by Section 287.012(11), Florida Statutes, requests for proposals as defined by Section 287.012(16), Florida Statutes, and any contract document described in Section 287.058, Florida Statutes, shall contain a statement informing persons of the provisions of paragraph (2) (a) of Section 287.133, Florida Statutes, ***Attachment "E" Public Entity Crimes Statement.***

2.0 PROPOSER QUALIFICATIONS

2.1 General Directions

Proposer's Qualifications Responses – Responses to the following are to be provided EXACTLY with the item, paragraph, and section numbers shown hereinafter. Qualification information submitted shall be applicable only to the company entity or branch that will perform this Work. Proposers are required to submit a complete response to each requested item that follows. Responses requiring additional space should be incorporated in to the Proposal as an attachment with reference by item number as listed in the following sections.

2.2 Proposer's Location and Registration

Name: _____

Street Address: _____

Mailing Address: _____

City, State, Zip: _____

Telephone No.: _____ Fax No: _____

Email Address of Contact Person: _____

Federal Identification No.: _____

State of Incorporation & Registration No.: _____

If not a corporation, explain your status: _____

2.3 Proposer's History

2.3.1 Proposer's Ownership Status

Is the company currently for sale or involved in any transaction to expand or to be acquired by another business entity? If yes, please explain the impact to organization and management efforts.

2.3.2 Age of Organization

In continuous business since: _____

2.3.3 Leadership

List Corporate Officers, Partners or owners of your Organization with titles and addresses. If a publically held company list Chairman of the Board, CEO, and President.

2.3.4 Failure to Complete or Default

List each project your organization has, on an awarded contract, defaulted or failed to complete and the reasons why.

2.3.5 Liquidated Damages

List each project your organization has, on an awarded contract, paid liquidated damages and the reasons why.

2.3.6 Legal Actions

List all civil and criminal legal actions in which your organization was a named party currently or in the past five (5) years, providing state, case number and disposition for each.

2.3.7 Projects Underway

Provide total number and dollar amount of contracts currently in progress by the organization proposing to this RFP.

2.3.8 Five Year Volume of Work

List name of projects, type of projects and dollar value of each project for the past five (5) years.

2.3.9 Safety History

2.3.8.1 Worker's Compensation Rate

List your organization's Worker Compensation Experience Modification Rate (EMR) for the last five years as obtained from your insurance agent.

2.3.8.2 Safety Record

Complete the table titled "Safety Record" as show in *Attachment "F" Safety Record*. Use a percentage of employee's direct hire fixed work hours rounded to nearest 1,000's.

2.4 Fiduciary Responsibility

Describe your fiduciary responsibility as a General Contracting Firm for publicly funded projects.

2.5 Organization and Project Personnel Qualifications

2.5.1 Organization

2.5.1.1 Construction Services On-Site

Provide an organizational chart during the construction services phase with names of individuals who will perform the on-site phase with names of individuals who will perform the on-site functions of Construction Management, Cost Control, Scheduling, Submittals and Quality Control. If individuals are not full time, indicate estimated percentage of time dedicated to the Project.

2.5.1.2 Home Office Direct Support During the Construction Phase

Provide an organizational chart with names of individuals who will perform those functions in direct support of the Proposer's on-site team, but located in the home office. If individuals are not full time, indicated the estimated percentage of time dedicated to the Project.

2.5.2 Resumes

Provide resumes for each individual named in sections 2.5.1.1 and 2.5.1.2. The resumes of your key personnel shown on the following organization charts shall include professional affiliations such as membership in the American Institute of Constructors.

2.6 Relevant Construction Experience

Relevant experience of projects in which Proposer performed CONSTRUCTION BID PROPOSAL as outlined in this RFP are to be listed in the table shown in *Attachment "G" Statement of Relevant Construction Experience*. Proposers are to exactly reproduce this table in their responses with information in accordance with the column headings shown. Notations such as "N/A" are not acceptable. If the information required in the column heading is considered "not applicable" or "not available" for particular project listed, then list another project where the information is applicable and available. Projects listed should be as close as possible to the scope of the projects for this RFP. For each project listed in this table where Proposer self performed any construction trade, provide a separate table, listing the trades(s) provided.

2.7 Narrative of "Best Qualified"

Proposer shall provide a brief narrative outlining why the Proposer's organization is the best qualified to perform the services outlined in this RFP.

2.8 Safety Program

If your organization has a Safety Program or procedures, please attached a copy to your Proposal and note it in your Proposal Table of Contents.

2.9 Quality Control Program

Provide a complete quality control program which will become a compliance document upon award of a Construction Phase Contract. This plan should address all aspects of quality control including responsibility for supervision of work, acceptance, rejection, documentation and resolution of deficiencies, trend analysis and corrective action and interface with building inspectors.

2.10 Schedule Achievement Program

Provide a time schedule for completion of the Project and describe what techniques are planned to assure that the schedule will be met.

2.11 M/WBE Program

All Proposers must submit a written and signed statement indicating a willingness to make a good faith effort to utilize minority and women-owned businesses in the construction of the Project.

2.12 Subcontractors

If a Proposer subcontracts any portion of the Project for any reason, the Proposer must state the name and address of the Subcontractor and the name of the person(s) to be

contracted on the enclosed "Schedule of Subcontractors", **Attachment "H" Schedule of Subcontractors**. CRA reserves the right to accept or reject any or all proposals wherein a Subcontractor is named, and to make the award to the Proposer, who, in the opinion of CRA, will be in the best interest of and/or most advantageous to CRA. CRA also reserves the right to reject a proposal of any Proposer if the proposal names a Subcontractor who has previously failed in the proper performance of an award or failed to deliver Contracts of a similar nature on time, or is not in a position to perform properly under this award. The CRA reserves all rights in order to make a determination as to the foregoing.

Proposer shall include in their Proposal a statement that if selected to enter into a Construction Phase Contract, that they shall periodically throughout the term of the Contract, provide the CRA an updated list of all subcontractors working on the Project.

2.13 Drug-Free Workplace Certification

In accordance with Florida Statute 287.087, the bidder shall certify that it has and will maintain a drug-free workplace. The bidder shall complete and submit with its bid proposal the attached certification, **Attachment "I" Drug Free Workplace Certification**. Failure to include an executed certification may cause the bid proposal to be considered non-responsive.

3.0 PRICING AND COSTS

3.1 Construction Services Price Proposal and Related Costs

This price proposal shall be provided exactly in the format shown in **Attachment "J" Proposal**. The scope of the Construction Firm's Work consists of the totality of the Construction Firm's duties and obligations under the Contract Documents.

1.2 Labor Rates

Provide Schedule of Labor Rates for all personnel (and consultants, if any) providing Construction Services.

3.3 Self Perform

Identify all work your firm would propose to self-perform for this program in recognition that such work would be competitively bid and awarded at the CRA's sole discretion.

3.4 Proposal Bond

Provide a letter from your bonding company that indicates your firm's current bonding limit and rating. **Complete and include Attachment "K" Proposal Bond**. Do not include bond costs in your fee or General Conditions.

3.5 Cost Reporting

Provide samples of cost reporting formats that you have used successfully on similar projects.

ATTACHMENT “A”

CONSTRUCTION DOCUMENTS

Request for Proposal documents, construction plans and specifications may be obtained online at www.boyntonbeachcra.com or from the CRA office located at 710 N. Federal Highway, Boynton Beach, FL 33435.

ATTACHMENT "B"

ADDENDA ACKNOWLEDGEMENT

Receipt is hereby acknowledged of the following addenda to this **General Contracting Services Bid Proposal RFP** by entering **YES** or **NO** in the space provided and indicating date received. Enter "0" if no addenda are issued by the CRA.

No. 1 _____ Date _____

No. 2 _____ Date _____

No. 3 _____ Date _____

No. 4 _____ Date _____

Proposer's Signature

Title

ATTACHMENT "C"

STATEMENT OF NO RESPONSE

If you are not submitting a proposal on this service/commodity, please complete and return this form to:

Boynton Beach Community Redevelopment Agency
710 North Federal Highway, Boynton Beach, FL 33435

Vendor/Company Name: _____

Mailing Address: _____

City: _____ **State:** _____ **Zip:** _____

Telephone Number: (____) ____ - _____ **Fax Number:** (____) ____ - _____

Vendor Signature: _____

Date: _____

WE, the undersigned, have declined to respond to your Proposal for the **General Contracting Services Bid Proposal RFP** because of the following reasons:

- _____ Specifications too "tight" (i.e., geared toward brand or manufacturer only (specify/explain below).
- _____ Insufficient time to respond to the Invitation to Proposal.
- _____ We do not offer this product or an equivalent.
- _____ Our product schedule would not permit us to perform.
- _____ We are unable to meet specifications.
- _____ We are unable to meet bond requirements.
- _____ Specifications unclear (explain below).
- _____ Other (specify/explain below).

REMARKS: _____

ATTACHMENT "D"

PROPOSER ACKNOWLEDGEMENT AND COMPLIANCE STATEMENT

Submit Proposals To: **Boynton Beach Community Redevelopment Agency**
710 North Federal Highway
Boynton Beach, FL 33435

Release Date: _____, **2012**

Project Title: - **General Contracting Services Bid Proposal –**
- **BOYNTON HARBOR MARNIA OPEN SPACE (Project)**

Proposal Received By: _____, 2012. Proposals must be received in their entirety by
the Boynton Beach CRA **no later than 3:00 p.m. (local time).**

Proposals will be opened in the Boynton Beach Community Redevelopment Agency unless specified otherwise. Proposal receiving date and time is scheduled for _____, **2012, NO LATER THAN 3:00 p.m. (local time)** and may not be withdrawn within ninety (90) days after such date and time.

All awards made as a result of this proposal shall conform to applicable sections of the charter and codes of the Boynton Beach Community Redevelopment Agency and/or the City of Boynton Beach.

Name of Vendor: _____

Federal I.D. Number: _____

A Corporation of the State of: _____

Telephone Number: (____) ____ - ____ **Fax Number:** (____) ____ - ____

Mailing Address: _____

City: _____ **State:** _____ **Zip:** _____

Vendor Mailing Date: _____

Authorized Signature

Name (Printed or Typed)

ATTACHMENT "E"

PUBLIC ENTITY CRIMES STATEMENT

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crime may not: submit a proposal on a contract or provide any goods or services to a public entity; submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; submit proposals on leases of real property to a public entity; be awarded or perform work as a CONTRACTOR, supplier, subcontractor or consultant under a contract with any public entity; or transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

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

Proposer's Signature

Title

ATTACHMENT "F"

SAFETY RECORD

	2010	2009	2008	2007	2006
1. Number of Injuries and Illnesses	_____	_____	_____	_____	_____
2. Number of Lost Time Accidents	_____	_____	_____	_____	_____
3. Number of Recordable Cases	_____	_____	_____	_____	_____
4. Number of Fatalities	_____	_____	_____	_____	_____
Number of Direct Hire Fixed					
5. Hours Worked	_____	_____	_____	_____	_____

Signature

Title

Subscribed and sworn to before me.

This _____ day of _____, 20____.

My Commission Expires: _____

ATTACHMENT "G"

STATEMENT OF RELATIVE CONSTRUCTION EXPERIENCE

1. Name of Proposer: _____
2. Business Address: _____
3. When Organized: _____
4. Where Incorporated: _____
5. How many years have you been engaged in the contracting business _____ years under the present firm name?
6. General character of work performed by your company:

7. Enclose evidence of possession of required licenses and/or business permits. *
8. Number of Employees: _____
9. Background and experience of principal members of your personnel (including officers). *
10. Bonding Capacity: _____
11. Have you ever defaulted on a contract? If so, where and why? * ___ Yes ___ No
12. Experience in performance:

<u>Project</u>	<u>\$ Value</u>	<u>Contact Name</u>	<u>Phone #</u>
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____

**ATTACHMENT "H"
SCHEDULE OF SUBCONTRACTORS**

Proposers are to submit a detailed listing of any Subcontractor(s) participation of any portion of this project for any reason. Attach additional pages if necessary.

Project Title: **General Contracting Services Bid Proposal RFP
Boynton Harbor Marina Open Space**

Issuance Date:

Proposers Name: _____

Name/Address/Phone of Subcontractor	Type of Work to be Performed	Dollar Amount	% of Total
Name:			
Address:			
Phone:			
Name:			
Address:			
Phone:			
Name:			
Address:			
Phone:			

ATTACHMENT "I"

DRUG-FREE WORKPLACE CERTIFICATION

Preference shall be given to businesses with drug-free workplace programs. Whenever two (2) or more proposals, which are equal with respect to price, quality and service, are received by the Boynton Beach Community Redevelopment Agency or by any political subdivision for the procurement of commodities or contractual services, a proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie proposals will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 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' 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 drug abuse violations.
- 3) Give each employee engaged in providing the commodities or contractual services that are under Proposal a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employee that, as a condition of working on the commodities or contractual services that are under proposal, 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 of America 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.

Proposer's Signature

Title

**ATTACHMENT "J"
PROPOSAL**

Project Title: CONSTRUCTION BID PROPOSAL

BOYNTON HARBOR MARINA OPEN SPACE (Project)

Name of Proposer:

We propose and agree, if this proposal is accepted, to contract with the Boynton Beach Community Redevelopment Agency, in the Contract Form as attached and incorporated into the Request for Proposal, to furnish all material, equipment, machinery, tools, apparatus, means of transportation, construction, coordination, labor and services necessary to complete/provide the work specified by the Contract Documents.

Having studied the documents prepared by: VHB and REG and having examined the project site we propose to perform the work of this Project according to the Contract Documents and any Addenda which we have received:

The Proposer agrees to accept as full payment for the Project.

GRAND TOTAL: \$ _____

_____ Dollars

and _____ Cents

(amount written in words has precedence)

The undersigned Proposer agrees to commence work within ten (10) calendar days after the date of the "Notice to Proceed" has been awarded and shall achieve substantial completion without interruption within _____ calendar days thereafter.

_____ (1) Original and four (4) copies of proposal submitted.

_____ Attached is a computer-generated, horizontal bar chart showing proposed schedule of work.

_____ Schedule of Subcontractor(s) submitted.

_____ Evidence of possession of required licenses and/or business permits submitted.

The undersigned hereby represents that he has carefully examined the drawings and the Contract including all Contract Documents, and will execute the Contract and perform all its items, covenants and conditions, all in exact compliance with the requirements of the specifications and drawings.

The Proposer, by and through the submission of his Proposal, agrees that he has examined and shall be held responsible for having theretofore examined himself as to the character of the route, location, surface and underground obstructions, nature of the ground water table, conditions and all other physical characteristics of the work in order that he may thereby provide for the satisfactory completion thereof, including the removal, relocation or replacement of any objects or obstructions which will be encountered in performing the proposed work.

The Proposer, by submission of this Proposal, acknowledges that the Proposer has been advised that in the event that the Proposer contests the award of this Project to another Proposer, the Proposer damages, if any, are limited to actual Proposal preparation costs, and Proposer hereby waives any claim it may have for other damages coming from the Boynton Beach Community Redevelopment Agency's failure to award the Project Proposer.

Date _____

Name of Proposer, Corporation, Firm or Individual

By: _____
Signature

Printed/Typed Name

Title

Telephone Number

Florida Contractor's License Number:

ATTACHMENT "K"

PROPOSAL BOND

STATE OF _____)

COUNTY OF _____)

KNOWN ALL MEN BY THESE PRESENTS, that _____
as Principal, and _____, as Surety, authorized to
do business in the State of Florida are held and firmly bound unto the Owner, Boynton Beach
Community Redevelopment Agency in the penal sum of _____
Dollars (\$ _____) lawful money of the United States, for the payment of which sum
will and truly to be made, we bond ourselves, our heirs, executors, administrators and successors,
jointly and severally, firmly by these presents.

THE CONDITON OF THIS OBLIGATION IS SUCH, that whereas the Principal has
submitted the accompanying proposal, dated _____, 2010, for:

NOW THEREFORE,

- A. If the Principal shall not withdraw said Proposal within ninety (90) days after date of opening the same, and shall within ten (10) days after the prescribed forms are presented to him for signature, enter into a written Contract with the Owner in accordance with the Proposal as accepted, and give bonds with goods and sufficient surety or sureties, as may be required, for the faithful performance and proper fulfillment of such Contract, then the above obligations shall be void and of no effect, otherwise to remain in full force and effect.
- B. In the event of the withdrawal of said Proposal within the period specified, or the failure to enter into such Contract and give such bonds within the time specified, if the Principal shall pay the Owner the difference between the amount specified in said Proposal and the amount for which the Owner may procure the required work and supplies, if the latter amount be in excess of the former, then the above obligations shall be void and of no effect, otherwise to remain in full force and effect.
- C. This bond is given to comply with Section 255.05, Florida Statues, and any action instituted by any claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statues.

(Proposal Bond Continued)

IN WITNESS WHEREOF, the above bounded parties have executed this instrument under their several Seals this _____ day of _____, 20___, being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

PRINCIPAL:

Name of Firm

WITNESS:

(If sole Ownership or Partnership, two (2) Witnesses are required.)
(If Corporation, Secretary only will attest and affix Seal.)

Witness Signature

Witness Signature

Signature of Authorized Officer (Affix Seal)

Title

Business Address

City and State

SURETY:

Corporate Surety

WITNESS:

(If sole Ownership or Partnership, two (2) Witnesses are required.)
(If Corporation, Secretary only will attest and affix Seal.)

Witness Signature

Attorney-in-Fact (Affix Seal)

Name of Local Insurance Agency

Business Address

City and State