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Solicitation Addendum

Addendum No.: 1
Solicitation No.: 22-TA004174ED
Solicitation Title: Utility Engineering Professional Services
Addendum Date: September 26, 2022
Procurement Contact: Emily Diaz, Senior Procurement Agent

RFQ 22-TA004174ED is amended as set forth herein. Responses to questions posed by prospective bidders are provided below. This Addendum is hereby incorporated in and made a part of RFQ 22-TA004174ED.

The deadline to submit all inquiries concerning interpretation, clarification or additional information pertaining to this RFQ was September 19, 2022.

CHANGE TO:

EXHIBIT 1, SCOPE OF SERVICES, SECTION 1.02 TECHNICAL REQUIREMENTS

1.02 TECHNICAL REQUIREMENTS

The Consultant shall provide all labor, materials, equipment, supplies and travel to provide Professional Services to include, but not be limited to, the following disciplines and sub-disciplines:

1. The work consists of providing services on an as required basis for: Utility Engineering Professional Services, ~~that include, but are not limited to:~~ The County will accept and evaluate proposals from firms that can provide any or all the following:

CHANGE TO:

EXHIBIT 2, PROPOSAL RESPONSE, SECTION 2.02 RESPONSE FORMAT, TAB 2, NUMBER 3

3. Proposer or its subconsultant(s) has provided a minimum of three (3) professional utility engineering services, with an emphasis on Federal, State, or Local (public sector) governmental entity clients for a minimum of three (3) years since September 1, 2019.

- a. Identify who was contracted to complete the project (Proposer or subcontractor)
- b. Project name and location
- c. Client/Organization name
- d. Contact name
- e. Contact phone
- f. Contact email
- g. Project dates (Start/End)

CHANGE TO:

EXHIBIT 2, PROPOSAL RESPONSE, SECTION 2.02 RESPONSE FORMAT, TAB 4 – TRADE SECRETS

TAB 4 – TRADE SECRETS

Pursuant to Section ~~A.24~~ A.28, Trade Secrets, in Tab 4 identify any trade secret being claimed. Proposer must submit purported trade secret as follows:

1. Trade secret material must be segregated, within the applicable TAB, from the portions of the Response that are not being declared as trade secret. NOTE: Responses cannot be designated as ‘Proprietary’ or ‘Confidential’ in their entirety.
2. Proposer shall cite, for each trade secret being claimed, the Florida Statute number which supports the designation.
3. Proposer shall offer a brief written explanation as to why information claimed as trade secret fits the cited Statute.
4. Proposer shall provide an additional electronic copy of its Response that redacts all designated trade secrets.

CHANGE TO:

EXHIBIT 2, PROPOSAL RESPONSE, SECTION 2.02 RESPONSE FORMAT, TAB 9 – SIMILAR COMPLETED PROJECTS

TAB 9 - SIMILAR COMPLETED PROJECTS (LIMIT TO 5 DOUBLE SIDED PAGES)

Provide a list of up to ten (10) utility projects related to potable water, wastewater, reclaimed water, collection systems, distribution and transmission systems, pumping/lift stations, potable water and wastewater treatment facilities, Construction Engineering and Inspection (CEI), in which Proposer has provided Utility Engineering Professional Services since September 1, ~~2019~~ 2017. Include the following information:

- a. Organization/Owner name
- b. Address (County/State)
- c. Project date (Start/End)
- d. Proposer’s role in the project (e.g., prime/lead, sub)

- e. Scope of work (Brief description 1-2 sentences)
- f. Total project costs

NOTE: Representative photographs and exhibits supporting the above projects are permitted as an attachment to this section.

QUESTIONS AND RESPONSES:

Q1. Can you please clarify if the County's expectation is to qualify a number of "Proposer Teams" who propose to cover all areas of discipline listed in section 1.02 (1) – Technical Requirements in Exhibit 1, or to select consultants according to the disciplines they submit for consideration?

R1. Exhibit 1, Scope of Services, Section 1.02 Technical Requirements has been revised per this Addendum. Refer to Change To section above.

Q2. How many projects should be submitted under Tab 2 (Item #3) to demonstrate that we have provided professional utility engineering services for a minimum of 3 years?

R2. Exhibit 2, Proposal Response, Section 2.01 Information To Be Submitted, Tab 2 Minimum Qualification Requirements has been revised per this Addendum. Reference Change To section above.

Q3. Who are the incumbents?

R3. Ayres Associates, Inc., Black and Veatch Corporation, Brown and Caldwell Corporation, Jacobs Engineering Group, Inc., HDR Engineering, Inc., and Kimley Horn and Associates, Inc., McKim and Creed, Inc.

Q4. How many firms do they plan on selecting for this contract?

R4. This is at the discretion of the County.

Q5. Are 11x17 pages limited to the Org Chart only? Can this page be double sided or does an 11 x 17-page count as 2 pages?

R5. The Organization Chart may be submitted as an 11 x 17 single sided page, and it does not count towards the page limit.

Q6. On page 58 of the RFQ it states, "Tab's 6, 7, 8, 9 are limited to a per tab total of 5 double sided pages." Does this mean the whole proposal needs to be printed double sided?

R6. It is not required that the entire proposal be double sided. Only Tabs 6, 7, 8 and 9 are limited to 5 double sided pages each.

Q7. Wade Trim would like to kindly request copies of the proposals previously submitted on the above referenced RFP (existing contract) for the selected firms only.

R7. Contact the County's Custodian of Public Records for this request. Refer to Section A, Instructions to Proposers, A.27 Disclosure.

- Q8. Page 58, 2.01 states “Resumes and Sample reports are excluded from the page tab limit.” Please clarify what the County is seeking in reference to “Sample Reports”.**
- R8. Inclusion of Sample Report is at the discretion of the Proposer. If submitted, the Sample Report should be a standard report the Proposer currently uses to support and enhance their professional services to existing clients. Example would be reports related to scheduling, workflow, QA/QC, etc., that are critical to the Proposer’s project approach or other aspects of project delivery.
- Q9. Page 58, Tab 2, No. 2 – Proposer and/or its subconsultants must possess current, valid licenses and certification required under Florida Statute to perform utility engineering professional services. In addition to licenses for the proposing and subconsulting firms, are we to provide copies of professional licenses and certifications for the individual team members?**
- R9. No, it is not a minimum qualification requirement to provide professional licenses and certifications for individual team members.
- Q10. Page 64 - Tab 9. States “NOTE: Representative photographs and exhibits supporting the above projects are permitted as an attachment to this section.” Is the County’s reference to “exhibits” permitting inclusion of actual drawings or reports which were part of the project deliverables? If yes, do they count as part of the 5 double sided page limit?**
- R10. Yes. It will not count towards the page limit.
- Q11. Based on the proposed Scope of Work, and Technical Requirements, are firms required to provide all disciplines in Section 1.A.i-xvi. And services 1.B.i-xvii.? If the answer to question 1 is yes, are subconsultants allowed to selectively fill a respective discipline, or are you looking for a firm to provide all areas of disciplines and services in-house?**
- R11. No.
- Q12. We are interested in pursuing the RFQ No. 22-TA004174ED Utility Engineering Professional Services and were wondering who are the incumbents on this contract.**
- R12. Refer to R3.
- Q13. Can we list Manatee County as a reference? This pertains to the following two sections: Tab 1, Item 3. (p.59 in the RFQ) and Tab 6, Item 6. (p62 in the RFQ)**
- R13. Manatee County may be listed as a reference; however, the County requests additional references be included. For example, list a minimum of 3 references that are not Manatee County and then list any Manatee County references your firm may have.
- Q14. Can we use an 11” x 17” page for the organizational diagram requested in Tab 8, Item 4? (p. 63 in the RFQ)**
- R14. Refer to R5.
- Q15. Is it acceptable for a firm to submit a prime proposal and also be shown as subconsultant on other prime proposals?**
- R15. Yes, it is acceptable.

- Q16. During the pre-bid meeting there was a mention of a Sample Report which was allowed to be submitted with SOQ and not being counted towards the page count limitations, however we do not see a request for a Sample Report in the RFQ. Where is the reference for the sample report?**
- R16. Refer to R8.
- Q17. May we get a copy of the sign-in sheet from the pre-bid meeting?**
- R17. Non-Mandatory Information Conference Sign in Sheet is attached.
- Q18. Page 52 of the RFQ; Section 1.02 Technical Requirements - Does the County expect submitting firms to provide all the Areas of Discipline listed in A to be considered for evaluation?**
- R18. Refer to R1.
- Q19. Page 58 of RFQ; (Exhibit 2 Proposal Response), 2.01 Information to be submitted – The RFQ states that resumes, and sample reports are excluded from the page count. Can the County please verify which sample reports submitting firms need to provide?**
- R19. Refer to R16.
- Q20. Page 59 of RFQ; Tab 2 Minimum Qualification Requirements - #3 in this list, is the County expecting the submitting firm (and our subconsultants) to show all our clients since September 1, 2019, or just show a sample summary of who we've done work for since September 1, 2019?**
- R20. Refer to Change To section of this Addendum.
- Q21. Page 64 of RFQ; Tab 9 Similar Completed Projects – would the County accept projects that are completed in design but are still in construction?**
- R21. Yes.
- Q22. Page 64 of RFQ; Tab 9 Similar Completed Projects – the RFQ says “NOTE: Representative photographs and exhibits supporting the above projects are permitted as an attachment to this section.” Are these attachments included in the TAB 9 excluded from the 5 Double Sided Pages limit for this section?**
- R22. Yes, they are excluded from the page limit.
- Q23. Page 64 of the RFQ, Tab 9 Similar Completed Projects**
- a. **Are County completed projects for which the proposer worked as a prime engineer or subconsultant eligible?**
- R23. Yes.
- Q24. Can you please provide the names of the County's selection / evaluation committee members?**
- R24. Important: A prohibition of lobbying is in place. Refer to Section A.13 Lobbying of RFQ No. 22-TA004174ED to avoid violation and possible sanctions. The Evaluation Committee Members are Jeff Streitmatter, Project Manager Public Works Division Manager; Jeff Goodwin, Deputy Director, Utilities; and Jim Renneberg, Project Engineer II, Public Works

- Q25. Is an engineering firm required to be a registered vendor with the County to be eligible to submit?**
- R25. No, a Proposer is not required to be registered with the County in order to submit a proposal for this RFQ. Reference Exhibit 2, Section 2.01, Tab 2 – Minimum Qualifications Requirements.
- Q26. Exhibit 2 Proposal Response: Does the County have requirements on the type of proposal binding?**
- R26. No, refer to Section A.05 Organization of Responses.
- Q27. Exhibit 2 Proposal Response Tab 8, Item 4: Can the proposer’s org chart be provided as an 11” x 17” foldout so there is adequate space for the County to review the services and disciplines listed on pages 52 and 53?**
- R27. Refer to R5.
- Q28. Section 1.02, pages 52 and 53: If a proposer is qualified in most but not all categories listed on pages 52/53 is it the County’s preference for the proposer to team with a subconsultant who is qualified under those other scope categories?**
- R28. The County is interested in considering all options, which will be reviewed and evaluated based on what is in the best interest of the County.
- Q29. Section B.01 (page 17): Will a proposer be deemed responsible and responsive and also be eligible to be selected without providing all the requested services on pages 52 and 53 as a prime in the proposal submission? If yes, in what section(s) of the proposal does the County desire the proposer to identify which services they are most qualified in and submitting on?**
- R29. Refer to Change To section in this Addendum. Additionally, Proposer shall provide this information in Tab 7, Approach to Project Management.
- Q30. Section B.02 (page 17): Please confirm that the points referenced in Section B.02 are for the final evaluation scoring including proposer’s written proposal, presentation, and any other requested info from the County.**
- R30. Yes, refer to Section B, Evaluation of Responses, B.01 Evaluation.
- Q31. Section B (page 17): For the proposers short-listed based on their proposal scoring, do those scores carry through with equal weight as the presentation evaluation?**
- R31. Yes, refer to Section B, Evaluation Responses, B.01 Evaluation.
- Q32. Can you provide a list of the current engineering firms under contract for this RFQ, Continuing Utility Engineering Services?**
- R32. Refer to R3.
- Q33. Has the County preliminary identified how many firms they plan to select for this RFQ?**
- R33. Refer to R4.

- Q34. The Forms on pages 46, 47, 48, and 49 apply to all County projects under this contract or just projects where the County receives federal funding? We assume contractor in these forms is defined as the proposer for this submittal. And these forms are a part of Form 10?**
- R34. Agreements executed by the County that are funded in whole or in part, by a Federal Grant will the provisions outlined in Form 10 – Special Provisions – Federal Grants apply. The forms found on pages 46 through 49 are included in Form 10 and must be executed and submitted with your proposal.
- Q35. Exhibit 2 Proposal Response, Tab 5, Item No. 8: Will the County allow the proposer to submit a M/W/SBE certificate (certified) from another City, County, or state Agency in Florida?**
- R35. Yes
- Q36. Exhibit 2 Tab 8, Item 8: Will this important and typically private financial information when requested by the County and submitted be protected from the Sunshine Law for the security and protection of private consulting firm and its employees? Will this information only be required for Manatee County projects?**
- R36. If the County requests an audit of financial records, records provided to the County may be subject to Sunshine Law, as applicable. The awarded firm may follow the appropriate procedures for trade secrets as outlined in Section A.28 Trade Secrets.
- Q37. I wanted to see if I could get a listing of the people that attended the Information Conference for this project on 9/15.**
- R37. Non-Mandatory Information Conference Sign in Sheet is attached.
- Q38. Page 64 of the RFQ, Tab 9 Similar Completed Projects**
- a. **We assume in a situation where a proposing firm to this RFQ worked as subconsultant to another engineer (prime) and the sub completed their portion of the work on the project, but other phases of the project were not complete that were being performed by the prime engineer that the sub on that project (proposer for this RFQ) would be considered as having completed the project and therefore that project would qualify for this RFQ under Tab 9.**
- b. **We assume in a situation where a proposing firm to this RFQ worked on a prior multi-phase project and that the proposing firm successfully completed the first phase of the prior project (deemed complete) that this prior project (occurring after Sept. 2019) would be considered complete and eligible to be submitted for Tab 9.**
- R38. a. Yes.
b. Yes. Exhibit 2, Proposal Response, Section 2.02 Response Format, Tab 9 Similar Completed Projects has been revised per this Addendum. Reference Change To section above.
- Q39. Please provide copy of sign in sheet.**
- R39. Non-Mandatory Information Conference Sign in Sheet is attached.

Q40. We have a question on the requirement under Tab 2, item number 3, on page 59 of the RFQ. Could you please clarify how this should be answered? Is the County looking for a list of every utility engineering project completed in the past 3 years?

R40. See response to Q2.

Q41. In Form 8 the County sets for Bonding Requirements. This RFQ is for a Professional Services contract, did the County intend to include the Bonding Requirements listed? These requirements are typically required of General Contractors but not for Professional Services. We request the County consider removing the bonding requirements in Form 8.

R41. The template used by the County includes various types of coverages depending on the solicitation goal. Since the bid, payment and performance bond sections are not checked, bonds do not apply to this solicitation.

Q42. In Form 9 the Indemnity and Hold Harmless Agreement is not in compliance with §725.08, Florida Statutes for a professional services contract. In order to be in compliance with §725.08, Florida Statutes and preserve professional liability insurance coverage will the County consider striking the portion of the form as shown below?

~~“The Successful Proposer shall indemnify and hold harmless County, its officers, and employees from liabilities, damages, losses, and costs, including but not limited to reasonable attorney’s fees, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the Successful Proposer, its personnel, design professionals and other persons employed or utilized by the Successful Proposer in the performance of the Agreement.”, including without limitation, defects in design, or errors or omissions that result in material cost increases to County. Such indemnification shall include the payment of all valid claims, losses, and judgments of any nature whatsoever in connection therewith and the payment of all related fees and costs. County reserves the right to defend itself with its own counsel or retained counsel at Successful Proposer’s expense.~~

R42. The County Attorney’s Office reviewed this language and is not prepared to make any changes to either Form 9 contained in the request for qualifications or Article 19 of the sample agreement at this time.

Q43. In the Sample Agreement, Article 19 is not compliant with §FS 725.08. In order to be in compliance with §725.08, Florida Statutes and preserve professional liability insurance coverage will the County consider striking the portion of the form as shown below?

A. “The CONSULTANT shall indemnify and hold harmless County, its officers, and employees from liabilities, damages, losses and costs, including but not limited to reasonable attorney’s fees, to the extent caused by negligence, recklessness, or intentionally wrongful conduct of the CONSULTANT, its personnel, design professionals and other persons employed or utilized by the CONSULTANT in the performance of this Agreement.” ~~Such indemnification shall include the payment of all valid claims, losses, and judgments of any nature whatsoever in connection~~

~~therewith and the payment of all related fees and costs. County reserves the right to defend itself.~~

~~B. CONSULTANT shall indemnify, defend, save and hold harmless the COUNTY, its officers, and employees all third party claims, liabilities, loss, or cause of action that the Services constitutes an infringement of any third party intellectual property right(s), unless such claim is based on COUNTY'S wrongful or illegitimate use of the Services. The foregoing states the entire liability of CONSULTANT and the sole and exclusive remedy for COUNTY with respect to any third party claim of infringement or misappropriation of intellectual property rights. Such indemnification shall include, but not be limited to, the payment of all valid claims, losses, and judgments of any nature whatsoever in connection therewith and the payment of all related fees and costs, including attorneys' fees.~~

R43. No.

Q44. One final question, could you please provide the number of Proposers that will be selected for this contract?

R44. See response to Q4.

ATTACHMENTS:

1. Non-Mandatory Information Conference Sign in sheet

NOTE:

Deleted items will be ~~struck through~~, added or modified items will be underlined. All other terms and conditions remain as stated in the RFQ.

INSTRUCTIONS:

Receipt of this Addendum must be acknowledged as instructed in the solicitation document. Failure to acknowledge receipt of this Addendum may result in the response being deemed non-responsive.

END OF ADDENDUM

AUTHORIZED FOR RELEASE



Procurement Division
Non-Mandatory Solicitation Information Conference
RFQ No. 22-TA004174ED
Utility Engineering Professional Services
September 15, 2022
Administration Building, Procurement, Suite 803

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