



Procedures for the Selection of Construction Management (CM) at-Risk

Director of Procurement Services

Updated 11-24-2025

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SECTION 1: GENERAL INFORMATION

PURPOSE:

1. This document shall serve to provide interested parties with specific information in the selection of a Construction Management (CM) firm where the method of compensation is a Negotiated Fee on a Guaranteed Maximum Price.
2. To procure professional Construction Management-at risk (CMR), services in an efficient, cost effective and timely manner and in compliance with Florida Statute (F.S.) 287.055, Florida laws, rules, codes and School Board Policies.
3. To encourage qualified CMR firms to submit statements of qualifications and performance data when such services are advertised. The Board shall have the right to make exceptions to these procedures when valid public emergency conditions warrant. A valid public emergency is defined in F.S. 1013.46(1)(b).

INTENT:

1. The Board intends to procure a firm to perform construction management functions and to be responsible for all scheduling and coordination in both design and construction phases and to be responsible for the successful, timely, and economical completion of the construction project. The CM entity must consist of, or contract with, licensed professionals for the specific fields or areas of construction to be performed, as required by Florida Statutes. The firm, after having been selected and commissioned for pre-construction services, shall be required to offer a Guaranteed Maximum Price (GMP) for the actual construction; in which case, the CMR entity must secure appropriate surety bonds pursuant to F.S. 255.05 and must hold construction subcontracts.
2. Selected firms will be required to comply with Florida Building Code, State Requirements for Educational Facilities, the Florida Fire Prevention Code, Florida Statutes, and SDMC Design Standards and Policies for assigned projects and other applicable codes and regulations.

LOBBYING:

From the time the Board approves advertising a formal solicitation until such time as an award or ranking approval is made by the School Board of Manatee County, vendors, contractors, consultants or their representatives are prohibited from lobbying any Board member or District personnel regarding the bid or Request for Qualifications (RFQ) solicitation. All inquiries must be written (via electronic Email) and directed to the Procurement Services Department designated representative. Lobbying is defined as any action taken by an individual, firm, association, joint venture, partnership, syndicate, corporation, and all other groups who seek to influence the governmental decision of a Board Member or District Personnel on the award of a contract. Lobbying by any respondent or any individual on behalf of a vendor will result in rejection/disqualification of said response. Violation of the provision regarding lobbying may

also result in debarment of the vendor as provided in School Board of Manatee County Policy 6324, Cone of Silence.

SECTION 2: SELECTION PROCESS

OVERVIEW:

The selection process begins with board approval to publish a legal advertisement and concludes with the approval to negotiate professional services by the Board. The procedure consists of the following steps:

- Board approval to advertise:
- Advertisement
- Evaluation/Scoring & Final Ranking Process
 - Initial Screening
 - Short Listing
 - Final Evaluation
- School Board Approval
- Contract Negotiation

1. BOARD APPROVAL to ADVERTISE

Procurement Services/Construction Services will prepare a board agenda item requesting the School Board of Manatee County give approval to place a legal advertisement for Construction Management-at Risk Services for a given project(s). Once the Board approves publishing a legal advertisement, the Board members and District Employees will be under a “cone of silence” and the CM firm, its consultants or any third party influencing on their behalf are strictly prohibited from lobbying any Board member or District personnel regarding the bid or Request for Qualifications (RFQ) solicitation. Lobbying by any respondent or any individual on behalf of a vendor will result in rejection/disqualification of said response.

2. ADVERTISEMENT

Procurement Services/Construction Services will announce, in a uniform and consistent manner, each occasion when professional services are required to be purchased for a project the basic construction cost of which is estimated by the Board to exceed the maximum amount established in F.S. 287.017 for CATEGORY FIVE, or for planning or study activity when the fee for professional services exceeds the maximum amount established in F.S. 287.017 for CATEGORY TWO, except in cases of valid public emergencies so certified by the Superintendent. The public notice shall include a general description of the project and shall indicate how interested consultants may apply for consideration.

Requests for Qualifications (RFQ) for professional services (which may include project(s), groups of projects, and/or other types of design-related services) shall be advertised as follows:

- a. An advertisement soliciting RFQ Responses from qualified proposers who

wish to be considered for the advertised services will be prepared by the Procurement Services Department.

b. The advertisement will run as a legal notice at least once in a newspaper or publication having general distribution in Manatee County. The advertisement may also run in any additional publication(s) when such distribution is believed to be in the best interest of the Board. The last such notice shall appear at least seven days prior to the date set for the RFQ submission deadline and opening.

c. Procurement Services/Construction Services will electronically post the full legal advertisement at myvendorlink.com. In addition to the legal advertisement, myvendorlink.com will contain all the required RFQ documents, these selection procedures, any related documents and required forms. Firms interested in RFQ solicitation from SDMC should register with Vendorlink to receive notices and amendments to RFQ and competitive bid solicitations as they are released.

d. All notices will specify the date, time and location of the mandatory pre-submission meeting, if one is required by the District, and when and where responses to the RFQ are to be received. Submittal time deadlines will be strictly observed.

3. EVALUATION/SCORING & FINAL RANKING PROCESS

Initial Screening:

The evaluation/scoring process will be conducted in three steps. First, Procurement Services/Construction Services staff will determine the responsiveness of each submission by reviewing each response for completeness and submission of all required forms. If a submission is deemed non-responsive, the Proposer will be notified in writing with the reason why the submission is non-responsive; there will not be an opportunity to resubmit and the response will not be forwarded to the selection committee for evaluation. Refer to the CM Responsiveness Check List in Appendix A.

Short Listing:

All responses that pass the initial screening will be evaluated by the selection committee for the purposes of reducing the number of applicants qualifying for interviews to a minimum of three (3). As per Florida Statute 287.055, the Selection Committee members shall independently evaluate professional services, including capabilities, adequacy of personnel, past record, experience, whether the firm is a certified minority business enterprise as defined by the Florida Small and Minority Business Assistance Act, and other factors included in the RFQ. These may include but not be limited to the following; related project and firm experience, proposed project team, references, surety underwriting, litigation, etc.

Selection Committee members shall submit their score sheets to the Procurement Services/Construction Services Department in advance of the meeting. Procurement

services/Construction Services will create an aggregated and ranked score for each response based on the individual evaluations.

During the short-listing Selection Committee meeting, the Selection Committee members shall discuss the summary tabulation and come to a consensus on the ranked scores.

If a Selection Committee member is unable to attend the scheduled Selection Committee meeting, that member can designate a representative (not currently assigned to the Selection Committee) to attend the meeting to score on the absent member's behalf. The representative shall be from the same District Division and/or have similar knowledge of the subject area. Proxy voting shall not be permitted.

The Procurement Services/Construction Services Department shall maintain all records throughout the selection/evaluation process, in a manner that assures a valid audit trail. Any complaints and/or bid protests shall be resolved by the Procurement Services/Construction Services Department in accordance with School Board Rules with assistance as necessary from the Construction Services Department and/or Selection Committee.

The Procurement Services/Construction Services Department shall send formal notification letters to all firms on the Short List regarding the Selection Committee's decision. If a Respondent requests additional information or would like to review the submittals they will be directed to the Procurement Services/Construction Services Department for further direction. The Procurement Services/ Construction Services Department will coordinate with the Respondent(s) to schedule a time for them to review the submittals. Submittal and evaluation documents will be made available for review and copying solely at the expense of the requesting firm. Electronic copies will not be made available via email attachment.

The following criteria and point values will be used to determine a number rating for each response:

1.	M/WBE Participation	0-2	points
2.	Financial Responsibility	0-3	points
3.	Related Projects	0-40	points
	a. <i>Experience with Florida Public School Systems Projects K-12</i>	0-35	
	Allocate seven (7) points for each comparable project		
	b. <i>Experience with this Type of project</i>	0-5	
	Allocate one (1) point for each comparable project.		
4.	Staffing	0-35	points
	a. <i>Professional/Technical Office Staff</i>	0-10	
	b. <i>On-Site Staff</i>	0-10	
	c. <i>Availability of Staff</i>	0-15	
5.	Location*	0-8	points
	Less than 30 miles--8 points		
	Between 30 and 50 miles—6 points		
	Between 50 & 100 miles—4 points		
	Over 100 miles —0 points		
6.	Cost Control and Scheduling	0-10	points
7.	Warranty Program and Training	0-2	points
	TOTAL POSSIBLE SCORE	100	points

* Location means a location where the business entity has maintained a permanent place of business with full-time employees for a minimum of one (1) year prior to the date of issuance of the request for qualifications. The permanent place of business may not be a post office box, but a physical address. The business location must actually conduct business from that location. In addition, the business must have a current business tax receipt from where the business resides and be determined to be a qualified and responsive proposers. It is important to have a local workforce that can easily access the worksite in a timely manner.

Final Evaluation:

Applicants from the Short List will be notified and scheduled for an interview by the Procurement Services/Construction Services Department. The shortlisted firms will be informed of the time allotted for each Interview Evaluation. This will be adjusted as appropriate from project to project. An example would be thirty (30) minutes for presentation, ten (10) minutes for questions and answers and closing comments. Only five (5) representatives from each Short List firm will be allowed to participate in the firm's presentation; one of the four may serve as the firm's technical support.

Construction Services will check references of the short-listed firms prior to final evaluation. The results of the reference checks will be shared with the evaluation committee members and included in the final ratings.

For the purpose of reducing the number of qualified applicants to a minimum of three (3), the following criteria and point values will be used to determine a number rating and rank order:

1.	Knowledge of Site and Local Conditions	0-15	points
2.	Communication and Proposed Project Staff	0-15	points
3.	Local Subcontract Participation & Economic Impact	0-10	points
4.	Project Approach	0-30	points
	<i>a. Overall Approach and Methodology</i>		
	<i>b. Code and Regulations Compliance</i>		
	<i>c. Constructability</i>		
	<i>d. Cost Control/Value Engineering/Scheduling</i>		
	<i>e. Quality Control/Assurance</i>		
5.	Direct Material Purchases, Insurance, Bonding	0-10	points
6.	M/WBE Implementation Plan/History	0-5	points
7.	Workload	0-10	points
8.	References	0-5	points
	<i>External References (5pts)</i>		
	TOTAL POSSIBLE SCORE	100	points

A presentation guide is provided in Appendix L.

If a site visit is offered and attendance is required and a short-listed respondent does not attend the site visit, they will not advance to the final evaluation. Only three (3) members from the firm, including their consultants, will be allowed to attend the site visit.

All scoring for this section is subjective and scored separately by the Evaluation Committee Members based on their individual judgment of your presentation. The firms conducting the presentations should cover all the topics above, **this is not the time to market your firm**. It is important to follow the steps in order to ensure all of the topics are covered to receive the maximum score.

A representative(s) from the School Board may be invited to participate (as non-voting), and to act as resource(s) to the selection process and be available during committee deliberations.

Any commitments/representations made during the interview presentations or questions & answers session are subject to incorporation into the agreement for services with the District and may be used in future evaluation of the selected firm's performance.

Upon completion of the Interviews, the Procurement Services/Construction Services Department will post the results on Vendorlink, indicating the interview results, including the ranking, date and time. If requested, the Procurement Services/Construction Services Department will coordinate with the respondent(s) to schedule a time for them to review the responses in compliance with public records law. Submittal and evaluation documents

will be made available for review and copying solely at the expense of the requesting firm. Electronic copies will not be made available via email attachment.

4. APPROVAL

The final ranking of firms will be presented by the Procurement Services/Construction Services Department to the Superintendent for approval and presentation to the Board.

5. CONTRACT NEGOTIATION

With direction from the Superintendent and Board approval, SDMC Construction Services shall negotiate a contract with the most qualified firm for professional services at compensation, which is determined fair, competitive, and reasonable, as set forth in Section 287.055(5)(a), Florida Statutes. Any changes to the standard contract language shall be submitted to the School Board Attorney, who will ensure that the changes are in compliance with applicable law before the final contract is presented to the School Board for approval.

Should the Agency be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price the Agency determines to be fair, competitive and reasonable, negotiations with that firm must be formally terminated. The Agency shall then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the Agency must terminate negotiations. The Agency shall then undertake negotiations with the third most qualified firm.

Should the Agency be unable to negotiate a satisfactory contract with any of the selected firms, the negotiators shall select additional firms in the order of their competence and qualification and continue negotiations in accordance with this subsection until an agreement is reached.

Contracts successfully negotiated shall be recommended for approval by the School Board and shall not be valid until the School Board approval is granted.

SECTION 3: SELECTION COMMITTEE

SELECTION COMMITTEE MEMBERS:

The purpose of the selection committee is to objectively read and review all responsive submissions to an RFQ, and then meet to evaluate and score the respondents on an equitable basis as described in the RFQ and scoring criteria. Members of each committee shall consist of SDMC staff and other project stakeholders that the District may deem appropriate.

Members of selection committees may consist of the following positions:

1. Deputy Superintendent of Operations
2. Deputy Superintendent of Finance
3. Executive Director, School Support Services
4. Director, Construction Services

5. Director, Maintenance and Operations
6. Director, Food & Nutrition Services
7. Executive Planner, Planning Representative
8. Executive Director of Schools (Elementary/Secondary/Post-Secondary) as appropriate for the project
9. Proposed Project Director
10. School Principal (when applicable)
11. Other member(s) as may be assigned by the Committee Chairman for a particular project (e.g. Chief Technology Officer, Risk, etc.)
12. Facilitator (non-voting, Procurement Department staff)

If a member on the selection committee is unable to attend a scheduled selection committee meeting, that member can designate a substitute representative (not currently assigned to the selection committee) to attend the meeting score on the absent member's behalf. The representative shall be from the same District Division and/or have similar knowledge of the subject area. Proxy voting shall not be permitted.

A committee meeting shall be considered to have a quorum with at least five (5) of the designated members in attendance.

SELECTION COMMITTEE MEETINGS:

Committee meetings are facilitated by the Procurement/Construction staff designee. Firms shall ONLY contact the designated facilitator regarding an RFQ or the RFQ selection process. This includes any questions, clarifications, comments, etc., regarding the RFQ. All questions shall be submitted in Vendorlink at www.myvendorlink.com and responses will be provided to all candidate firms registered in the Vendorlink system.

Each RFQ selection committee shall be comprised of members consistent with the listing herein. Procurement and Construction Services staff will decide in advance of releasing each RFQ the number and composition of committee members, based on the scope of work.

Committee meetings shall be open to the public and comply with the Florida Government in the Sunshine Law. Public attendees shall remain quiet at all times during the meeting and not disrupt any of the meeting discussions, presentations and deliberations. Notice of public committee meetings shall be posted in Public Notices at www.manateeschools.net.

SECTION 4: SUBMITTALS

For each advertised project or group of projects, interested firms are required to submit their response in the following order and format:

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Tab 1: MINIMUM REQUIREMENTS

(All items in Tab 1 shall be included in the response, if not included, the review will be terminated)

1. **Complete and sign RFQ cover page**
2. **Letter of Introduction**—letter shall include a brief summary of firm’s history and commitment to the projects. Letter shall be limited to one page.
3. **Professional Licenses, Current**—provide copies of all current contractors’ licenses.
4. **Certified Minority Firm**-- If the proposing firm is a Minority/Women-owned Business Enterprise, provide Certified Minority information for your firm. Provide certifying agency if applicable. Provide classification: a) African American b) Hispanic American c) Asian American d) Women Owned e) Native American f) Service-Disabled Veteran.
5. **Insurance**—Provide proof of insurance per the following:
 1. Commercial General Liability

a. Each Occurrence	1,000,000
b. General Aggregate	2,000,000
 2. Automobile Liability 300,000
 3. Umbrella Liability 1,000,000
 4. Professional Liability 2,000,000
 5. Workers Compensation and Employees Liability 500,000
6. **Litigation**-- list of all pending litigation and all litigation within the past five years, including explanation of each. (per SREF 4.1(1)(c)7)
7. **References**-- Provide a list of a minimum of five (5) references in this section. Provide references where you have completed a project similar in scope to the proposed project. The Construction Services Department will contact references for short-listed firms. Please include the following:
 - Name of Reference and contact information (including email address)
 - Project-including scope and construction budget
 - Date the Project was initiated and completed

***The District or its employees may not be provided as a reference. Department of Construction Services will solicit internal references.**

Tab 2: FINANCIAL RESPONSIBILITY

(All items in Tab 2 shall be included in the response, if not included, the review will be terminated)

In a separate file, provide information indicating financial capability of the firm to provide the resources required, including: Audited financial statements for the most recent two (2) years, including income statement, balance sheet, statements of cash flows and notes to financial statements. If audited financial statements are unavailable, provide similar unaudited statements.

Bonding the Guaranteed Maximum Price contract will be a requirement, therefore, provide a written statement **from the firm's bonding company** indicating the bonding company's willingness to bond this project if awarded to this firm and include it in the financial responsibility file.

PROVIDE AS A SEPARATE FILE – TITLED “FINANCIAL STATEMENT”

Note: If you have submitted the most recent two (2) years of financial statements as part of another RFQ solicitation within the past six (6) months, your previously submitted financial documents will be used for the purposes of the short-list evaluation.

Tab 3: RELATED PROJECTS

1. List up to five (5) comparable projects for which your firm has provided the general required services for Florida Public School Systems K-12 clients (refer to legal ad) using the Related Contract Experience form found in Appendix B.
2. List up to five (5) comparable projects for which your firm has provided the general required services for clients other than Florida Public School Systems clients (refer to legal add) using the Related Contract Experience form found in Appendix B.

Projects shall not be more than ten (10) years old.

Tab 4: STAFFING

1. PROFESSIONAL/TECHNICAL OFFICE STAFF

Describe the general and specific project related capabilities of your firm's in-house staff and demonstrate the depth of your organization. Include management, technical and support staff. Provide a brief resume of key employees to be assigned to the project. You should emphasize the depth of your employees' experience with public educational projects. Do not include clerical support personnel, part-time employees or sub-consultants as part of the proposed technical office staff. Staff listed for this criterion shall not be considered for On-Site Staff (section 2 below). Proposers are to submit a fully executed Proposed Staff Form, Appendix C for each staff member submitted.

STAFFING:

Provide a maximum of four (4) professional/technical office staff members from your firm. List relevant project and education earned/licenses for each staff listed.

2. ON-SITE STAFF

Similar to section 1, above, the capabilities and experience of the on-site field staff shall be evaluated with specific attention to the project. You should emphasize the employees' experience with public educational projects. Do not include clerical support

personnel, part-time employees or sub-consultants as part of the proposed on-site. Staff listed for this factor shall not be considered for section 1 (above). You are to submit a fully-executed Proposed Staff Form for each staff member submitted. (Appendix C)

STAFFING:

Provide a maximum of four (4) on-site office staff members from your firm. List relevant project and education earned/licenses for each staff listed.

3. AVAILABILITY of STAFF

Address the following:

1. Executive Summary—explain your staffing model. How do you optimize your staffing model to ensure quality control and cost efficiency?
2. How do your current and future workloads influence your staffing and scheduling decisions? To support your response, provide a staffing matrix which includes an approximate timeline for the proposed project and specify the following:
 - a. The key personnel expected to be assigned to the project along with their role in the project.
 - b. The amount of time each team member is expected to devote to our project from its inception to closeout.
 - c. The amount of time each team member is expected to devote to other projects the firm is involved in from the inception of our project to the close of our project.

Tab 5: LOCATION (DISTANCE to SITE)

Identify the location of your office that will have direct responsibility for the proposed project(s). Provide the actual distance, in miles, to the project site. Include copy of the Local Business Tax Receipt for the office that will provide the required services.

Tab 6: COST CONTROL AND SCHEDULING

1. Describe in detail how your firm arrives at a proposed GMP.
2. How will you identify cost control opportunities? Give a specific example of a cost control opportunity you identified in a prior project along with your solution and the cost savings.
3. Provide an example of how you can accelerate the project schedule in order to bring the project to completion on time and in order to reduce costs.
4. How are you going to encourage and ensure local subcontractor bid participation?

Tab 7: WARRANTY PROGRAM AND TRAINING

Provide the following information:

1. Quality assurance plan for this project, including your firms' approach for validating compliance with the construction documents and explain your process for ensuring quality workmanship
2. Warranty process including your training program.

3. Closeout management plan for this project. Describe your systems and procedures for your closeout plan.

Tab 8: REQUIRED FORMS

1. Bidder's Statement of Principal Place of Business—Appendix D
2. Drug-free Workplace Certification—Appendix E
3. Debarment and Suspension Certification—Appendix F
4. Scrutinized Company Certification—Appendix G
5. Byrd Anti-Lobbying Amendment—Appendix H
6. Anti-Discrimination Amendment—Appendix I
7. Employment Eligibility Verification (E-Verify) —Appendix J
8. Contractor Affidavit Regarding the Use of Coercion for Labor and Services-- Appendix K

DO NOT Remove the Appendix header.

Tab 9: OTHER CORPORATE DATA

This is optional and is not a requirement under the submittal process. If you choose, you may submit pictures, brochures, letters etc.

The completion of Tabs #1 through #8 are mandatory. Failure to complete items #1 through #8 shall automatically deem your submittal incomplete and eliminate it from further consideration.

APPENDICES:

APPENDIX A: CM & Professional Services Responsiveness Check List

The response must meet all of the following initial qualifying criteria for further consideration. A “no” response to any of the following criteria shall result in the Respondent being disqualified from consideration.

ITEM	QUALIFICATION CRITERIA	YES	NO
1	Was the response submitted via Vendorlink by the deadline as specified in the RFQ?		
2	Did the Respondent submit a response comprised of the requested number of packets and, in a separate, appropriately labeled file, a Financial Statement, if required by the RFQ?		
3	Respondent's response includes all required affirmative statements, certifications and forms signed by the Respondent's responsible representative, as described in the RFQ? (See RFQ for specific list)		
4	Did the Respondent submit a response with no more than 60 pages?		
5	Current copy of applicable Florida License.		
6	If a Mandatory Pre-Submission meeting was held, a representative from the Respondent's firm was in attendance as indicated in the meeting sign-in sheet.		
7	District review of the State website verifies that the Respondent is not excluded from contracting with the District for an unresolved finding for recovery (or other required actions).		
8	Did the review (initial/cursory review) of the Respondent's response determine that the response was free of trade secret/proprietary information as specified/restricted in the RFQ?		
9	List of five (5) client references including name, title, phone number and project information. (The District or its employees may not be used.)		
10	Demonstrated school work experience.		
11	e-Verification number provided for primary and any subs		
12	A disclosure of all lawsuits within the most recent seven years to which the firm has been a party either as a claimant or defendant was provided along with an explanation of the resolution or status of each.		

APPENDIX B: Related Contract Experience form-

The School District of Manatee County

CM/CMR

RELATED PROJECT EXPERIENCE FORM

(Submit one form for each comparable project – to be scored under Short List Criteria 4, factors a and b)

PROJECT TITLE:		RFQ #:	
PROPOSER (PRIME):		RFQ Response Due Date:	
		Joint Venture <input type="checkbox"/>	
PROJECT TITLE:		RELATED Project EXP: (check only one box)	
PROJECT LOCATION:		<input type="checkbox"/> a. Florida Public School Systems (K-12)	
PROJECT DELIVERY METHOD: (check only one box)		<input type="checkbox"/> b. Other	
<input type="checkbox"/> CM <input type="checkbox"/> Design-Build <input type="checkbox"/> PM <input type="checkbox"/> CMR Misc. (w/GMP) <input type="checkbox"/> CMR (w/GMP) <input type="checkbox"/> Traditional (D/B/B) <input type="checkbox"/> Other: _____		FIRM'S CONTRACTUAL RELATIONSHIP TO OWNER ON THIS PROJECT:	
OWNER (project user / agency's representative)			
Name:			
Address:	City:	State:	Zip:
Current Phone Number:		Current Fax Number:	
E-mail Address:			
ARCHITECT OR ENGINEER (project owner's representative)			
Name:			
Address:	City:	State:	Zip:
Current Phone Number:		Current Fax Number:	
E-mail Address:			
DESCRIPTION OF THE PROJECT AND SERVICES: (attach photos that represent the work performed by the firm)			
PROJECT COMPLETION DATE: _____		CONSTRUCTION COST: \$	
month / day / year		SIZE OF PROJECT: (gsf of construction)	
CURRENT STATUS OF THIS PROJECT: <input type="checkbox"/> Punch List <input type="checkbox"/> Closeout <input type="checkbox"/> Warranty <input type="checkbox"/> Post Warranty			
PROJECT MANAGER AND OTHER KEY PROFESSIONALS INVOLVED ON THE LISTED PROJECT:			
(check box only if proposer intends to assign this professional to the proposed SDMC project)			
NAME:		PROJECT RESPONSIBILITIES:	
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

APPENDIX C: Proposed Staff Form

The School District of Manatee County
CM/CM at-Risk Selection Procedures
PROPOSED STAFF FORM

(Make copies of this form for use for Shortlist Criteria 5, Factors a and b – Submit one form for each employee)

SDMC PROJECT TITLE:		RFQ #:	
PROPOSER (PRIME):		RFQ Response Due Date: _____ Joint Venture <input type="checkbox"/>	
EMPLOYEE NAME:		TITLE:	
% of time to be assigned to the proposed project:		Years with firm:	
Years with other firms:		CHECK ONLY ONE: <input type="checkbox"/> Professional/Tech Office Staff <input type="checkbox"/> Proposed On-Site Staff	
DELIVERY METHOD	Delivery Method Codes: CM = Construction Management DB = Design-Build OT = Others _____ CMR = CM at-Risk TR = Traditional (D/B/B) CMR(M) = CM at-Risk Miscellaneous PM = Program Management		
	PROJECT TITLE	DOLLAR VALUE	GSF
EMPLOYEE'S INVOLVEMENT			
EDUCATION: <i>(highest level achieved, degree earned, school & year)</i>			
REGISTRATION(S) & LICENSE(S):			
OTHER QUALIFICATIONS:			
EMPLOYEE'S ABILITIES <i>(check all that apply):</i>	<input type="checkbox"/> Option analysis <input type="checkbox"/> Design review <input type="checkbox"/> Budget estimating <input type="checkbox"/> Value engineering <input type="checkbox"/> Constructability analysis	<input type="checkbox"/> Life cycle cost analysis <input type="checkbox"/> Construction scheduling <input type="checkbox"/> Quality control (Design) <input type="checkbox"/> Quality control (Construction) <input type="checkbox"/> Cost control	<input type="checkbox"/> Fast-track techniques <input type="checkbox"/> Construction supervision <input type="checkbox"/> Building code inspection <input type="checkbox"/> Project closeout/warranty <input type="checkbox"/> Other: _____

APPENDIX D: Bidder's Statement of Principal Place of Business

BIDDER'S STATEMENT OF PRINCIPAL PLACE OF BUSINESS

If Bidder's principal place of business is outside of the State of Florida, write Bidder's name and political subdivision (county or municipality) where Bidder's principal place of business is located.

Name of Bidder: _____

Bidder's principal place of business (county and state): _____

Pursuant to Section 287.084(2), F.S., "a vendor whose principal place of business is outside this state must accompany any written bid, proposal or reply documents with a written opinion of an attorney at law licensed to practice law in that foreign state, as to the preferences, if any or none, granted by the law of that state, or political subdivision, to its own business entities whose principal places of business are in that foreign state in the letting of any or all public contracts."

The Attorney for an Out of State Bidder shall complete the following:

Legal Opinion Regarding State Bidding Preferences

Bidder's principal place of business is in the State of _____ and it is my legal opinion that the laws of that state do not grant a preference in the letting of any or all public contracts to business entities whose principal places of business are in that state.

Or

Bidder's principal place of business is in the State of _____ and it is my legal opinion that the laws of that state grant the following preference(s) in the letting of any or all public contracts to business entities whose principal places of business are in that state. (Please describe applicable preference(s) and identify applicable state laws):

Legal Opinion Regarding Political Subdivision Preference

Bidder's principal place of business is in the political subdivision of _____ and it is my legal opinion that the laws of that political subdivision do not grant a preference in the letting of any or all public contracts to business entities whose principal places of business are in that state.

Or

Bidder's principal place of business is in the political subdivision of _____ and it is my legal opinion that the laws of that political subdivision grant the following preference(s) in the letting of any or all public contracts to business entities whose principal places of business are in that state. (Please describe applicable preference(s) and identify applicable state laws):

Signature of out of state Bidder's attorney: _____

Printed name of out of state Bidder's attorney: _____

Address of out of state Bidder's attorney: _____

Telephone number of out of state Bidder's attorney: _____

Email of out of state Bidder's attorney: _____

Attorney's state(s) of bar admission: _____

APPENDIX E: Drug-free Workplace Certification

DRUG FREE WORKPLACE CERTIFICATION

I hereby swear or affirm that this company has established a drug-free workplace program by completing the following requirements:

- 1) Published a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Informed employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
- 3) Given each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notified the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the work place no later than five (5) days after such conviction.
- 5) Imposed a sanction on or required the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

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

Signature of Contractor's Authorized Official

Name and Title of Contractor's Authorized Official

Date

APPENDIX F: Federal Debarment Certification

FEDERAL DEBARMENT CERTIFICATION

CERTIFICATION REGARDING DEBARMENT, SUSPENSION INELIGIBILITY AND VOLUNTARY EXCLUSION - LOWER TIER COVERED TRANSACTIONS

This certification is required by the regulations implementing *Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants responsibilities*. The regulations were published as ***Part IV of the January 30, 1989, Federal Register (pages 4722-4733)***

***** BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON NEXT PAGE *****

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Signature of Contractor's Authorized Official

Name and Title of Contractor's Authorized Official

Date

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this form, the prospective lower tier participant is providing the certification set out on the reverse side in accordance with these instructions.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non-procurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

APPENDIX G: Scrutinized Company Certification

SCRUTINIZED COMPANY CERTIFICATION

I hereby swear and affirm that as of the date below this company is not listed on a Scrutinized Companies list created pursuant to 215.4725, 215.473, or 287.135, Florida Statutes. Pursuant to 287.135, Florida Statutes I further affirm that:

1. This company is not participating in a boycott of Israel such that is not refusing to deal, terminating business activities, or taking other actions to limit commercial relations with Israel, or persons or entities doing business in Israel or in Israeli-controlled territories, in a discriminatory manner.
2. This Company does not appear on the Scrutinized Companies with Activities in Sudan List where the State Board of Administration has established the following criteria:
 - a. Have a material business relationship with the government of Sudan or a government-created project involving oil related, mineral extraction, or power generation activities, or
 - b. Have a material business relationship involving the supply of military equipment, or
 - c. Impart minimal benefit to disadvantaged citizens that are typically located in the geographic periphery of Sudan, or
 - d. Have been complicit in the genocidal campaign in Darfur.
3. This Company does not appear on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List where the State Board of Administration has established the following criteria:
 - a. Have a material business relationship with the government of Iran or a government-created project involving oil related or mineral extraction activities, or
 - b. Have made material investments with the effect of significantly enhancing Iran 's petroleum sector.
4. This Company is not engaged in business operations in Cuba or Syria.

Signature of Contractor's Authorized Official

Name and Title of Contractor's Authorized Official

Date

The scrutinized company list is maintained by the State Board of Administration and available at <http://www.sbafla.com/>

APPENDIX H: Byrd Anti-Lobbying Amendment

BYRD ANTI-LOBBYING AMENDMENT, 31 U.S.C. § 1352 (as amended) CERTIFICATION

Contractors who apply or bid for an award of \$100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient."

APPENDIX A, 44 C.F.R. PART 18 – CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements (To be submitted with each bid or offer exceeding \$100,000)

The undersigned [Contractor] certifies, to the best of his or her knowledge, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or Current as of 1-9-17 11 cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure. The Contractor, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

Signature of Contractor's Authorized Official

Name and Title of Contractor's Authorized Official

Date

APPENDIX I: Anti-Discrimination Amendment

ANTI-DISCRIMINATION AMEUREMENT

The Proposer agrees to comply with the provisions of the Civil Rights Act of 1991, The Civil Rights Act of 1964, and The Americans with Disabilities Act, Age Discrimination in Employment Act, Section 1000.05, Florida Statutes, and The Pregnancy Discrimination Act. Said Proposer further agrees not to discriminate on the basis of race, sex, national origin, religion, handicap, age or marital status.

BUSINESS/COMPANY NAME: _____

MAILING ADDRESS: _____

CITY, STATE, ZIP CODE: _____

TELEPHONE NUMBER: _____ DATE _____

FAX NUMBER: _____

*SIGNATURE: _____

NAME AND TITLE: (Typed) _____

EMAIL ADDRESS: _____

APPENDIX J: Employment Eligibility Verification (“E-VERIFY”)

Employment Eligibility Verification (“E-VERIFY”)

By entering into a contract with the School District of Manatee County (a public employer in Florida) to provide goods or services in exchange for salary, wages or other remuneration, this section applies to verify employment eligibility. Therefore, pursuant to Section 448.095, Florida Statutes and beginning January 1, 2021, every public employer, Contractor and Subcontractor shall register with and use the United States Department of Homeland Security’s E-Verify system, located at <https://e-verify.uscis.gov/emp> to verify the work authorization status of all newly hired employees. The Parties may not enter into a contract unless each party registers with and uses the federal E-Verify system.

The Contractor verifies its compliance with the E-Verify System by listing its E-Verify System Number on this document; by signature and submission of this contract, asserts it does not hire any employees, and it is not an unauthorized alien, as defined by this statute.

The Contractor will require all Subcontractors who work on this contract to use the E-Verify System for any subcontracted employees hired during this contract. The Contractor will verify Subcontractor’s compliance with an affidavit stating whether the Subcontractor uses the E-Verify System as evidenced by Subcontractor’s E-Verify System Number or that the Subcontractor is not an unauthorized alien and does not employ, contract with or subcontract with unauthorized aliens defined by this statute. The Contractor will maintain and provide the Subcontractor’s affidavits to the School District on request during this contract.

Termination: With good faith belief that the Contractor knowingly violated this section, the School District will terminate the contract. Further, with good faith believe that the Subcontractor knowingly violated this section, the School District will promptly notify the Contractor and the Contractor will immediately terminate the Contractor’s contract with the Subcontractor. A contract terminated for noncompliance with E-Verify is not a breach of contract and may not be considered as such.

To the extent required by applicable law, the Contractor is liable for any additional costs incurred by the School District resulting from a failure to comply with E-Verify. Additional costs may include but are not limited to higher costs for the same services and rebidding costs (if necessary). Likewise, the Contractor will be barred from any other contracts with the School Board for at least one year after the date the contract was terminated.

CONTRACTOR E-VERIFY NUMBER: _____

Signature of Contractor’s Authorized Official

Name and Title of Contractor’s Authorized Official

Date

APPENDIX K : Contractor Affidavit Regarding the Use of Coercion for Labor and Services

Contractor Affidavit Regarding the Use of Coercion for Labor and Services

Contractor Name: _____

Address: _____

Phone Number: _____

Authorized Representative's Name: _____

Authorized Representative's Title: _____

Email Address: _____

Section 787.06(13), Florida Statutes requires all nongovernmental entities (such as Vendor) executing, renewing, or extending a contract with a governmental entity (such as the School Board of Manatee County, Florida) to provide an affidavit signed by an officer or representative of Vendor under penalty of perjury that Vendor does not use coercion for labor or services as defined in that statute.

As the person authorized to sign on behalf of Vendor, I certify that the company identified above does not:

- Use or threaten to use physical force against any person;
- Restrain, isolate, or confine or threaten to restrain, isolate, or confine any person without lawful authority and against her or his will;
- Use lending or other credit methods to establish a debt by any person when labor or services are pledged as a security for the debt, if the value of the labor or services as reasonably assessed is not applied toward the liquidation of the debt, the length and nature of the labor or services are not respectively limited and defined;
- Destroy, conceal, remove, confiscate, withhold, or possess any actual or purported passport, visa, or other immigration document, or any other actual or purported government identification document, of any person;
- Cause or threaten to cause financial harm to any person;
- Entice or lure any person by fraud or deceit; or
- Provide a controlled substance as outlined in Schedule I or Schedule II of s. 893.03 to any person for the purpose of exploitation of that person.

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

Signature of Authorized Representative

Date

APPENDIX L: Presentation Guide

Firms selected to make a presentation to the evaluation committee must cover the following:

1. Knowledge of Site and Local Conditions:
 - Demonstrate knowledge of the local design and/or construction industry, local subcontractors and suppliers.
 - Identify the top three key issues/challenges facing this project.
 - Discuss any unique educational needs/requirements of the school and how you will work to meet or protect these interests.
2. Communication and Proposed Project Staff:
 - Identify the actual staff to be assigned to this project, describe their ability and experience, and identify the function of each within your organization and their proposed role on this project.
 - Prepared an organizational chart.
 - Indicate the number of days each staff member is to be rendered on this project.
 - Show the individual staff member's capacity.
 - Provide a leave behind which confirms your proposed team is the same team in your submittal. Verbally explain any changes to your proposed team which have occurred since your submittal.
 - Explain how your firm will communicate with the School, the Construction Services Department and other stakeholders in the District as well as the design firm for this project.
 - Explain how you will relieve the principal of the burden of communicating project updates to staff, parents and the community.
 - Discuss any opportunities for student educational enrichment such as guest speakers, limited tours, job sharing etc.
 - Discuss any digital content for project updates, status, etc.
3. Local Subcontract Participation & Economic Impact:
 - Identify your approach to encourage local subcontractor participation. Provide data from your past three (3) projects of similar scope that shows the level of local subcontractor participation. Please share your definition of local subcontractor.
 - Describe efforts you will undertake which will help the District showcase the project and its economic impact on the local economy.
4. Project Approach:
 - a. Overall Approach and Methodology—
 - Demonstrate verbally and/or graphically your overall plan/approach to the project
 - b. Code and Regulations Compliance—
 - Demonstrate your knowledge of the applicable building codes (i.e. State requirements for Educational Facilities (SREF) and regulations for the construction of public educational facilities.
 - c. Constructability—
 - Demonstrate your ability to perform constructability analyses for the project during the design and construction phases.

- Describe at least one specific example of such an analysis.

d. Cost Control—

- Demonstrate your ability to evaluate design/building systems, construction techniques, and materials to optimize available project resources.
- Describe scheduling techniques used to effectively manage and execute project similar to this project.
- Provide recommendations which may create increased value in order to meet the budgetary requirements of this project.
- Demonstrate willingness to meet time and budget requirements.

*Cost-related information presented in response to this RFQ will be reviewed for informational purposes only and will **not** be used in the scoring. Following the final selection, cost negotiations will be conducted exclusively with the highest-ranked firm.*

e. Quality Control/Assurance—

- Demonstrate your approach to quality control/assurance throughout the various phases of the project.

5. Direct Material Purchases, Insurance, Bonding—

- Demonstrate your knowledge of direct material purchase procedure, sales tax change order procedure, meeting insurance requirements, bonding and subcontractor bonding as required by the School Board of Manatee County Agreement with the construction manager.

6. M/WBE Implementation History

- Demonstrate your plan/approach to attaining participation of Certified Small, Minority, Women owned Business Enterprise (S/M/WBE) firms on this project.
- Demonstrate your commitment to team diversity.

7. Workload

- Demonstrate your ability to provide the required services for the project.