

5024 RFQ No. 2020-20 - CONSTRUCTION MANAGER (CM) FOR TOWNWIDE OVERHEAD UTILITY UNDERGROUNDING PROGRAM - PHASE FIVE, NORTH AND SOUTH

Burkhardt Construction, Inc.

SOLICITATION PACKAGE DOCUMENTS & EVALUATION FACTORS

1.1. SOLICITATION PACKAGE DOCUMENTS

Filled

Weight: 0% Score: 0%



SCOPE OF WORK

1.1.1. Filled Knockout question

Weight: 0%

Please review the attached **Scope of Work**. There is no response needed for this section but the Contractor must read to fully understand details and Contractor's responsibilities.

Attached documents:

 Phase 5 CM Scope of Work.pdf 99 Kb	Download		Preview
 Phase5Phasing.pdf 2775 Kb	Download		Preview

- ☐ Marking this option serves as a digital/electronic signature and certification of the Respondents acknowledgement of the Bid Document (0%) (KO)
Score: 0%






TERMS & CONDITIONS

1.1.2. Filled Knockout question

Weight: 0%

Please review the attached RFP documents to include **Terms and Conditions, Other Contract Requirements, Evaluation of Proposals, State Status for Public Records -FSS 119.0701, and ACH Authorization Form**. Please indicate if you read and understood all those requirements of this solicitation.

Attached documents:

 1. TERMS AND CONDITIONS.pdf 79 Kb	Download		Preview
 2. OTHER CONTRACT REQUIREMENTS.pdf 84 Kb	Download		Preview
 3. EVALUATION OF PROPOSALS.pdf 43 Kb	Download		Preview
 4. FSS 119.0701 - 2018.pdf 133 Kb	Download		Preview
 5. ACH Authorization Form.pdf 73 Kb	Download		Preview

- ☐ Marking this option serves as a digital/electronic signature and certification of the Respondents acknowledgement of the Bid Documents (0%) (KO)
Score: 0%

FEDERAL TERMS AND CONDITIONS




1.1.3. ● Filled Knockout question

Weight: 0%

The construction contract(s) may be partially funded by US Federal Government (FEMA), therefore Construction Manager shall have a designated FEMA representative to address all Statutory requirements.

Please confirm by clicking yes and provide a statement that your firm has FEMA expert in your team that will be working with Town and FEMA representatives in all procedures, in order for Town to implement reimbursement program.

Attached documents:

 CFR200 Policy 110518.pdf 790 Kb	Download	Preview
 DR-4337-FL NR 378 FEMA Awards Town of Palm Beach Nearly 8.5 Million topdf 112 Kb	Download	Preview
 Executed FEMA Grant Contract H0374 ToPB Phase 5 UUP December 11 2019.pdf 2785 Kb	Download	Preview


Burkhardt Construction, Inc. understands that the construction contract(s) with the Town of Palm Beach for the Town-wide Overhead Utility Undergrounding Program Phase 5, North & South may be partially funded by the US Federal Government (FEMA). As such, we have teamed with Patrick LaConte of LaConte Engineering. Patrick will be our designated FEMA representative in all procedures to address all statutory requirements and aid in the Town's ability to implement the FEMA Grant Reimbursement program.

Evaluation method:

Yes / No

No - KO

Attached documents by supplier:

 Burkhardt - 1.1 Solicitation Package Documents - 1.1.3 Federal Terms and Conditions.pdf 231 Kb	Download	Preview
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Score: 0%

INTENT LETTER

1.1.4. ● Filled Knockout question

Weight: 0%

Please upload your company's intent letter executed by person that has the authority to sign the contract. Please include a statement of your understanding of the scope, and its requirements. As part of your intent letter please explain how you will administer FEMA grant.

Attached documents by supplier:

Evaluation method:

Yes / No

No - KO

 Burkhardt - 1.1 Solicitation Package Documents - 1.1.4 Intent Letter.pdf 260 Kb	Download	Preview
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Score: 0%

1.2. SUPPLIER RESPONSE & ACKNOWLEDGEMENTS

● Filled

14 Knockout questions (1 KO) Weight: 0% Score: 0%

INSTRUCTIONS

1.2.1.  Filled Knockout question

Weight: 0%

- A. All questions are to be answered in full, without exception. If copies of other documents will answer the question completely, they may be attached and clearly labeled. If additional space is needed, additional pages may be attached and clearly labeled.
- B. The Town of Palm Beach shall be entitled to contact each and every reference listed in response to this questionnaire, and each entity referenced in any response to any question in this questionnaire. The Contractor, by completing this questionnaire, expressly agrees that any information concerning the Contractor in possession of said entities and references may be made available to the Town.
- C Only complete and accurate information shall be provided by the Contractor. The Contractor hereby warrants that, to the best of its knowledge and belief, the responses contained herein are true, accurate, and complete. The Contractor also acknowledges that the Town is relying on the truth and accuracy of the responses contained herein. If it is later discovered that any material information given in response to a question was provided by the Contractor, knowing it was false, it shall constitute grounds for immediate disqualification, termination, or rescission by the Town of any subsequent agreement between the Town and the Contractor.

- ☐ Marking this option serves as a digital/electronic signature and certification of the Respondent disagreeing with statement above. (0%) (KO)
- ☒ Marking this option serves as a digital/electronic signature and certification of the Respondents acknowledgement of the statement above. (0%) (KO)

Score: 0%

STATE REGISTRATION REQUIREMENTS

1.2.2.  KO

Weight: 0%

Any company submitting a proposal in response to this Solicitation should either be registered or have applied for registration with the Florida Department of State in accordance with the provisions of Chapter 607, Florida Statutes. A copy of the registration/application may be required prior to award of a contract.

If you have already registered with the State of Florida, please select YES and upload evidence of this registration.

If you are not registered please confirm by selecting no and agree to the statement of intent to acquire this registration.

Attached documents by supplier:

Evaluation method:

Yes / No

No is better

Yes - KO

 BCI 2020.pdf 118 Kb

[Download](#)

| [Preview](#)

Score: 0%

PRIMARY CONTACT

1.2.3. ● Filled Knockout question

Weight: 0%

Please provide information regarding who may be contacted regarding this proposal using the table below.

Score: 0%

Evaluation method:

Yes / No

No - **KO**

	Primary Contact	Second Contact (optional)
Name (First, Last):	Marc Kleisley	
Title:	Vice President	
Address (Street Address, City, State Zip):	1400 Alabama Avenue, West Palm Beach, FL 33401	
Phone Number:	561.659.1400	
Mobile Phone Number:	561.718.2604	
Email Address:	marc@burkhardtconstruction.com	

START TIME

1.2.4. ● Filled Knockout question

Weight: 0%

The Contractor shall be available for work under this Contract immediately after the contract is executed.

- ☒ Marking this option serves as a digital/electronic signature and certification of the Respondents acknowledgement of the required time of completion. (0%) (KO)

Attached documents by supplier:

 1.2.4 Start Time.pdf 231 Kb	Download		Preview
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Score: 0%

SUB CONTRACTORS

1.2.5. ● Filled Knockout question

Weight: 0%

Please list or upload the subcontractors that you will use on this contract. Please include the Subcontractor name, address and the amount of years you have used each subcontractor.

If subcontractors are listed below, the Bidder acknowledges that they have fully investigated each subcontractor listed and has in their files evidence each subcontractor has engaged successfully in his line of work for a reasonable period of time, of performing the work required. The Town reserves final approval of any subcontractors listed. Following award of contract the Town reserves the right for approval of future subcontractors and refusal of existing or future subcontractors providing work under this contract.

Please use fillable PDF form attached to list your subcontractors.

Attached documents:

 LIST OF PROPOSED SUBCONTRACTORS -FORMS.pdf 49 Kb [Download](#) | [Preview](#)

Attached documents by supplier:

Evaluation method:

Yes / No

No - KO

 1.2.5 BCI - LIST OF PROPOSED SUBCONTRACTORS -FORMS(148100)-signed.pdf 173 Kb [Download](#) | [Preview](#)

Score: 0%


BIDDERS' QUALIFICATION

1.2.6. ● Filled Knockout question

Weight: 0%

Please respond to this question by submitting fillable PDF form attached.

Attached documents:

 BIDDER'S QUALIFICATION -FORM.pdf 53 Kb [Download](#) | [Preview](#)

Attached documents by supplier:

Evaluation method:

Yes / No

No - KO

 1.2.6 BCI-BIDDER'S QUALIFICATION -FORM(148101).pdf 150 Kb [Download](#) | [Preview](#)

Score: 0%

W-9

1.2.7. ● Filled Knockout question

Weight: 0%

Please confirm that you have and upload your W-9

- ☒ Yes (Best)
☐ No (Worst) (KO)

Attached documents by supplier:

 Burkhardt-W9.pdf 163 Kb [Download](#) | [Preview](#)

Score: 0%

BUSINESS TAX RECEIPT

1.2.8.  Filled  Knockout question

Weight: 0%

Please upload your Business Tax Receipt. In case that you do not have a Business Tax Receipt please upload a statement of explanation.

- ☒ Yes (Best)
☐ No (Worst) (KO)

Attached documents by supplier:

 Palm Beach County Local Business Tax Receipts (Exp. 9-30-2020).pdf 431 Kb	Download		Preview
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Score: 0%


DRUG - FREE WORKPLACE CERTIFICATION

1.2.9.  Filled

Weight: 0%

Please complete a drug free form by using attached fillable PDF form.

Attached documents:

 DRUG-FREE WORKPLACE CERTIFICATION -FORM.pdf 45 Kb	Download		Preview
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Attached documents by supplier:

Evaluation method: Yes / No

 BCI - DRUG-FREE WORKPLACE CERTIFICATION -FORM(148102)-signed.pdf 228 Kb	Download		Preview
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Score: 0%


SCRUTINIZED VENDOR FORM

1.2.10.  Filled  Knockout question

Weight: 0%

Please complete the scrutinized vendor form attached and upload for review.

Attached documents:

 SCRUTINIZED COMPANIES FORM.pdf 99 Kb	Download		Preview
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- ☒ Yes (Best)
☐ No (Worst) (KO)

Attached documents by supplier:

 1.2.10 BCI-SCRUTINIZED COMPANIES FORM(148104)-signed.pdf 208 Kb	Download		Preview
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Score: 0%

INSURANCE REQUIREMENTS

1.2.11. ● Filled Knockout question


Weight: 0%

Please acknowledge insurance requirements attached.

The Service Provider shall provide at its own cost and expense during the life of the contract, the attached insurance coverages to the Town of Palm Beach (30) thirty business days' prior to the commencement of any work.


Note: Prime Contractor is legally responsible for all their subcontractors and the Town recommends that a certificate of insurance is obtained by prime contractor for all subcontractors performing any services on this project.

Attached documents:

 INSURANCE.pdf 89 Kb [Download](#) | [Preview](#)

- ☒ Yes (Best)
☐ No (Worst) (KO)

Attached documents by supplier:

 Burkhardt - 1.2 Supplier Response & Acknowledgments - 1.2.11 Insurance Requirements.pdf 211 Kb	Download	Preview
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Score: 0%

INDEMNIFICATION

1.2.12. ● Filled Knockout question

Weight: 0%

To the fullest extent allowed by law the Contractor shall protect, defend, reimburse, indemnify and hold harmless the Town of Palm Beach, and the Town's officers, agents, employees free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, attorneys or other professional fees, or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, cause or causes of action of very kind and character in connection with, or arising directly or indirectly out of or related to this Contract and the Work performed hereunder. Without limiting the generality of the foregoing, Contractor's Indemnity shall include all claims, damages, losses, or expense arising out of or related to personal injury, death, damages to property, defects in materials or workmanship, actual or alleged infringement of any patent, trademark, copyright, proprietary information, or applications of any thereof, or of any other tangible or intangible personal or property right, or any actual or alleged violation of any applicable statute, ordinance, administrative order, rule or regulation, or order of any court. Contractor agrees to investigate, respond, adjust and provide a defense for, all and any such claims, demands and actions at Contractor's sole expense and agrees to bear and remain liable for all such other costs and expenses relating thereto, even if such claim is groundless, false or fraudulent. Notwithstanding the foregoing, Contractor's Indemnity shall not extend to liability for damages to persons or property to the extent such damage was caused by any act, omission, or default of the Town, or by the Town's officers, agents and employees.

Contractor acknowledges and agrees that TOWN would not enter into a contract without this indemnification of TOWN by Contractor, and that TOWN'S entering into a contract shall constitute good and sufficient consideration for this indemnification. These provisions shall survive the expiration or earlier termination of the Contract. Nothing in this Contract shall be construed to affect in any way the TOWN'S rights, privileges, and immunities as set forth in Florida Statute 768.28.

- ☒ Yes (Best)
☐ No (Worst) (KO)

Score: 0%

PERFORMANCE AND PAYMENT BOND REQUIREMENT

1.2.13.  Filled Knockout question

Weight: 0%

Within ten (10) business days of the award of the contract, the Construction Manager shall furnish a Performance and Payment Bond consisting of:

- a. Performance Bond in the form specified by the Owner;
- b. Labor and Materials Payment Bond in the form specified by the Owner.

Bond Requirement: The Construction Manager shall furnish bonds in the amount of 100% of the contract amount and shall maintain throughout the duration of the Project until one (1) year after Final Completion and acceptance of the Work as provided in Florida Statutes 255.05 et seq, covering the faithful performance of the Contract and payment of all obligations arising thereunder. Bonds shall be secured by the Construction Manager from a surety company licensed in the State of Florida with a best rating of A Class V or higher according to the most recent edition of the rating guide published by A.M. Best Company.

The successful Construction Manager shall be required to provide Surety Bonds in the amount of 100% of the Contract amount.

In addition to the above minimum qualifications, the Surety Company must meet at least one of the following additional qualifications specified.

The Surety Company shall hold a current certificate of authority as acceptable surety on federal bonds in accordance with the United States Department of Treasury Circular 570, Current Revisions. If the amount of the Bond exceeds the underwriting limitation set forth in the circular, in order to qualify, the net retention of the surety company shall not exceed the underwriting limitation in the circular, and the excess risks must be protected by coinsurance, reinsurance, or other methods in accordance with Treasury Circular 297, revised September 1, 1978 (31 DFR Section 223.10 Section 223.111). Further the surety company shall provide the Owner with evidence satisfactory to the Owner, that such excess risk has been protected in an acceptable manner.

Time of Delivery and Form of Bonds: The Construction Manager shall deliver the required bonds to the Owner within ten (10) business days, after the award of the contract by the Town of Palm Beach.

The Performance Bond and Labor and Materials Payment Bond shall be written in the amount of the contract value and shall continue in effect for one (1) year after completion and acceptance of the Work. The Bonds shall be dated on or before the Notice to Proceed Date.

The Construction Manager shall require the Attorney-In-Fact who executes the required Bonds on behalf of the Surety to affix thereto a certified and current copy of the Power of Attorney.

Pursuant to the requirements of Chapter 255.05 (1)(s), Florida Statutes, Construction Manager shall ensure that the Bond or Bonds referenced above shall be recorded in the public records of Palm Beach County. Proof of recordation must be submitted to the Town prior to issuance of a purchase order. One (1) set of originals is required.

Town of Palm Beach will refund exact amount for the bond(s) and will not allow any markup. Therefore, Construction Manager may be required to provide the actual invoice.

- ☒ Yes (Best)
☐ No (Worst) (KO)

Score: 0%

GENERAL CONTRACTOR LICENSE

1.2.14.  Filled Knockout question

Weight: 0%

Please upload a copy of your current General Contractor's License.

Attached documents by supplier:

Evaluation method:

Yes / No

No - **KO**

 2022 GC license.pdf 872 Kb [Download](#) | [Preview](#)

Score: 0%

PROPOSERS CERTIFICATION / SIGNATURE

1.2.15.  Filled Knockout question

Weight: 0%

By electronically submitting and with signature on paper submission, this proposal the respondent attests and certifies that:


- It understands all requirements of this solicitation and it satisfies all legal requirements (as an entity) to do business with the Town.
- Hereby propose to furnish the Services specified in the Request for Proposals. Furthermore, I agree to abide by all conditions of the solicitation and resulting contract.
- Respondent acknowledges award of a contract may be contingent upon a determination by the Town that the Respondent has the capacity and capability to successfully perform the contract.
- Respondent represents that I am either authorized to bind the Respondent, or that I am submitting the Response on behalf of and at the direction of the Respondent's representative authorized to contractually bind the Respondent.
- I represent that the Respondent and/or its applicable representative(s) has reviewed the information contained in this Solicitation and that the information submitted is accurate.
- Respondent agrees that the action of electronically submitting its response constitutes:
 - an electronic signature on the responses, generally,
 - an electronic signature on any form or section specifically calling for a signature, and
 - an affirmative agreement to any statement contained in the solicitation that requires a definite confirmation or acknowledgement.

Indicate your certification by marking the option below. Neglecting to respond to this question is equivalent to not signing a physical solicitation response and would cause Respondent's response to be disqualified and not considered for award.

Respondents must reply to this question by selecting one of the options provided below.

- ☒ Marking this option serves as a digital/electronic signature and certification of the Respondent's intent to submit a binding offer. (0%) (KO)

Attached documents by supplier:

 Burkhardt - 1.2 Supplier Response & Acknowledgments - 1.2.15 Proposers Certification - Signature.pdf 223 Kb	Download	Preview
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Score: 0%

1.3. EVALUATION FACTORS

Filled

Weight: 100% Score: 85.25%

EXPERIENCE OF FIRM / PAST PERFORMANCE - 30%1.3.1.  Filled Knockout question

Weight: 30%

The Town is looking to determine if the proposer has qualifying experience within the scope of work as well being capable of delivering to the standards set forth. Please attach documents to support your answer.

- Define success at achieving cost savings and schedule efficiencies
- Define success at meeting project schedule and budget
- Define success at executing projects with multiple parties outside of the control of the CM
- Define success at completing CM construction of 5 pole miles of undergrounding of utilities in an existing developed municipality.
- Define success at receiving full FEMA Grant reimbursement for construction projects.

Note: Please attach documents to answer this criteria.

Attached documents by supplier:

Evaluation method:

Value

Worst: 0.00 (KO)


Best: 5.00

Unit: Points

 Burkhardt - 1.3 EVALUATION FACTORS - 1.3.1 Experience of Firm - Past Performance_8.10.20.pdf 4707 Kb

[Download](#)[Preview](#)

Score: 27%

EXPERIENCE/ABILITY OF PERSONNEL - 25%1.3.2.  Filled Knockout question

Weight: 25%

- Time with Company
- Direct applicable experience to undergrounding CM projects
- Project Manager experience and success managing undergrounding CM projects
- Staff experience and success at managing and achieving FEMA Grant Construction reimbursements. Provide projects FEMA oversight was coordinated by your firm or your selected FEMA representative.

Note: Please attach documents to answer this criteria.

Attached documents by supplier:

Evaluation method:

Value

Worst: 0.00 (KO)

Best: 5.00

Unit: Points

 Burkhardt - 1.3 EVALUATION FACTORS - 1.3.2 Experience-Ability of Personnel_8.10.20.pdf 2715 Kb

[Download](#)[Preview](#)

Score: 22.5%

TECHNICAL APPROACH - 30%

1.3.3.  Filled Knockout question

Weight: 30%

- Technical approach to staying on budget and on schedule
- Technical approach to working transparent with client
- Technical approach to overseeing the construction of undergrounding utilities in already fully developed municipality
- Technical approach to meeting FEMA requirements to achieve maximum reimbursement for grant funds.
- Technical soundness of the proposal

Note: Please upload documents to respond to this question.

Please attach documents to answer this criteria.

Attached documents by supplier:

Evaluation method:

Value

Worst: 0.00 (KO)

Best: 5.00

Unit:

 Burkhardt - 1.3 EVALUATION FACTORS - 1.3.3 Technical Approach_8.10.20.pdf
f 2141 Kb

[Download](#)

| [Preview](#)

Score: 26.25%

FINANCIAL INFORMATION - 5%

1.3.4.  Filled Knockout question

Weight: 5%

An indication of the resources and the necessary working capital available and how it will relate to the firm's financial stability through the life of the contract shall be included in the RFQ response. Show evidence of financial resources and capabilities to complete the work. Provide a Dun & Bradstreet Report with your submittal.

If selected as a finalist, we may require three years of audited, reviewed, or compiled financial statements to include the latest balance sheet and income statement.

Attached documents by supplier:

Evaluation method:

Value

Worst: 0.00 (KO)

Best: 5.00

Unit:

 Burkhardt - 1.3 EVALUATION FACTORS - 1.3.4 Financial Information.pdf 602 K
b

[Download](#)

| [Preview](#)

Score: 0%

VOLUME OF PREVIOUS WORK - 5%1.3.5. ● Filled Knockout question

Weight: 5%

This is evaluated based on previous volume of work with the Town of Palm Beach. Firm with the least amount of previous work will receive the highest possible score.

Points will be awarded based upon the percentage of past awards made by the Town. At the closing of the Request for Qualifications the total of all purchase orders issued (for the past three-year period) will be determined for each proposer. The highest proposer total will become the basis for evaluation point distribution.

The point distribution will be as follows:









Proposers whose past awards have totaled less than 5% of the basis will receive 5 points.
Proposers whose past awards have totaled over 5%, but less than 25% will receive 4 points.
Proposers whose past awards have totaled over 25%, but less than 50% will receive 3 points.
Proposers whose past awards have totaled over 50%, but less than 85% will receive 2 points.
Proposers whose past awards have totaled over 85% will receive 1 point.

Note: No need for Proposers to submit any documents; Town will pull the report from its Financial System.

Worst: 0.00 Best: 5.00

5

Attached documents by supplier:

 Ph 1 - N Contract PO incl all CO.pdf 152 Kb	Download	Preview
 Ph 2 - N Contract PO incl of all CO.pdf 254 Kb	Download	Preview
 Ph 2 - S Contract PO incl of all CO.pdf 360 Kb	Download	Preview
 Ph 3 - N Contract PO incl of all CO.pdf 232 Kb	Download	Preview
 Precon Ph 1 - N.pdf 595 Kb	Download	Preview
 Precon Ph 2 - N.pdf 205 Kb	Download	Preview
 Precon Ph 3 - N.pdf 157 Kb	Download	Preview
 Precon Ph 3 - S.pdf 216 Kb	Download	Preview

Score: 5%

OTHER - 5%

1.3.6. ● Filled Knockout question

Weight: 5%

- Disputes, Litigation and Resolution - Litigation Statement: A statement that no litigation or regulatory action has been filed against your firm in the last five (5) years shall be included in the proposal. If an action has been filed against your firm within the last ten years, state and describe the litigation or regulatory action filed against your firm and identify the court or agency before which the action was instituted, the applicable case or file number, and the status or disposition for such reported action if the litigation has not been settled. Describe all litigation (include the court and location) of any kind involving proposer or proposer's team members within the last three years.
- Overall completeness, clarity and quality of proposal
- Communications with property owners within the project area as part of construction team

Note: Please attach your documents to answer above questions.

Attached documents by supplier:

Evaluation method:

Value

Worst: 0.00 (KO)

Best: 5.00

Unit:

 Burkhardt - 1.3 EVALUATION FACTORS - 1.3.6 Other.pdf 263 Kb

[Download](#)

| [Preview](#)

Score: 4.5%

● 1.4. ADDENDUM - If issued will be posted here.

Filled

Weight: 0% Score: 0%

SOLICITATION ADDENDUM

1.4.1. ● Filled Knockout question

Weight: 0%

Solicitation Addendum(s) will be added to this question if any are issued. The Addendum document will contain all information issued as an Addendum to the solicitation.

Suppliers are required to acknowledge they did review this question and any Addenda issued.

- ☒ I have reviewed the document and no addendum have been issued. (0%) (KO)
- ☐ I have reviewed the document and have given consideration to any issued addendum information in preparing my response to this solicitation. (0%) (KO)

Score: 0%

