

TAB 5

POINT PAPER

I & I PROGRAM 2009

AGREEMENT FOR GENERAL CONSTRUCTION SERVICES SANITARY SEWER MANHOLE REHABILITATION SANITARY SEWER LINING AND REHABILITATION

COP Job # 09- 613

Problem:

In an effort to prevent peaks at the WWTP during heavy rain events and sewage overflows, the PWD has initiated an I & I Program as a part of the Capital Improvement Plan (CIP). The peaks are a direct result of stormwater entering into the sewer system through aged and dilapidating manholes and unstable infrastructure piping. It should be noted that the FDEP permit requires that the city continually upgrades its sewer system to remove Inflow and Infiltration.

Background:

In 2009 the City was awarded \$500,000 in a grant from DEP for the I & I Program. Staff is proposing to "piggy back" Manatee County's RFP for sanitary, storm water and manhole rehabilitation services contract.

Public Works is proposing to reline and rehabilitate approximately 241 brick manholes along with approximately 50,000 linear feet of sewer line within two of the most critical basins within the city as a part of the I & I program. The breakdown is as follows for each basin:

Lift Station Basin #1 consists of approximately 175 manholes and has approximately 5,000 linear feet of 24 inch diameter VCP sewer line, 10,000 linear feet of 12 inch diameter VCP sewer line and 20,000 linear feet of 8 inch diameter VCP sewer line.

Lift Station Basin #4 consists of approximately 66 manholes and has approximately 3,000 linear feet of 12 inch diameter VCP sewer line, 4,000 linear feet of 10 inch diameter VCP sewer line and 8,000 linear feet of 8 inch diameter VCP sewer line.

Alternatives:

1. – Take No Action
2. – Authorize Public Works staff to select contractors for rehabilitation services from Manatee County's RFP and authorize the Mayor to execute contracts, pending attorney review, for amounts collectively not to exceed \$500,000.

Recommendation:

Staff recommends Alternative #2; authorize Public Works staff to select contractors for rehabilitation services from Manatee County's RFP.

Budget Impact:

The total cost for this project is not to exceed \$500,000; FDEP has agreed to fund the project.

Frank Woodard

From: frank.lambertson@mymanatee.org
Sent: Tuesday, October 13, 2009 4:36 PM
To: Frank Woodard
Subject: RE: 08-1033FL

One year, but will be continually extended through 8/30/2012.

Frank G. Lambertson, Contracts Negotiator
Manatee County Government, Purchasing Division
frank.lambertson@mymanatee.org
Phone: 941-749-3042
Fax: 941-749-3034

From: "Frank Woodard" <fwoodard@palmettofl.org>
To: <frank.lambertson@mymanatee.org>
Date: 10/13/2009 04:29 PM
Subject: RE: 08-1033FL

There isn't any particular one, we are exploring our options for these types of services and may "piggy-back" with one or two of your vendors.

Will the extension be for one or two years?

Frank Woodard II, Deputy Director
Public Works: Engineering & Project Mgmt.

From: frank.lambertson@mymanatee.org [mailto:frank.lambertson@mymanatee.org]
Sent: Tuesday, October 13, 2009 4:10 PM
To: Frank Woodard
Subject: 08-1033FL

Frank:

I will be extending all vendor's purchase orders for these services in the next few days. Is there any particular one you would want?

Frank G. Lambertson, Contracts Negotiator
Manatee County Government, Purchasing Division
frank.lambertson@mymanatee.org

10/28/2009

**MANATEE COUNTY OPEN PURCHASE ORDERS
ARE ON FILE IN THE CITY CLERK'S OFFICE.**

FILE COPY MANATEE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT	Sanitary Sewer, Storm Sewer and Manhole Rehabilitation Services	TYPE AGENDA ITEM	Consent
DATE REQUESTED	July 29, 2008	DATE IDENTIFIED/REVISED	July 9, 2008
BRIEFING? Who?	No	CONSEQUENCES IDENTIFIED	N/A
DEPARTMENT/DIVISION	Financial Management / Purchasing	AUTHORIZED BY (TITLE)	Jim Seuffert, Director
CONTACT PERSON TELEPHONE/EXTENSION	Frank Lambertson, 3042 / Bob Lyons, 5010	PRESENTER (TITLE TELEPHONE/EXTENSION)	Daniel Gray, Director, Utilities Department, 5323
ADMINISTRATIVE APPROVAL			

ACTION DESIRED
INDICATE WHETHER 1) REPORT 2) DISCUSSION 3) FORM OF MOTION, OR 4) OTHER ACTION REQUIRED

Authorization to award non-exclusive, on demand Sanitary Sewer, Storm Sewer and Manhole Rehabilitation Services with the following firms: Insituform Technologies, Inc., Chesterfield, MO; J.T.V. Incorporated, Pinellas Park, FL; Reynolds Inliner, LLC, Lake Mary, FL; Miller Pipeline Corporation, Indianapolis, IN; Dallas 1 Corporation dba Dallas 1 Rehabilitation Solutions, Thonotosassa, FL; Cardinal Contractors, Sarasota, FL; Subterain Technologies, Inc., Palmetto, FL; and Rowland, Inc., Pinellas Park, FL commencing October 1, 2008 and terminating September 30, 2009.

ENABLING/REGULATING AUTHORITY
Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/ Land Development Code, Ordinance, resolutions, policy

Ordinance 99-37, Purchasing Code Article 4 Source Selection:

BACKGROUND/DISCUSSION

- Manatee County uses rehabilitation and reconstruction services for its underground sewer, storm water lines and manholes located throughout the County.
- Funding Source: 401 0010400 534000 / Water-Sewer WW Collections

COUNTY ATTORNEY REVIEW

Check appropriate box	
<input type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: ____)
<input type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)
<input checked="" type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
<input type="checkbox"/>	OTHER

ATTACHMENTS (List in order as attached)	INSTRUCTIONS TO BOARD RECORDS
N/A	N/A
COST	SOURCE (AGG. # & NAME)
On an as required basis.	401 0010400 534000
COMMENTS	TAX/FEE/CHG. OF RECURRING COSTS (ATTACH FISCAL IMPACT STATEMENT)
N/A	N/A

RJN #4 CR

- 1/24/08 – 6/24/08 the appropriate procedures were followed. The Request for Proposal was broadcast via Onvia DemandStar Bid Notification and Delivery System to six hundred eighty one (681) firms considered potentially capable of providing this type of service. Forty six (46) firms downloaded the Request for Proposal and eleven (11) firms submitted proposals.

- The Selection Committee consisted of:

Bob Lyons, Utilities Department
Bruce Simington, Public Works Department
Frank Lambertson, Purchasing Division

- 6/24/08 the Selection Committee convened and selected the following firms to provide sanitary sewer, storm sewer and manhole rehabilitation services:

Sewer Line Cleaning & Televising

Insituform Technologies, Inc., Chesterfield, MO
J.T.V. Incorporated, Pinellas Park, FL

Trenchless Pipe Reconstruction

Insituform Technologies, Inc., Chesterfield, MO (Method 1 CIPP)
Reynolds Inliner, LLC, Lake Mary, FL (Method 2 HDPE)
J.T.V. Incorporated, Pinellas Park, FL (Method 3 CIPP Repair Sleeve)

Manhole Rehabilitation

Insituform Technologies, Inc., Chesterfield, MO (Method 1 Spraywall)
Miller Pipeline Corporation, Indianapolis, IN (Method 1 Sprayroq)
Dallas 1 Rehabilitation Solutions, Thonotosassa, FL (Method 2 Aquatapoxy 405)
Cardinal Contractors, Sarasota, FL (Method 3 Green Monster)
Subterrain Technologies, Inc., Palmetto, FL (Method 4 Rubberseal)
Rowland Inc., Pinellas Park, FL (Method 5 SuperCoat)

- The remaining respondents were not selected:

American Infrastructure Technologies Corp., Hanceville, AL
Lanzo Lining Services, Inc., Deerfield Beach, FL
Southeast Pipe Survey, Patterson, GA

Although well qualified, these firms were not selected based on a comparison of capability in providing the required services.

**REQUEST FOR PROPOSAL #08-1033FL
SANITARY SEWER, STORM SEWER AND
MANHOLE REHABILITATION SERVICE**

Manatee County, a political subdivision of the State of Florida (hereinafter "Manatee County" or the "County") will receive proposals from individuals, corporations, partnerships, and other legal entities authorized to do business in the State of Florida, for the purpose of providing sanitary sewer, storm sewer and manhole rehabilitation services.

TIME AND DATE DUE: Proposals will be received until 4:00 p.m., Thursday, May 22, 2008, at which time they will be **publicly opened**. All interested parties are invited to attend this opening.

CONTENTS OF THIS REQUEST FOR PROPOSAL:

Section A: Information to Proposers	pages 2 - 8
Section B: Form of Proposal	pages 9 - 10
Section C: Selection	page 11
Section D: Negotiation of the Agreement	page 12
Section E: Scope of Services	pages 13 - 17
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Manatee County Resolution R-93-22	Attachment A
Drug Free Work Place Certification	Attachment B
Environmental Crimes Certification	Attachment C
Pricing Forms	Attachment D

**Important note: A prohibition of Lobbying
has been enacted with the issuance of this Request for Proposal**

Please review paragraph A.18 carefully to avoid violation and possible sanctions.

**FOR INFORMATION CONTACT:
Frank G. Lambertson, Contracts Negotiator
PHONE: (941) 749-3042 FAX: (941) 749-3034
Manatee County Financial Management Department
Purchasing Division**

AUTHORIZED FOR RELEASE: _____

RJN

REQUEST FOR PROPOSAL #08-1033FL

SECTION A: INFORMATION TO PROPOSERS

PROPOSERS MUST COMPLY WITH THE FOLLOWING INSTRUCTIONS TO BE CONSIDERED FOR SELECTION.

A.01 OPENING LOCATION

These proposals will be publicly opened at Manatee County Purchasing, 1112 Manatee Avenue West, 8th Floor, Suite 803, Bradenton, Florida 34205, in the presence of County officials at the time and date stated on the cover sheet. All Proposers or their representatives are invited to attend.

Proposals become "Public Records" ten (10) days after the proposal opening or if an award decision is made earlier than this time as provided by Florida Statue 110.071. **No announcement of pricing or review of the proposal documents shall be conducted at the public opening of the proposals.**

A.02 PROPOSAL INFORMATION AND PROPOSAL DOCUMENTS

Notices of bidding or proposal opportunities and addenda are posted on DemandStar at <http://www.DemandStar.com> and on the Purchasing Division's web page at <http://www.myanatee.org> which can be accessed by clicking on the "Purchasing" button on the left side of the screen and then clicking on the "Bids and Proposals" button.

The bid or proposal documents are available in a portable document format (.PDF) files which you may view and print using Adobe Acrobat software. You may download a free copy of this software (Adobe) from the County's web page if you do not have it.

DemandStar has an Agency level subscription option that allows vendors to download bid or proposal documents and transact business with any one (1) agency for free. Vendors will receive email/fax notices of the agency's formal bid or proposal and informal quote opportunities, at no charge. This includes unlimited downloads/print capabilities for all electronically uploaded files by the agency, at no charge. Agency level subscribers will receive a complimentary subscription to the agency, to be automatically renewed annually. If a vendor chooses to increase the number of agencies beyond their single agency, regular subscription fees will apply. If a vendor chooses to download documents from a bid or proposal outside their agency, they will be charged a \$5 download fee. You can register for free email notifications and downloads of Manatee County bids, proposals and addenda from DemandStar at <http://www.DemandStar.com/supplier/> or call DemandStar at 800-331-5537 if you have any questions.

A.02 PROPOSAL INFORMATION AND PROPOSAL DOCUMENTS (Continued)

NOTICE: AUTOMATED NOTICES OF ADDENDA ARE ISSUED ONLY VIA THE ONVIA DEMANDSTAR "PLANHOLDER" DISTRIBUTION SYSTEM.

IF YOU OBTAIN A COPY OF THIS PROPOSAL DOCUMENT FROM OTHER THAN REGISTERING WITH ONVIA DEMANDSTAR WEB SERVICE FOR THIS SPECIFIC PROPOSAL – YOU SHALL NOT RECEIVE AUTOMATED NOTIFICATIONS OF ADDENDA.

IT IS THE RESPONSIBILITY OF EACH PROPOSER, PRIOR TO SUBMITTING THEIR PROPOSAL, TO CONTACT THE MANATEE COUNTY PURCHASING OFFICE (see contact information on page one) TO DETERMINE IF ADDENDA WERE ISSUED AND TO MAKE SUCH ADDENDA A PART OF THEIR PROPOSAL.

Paper copies of proposal documents may be purchased from DemandStar or by ordering a copy from the Purchasing Office. The cost for copies of bid or proposal documents is established per document and the cost is published as part of the specific bid or proposal's detail, subsection "Legal Ad" on the DemandStar web pages.

Tabulation Sheets and Award Document/Recommendations appear on the DemandStar web page.

Notices of Source Selections appear on the DemandStar web page when the solicitation was made using this bid or proposal delivery service and the County's web page (Financial Management – Purchasing Division).

A public Internet connection to DemandStar is available during regular business hours in the lobby of the Purchasing Division. If you have questions which cannot be answered by these sources, please contact the individual named on the first page of the bid or proposal.

A.03 PROPOSAL FORM DELIVERY REQUIREMENTS

Any proposals received after the stated time and date will not be considered. It shall be the sole responsibility of the Proposer to have their proposal delivered to the Manatee County Purchasing office for receipt on or before the stated time and date.

If a proposal is sent by U.S. Mail, the Proposer shall be responsible for its timely delivery to the Purchasing Office. Proposals delayed by mail shall not be considered, shall not be opened at the public opening, and arrangements shall be made for their return at the Proposer's request and expense.

A.04 CLARIFICATION & ADDENDA

Each Proposer shall examine all Request for Proposal documents and shall judge all matters relating to the adequacy and accuracy of such documents. Any inquiries, suggestions or requests concerning interpretation, clarification or additional information pertaining to the Request for Proposal shall be made in writing through the Manatee County Purchasing Office. The County shall not be responsible for oral interpretations given by any County employee, representative, or others. The issuance of a written addendum is the only official method whereby interpretation, clarification or additional information can be given.

If any addenda are issued to this Request for Proposals, the County will broadcast the addenda through DEMANDSTAR to "planholders" identified on this web service, however, it shall be the responsibility of each proposer, prior to submitting their proposal, to contact the Manatee County Purchasing Office (see contact information on page 1) to determine if addenda were issued and to make such addenda a part of their proposal.

A.05 SEALED & MARKED

Five (5) signed copies of your proposal shall be submitted in one sealed package, clearly marked on the outside "**Sealed Proposal #08-1033FL**" and addressed to:

Manatee County Purchasing
1112 Manatee Avenue West, Suite 803
Bradenton, FL 34205

A.06 LEGAL NAME

Proposals shall clearly indicate the legal name, address and telephone number of the Proposer (company, firm, partnership, individual). Proposals shall be signed above the typed or printed name and title of the signer. The signer shall have the authority to bind the Proposer to the submitted proposal.

A.07 PROPOSAL EXPENSES

All expenses for making proposals to the County are to be borne by the Proposer.

A.08 EXAMINATION OF OFFER

The examination of the proposal and the Proposer generally requires a period of not less than one hundred twenty (120) calendar days from the date of the opening of the proposals.

A.09 DISCLOSURE

Upon receipt, all inquires and responses to inquires related to this Request For Proposal become "Public Records" and shall be subject to public disclosure consistent with Chapter 119, Florida Statutes.

Proposal become "Public Records" ten (10) days after the proposal opening or if an award decision is made earlier than this time as provided by Florida Statute 119.071, No announcement of pricing or review of the proposal documents shall be conducted at the public opening of the proposals.

A.10 ERRORS OR OMISSIONS

Once a proposal is submitted, the County shall not accept any request by any proposer to correct errors or omissions in the proposal. No changes shall be allowed until a selection is made and contract negotiations actually begin.

A.11 RESERVED RIGHTS

The County reserves the right to accept or reject any and/or all proposals, to waive irregularities and technicalities, and to request resubmission. Any sole response received by the first submission date may or may not be rejected by the County, depending on available competition and timely needs of the County. The County reserves the right to award the contract to a responsible Proposer submitting a responsive proposal, with a resulting negotiated agreement which is most advantageous and in the best interests of the County. The County shall be the sole judge of the proposal, and the resulting negotiated agreement that is in its best interest and its decision shall be final. Also, the County reserves the right to make such investigation as it deems necessary to determine the ability of any Proposer to perform the work or service requested. Information the County deems necessary to make this determination shall be provided by the Proposer. Such information may include, but shall not be limited to: current financial statements prepared by an independent CPA; verification of availability of equipment and personnel; and past performance records.

A.12 APPLICABLE LAWS

Proposer must be authorized to transact business in the State of Florida. All applicable laws and regulations of the State of Florida and ordinances and regulations of Manatee County will apply to any resulting agreement. Any involvement with any Manatee County procurement shall be in accordance with Manatee County Purchasing Code Ordinance 99-37, as amended. Any actual or prospective Proposer who is aggrieved in connection with the solicitation or award of a contract may protest to the Board of County Commissioners of Manatee County as required in Section 9-101 of the Purchasing

A.12 APPLICABLE LAWS (Continued)

Code. A protest with respect to this Request for Proposal shall be submitted in writing prior to the scheduled opening date of this proposal, unless the aggrieved person did not know and could not have been reasonably expected to have knowledge of the facts giving rise to such protest prior to the scheduled opening date of this proposal. The protest shall be submitted within seven calendar days after such aggrieved person knows or could have reasonably been expected to know of the facts giving rise thereto.

A.13 CODE OF ETHICS

With respect to this proposal, if any Proposer violates or is a party to a violation of the Code of Ethics of Manatee County per Manatee County Purchasing Code Ordinance 99-37, Article 3, Ethics in Public Contracting, and/or the state of Florida per Florida Statutes, Chapter 112, Part III, Code of Ethics for Public Officers and Employees, such Proposer may be disqualified from performing the work described in this proposal or from furnishing the goods or services for which the proposal is submitted and shall be further disqualified from submitting any future proposals for work or for goods or services for Manatee County.

The County anticipates that all statements made and materials submitted in a proposal will be truthful. If a proposer is determined to be untruthful in its proposal or any related presentation, such proposer may be disqualified from further consideration regarding this Request for Proposal

A.14 COLLUSION

By offering a submission to this Request for Proposal the Proposer certifies the Proposer has not divulged to, discussed or compared his proposal with other Proposers and has not colluded with any other Proposer or parties to this proposal whatsoever. Also, Proposer certifies, and in the case of a joint proposal, each party thereto certifies, as to their own organization that in connection with this proposal:

- a. any prices and/or data submitted have been arrived at independently, without consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices and/or cost data, with any other Proposer or with any competitor;
- b. any prices and/or cost data quoted for this proposal have not been knowingly disclosed by the Proposer prior to the scheduled opening directly or indirectly to any competitor;
- c. no attempt has been made or will be made by the Proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition;

A.14 COLLUSION (Continued)

- d. the only person or persons interested in this proposal as principal or principals is/are named therein and that no person other than therein mentioned has any interest in this proposal or in the contract to be entered into; and
- e. no person or agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees.

A.15 PROPOSAL FORMS

Proposals must be submitted in the format specified in Section B of this Request For Proposals. The contents of each proposal shall be separated and arranged with tabs in the same order as listed in the Subsections within Section B identifying the response to each specific item to facilitating expedient review of all responses.

A.16 PUBLIC ENTITY CRIMES

In accordance with Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two (as of 1/01/2005 is \$25,000) for a period of 36 months from the date of being placed on the convicted vendor list.

A.17 DRUG FREE WORK PLACE

Drug Free Workplace Program: Manatee County Board of County Commissioners adopted a policy regarding maintaining a Drug Free Work Place, Resolution R-93-22. Proposers are asked to review the attached copy of the Resolution and provide either a certification of compliance with the program outlined in this Resolution or describe your firm's policy or program as it relates to maintaining a drug free workplace. This response will be considered with the other criteria described herein.

A.18 LOBBYING

After the issuance of any Request for Proposals or Invitations for Bids, prospective bidders, Proposers or any agent, representative or person acting at the request of such bidder or Proposer shall not contact, communicate with or discuss any matter

A.18 LOBBYING (Continued)

relating in any way to the Request for Proposals or Invitation for Bids with any officer, agent or employee of Manatee County other than the Purchasing Manager or as directed in the Request for Proposals or Invitation for Bids. This prohibition begins with the issuance of any Request for Proposals or Invitation for Bids, and ends upon execution of the final contract or when the invitation or request has been canceled. Violators of this prohibition shall be subject to sanctions as provided in the Manatee County Purchasing Code.

A.19 PUBLIC CONTRACTING AND ENVIRONMENTAL CRIMES CERTIFICATION

In accordance with Ordinance 99-37, adding Article 6, Manatee County Board of County Commissioners adopted a policy prohibiting the award of County contracts to persons, business entities, or affiliates of business entities who have not submitted written certification to the County that they have not been convicted of bribery, attempted bribery, collusion, restraints of trade, price fixing, and violations of certain environmental laws. A Non-Conviction Certification Form is attached for this purpose.

A.20 EQUAL EMPLOYMENT OPPORTUNITY

Manatee County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 and the Regulations of the Department of Commerce (15 CFR, Part 8) issued pursuant to such Act, hereby notifies all prospective Proposers that they will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to participate in response to this advertisement and will not be discriminated against on the grounds of race, color, creed, sex, age or national origin in consideration for an award.

A.21 AMERICANS WITH DISABILITIES ACT

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the County's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for the **public meetings** specified herein (i.e. Information Conference or Proposal Opening), should contact the person named on the first page of this document at least twenty four (24) hours in advance of the activity.

SECTION B: FORM OF PROPOSAL

This section identifies specific information which must be contained within each proposal. **The contents of each proposal shall be separated and arranged with tabs in the same order as listed in Sections B.02 and B.03 below, identifying the response to each specific item.**

B.01 MINIMUM QUALIFICATIONS

Proposer must have provided Sanitary Sewer, Storm Sewer or Manhole Rehabilitation Services for at least two (2) years and shall provide substantiating information.

B.02 ADMINISTRATIVE SUBMITTAL

- a. Proposal Signature Form.
- b. Drug Free Work Place Certification (Attachment B).
- c. Public Contracting and Environmental Crimes Certification (Attachment C).

B.03 INFORMATION TO BE SUBMITTED

- a. Description of the firm's background and size, include a statement of qualifications that include the firm's professional credentials and experience in providing the types of services enumerated in this RFP. Also, include a summary of the firm's current workload and evidence to reflect they satisfy the County's requirement.
- b. Identify each principle of the firm and the other "key personnel" who will be professionally associated with the County. Describe their respective area of expertise. Include personalized resumes which identify the qualifications, training and experience of each key personnel.
- c. Provide an executive summary of your proposed services and its key features such as materials used, installation preparation and installation, service reconnection, inspection and warranty.
- d. Provide detailed specification as to the application that you are proposing for sewer line rehabilitation and/or manhole rehabilitation.
- e. Attachment D, Pricing Form: Sanitary Sewer, Storm Sewer and Manhole Rehabilitation Services should be completed based on the services being proposed. When providing a price for any one of the applications, prices must be provided for the ancillary services section also. If you are not

B.03 INFORMATION TO BE SUBMITTED (continued)

proposing a particular line item, indicate so by placing NP (Not Proposing) for that line item.

- f. Submit any other additional information which would assist the County in the evaluation of your proposal.

NOTE: The County reserves the right to make such investigation and solicit additional information or submittals as it deems necessary to determine the ability of any Proposer to perform the Scope of Services stated in this Request for Proposal.

SECTION C: SELECTION

C.01 EVALUATION FACTORS

Evaluation factors are price and perceived ability of the Proposer to perform the Scope of Services as stated in this Request for Proposal in the most timely and efficient manner, and the proposal(s) which will overall best meet the needs of Manatee County as determined from the responses to this Request for Proposal and subsequent investigation by the County.

C.02 RELATIVE IMPORTANCE OF EVALUATION FACTORS

No weight has been assigned to the Evaluation Factors stated above.

C.03 PRELIMINARY RANKING

A Selection Committee may determine from the response to this Request for Proposal and subsequent investigation as necessary, the Proposers most susceptible of being selected for award.

C.04 REVIEW OF PROPOSERS AND PROPOSALS

Review shall be conducted with responsible Proposers who may be reasonably susceptible of being selected for award, for the purposes of clarification to assure full understanding of and conformance to the solicitation requirements, the abilities of the Proposer, and the proposal submitted.

Firms responding to this Request for Proposal shall be available for presentation/interviews, to the Selection Committee and/or Board of County Commissioners upon notification from the Purchasing Office at a time and date determined by the County.

C.05 SELECTION FOR NEGOTIATION

The Proposer whose ability and proposal is determined to be the most advantageous to the County, taking into consideration the evaluation factors set forth in this Request for Proposal, shall be recommended to the Board of County Commissioners for authorization to negotiate an agreement for the stated Scope of Services.

C.06 AWARD

Award of an agreement is subject to the successful negotiations and the vote of the Board of County Commissioners to authorize execution of the agreement.

SECTION D: NEGOTIATION OF THE AGREEMENT

D.01 GENERAL

The following general terms and conditions apply to the proposal submitted for consideration and the subsequent negotiations:

- a. The proposal will serve as a basis for negotiating an agreement.
- b. Upon submission, all proposals become the property of the County which has the right to use any or all ideas presented in any proposal submitted in response to this Request for Proposal whether or not the proposal is accepted.
- c. All products and papers produced in the course of this engagement become the property of the County upon termination or completion of the engagement.

D.02 AGREEMENT

The selected Proposer shall be required to negotiate a formal agreement, in a form acceptable to Manatee County.

The Manatee County Board of County Commissioners will be presented the negotiated agreement as the best and final offer for consideration of award and execution. The Board of County Commissioners shall determine if award of the agreement is to be considered; rejected and direct further negotiations; rejected and terminate negotiations; or accepted, authorizing the chairman to execute the agreement.

SECTION E: SCOPE OF SERVICES

E.01 OVERVIEW SANITARY SEWER LINE REHABILITATION

The proposer shall provide the necessary personnel, material, equipment, supplies, transportation and services to do all things necessary to provide TV inspection and computerized analysis, smoke testing, cleaning and rehabilitation and trenchless reconstruction of portions of the County's sewer system, as deemed necessary by the County. The system includes underground sewer and stormwater lines, and manholes/wetwells which are located throughout the County.

The proposer shall provide any combination of the following applications in meeting the County's requirements stated in this Scope of Services. When providing a price (Attachment D) for any one of the applications, prices must be provided for the ancillary services section also.

- a. Method 1 - Cured-In-Place-Pipe (CIPP) - Reconstruction of existing pipe via inserting resin-impregnated flexible felt/fiberglass tube into the existing pipe, cured by external heat source.
- b. Method 2 - Cured-In-Place-Pipe repair sleeve - Via inserting impregnated flexible felt/fiberglass tube into existing pipe, cured by external heat source.
- c. Sewer line cleaning and televising.
- d. Storm Sewer - Trenchless Pipe Reconstruction System, CIPP
- e. Ancillary Services

E.02 REQUIREMENTS - SANITARY SEWER LINE REHABILITATION

- a. The proposer shall provide trenchless reconstruction of service laterals, main line sewers and storm sewers. The proposer shall have the capability of performing County selected services which include televised inspection, data collection, system flow analysis, and pipeline reconstruction.
- b. The proposer shall employ adequate staff to perform the services required, staff should include; Project Representative, Project Manager, Field Supervisor and Senior Foreman. Staff shall be proficient and experienced in all phases of services mentioned.
- c. The proposer shall perform all work and shall be a licensed Contractor for these services.
- d. The proposer shall be certified in confined space entry (OHSA) and traffic control.

E.02 REQUIREMENTS - SANITARY SEWER LINE REHABILITATION (continued)

- e. The proposer shall provide services that include safety measures for both the public and workers and shall coordinate all scheduling with the County.
- f. The proposer shall provide an introductory and organizational seminar regarding its services after award to selected County representatives.
- g. The proposer shall work with the County in establishing priorities and in preparing work assignments.
- h. The proposer shall be completely responsible for the control of the environment of the work site during on-site operations. All precautions shall be taken by the selected contractor to protect the workers, public and County staff from the exposure to harmful or hazardous substances within the sewer system.
- i. The proposer shall be responsible for the disposal of all waste materials and shall transport waste materials to the nearest Manatee County Wastewater Treatment Plant for processing. County shall approve all waste material disposal schedules. The selected proposer shall be responsible for all waste material spills and clean-up in the loading, hauling and unloading of the proposer's equipment.
- j. The proposer shall be responsible for conforming to any and all requirements regarding hauling and disposal of sewer wastes from each County work site in accordance with OSHA regulations and those that may be mandated by the Federal or State Governments.
- k. The proposer shall ensure that all waste material transporters possess all required local, state and federal transportation permits and that they comply with all local, state and federal regulations, including but without limitation, 40 CFR Part 263, "Standards Applicable to Transporters of Hazardous Waste" and Chapter 17-730, Part 3, Florida Administrative Code, as may be amended from time to time.
- l. The proposer shall prepare a report of each TV inspection and analysis, as required by the County, to be submitted to the County. The County shall then make the scope of work determination.
- m. The proposer shall mobilize and be on site within a maximum of thirty (30) calendar days after issuance of each work assignment by the County, unless otherwise agreed to by the County Contract Manager or in the case of an emergency. In the case of emergency, the proposer shall respond within 24 hours of telephone notification to be followed by issuance of a written work assignment.

E.02 REQUIREMENTS - SANITARY SEWER LINE REHABILITATION (continued)

- n. The proposer shall inform the County of its planned work schedules and shall afford the County reasonable opportunity to observe and inspect the proposer's work in process. The County will be advised of all schedule changes and notified when a work site is left for a 24 hour period when work is not complete.
- o. The proposer's written cost estimate shall contain the anticipated completion time in days.
- p. Once a Release Order (RO) number is faxed to proposer work should be scheduled and started within thirty (30) days. However should the work have to be performed on an emergency basis work will be scheduled and started within seven (7) days.
- q. Proposer shall provide the County with forty eight (48) hours notice prior to the start of work.
- r. If work is not completed within the specified completion date, the proposer will pay a penalty of \$250 per day.

E.03 OVERVIEW SANITARY MANHOLE REHABILITATION

The proposer shall provide one of the following applications in meeting the County's requirements stated in this Scope of Service:

- a. Method 1 - Manhole Surfacing (Spraywall) - Urethane Spraywall
- b. Method 2 - Manhole Surfacing (Spraywall) - Aquatapoxy 405
- c. Method 3 - Manhole Surfacing - Protective Liner System

E.04 REQUIREMENTS - SANITARY MANHOLE REHABILITATION

- a. The proposer shall have the capability of performing County selected services which include manhole/wetwell rehabilitation, pressure grouting, and removal of sand and debris from manholes.
- b. The proposer shall employ adequate staff to perform the services required, which should include; Project Representative, Project Manager, Field Supervisor and Senior Foreman. Staff shall be proficient and experienced in all phases of services mentioned.
- c. The proposer shall perform all work and shall be a licensed Contractor for these services.

E.04 REQUIREMENTS - SANITARY MANHOLE REHABILITATION (continued)

- d. The proposer shall be certified in confined space entry (OHSA) and traffic control.
- e. The proposer shall provide services that include safety measures for both the public and workers and shall coordinate all scheduling with the County.
- f. The proposer shall provide an introductory and organizational seminar regarding its services after award to selected County representatives.
- g. The proposer shall work with the County in establishing priorities and in preparing work assignments.
- h. The proposer shall be completely responsible for the control of the environment of the work site during on-site operations. All precautions shall be taken by the selected proposer to protect the workers, public and County staff from the exposure to harmful or hazardous substances within the sewer system.
- i. The proposer shall be responsible for the disposal and transport of all sand, sludge and debris taken to the Manatee County Landfill for processing. The County shall approve all disposal schedules. The proposer shall be responsible for all sewage spills and clean-up in the loading, hauling and unloading of the proposer's equipment.
- j. The proposer shall be responsible for conforming to any and all requirements regarding hauling and disposal of sewer wastes from each County work site in accordance with OSHA regulations and those that may be mandated by the Federal or State Governments.
- k. The proposer shall ensure that all sludge transporters possess all required local, state and federal transportation permits and that they comply with all local, state and federal regulations, including but not limited to 40 CFR Part 263 "Standards Applicable to Transporters of Hazardous Waste" and Chapter 17-730, Part 3, Florida Administrative Code, as may be amended from time to time.
- l. The proposer shall prepare a report of each Manhole inspection and analysis, as required by the County, to be submitted to the County. The County shall then make the scope of work determination.
- m. The proposer shall mobilize and be on site within a maximum of thirty (30) calendar days after issuance of each work assignment by the County, unless otherwise agreed to by the County Contract Administrator or Department Director. In case of emergency, the proposer shall respond

E.04 REQUIREMENTS - SANITARY MANHOLE REHABILITATION (continued)

within 24 hours of telephone notification to be followed by issuance of a written assignment.

- n. The proposer shall inform the County of its planned work schedules and shall afford the County reasonable opportunity to observe and inspect the proposers work in process, the County will be advised of all schedule changes and notified when a work site is left for a 24 hour period when work is not complete.

PROPOSAL SIGNATURE FORM
RFP #08-1033FL

Firm Name

Mailing Address:

(_____) _____
Telephone Number

City, State, Zip Code

The undersigned attests to his (her, their) authority to submit this proposal and to bind the firm herein named to perform as per agreement. If the firm is selected by the County the undersigned certifies that he/she will negotiate in good faith to establish an agreement to provide sanitary sewer, storm sewer and manhole rehabilitation according to the requirements of this RFP #08-1033FL.

Signature

Witness Signature

Date: _____

Date: _____

Name and Title of Above Signer

Name and Title of Above Signer

Address of any branch office
proposed to service Manatee County other than above

Name and Title of Firm's Representative for Manatee County

Telephone Number of Firm's Representative for Manatee County

Attachment "A"

RESOLUTION R-93-22

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, IMPLEMENTING ¶3-101(7)3(1) OF THE MANATEE COUNTY PROCUREMENT CODE (ORDINANCE 84-02 AS AMENDED) TO ESTABLISH MINIMUM REQUIREMENTS FOR BIDDERS WITH RESPECT TO MAINTAINING A DRUG FREE WORKPLACE; REQUIRING WRITTEN CERTIFICATION TO THE COUNTY OF COMPLIANCE WITH THE REQUIREMENTS ESTABLISHED HEREIN; AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Manatee County recognizes that substance abuse is a complex societal problem that continues to threaten the welfare of the residents and community; and

WHEREAS, the Board of County Commissioners considers substance abuse on the job to be an unsafe and counter-productive work practice; and

WHEREAS, consistent with its policy to promote a safe work environment and encourage personal health for all citizens of Manatee County, the Commission finds it necessary to combat substance abuse in the workplace by promoting education and awareness; and

WHEREAS, consistent with the Drug Free Workplace Act (§12.0455, Florida Statutes) and policies applicable to Manatee County employees pursuant to Resolution R-93-10, the Board of County Commissioners of Manatee County has determined that it is necessary and in the best interest of the County to adopt the drug free workplace requirements for persons or entities contracting with Manatee County; and

WHEREAS, ¶3-101(7)B of the Manatee County procurement Code (Ordinance 84-02, as amended) authorizes the adoption of requirements for maintaining a drug free workplace applicable to persons or entities bidding on contracts with Manatee County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, as follows:

1. **Certification Required:** No person or entity submitting a bid pursuant to ¶3-101 shall be awarded or receive a county contract for public improvements, procurement of goods or services (including professional services) or a county lease, franchise,

concession or management agreement, unless such person or entity has submitted a written certification to the county that it will provide a drug free workplace by:

- a. providing a written statement to each employee notifying such employee that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance as defined in §893.02(4), Florida statutes, as the same may be amended from time to time, in the person's or entity's workplace is prohibited specifying the actions that will be taken against employees for violation of such prohibition. Such written statement shall inform employees about:
 - (i) the dangers of drug abuse in the workplace;
 - (ii) the person's or entity's policy of maintaining a drug free environment at all its workplaces, including but not limited to all locations where employees perform any task relating to any portion of such contract, business transaction or grant;
 - (iii) any available drug counseling, rehabilitation, and employee assistance programs; and
 - (iv) the penalties that may be imposed upon employees for drug abuse violations.
- b. Requiring the employee to sign a copy of such written statement to acknowledge his or her receipt of same and advice as to the specifics of such policy. Such person or entity shall retain the statements signed by its employees. Such person or entity shall also post in a prominent place at all of its workplaces a written statement of its policy containing the foregoing elements (i) through (iv).
- c. Notifying the employee in the statement required by subsection 1. that as a condition of employment the employee will:
 - (i) abide by the terms of the statement; and
 - (ii) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such a conviction.

- d. At all times pertinent to the performance of any contract with Manatee County, notify the county within ten (10) days after receiving notice under subsection c. from an employee or otherwise receiving actual notice of such conviction.
 - e. Imposing appropriate personnel action against such employee up to and including termination; or requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.
 - f. Making a good faith effort to continue to maintain a drug free workplace through implementation of sections a. through e. of this subsection.
2. **Severability.** If any part, section, subsection, or other portion of this Resolution, or any application thereof to any person or circumstances declared to be void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Resolution, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect.
 3. **Effective Date.** This Resolution shall take effect ninety (90) days after adoption by the Board of County Commissioners.

ADOPTED in open session by a majority of the duly elected Board of County Commissioners of Manatee County, Florida, this 2nd day of February, 1993.

ORIGINAL DOCUMENT SIGNED BY BOARD OF COUNTY COMMISSIONERS CHAIRMAN MS. LARI ANN HARRIS ON FEBRUARY 2, 1993 AND IS ON FILE AT MANATEE COUNTY CLERK'S OFFICE.

<R93-22>

ATTACHMENT "B"

Drug Free Work Place Certification

SWORN STATEMENT PURSUANT TO RESOLUTION R-01-36 SECTION 4, E (1) (a)
MANATEE COUNTY PURCHASING POLICIES, ON DRUG FREE WORK PLACES

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

This sworn statement is submitted to the Manatee County Board of County Commissioners by _____

[print individual's name and title]

_____ for _____

[print name of entity submitting sworn statement]

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: _____.)

I understand that no person or entity shall be awarded or receive a county contract for public improvements, procurement of goods or services (including professional services) or a county lease, franchise, concession or management agreement, or shall receive a grant of county monies unless such person or entity has submitted a written certification to the County that it will provide a drug free work place by:

(1) providing a written statement to each employee notifying such employee that the unlawful manufacture, distribution; dispensation, possession or use of a controlled substance as defined by §893.02(4), Florida Statutes, as the same may be amended from time to time, in the person's or entity's work place is prohibited specifying the actions that will be taken against employees for violation of such prohibition. Such written statement shall inform employees about:

- (i) the dangers of drug abuse in the work place;
- (ii) the person's or entity's policy of maintaining a drug free environment at all its work places, including but not limited to all locations where employees perform any task relating to any portion of such contract, business transaction or grant;
- (iii) any available drug counseling, rehabilitation, and employee assistance programs; and
- (iv) the penalties that may be imposed upon employees for drug abuse violations.

(2) Requiring the employee to sign a copy of such written statement to acknowledge his or her receipt of same and advice as to the specifics of such policy. Such person or entity shall retain the statements signed by its employees. Such person or entity shall also post in a prominent place at all of its work places a written statement of its policy containing the foregoing elements (i) through (iv).

(3) Notifying the employee in the statement required by subsection (1) that as a condition of employment the employee will:

- (i) abide by the terms of the statement; and
- (ii) notify the employer of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such a conviction.

(4) Notifying the County within ten (10) days after receiving notice under subsection (3) from an employee or otherwise receiving actual notice of such conviction.

(5) Imposing appropriate personnel action against such employee up to and including termination; or requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

(6) Making a good faith effort to continue to maintain a drug free work place through implementation of sections (1) through (5) stated above.

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR MANATEE COUNTY IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT ANY CONTRACT OR BUSINESS TRANSACTION SHALL PROVIDE FOR SUSPENSION OF PAYMENTS; OR TERMINATION, OR BOTH, IF THE CONTRACTING OFFICER OR THE COUNTY ADMINISTRATOR DETERMINES THAT:

- (1) Such person or entity has made false certification.
- (2) Such person or entity violates such certification by failing to carry out the requirements of sections (1), (2), (3), (4), (5), or (6) or Resolution R-01-36 Section 4, E (1) (a) or
- (3) Such a number of employees of such person or entity have been convicted of violations occurring in the work place as to indicate that such person or entity has failed to make a good faith effort to provide a drug free work place as required by Resolution R-01-36 Section 4, E (1) (a).

[Signature]

STATE OF FLORIDA
COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 200__ by _____.

Personally known _____ OR Produced identification _____
[Type of identification]

Notary Public Signature My commission expires _____

[Print, type or stamp Commissioned name of Notary Public]

ATTACHMENT "C"

PUBLIC CONTRACTING AND ENVIRONMENTAL CRIMES CERTIFICATION

**SWORN STATEMENT PURSUANT TO ARTICLE 6,
MANATEE COUNTY PURCHASING CODE**

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

This sworn statement is submitted to the Manatee County Board of County Commissioners by _____
[print individual's name and title]

_____ for _____
[print name of entity submitting sworn statement]

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: _____

I understand that no person or entity shall be awarded or receive a county contract for public improvements, procurement of goods or services (including professional services) or a county lease, franchise, concession or management agreement, or shall receive a grant of county monies unless such person or entity has submitted a written certification to the County that it has not:

(1) been convicted of bribery or attempting to bribe a public officer or employee of Manatee County, the State of Florida, or any other public entity, including, but not limited to the Government of the United States, any state, or any local government authority in the United States, in that officer's or employee's official capacity; or

(2) been convicted of an agreement or collusion among bidders or prospective bidders in restraint of freedom of competition, by agreement to bid a fixed price, or otherwise; or

(3) been convicted of a violation of an environmental law that, in the sole opinion of the County's Purchasing Director, reflects negatively upon the ability of the person or entity to conduct business in a responsible manner; or

(4) made an admission of guilt of such conduct described in items (1), (2) or (3) above, which is a matter of record, but has not been prosecuted for such conduct, or has made an admission of guilt of such conduct, which is a matter of record, pursuant to formal prosecution. An admission of guilt shall be construed to include a plea of nolo contendere; or

(5) where an officer, official, agent or employee of a business entity has been convicted of or has admitted guilt to any of the crimes set forth above on behalf of such entity and pursuant to the direction or authorization of an official thereof (including the person committing the offense, if he is an official of the business entity), the business shall be chargeable with the conduct herein above set forth. A business entity shall be chargeable with the conduct of an affiliated entity, whether wholly owned, partially owned, or one which has common ownership or a common Board of Directors. For purposes of this Form, business entities are affiliated if, directly or indirectly, one business entity controls or has the power to control another business entity, or if an individual or group of individuals controls or has the power to control both entities. Indicia of control shall include, without limitation, interlocking management or ownership, identity of interests among family members, shared organization of a business entity following the ineligibility of a business entity under this Article, or using substantially the same management, ownership or principles as the ineligible entity.

Any person or entity who claims that this Article is inapplicable to him/her/it because a conviction or judgment has been reversed by a court of competent jurisdiction, shall prove the same with documentation satisfactory to the County's Purchasing Director. Upon presentation of such satisfactory proof, the person or entity shall be allowed to contract with the County.

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR MANATEE COUNTY IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT ANY CONTRACT OR BUSINESS TRANSACTION SHALL PROVIDE FOR SUSPENSION OF PAYMENTS, OR TERMINATION, OR BOTH, IF THE CONTRACTING OFFICER OR THE COUNTY ADMINISTRATOR DETERMINES THAT SUCH PERSON OR ENTITY HAS MADE FALSE CERTIFICATION.

[Signature]

STATE OF FLORIDA
COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 20____ by _____.

Personally known _____ OR Produced identification _____
[Type of identification]

Notary Public Signature My commission expires _____

[Print, type or stamp Commissioned name of Notary Public]

Signatory Requirement - In the case of a business entity other than a partnership or a corporation, this affidavit shall be executed by an authorized agent of the entity. In the case of a partnership, this affidavit shall be executed by the general partner(s). In the case of a corporation, this affidavit shall be executed by the corporate president.