



1. Solicitation Package, Forms and Evaluation Factors

29 (27 Mandatory Requirement) - 29/29

1.1. Details of Solicitation

Group - 4 Questions - 4/4

1.1.1. Scope of Services

Please review the **Project Specifications and Drawings** attached.

By selecting **YES**, the Proposer indicates they have read and understood the scope requirements.

Yes/No response Mandatory Requirement

- **Yes**
- **No**
MR missed

RIO-BAK CORPORATION:

- Yes

1.1.2. Town Terms and Conditions

Please review the **ITB revised - Terms and Conditions**. By selecting **YES**, the Proposer indicates they have read, understood and agrees to the Town's terms and conditions.

Yes/No response Mandatory Requirement

- **Yes**
- **No**
MR missed

RIO-BAK CORPORATION:

- Yes

State Grant Terms and Conditions

The contract(s) may be funded by State of Florida Department of Environmental Protection, therefore Contractor shall agree and adhere to all State of Florida requirements.

****State terms and conditions shall take precedent over the Town's terms and conditions if any discrepancy exists****

[State of Florida Department of Envir..\(325185\).pdf](#)

1.1.3. Insurance

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.

All service providers including any independent contractors and subcontractors utilized must comply with these requirements. All insurance policies shall be issued by companies authorized to do business under the laws of the State of Florida.

The insurance shall be evidenced by certificates and/or policies including premiums as determined by the Town of Palm Beach. It shall be an affirmative obligation upon the Service Provider to advise Ebix at townofpalmbeach@ebix.com; P.O. Box 100085-HM, Duluth, GA 30096 within 24 hours or the next business day of cancellation, non-renewal or modification of any stipulated insurance and failure to do so shall be construed to be a breach of this Agreement/contract. The Town of Palm Beach reserves the right to require additional coverages and limits based upon the particular service or change in service provided by the Service Provider.

By selecting **YES**, the Proposer indicates they have read, understood and agrees to the Town's insurance requirements.

Yes/No response Mandatory Requirement

- **Yes**
- **No**
MR missed

RIO-BAK CORPORATION:

- Yes

1.1.4. **Intent Letter and Electronic Signature**

Please upload an **intent letter** on company letterhead, executed by person that has the authority to sign the contract on behalf of your firm. Please include a statement of your understanding of the scope, and RFP requirements.

Neglecting to respond to this question is the equivalent of not signing a physical solicitation response and may cause proposers' response to be disqualified and not considered for award

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[LETTER OF INTENT PALM BEACH\(344112\).pdf](#)

1.2. **Required Forms and Acknowledgements**

Group - 24 Questions - 24/24

1.2.1. **Contact Information**

Please complete the **Contact Information** form and upload for review.

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[CONTACT INFORMATION RIO-BAK\(344117\).pdf](#)

1.2.2. **Bidder's Qualifications**

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

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[RIO BAK QUALIFICATION\(344116\).pdf](#)

1.2.3. **Subcontractors**

Please upload the subcontractors that you will use on this project. Please include the subcontractors' name, address and the amount of years you have used each subcontractor. Bidders using their own forces for the work will need to enter **'My company will not use any subcontractors'** in No.1 under Sub-Contractor Name.

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, and that the subcontractor maintains a fully equipped organization capable, technically and financially, 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.

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[PROPOSED SUBCONTRACTORS SELF PERFORM..\(344114\).pdf](#)

1.2.4. **Project References**

Provide **five (5) business references**, related to this scope of work, preferably of government type agencies within two (2) years. You may use the provided fillable PDF form or upload your own document which must contain at a minimum the information requested on the Town provided form.

A referenced person(s) must be someone who has personal knowledge of the Bidder's performance. The referenced person must have been informed that they are being used as a reference and that the Town may check references.

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[REFERENCES WITH ATTACHMENT\(344115\).pdf](#)

1.2.5. **W-9 Form**

Please upload your firm's W-9

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[RIO-BAK W9\(344113\).pdf](#)

1.2.6. **Business Tax Receipt**

Upload your firm's Business Tax Receipt. In case that you do not have a Business Tax Receipt upload a statement of explanation.

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[RIO BAK TAX RECEI\(344120\).pdf](#)

1.2.7. **Licenses and Permits**

When applicable, it shall be the responsibility of the successful bidder to obtain, at no additional cost to the Town, any and all licenses and permit required to complete contractual service. A copy of these licenses and permits shall be submitted prior to commencement of work. Permit fees shall be waived for this work, however, the successful vendor must pay any applicable Town business tax.

If applicable, upload relevant licenses for review.

Document upload

RIO-BAK CORPORATION:

[not applicable\(344124\).pdf](#)

1.2.8. **Construction Window**

All equipment shall be removed from the beach and work must be completed no later than April 30, 2022. Commencement, prosecution, and completion of the work are also addressed in the General Provisions. The time stated for completion shall include final site restoration of all work areas including staging areas and beach accesses.

The Respondent acknowledges by checking the **YES** option, this serves as a digital/electronic signature and certification of the Respondents acknowledgement.

Yes/No response Mandatory Requirement

- **Yes**
- **No**
MR missed

RIO-BAK CORPORATION:

- Yes

1.2.9. **Bid Bond**

Each bid must be accompanied by a Bid Bond or Deposit in a sum of not less than five percent (5%) of the total bid. Bid bonds and deposits amounting to less than one hundred dollars need not be submitted. All checks should be made payable to the Town of Palm Beach. Unsuccessful bidder's Bid Bonds or Deposits will be returned upon satisfactory execution of a contract with the successful bidder. If the successful bidder fails to deliver as indicated in the Invitation to Bid, does not conform to specifications or fails to perform as agreed upon, the Town shall be entitled to retain the deposit to rectify the bidder's unacceptable performance. The only types of acceptable surety will be:

1. Bid Bond signed by a surety company authorized to do business in the State of Florida.
2. Cashier's Check
3. Certified Check drawn on a responsible financial institution.

Attach a PDF copy of your Bid Bond. A hard copy will be requested from companies in competitive range.

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[BID BOND\(344128\).pdf](#)

1.2.10. **Performance and Payment Bonds**

Contractor shall provide to the Town, prior to commencing the Work, a Performance Bond covering the full, faithful and complete performance of this Contract, and a Payment Bond covering full, faithful and complete payment of all obligations arising under this Contract. The Performance Bond and the Payment Bond shall incorporate by reference and be deemed to include all of the agreements and obligations of Contractor under this Contract, including, but without limitation, specific undertaking of the Surety to pay any Liquidated Damages hereunder, as well as any obligations as provided in the bidding requirements or specifically required in any of the Contract Documents related to this Contract. "Conditional" Payment Bonds pursuant to Section 713.20 of the Florida Statutes are not acceptable and will not meet the requirements of this paragraph. The Surety must be a surety licensed to write Performance and Payment Bonds meeting these requirements in Florida. For reasonable cause shown, the Town shall have the right to reject Contractor's Surety and require the Performance Bond and Payment Bonds to be issued by another surety. The Performance Bond shall remain in full force and effect for at least one (1) year after the date of Completion. **It is the Contractor's obligation to record the Payment and Performance Bond(s) among the Public Records of Palm Beach County, Florida and shall provide the Town with a certified copy of the bond(s) before commencement of work. Proof of recordation must be submitted to the Town prior to issuance of a Purchase Order. One (1) set of originals is required.**

Performance and Payment Bonds are required only for contracts valued greater than \$200,000

By selecting **Yes**, Respondent acknowledges that they have read and agree with the term above.

Yes/No response Mandatory Requirement

- **Yes**
- **No**
MR missed

RIO-BAK CORPORATION:

- **Yes**

1.2.11. **Liquidated Damages**

Contractor is aware of Town's requirement that the Work achieve timely Completion, time being of the essence. Town and Contractor recognize and hereby acknowledge the difficulty and uncertainty of computing the damages that would be realized by Town in the event the Completion is not timely achieved. Town of Palm Beach adopted the schedule of liquidated damages prepared by Florida Department of Transportation, FDOT. It is therefore agreed by Town and Contractor, that the Contractor and the Contractor's surety, shall be liable to and shall pay Town **liquidated damages per FDOT schedule attached, for each calendar day** after the date on which Completion was to have been achieved (including any Time Extension in approved, written Change Order(s) until Completion of the Work is achieved. In the event Contractor is terminated by reason of default prior to Completion being achieved, any liquidated damages shall continue to accrue and be charged against Contractor until Completion is achieved.

By selecting **Yes**, Respondent acknowledges that they have read and agree with the term above.

Yes/No response Mandatory Requirement

- **Yes**
- **No**
MR missed

RIO-BAK CORPORATION:

- **Yes**

1.2.12. **Drug Free Workplace**

Please submit a **drug free** form by using attached fillable PDF form.

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[RIO BAK DRUG-FREE WORKPLACE\(344118\).pdf](#)

1.2.13. **Scrutinized Vendor Form**

Complete the attached **scrutinized vendor** form and upload for review.

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[RIO BAK SCRUTINIZED\(344121\).pdf](#)

- 1.2.14. **Conflict of Interest**
Complete the form attached and upload for review.
Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[RIO BAK CONFLICT\(344125\).pdf](#)

- 1.2.15. **Disadvantage Business Enterprise**
Complete the form attached and upload for review.
Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[RIO BAK DBE\(344127\).pdf](#)

- 1.2.16. **Debarment**
Complete the form attached and upload for review.
Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[DEBARMENT CERT\(344126\).pdf](#)

- 1.2.17. **Anti-Lobbying Certification Form**
Complete the attached **Anti-Lobbying** form and upload for review.
Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[RIO BAK ANTI LOBBYING\(344122\).pdf](#)

- 1.2.18. **E-Verify**
Proposer warrants and represents that it is in compliance with section 448.095, Florida Statutes, as may be amended, and that it: (1) is registered with the E-Verify System (E-Verify.gov), and beginning January 1, 2021, uses the E-Verify System to electronically verify the employment eligibility of all newly hired workers; and (2) has verified that all its proposer workers, subcontractors performing the duties and obligations of this CONTRACT are registered with the E-Verify System, and beginning January 1, 2021, uses the E-Verify System to electronically verify the employment eligibility of all newly hired workers.

Complete the form attached and upload for review.
Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[E VERIFY\(344130\).pdf](#)

1.2.19. **State Registration**

Any company submitting a bid 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 select **No** and upload a statement of intent to acquire this registration.

Yes/No response

- **Yes** - triggers
- **No** - triggers

RIO-BAK CORPORATION:

- Yes

Conditional question when answer is Yes:

Upload evidence of registration with the State of Florida.

Document upload

RIO-BAK CORPORATION:

[RIO BAK STATE OF FLORIDA\(344110\).pdf](#)

1.2.20. **SAM Registration**

An order/contract shall not be made to parties listed on the government-wide exclusions set forth in the System for Award Management ("SAM") (found at www.sam.gov), which contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority. By submission of an offer, the offeror acknowledges the requirement that a prospective awardee shall be registered in the SAM database prior to the award, during performance, and through final payment of any contract, basic agreement, basic ordering agreement, or blanket purchasing agreement resulting from a solicitation.

If you have already registered with SAM, please select **Yes** and upload evidence of this registration.

If you are not registered, please select **No** and upload a statement of intent to acquire this registration.

Yes/No response Mandatory Requirement

- **Yes** - triggers
- **No** - triggers

RIO-BAK CORPORATION:

- Yes

Conditional question when answer is Yes:

Upload evidence of registration with System for Award Management ("SAM")

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[riobak sam\(344111\).pdf](#)

1.2.21. **Protest Procedures**

Please respond to this question by submitting fillable PDF form attached to acknowledge receipt of our Protest Procedure.

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[riobak protest\(344123\).pdf](#)

1.2.22. **Minimum Qualifications**

Bidder shall provide adequate information with its bid to demonstrate that it satisfies the following minimum as set forth below. The Town will consider what types of experience the bidder has when making a determination of award. All decisions of the Town are final.

The bidder shall provide information with its bid showing that it has relevant experience and qualifications to successfully complete this project within the specified project time frames.

The bidder, with its bid, must demonstrate successful performance with respect to projects comparable in type, size, complexity, and scheduling as provided for in this invitation to bid. The bidder shall demonstrate that it has successfully completed a minimum of five (5) years experience with municipal contracts.

Please provide following:

Provide Project Specific Information in Bid Form, including the following:

1. Name of Project
2. Name of Owner and Project Locations
3. Description of Project
4. List elements of the project
5. Contact name, telephone number, fax number, email address
6. Project duration including start and end dates
7. Contract dollar amount
8. Description of any change orders (time, money, etc.)

Note: Please upload one (1) minimum qualification form per project completed.

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[min qual rio-bak with attachment\(344119\).pdf](#)

1.2.23. **Past Disputes**

Please provide a list of all lawsuits against the company relating to a contract entered into by the company where the company was found by a court of competent jurisdiction to be at fault.

- List all construction contract arbitration related demands filed by, or against the Contractor in the past five (5) years, and identify the nature of claim, the amount in dispute, the parties and the ultimate resolution of the proceeding.
- Attach a list of any litigation or disputes within the past five (5) years.
- Attach a list of any Contract Terminations (for cause or convenience) within the past five (5) years.

Past disputes shall not disqualify a company from consideration from this Bid

Document upload Mandatory Requirement

RIO-BAK CORPORATION:

[past disputes non-applicable\(344129\).pdf](#)

1.2.24. **Price Validation**

Respondent acknowledges that the price should be valid for 120 days.

Yes/No response Mandatory Requirement

- **Yes**
- **No**
MR missed

RIO-BAK CORPORATION:

- Yes

Payment

Payment will be made by the Town after commodities/services have been received, accepted and properly invoiced as indicated in contract and/or order. Invoices must bear the purchase order number. Terms of payment are net 30 days after services have been completed and accepted. Invoice must reflect purchase order number.

The Town of Palm Beach shall pay invoices via either direct payments (ACH) or purchasing card (PCard) with the goal of achieving a greener footprint. Awarded contractor needs to send the completed ACH Authorization Form as soon as Contract is executed or Purchase Order issued.

[ACH Authorization Form\(318330\).pdf](#)

1.3. Addenda Acknowledgement

Group - 1 Questions - 1/1

1.3.1. Solicitation Addendum(s) will be added to this section if any are issued. The Addendum document will contain all information issued as an Addendum to the solicitation, and will become part of the solicitation.

Proposers are required to acknowledge they did review and understand Addenda(s) issued.

Yes/No response Mandatory Requirement

- **Yes**
- **No**
MR missed

RIO-BAK CORPORATION:

- Yes
-