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REQUEST FOR QUALIFICATION FOR CONTSTRUCTION SERVICES

Mental Health Diversion Facility
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1 Introduction

The South Florida Behavioral Health Network, Inc. (“SFBHN”), a 501(c)3 company, is seeking Statement of Qualifications from interested General Contractors (“GC”) to assist in the selection of a single GC for the renovation and upgrade of an existing vacant facility located at 2200 NW 7th Avenue, Miami, FL, 33127 (the “Facility”) for legal occupancy as a behavioral health treatment facility (the “Project”). These activities are related to Project No. 193 – “Mental Health Facility” of the Miami-Dade County Building Better Communities General Obligation Bond Program. The work is expected to commence in March 2018 and be completed within 20 months.

2 South Florida Behavioral Health Network, Inc.

The South Florida Behavioral Health Network (www.sfbhn.org) is a nonprofit, 501(c)3 managing entity that administers state funding on behalf of the Florida Department of Children and Families for the Southern Region. SFBHN provides comprehensive planning and coordination for the behavioral health system of care, including prevention and treatment of mental health and substance use disorders at the community level.

SFBHN is committed to improving the lives of people with mental health and substance use disorders. As the primary administrator of funding for individuals who are indigent or otherwise are unable to access services in the community due to lack of resources, SFBHN’s goal is to support prevention, treatment, and recovery for individuals at risk of or living with mental health and substance use disorders.

The purpose of this Request for Qualifications (“RFQ”) is to ascertain levels of interest in the Project and, if possible, to shortlist GCs who demonstrate appropriate qualifications to carry out the Project. SFBHN is committed to ensuring that the whole process is conducted in a fair, open, and transparent manner. SFBHN is also committed to promoting and developing business relationships with a wide variety of businesses and ensuring that minority, women, and Veteran owned businesses, as well as eligible Community Small Business Enterprises, have the chance to compete for a fair share of these opportunities.

3 Project Background and Overview

Project No. 193 – “Mental Health Facility” of the Miami-Dade County Building Better Communities General Obligation Bond Program was approved by voters to “free up jail space and provide an effective and cost efficient alternative facility to house [people with mental illnesses] as they await a trial date.” Because of its role as the managing entity responsible for contracting with non-profit, community-based treatment providers to receive public funds for mental health and substance abuse prevention and treatment services, SFBHN has been working closely with stakeholders from the county on the design and development of the Project. Currently, SFBHN is in the process of executing agreements with Miami-Dade County, conditioned on approval from the State of Florida, to develop and manage the Project through the construction phase and eventual operations.

Need:

Miami-Dade County is home to the largest percentage of people with serious mental illnesses of any urban community in the United States. It is estimated that 9.1% of the population (197,000 adults) experience serious mental illnesses, yet only about 1% (24,000) receive treatment in the publically funded community mental health system.

Individuals unable to access treatment in the community are at increased risk of coming into contact with the criminal justice system; often as the result of low-level, non-violent offenses that are directly related to symptoms of untreated illnesses. As a result, the county jail has been forced to absorb increasing numbers of individuals in need of intensive psychiatric treatment while incarcerated.

The Miami-Dade County jail currently serves as the largest psychiatric institution in Florida, containing almost as many beds serving inmates with mental illnesses as all state civil and forensic mental health treatment facilities combined. On any given day, the jail houses approximately 2,400 individuals requiring psychiatric treatment while incarcerated. The cost to taxpayers is \$180 million annually, or nearly \$500,000 per day.

The impact of failing to provide adequate community-based treatment to those most in need is considerable: An analysis by the *Louis de la Parte Florida Mental Health Institute* at the *University of South Florida* found that over a five year period, 97 individuals with serious mental illnesses in Miami-Dade County who were identified as “heavy users” of acute care and institutional services accounted for nearly 2,200 bookings into the county jail, 27,000 days in jail, and 13,000 days in crisis units, state hospitals, and emergency rooms. The cost to taxpayers for these services was conservatively estimated at over \$14 million with little impact on reducing recidivism and virtually no return on investment.

Solution:

The purpose of the Mental Health Diversion Facility is to create a comprehensive and coordinated system of care for individuals with serious mental illnesses and other behavioral health needs who do not pose significant public safety threats, but who are frequent and costly recidivists to the criminal justice system, homelessness, acute care medical and behavioral health treatment systems, and other social services.

When completed, the Project is designed to create an array of services to provide crisis stabilization, residential treatment, community reentry support, outpatient behavioral health and primary care treatment services, vocational rehabilitation/supportive employment services, and classroom/educational spaces. The Project is also designed to include space for the courts and social service agencies, such as housing providers, legal services, immigration services, and employment/economic self-sufficiency related activities that will address the comprehensive needs of individuals served.

By housing a comprehensive array of services and supports in one location, and providing re-entry assistance upon discharge to the community, it is anticipated that many of the barriers and obstacles to navigating traditional behavioral health and social services in the community will be eliminated.

Significance of Project:

This project represents a *first-of-its-kind* approach to addressing a *shared* community problem by applying a *shared* community solution. Many communities are faced with challenges related to inadequate mental health and substance abuse treatment services, as well as the negative impacts this has on public health, public safety, and quality of life. Similarly many communities have attempted to respond by crafting and implementing partial solutions designed to address individual community needs and challenges.

No community has ever provided the resources or undertaken the effort to address the problem on a comprehensive, community-wide basis. This project was conceived of and designed by stakeholders and experts from across the healthcare, criminal justice, and social services systems. It has received broad support from local and state governments, business leaders, law enforcement and criminal justice stakeholders, hospitals and healthcare organizations, homeless advocates, and the media for its thoughtful and thorough approach to addressing a critical need that affects all residents of the community. While this backing has been critical to reach this point, the success and impact of the Project once implemented will depend on continued community involvement and support.

In reviewing responses to this RFQ, preference will be given to RFQ Bidders that demonstrate a clear commitment to giving back to the community in ways that help support the development, implementation, and sustainability of the Project. Examples include, but are not limited to, in-kind donations of construction services and/or materials, either directly or through a third-party, as well as commitment of contributions toward future facility operations. SFBHN is a 501(c)3 company and contributions may be tax deductible.

4 Legislative Background

On October 3, 2017 the Miami-Dade County Board of County Commissioners passed Resolution No. R-889-17 (<https://tinyurl.com/MHDF-Reso>) approving, conditioned on approval by State of Florida, a sublease agreement between Miami-Dade County, as sublessor, and the South Florida Behavioral Health Network, Inc. (“SFBHN”), a Florida non-profit corporation, as sublessee, of state-owned property located at 2200 N.W. 7 Ave., Miami, Florida; approving assignment of professional services agreement with SBLM Architects, Inc. to SFBHN; and approving allocation of funding associated with the Project to SFBHN. Project administration and delivery shall be governed by and subject to all state and county agreements, incorporated herein by reference.

5 Method of Construction Delivery

Method of delivery for construction services has not yet been determined. Options being considered include: 1) use of an independent, third-party construction manager (CM) as owner's representative within a conventional general contracting framework; 2) CM at risk as part of the GC's scope of work within a guaranteed maximum price contract, with the possibility of sharing costs savings; and 3) CM at risk within a fixed cost plus contract. RFQ Bidders to this RFQ are asked to address recommendations for method(s) of construction delivery from these or any other established contracting methodologies. Please provide rationale for method(s) of construction delivery recommended, as well as mechanisms to ensure owner's interests are protected in the event that a verifiable third-party construction manager is not recommended. SFBHN reserves the right to select a method of construction delivery independent of recommendations received.

6 Scope of Work

The existing vacant facility located at 2200 NW 7th Avenue, Miami, FL, 33127 will be renovated and upgraded for legal occupancy as a behavioral health treatment facility. The Project includes renovations to a facility of approximately 181,324 square feet, located on an approximate 4.9 acre site. Renovations shall be in accordance with the 100% construction documents available for review at: <https://tinyurl.com/MHDF-Plans>. It is intended that the selected GC shall have responsibility for completing all improvements, up to and including issuance of a Certificate of Occupancy. Improvements include, but are not limited to, the following:

- a. Site and General Conditions:
 - i. Modify existing secured parking area adjacent to central receiving facility to provide a new sally port entrance for individuals transported to the facility by law enforcement and/or correctional officers.
 - ii. Refurbish the front and rear parking lots to meet the latest requirements for commercial parking including pavements, pavement striping, curbing, landscaping, irrigation, fencing, secured access equipment, and site lighting.
 - iii. Modify existing secure courtyards to create suitable outdoor recreational spaces for individuals residing in crisis stabilization and residential treatment programs at the facility.
 - iv. Upgrade/replace all mechanical, plumbing, electrical, building management and fire safety system components, including but not limited to, fire alarm, sprinkler system, security system, fire protection, emergency generator and fuel storage tank, smoke evacuation systems, life safety components, and building accessibility to comply with ADA and make the building fully accessible, and to meet State and local building code requirements and best practices for sustainability.

- v. Refurbish and modernize existing elevators; repaint interior and exterior walls; electrical and plumbing fixtures to be retrofit/replaced as required; exterior building openings to be properly sealed/caulked as required; correctional components to be removed; repair/replace all damaged exterior glazing and provide replacement exterior storefront and exterior assemblies (where indicated with new storm protection assemblies., replace/repair/refurbish all doors and hardware where required; provide all new flooring, all new ceilings, finishes; and mechanical, electrical and plumbing components as required to accommodate the new programming requirements.
- b. First Floor:
- i. Renovate for general and secured entry, public lobby and waiting areas, Baker Act and Marchman Act central receiving facility, administrative offices, central control and building security areas, space for educational and vocational training purposes, judicial hearing room, and patients' property storage room. Provide new elevator to connect first and second floors.
 - ii. Refurbish existing sally port to create secured parking for judicial hearing room.
 - iii. Modify the existing kitchen, kitchen support areas and back-of-house to remove portions of refrigeration equipment and unused kitchen equipment and appliances and refurbish remaining spaces to leave in 'vanilla' shell condition for development of a future culinary arts training program.
- c. Second Floor:
- i. Reconfigure portions of the second floor to include a new Crisis Stabilization Unit (CSU) with nursing and doctor's stations, public lobby area, new classroom/conference room space, non-crisis counseling drop-in center, administrative offices, and resident dining area. Other existing spaces on the second floor will remain as configured but shall be refurbished to leave spaces in clean and usable condition as outpatient medical and behavioral health clinic.
 - ii. Refurbish portions of the west wing second floor including classrooms in resident treatment areas, repairing the existing gymnasium flooring, removal of all security razor fencing, replacing the corridor chain-link fencing with other type fencing that will effectively remove the institutional look and that instead provides a sense of a warm and welcoming environment, similar to a residential environment, for those receiving treatment.
- d. Third Floor: The third floor is a mechanical floor which will be renovated to current building code requirements, including all HVAC and ventilating equipment.

- e. Fourth through Seventh Floors: Renovate all floors identically, including patient rooms, day rooms, nurses stations, dining rooms, and support spaces, for use as residential treatment programs including providing new ADA bathrooms for each patient wing, upgrading finishes to effectively remove the existing institutional look and that instead provide a sense of a warm and welcoming environment, similar to a residential environment, for those receiving treatment.

7 Construction Documents

100% construction documents are currently in permitting with the City of Miami. RFQ Bidders interested in familiarizing themselves with the work may review project drawings by downloading from: <https://tinyurl.com/MHDF-Plans>

8 Procurement Process Overview

The procurement process for the Project involves two phases. A project committee will be established by SFBHN to guide both phases of the process. Successful participation in Phase I is a mandatory requirement for continued participation in the process during Phase II.

Phase I: Consisting of this RFQ is open to all qualified general contractors licensed in the State of Florida. SFBHN may elect to conduct interviews with selected GCs as part of the RFQ process, but is under no obligation to do so. It is anticipated that four (4) to six (6) GCs will be selected to proceed to Phase II, Request for Proposals.

Phase II: Consisting of a Request for Proposals (“RFP”) inviting formal proposals from GCs selected in Phase I relating to the Project to be submitted. SFBHN may elect to conduct interviews with selected GCs as part of the RFP process, but is under no obligation to do so. One general contractor will be selected to enter into negotiations with SFBHN regarding the proposed construction cost and schedule.

The following timetable provides an overview of the main components of the procurement process for the Project.

Phase I – Request for Qualifications			
Component	Anticipated Date	Time	Information
Release RFQ	12/18/2017	12:00 P.M. [EST]	Posting on South Florida Behavioral Health Network website: www.sfbhn.org
RFQ facility walk through	1/8/2018	2:30 P.M. [EST]	2200 NW 7 th Avenue Miami, FL 33127

RFQ written inquiries due	1/10/2018	4:00 P.M. [EST]	Attn: Jessica Rodriguez: jrodriguez@sfbhn.org Subject Line: Written Inquiries: MHDF Procurement
Posting of responses to RFQ written inquiries	1/15/2018	By 4:00 P.M. [EST]	Posting on South Florida Behavioral Health Network website: www.sfbhn.org
RFQ submission due	1/19/2018	4:00 P.M. [EST]	Attn: Jessica Rodriguez - South Florida Behavioral Health Network, Inc. MHDF Procurement 7205 Corporate Center Drive, Suite 200 Miami, FL 33126
RFQ interviews, if needed	1/24/2018 to 1/25/2018	TBD	South Florida Behavioral Health Network, Inc. 7205 Corporate Center Drive, Suite 200 Miami, FL 33126
Review of RFQ submissions by project committee	1/24/2018 to 1/26/2018	TBD	South Florida Behavioral Health Network, Inc. 7205 Corporate Center Drive, Suite 200 Miami, FL 33126
RFQ pre-qualification notification	1/26/2018	4:00 P.M. [EST]	Posting on South Florida Behavioral Health Network website: www.sfbhn.org
Phase II – Request for Proposals			
Component	Anticipated Date	Time	Information
Release of RFP	2/1/2018	12:00 P.M. [EST]	Posting on South Florida Behavioral Health Network website: www.sfbhn.org

RFP bidder meeting	2/7/2018	TBD	2200 NW 7 th Avenue Miami, FL 33127
All RFP written inquiries due	2/20/2018	4:00 P.M. [EST]	Attn: Jessica Rodriguez E-mail: jrodriguez@sfbhn.org Subject Line: Written Inquiries: MHDF Procurement
Posting of responses to RFP written inquires	2/23/2018	By 4:00 P.M. [EST]	Posting on South Florida Behavioral Health Network website: www.sfbhn.org
RFP submission due	2/28/2018	4:00 P.M. [EST]	Attn: Jessica Rodriguez - South Florida Behavioral Health Network, Inc. MHDF Procurement 7205 Corporate Center Drive, Suite 200 Miami, FL 33126
RFP interviews, if needed	3/7/2018	TBD	South Florida Behavioral Health Network, Inc. 7205 Corporate Center Drive, Suite 200 Miami, FL 33126
Review of RFP submissions by project committee	3/7/2018 to 3/9/2018	TBD	South Florida Behavioral Health Network, Inc. 7205 Corporate Center Drive, Suite 200 Miami, FL 33126
Notification of selection of successful bidder	3/12/2001	12:00 P.M. [EST]	Posting on South Florida Behavioral Health Network website: www.sfbhn.org
Execution of Project agreements and commencement of construction	3/26/2018	12:00 P.M. [EST]	South Florida Behavioral Health Network, Inc. 7205 Corporate Center Drive, Suite 200 Miami, FL 33126

RFQ Bidders should note that the high level description of the Project and the RFP set out in this RFQ represents SFBHN's present approach and is subject to final determination at a later date.

9 Qualification Criteria

- a. Past Performance on Similar Projects: Each RFQ Bidder must show that it has the technical capability, experience and expertise (either directly or through the use of other parties such as consultants or subcontractors) to complete all renovations and upgrades to the facility. Appropriate experience in similar projects is essential. Each RFQ Bidder must demonstrate significant technical experience of a minimum of three (3) prior completed renovation projects of similar size and cost, within the past ten (10) years. SFBHN will evaluate the quality of the applicant's past performance considering currency, relevancy, sources, context, and trends. SFBHN reserves the right to obtain information for use in the evaluation of past performance from any and all sources it deems necessary. The applicant shall demonstrate satisfactory performance on three (3) similar projects completed within the past ten (10) years. Similar relevant projects include:
 - i. Large scale renovations and upgrades of multi-story existing facilities in excess of 150,000 sf and with budgets of \$30 to 40 million.
 - ii. Inpatient and/or residential healthcare facilities. Experience with mental health and substance abuse treatment facilities preferred.
 - iii. Outpatient health care facilities. Experience with mental health and substance abuse treatment facilities preferred.
 - iv. Administrative offices, medical offices, educational spaces (including classrooms and conference rooms), and plaza/landscape enhancements.
- b. Personnel Assigned to the Project
- c. Licensure & Corporate Status
- d. Financial Standing
- e. Safety Record
- f. Workload
- g. References from owners and, ideally, major trade sub-contractors for each similar project cited.

10 Submittal Contents

The RFQ submittal shall consist of one (1) original, one (1) digital copy (CD/USB flash drive), and seven (7) xerographic copies of the following materials, in order:

- a. AIA Document A305, *Contractor's Qualification Statement*, completed and signed.
- b. Past Performance Project Data Forms.
 - i. Use the provided form to document – for each of the three (3) similar projects completed within the past ten (10) years – project, staffing, budget, scope, and schedule information, along with contact information for the Owner, design consultant(s), and (3) major subcontractors.
 - ii. Provide one (1), two-page prior completed renovation projects form for each of the three (3) similar projects.
 - iii. Verify that the information provided is still valid and add contact information for the current Owner's representative if different from the Owner's representative at the time the applicant's services were provided.
- c. Personnel Assigned to the Project.
 - i. Name all personnel who will be a part of the construction team for this project, identifying each person's title and project-specific responsibilities.
 - ii. Enclose resumes for all key staff tailored to demonstrate their experience as it relates to this project.
 - iii. Provide an organization chart or diagram if necessary to clearly explain lines of authority, duties and responsibilities.
- d. Licensure and Corporate Status.
 - i. Provide valid and current proof of license to perform work as a General Contractor in the State of Florida.
 - ii. Applicants operating as a corporation, limited liability company (LLC), or partnership must be registered to operate in the State of Florida by the Department of State (Division of Corporations). Provide proof of such status (if applicable) in the form of a Certificate of Corporate Status from the Florida Department of State, valid for the current calendar year.
- e. Financial and Bonding Submittals (information, statements, and references) required by Sections 4 and 5 of AIA Document A305.
 - i. Under Article 4, Section 4.3, please also include the aggregate bonding capacity for the past two years, as well as a letter from the insurance carrier stating unused bonding capacity and rate as of the date of the letter. It is anticipated that this project will require a bonding capacity of approximately

\$30-35 million or the amount awarded to the successful RFP RFQ Bidder, whichever is greater.

- ii. In response to Section 5.1, please include financial statements in GAAP format (to include balance sheet, profit & loss statement, and cash flow statement), for the current year to date, and full prior year. In addition please include independent audit or financial review reports for the past three (3) years.
 - iii. All RFQ Bidders must have a Data Universal Numbering System (DUNS) number. To acquire a DUNS number, contact the dedicated toll-free DUNS number request line at 1-866-705-5711 or inquire on-line at <http://fedgov.dnb.com/webform>.
 - iv. Must include complete disclosure of any incidents of default on projects where the RFQ Bidder or related entity acted as project sponsor and the current status of such incidents.
 - v. Must include complete disclosure of any liabilities, contingent liabilities, obligations, charges and liens, covenants, off-balance sheet financing arrangements, defaults, legal action pending, or other matters that might prevent the RFQ Bidder from implementing the Project.
- f. Safety Information
- i. In a brief narrative, explain the firm's approach to jobsite safety, including training & education and enforcement.
 - ii. Provide a copy of the firm's insurance experience modification rate (EMR) for the past three (3) years.
- g. Workload Information
- i. Provide a simple list of all current and pending work by the applicant.
 - ii. Provide a more detailed list of all current and pending work involving the key staff identified above as Personnel Assigned to the Project, noting the size, contract amount, scope, owner, design consultant(s), current status, and projected completion date of each project.
- h. Recommended Method(s) of Construction Delivery and Voluntary Project Contributions Form
- i. Conflict of Interest Statement

- j. Vendor Certification – Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List
- k. Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion Contracts/Subcontracts
- l. Affidavit Regarding Collusion (Collusion Affidavit)
- m. Public Entity Crimes Affidavit
- n. Affidavit Relating to Individuals and Entities Attesting Being Current in their Obligations in their Obligations to Miami-Dade County

11 RFQ Submission Deadline

SFBHN must receive RFQ Submissions no later than at the date and time as specified in the timetable in Section 8, Procurement Process Overview at the SFBHN Office 7205 Corporate Center Drive, Suite 200 Miami, FL 33126. RFQ Submissions must be delivered by hand, and will not be accepted by fax or electronic mail.

SFBHN may extend, but is under no obligation to do so, the RFQ Submission deadline for such period of time as SFBHN deems appropriate.

RFQ Submissions received after the applicable RFQ Submission deadline will be returned unopened, with one copy retained on file by SFBHN.

12 RFQ Submission Review

RFQ Submissions will be reviewed to ensure that all of the information requested is included and that the RFQ Submission is, therefore, complete. The completeness review will ensure that (i) the required contents have been submitted and (ii) that such contents have been submitted in the format as set out in this RFQ. Failure to provide a substantially complete RFQ Submission, as determined at SFBHN's sole discretion, may result in the RFQ Submission not being evaluated for content. A substantially complete RFQ Submission means an RFQ Submission that, in SFBHN's unqualified and sole subjective discretion, represents a good faith effort to meet the requirements as set out in this RFQ.

13 Fatal Flaws

An RFQ Submission shall be considered non-responsive if it is not received by the submittal deadline, which will constitute a Fatal Flaw and removal of the RFQ Submission from further consideration.

14 RFQ Submission Evaluation

RFQ Submissions will be evaluated by SFBHN using the criteria set out in Section 9. If any RFQ Bidder fails to meet any of the evaluation criteria required to pass the RFQ Submission evaluation as set out in Section 9, SFBHN may disqualify the relevant RFQ Bidder.

Meeting the criteria is an ongoing requirement that will continue after the RFQ Submissions have been submitted and evaluated. RFP Bidders will be required to sign an acknowledgement included in the RFP that they will continue to meet the RFQ evaluation criteria through contracting and project completion.

SFBHN reserves the right to conduct interviews with any RFQ Bidder(s) to this RFQ if deemed necessary, but is under no obligation to do so.

15 Clarifications

During the evaluation of RFQ Submissions, SFBHN may request that any RFQ Bidder provide further clarification of any part of its RFQ Submission. SFBHN may disqualify the relevant RFQ Bidder if the clarification reveals:

- a. That information contained in the RFQ Submission is materially inaccurate; or
- b. Information that may materially adversely affect the ability of the RFQ Bidder making the relevant RFQ Submission to deliver the Project.

RFQ Bidders should make no assumption in an RFQ Submission that SFBHN has any knowledge of the RFQ Bidder or its team members; or of the experience, expertise or performance of the RFQ Bidder or team members on projects other than provided in a RFQ Submission. SFBHN is under no obligation to request further clarification from any RFQ Bidder of any part of its RFQ Submission.

16 RFQ Pre-qualification Notification

Once RFQ submission evaluations – including any clarifications requested – are complete, SFBHN will issue the RFQ pre-qualification notification indicating which RFQ Bidders are eligible to obtain the RFP in order to participate in the second phase of the procurement process for the Project. SFBHN will publish on its website a list of these pre-qualified bidders. SFBHN will publish a list of pre-qualified bidders on its website by the date and time specified in the timetable provided in Section 8, Procurement Process and Overview.

17 Cost and Expenses of RFQ Bidders

All costs and expenses incurred by an RFQ Bidder in the preparation and delivery of its RFQ Submission or in providing any additional information necessary for the evaluation of its RFQ Submission will be borne solely by the RFQ Bidder.

18 Changes to RFQ Bidders

Should there be a material change in the RFQ Bidder's infrastructure that may have caused a material adverse impact on the ability of the RFQ Bidder to carry out the Project, the bidder must notify SFBHN in writing by hand delivery (at the Submission Address), within five (5) working days of any such addition, deletion or change. SFBHN has the right to disqualify any such RFQ Bidder and/or to reject the RFQ Submission of any such RFQ Bidder if SFBHN considers that the addition, deletion or change may have a material adverse impact on the ability of the RFQ Bidder to carry out the Project.

19 Examination and Interpretation of Documents

Each RFQ Bidder is responsible for ensuring that it has all of the information necessary to respond to this RFQ and for independently informing and satisfying itself with respect to the information contained in this RFQ, and any conditions that may in any way affect its RFQ Submission.

20 Relationship of the Parties

In compliance with the terms of the grant agreement between the county and SFBHN, it is expressly understood and intended that SFBHN is not an officer, employee or agent of Miami-Dade County, its Board of County Commissioners, its Mayor, nor the Miami-Dade County department administering the Funding Cycle Allocation award for this project.

21 Compliance with Laws

All work associated with the Project shall abide by and be governed by all Applicable Laws necessary for the development and completion of the Project. "Applicable Law" means any applicable law (including, without limitation, any environmental law), enactment, statute, code, ordinance, administrative order, charter, tariff, resolution, order, rule, regulation, guideline, judgment, decree, writ, injunction, franchise, permit, certificate, license, authorization, or other direction or requirement of any governmental authority, political subdivision, or any division or department thereof, now existing or hereinafter enacted, adopted, promulgated, entered, or issued. Notwithstanding the foregoing, "Applicable Laws" and "applicable laws" shall expressly include, without limitation, all applicable zoning, land use, DRI and Florida Building Code requirements and regulations, all applicable impact fee requirements, all requirements of Florida Statutes, specifically including, but not limited to, Section 255.05 related to payment and performance bonds, Section 255.20 related to contractor selection and Section 287.055 related to competitive selection of architects and engineers, all requirements of Chapters 119 and 286 of the Florida Statutes, all disclosure requirements imposed by Section 2-8.1 of the Miami-Dade County Code, all requirements of Miami-Dade County Ordinance No. 90-133 (amending Section 2-8.1), County Resolution No. R-754-93 (Insurance Affidavit), County Ordinance No. 92-15 (Drug-Free Workplace), and County Ordinance No. 91-142 (Family Leave Affidavit), execution of public entity crimes disclosure statement, Miami-Dade County disability non-discrimination affidavit, and Miami-Dade County criminal record affidavit, all applicable requirements of

Miami-Dade County Ordinance No. 90-90 as amended by Ordinance No. 90-133 (Fair Wage Ordinance), Section 2-11.15 of the Code (Art in Public Places), the requirements of Section 2-1701 of the Code and all other applicable requirements contained in this Agreement.

The Project shall also comply with Miami Dade County Resolution No. R 385 98 which creates a policy prohibiting contracts with firms violating the Americans with Disabilities Act of 1990 and other laws prohibiting discrimination on the basis of disability and shall execute a Miami Dade County Disability Non Discrimination Affidavit confirming such compliance.

In compliance with the terms of the grant agreement between the county and SFBHN, SFBHN covenants and agrees with the County to comply with Miami Dade County Ordinance No. 72-82 (Conflict of Interest), Resolution No. R 1049 93 (Affirmative Action Plan Furtherance and Compliance), and Resolution No. R-185-00 (Domestic Leave Ordinance).

All records of SFBHN and its contractors pertaining to the Project shall be maintained in Miami-Dade County and, upon reasonable notice shall be made available to representatives of the County. In addition, the Office of The Inspector General of Miami-Dade County shall have access thereto for any of the purposes provided in Section 2-1076 of the Code of Miami-Dade County. These records shall also be made available at all reasonable times for inspection, review, copying, or audit by Federal, State, or other personnel duly authorized by the ME.

In compliance with the terms of the grant agreement between the county and SFBHN, SFBHN shall cause each contract to include a provision that contractor shall comply with all requirements of Section 2-1076 as provided in Section 21 herein, and that contractor will maintain all files, records, accounts of expenditures for contractor's portion of the work and that such records shall be maintained within Miami-Dade County's geographical area and the County shall have access thereto.

Project administration and delivery shall be governed by and subject to all state and county agreements, including Resolution No. R-889-17 approved by the Miami-Dade County Board of County Commissioners (<https://tinyurl.com/MHDF-Reso>), incorporated herein by reference.

22 Office of the Inspector General

Pursuant to Section 2-1076 of the Miami-Dade County Code, the County shall have the right to engage the services of an independent private sector inspector general ("IPSIG") to monitor and investigate compliance with the terms of the grant agreement between the county and SFBHN for funding related to the Project. The MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL (OIG) shall have the authority and power to review past, present and proposed County programs, accounts, records, contracts and transactions, and contracts for improvements some cost of which is funded with County funds.

As such, the OIG may, on a random basis, perform audits of the grant agreement between the county and SFBHN throughout the duration of said agreement (hereinafter "random audits"). This random audit is separate and distinct from any other audit by the County.

The OIG shall have the power to retain and coordinate the services of an IPSIG who may be engaged to perform said random audits, as well as audit, investigate, monitor, oversee, inspect, and review the operations, activities and performance and procurement process including, but not limited to, project design, establishment of bid specifications, bid submittals, activities of SFBHN and contractor and their respective officers, agents and employees, lobbyists, subcontractors, materialmen, staff and elected officials in order to ensure compliance with contract specifications and detect corruption and fraud. The OIG shall have the power to subpoena witnesses, administer oaths and require the production of records. Upon ten (10) days written notice to SFBHN (and any affected contractor and materialman) from OIG, SFBHN (and any affected contractor and materialman) shall make all requested records and documents available to the OIG for inspection and copying.

The OIG shall have the power to report and/or recommend to the Board of County Commissioners whether a particular project, program, contract or transaction is or was necessary and, if deemed necessary, whether the method used for implementing the project or program is or was efficient both financially and operationally. Monitoring may include reporting whether the Project is on time, within budget and in conformity with plans, specifications, and applicable law. The OIG shall have the power to analyze the need for, and reasonableness of, proposed change orders.

The OIG is authorized to investigate any alleged violation by a contractor of its Code of Business Ethics, pursuant Miami-Dade County Code Section 2-8.1.

The provisions in this section apply to SFBHN, its contractors and their respective officers, agents and employees. SFBHN is required to incorporate the provisions in this section in all contracts and all other agreements executed by its contractors in connection with the performance of the grant agreement. Any rights that the County has under this Section shall not be the basis for any liability to accrue to the County from SFBHN, its contractors or third parties for such monitoring or investigation or for the failure to have conducted such monitoring or investigation and the County shall have no obligation to exercise any of its rights for the benefit of SFBHN. This provision shall survive the early termination and/or the expiration of the grant agreement.

23 Employ Miami-Dade

In compliance with the pending sublease agreement between Miami-Dade County and SFBHN, SFBHN is required to utilize, if applicable, Employ Miami-Dade (in accordance with Miami-Dade County Administrative Order 3-63), as employment resources for skilled workers and for training unskilled workers, all of which will be working in conjunction with the general contractor, and any and all subcontractors, to perform the improvements on the Project.

To promote Employ Miami-Dade, except where federal or state laws or regulations mandate to the contrary, all County Construction Contracts shall include notification to the Contractor regarding the use of the Employ Miami-Dade Register, the minimum number of participants to be used on the contract, and details regarding the County's evaluation of the Contractor's efforts

to promote Employ Miami-Dade by using participants on the contract which will be used as part of the responsibility review for consideration on new County contract awards.

24 No Collusion (ref: Code of Miami-Dade County Section 2-8.1.1 and 10-33.1; Ordinance No. 08-113)

At all times, each RFQ Bidder will be responsible to ensure that its participation in this RFQ process is conducted fairly and without collusion or fraud. SFBHN has the right to disqualify any RFQ Bidder and/or reject any RFQ Submission where it finds any evidence that an RFQ Bidder has taken part in collusive or fraudulent behavior.

25 Debarred or Suspended Vendors

An entity or affiliate who has been placed on the State of Florida or any of its political subdivisions including Miami-Dade County debarred or suspended vendor list is not eligible to perform work as a contractor, supplier, subcontractor, or consultant on this project.

26 Funding of, or Miami Dade County funded contracts with individuals or entities convicted of a felony during past ten years

Any individual who has been convicted of a felony during the past ten (10) years and any corporation, partnership, joint venture or other legal entity having an officer, director or executive who has been convicted of a felony during the past ten (10) years shall disclose this information at the time of bid or proposal submission. Failure to disclose such conviction may result in debarment for those persons or entities who knowingly fail to make the required disclosure or falsify information.

27 Community Workforce (ref: Section 2-1701 of the Code of Miami-Dade County)

Section 2-1701 of the Code of Miami-Dade County established the Community Workforce Program applicable to capital construction projects located in traditionally economically underserved areas. The objective is to increase employment opportunities for the residents in geographic areas of Miami Dade County designated as Empowerment and Enterprise Zones, Targeted Urban Areas, Community Development Block Grant Eligible Block Groups and Focus Areas, collectively known as “Designated Target Areas”. The RFQ Bidder, if awarded a contract, agrees to adhere to the requirements of the Community Workforce Program

28 Scrutinized Companies List

Section 287.135, Florida Statutes, prohibits agencies from contracting with companies for goods or services over \$1,000,000 that are on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List. Both lists are created pursuant to section 215.437, Florida Statutes. RFQ Bidders are required to complete a Vendor Certification certifying that the Respondent Vendor/RFQ Bidder is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

29 Prohibiting Contracting with Individuals and Entities Who are In Arrears to Miami Dade County (ref: *Miami Dade County Administrative Order No.: 3-29*)

Contracts will not be awarded to vendors/contractors that are arrears to the County in excess of the enforcement threshold from obtaining new County contracts, extensions of contracts or new purchase orders, until such time as the arrearage has been paid in full or the County has agreed in writing to an approved payment plan.

30 SFBHN's Right to Verify

SFBHN may independently verify any information in any RFQ Submission. SFBHN has the right to disqualify any RFQ Bidder and/or to reject the RFQ Submission of any RFQ Bidder who's RFQ Submission contains any false or misleading information. SFBHN also has the right to disqualify any RFQ Bidder and/or to reject the RFQ Submission of any RFQ Bidder, who, in SFBHN's discretion, has failed to disclose any information that would, if disclosed, materially adversely affect the evaluation of the relevant RFQ Bidder's RFQ Submission.

31 Rights of SFBHN

Notwithstanding anything else in this RFQ, SFBHN has the right to change the dates, annex, deadlines and requirements described in this RFQ, to reject any or all RFQ Submissions, to disqualify any RFQ Bidder, to change the limits and scope of the procurement process and/or Project, to cancel this RFQ or the RFP procurement process and/or Project or to elect not to proceed with the procurement process and/or Project for any reason whatsoever, without incurring any liability for costs and damages incurred by any RFQ Bidder.

32 Failure to Comply

Failure to comply with any requirements of this RFQ may result in disqualification of the RFQ Bidder and/or the rejection of its RFQ Submission.

**Mental Health Diversion Facility
Request for Qualifications for Construction Services**

Submittal Contents Checklist

- AIA Document A305, *Contractor's Qualification Statement*, completed and signed. Including additional financial and bonding information requested under sections 4 and 5
- Past Performance Project Data Forms – total of three (3) complete forms
- Personnel Assigned to the Project
- Licensure and Corporate Status
- Safety Information
- Workload Information
- Recommended Method(s) of Construction Delivery and Voluntary Project Contributions Form
- Conflict of Interest Statement
- Vendor Certification – Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List
- Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion Contracts/Subcontracts
- Affidavit Regarding Collusion (Collusion Affidavit)
- Public Entity Crimes Affidavit
- Affidavit Relating to Individuals and Entities Attesting Being Current in their Obligations to Miami-Dade County

VENDOR CERTIFICATION REGARDING SCRUTINIZED COMPANIES LIST

Respondent Vendor Name:		
Vendor FEIN:		
DUNS Number:		
Vendor's Authorized Representative Name and Title:		
Address:		
City:	State:	Zip:
Phone Number:		
Email Address:		

Section 287.135, Florida Statutes, prohibits agencies from contracting with companies for goods or services over \$1,000,000 that are on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List. Both lists are created pursuant to section 215.437, Florida Statutes.

As the person authorized to sign on behalf of Respondent Vendor, I hereby certify that the company identified above in the section titled "Respondent Vendor Name" is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List. I understand that pursuant to Section 287.135, Florida Statutes, the submission of a false certification may subject company civil penalties, attorney fees, and/or costs

Certified By:
who is authorized to sign on behalf of the above referenced company.
Authorization Signature:
Print Name and Title:

Bid No: _____

Bid Name: _____

PUBLIC ENTITY CRIMES AFFIDAVIT
Section 287.133(3)(a), Florida Statutes

NOTE: THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

A. This sworn statement is submitted with Bid, Proposal, or Contract No. _____ for _____

B. This sworn statement is submitted by _____

Name of Entity Submitting Sworn Statement

_____, whose business address is _____ and (if applicable) its Federal Employer Identification Number (FEIN) is _____. If the entity has no FEIN, include the Social Security number of the individual

signing this sworn statement: _____.

C. My name is _____, and my relationship to the entity named above is _____.
Print name of individual signing

D. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly

related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

E. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(l)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

F. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

Bid No: _____

Bid Name: _____

PUBLIC ENTITY CRIMES AFFIDAVIT
Section 287.133(3)(a), Florida Statutes

(i) A predecessor or successor of a person convicted of a public entity crime: or

(ii) An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person control another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

G. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

H. Based on information and belief, the statement, which I have marked below, is true in relation to the entity submitting this sworn statement. (Please indicates which statement applies.)

(i) _____ Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

(ii) _____ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989, AND (please indicate which additional statement applies.)

- There has been a proceeding concerning the conviction before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted vendor list. (Please attach a copy of the final order.)

- The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order.)

Conflict of Interest Questionnaire

(Title of Solicitation/Contract)

- | | YES | NO |
|---|--------------------------|--------------------------|
| 1. Do you, your immediate family, or business partner have financial or other interests in any potential vendor? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Have gratuities, favors, or anything of monetary value been offered to you or accepted by you from any potential vendor? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Have you been employed by any potential vendor within the last 24 months? . | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Do you plan to obtain a financial interest, e.g., stock, in any potential vendor? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Do you plan to seek or accept future employment with any potential vendor? . | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Do you have any other conditions which may cause a conflict of interest? | <input type="checkbox"/> | <input type="checkbox"/> |

If you answered "yes" to any of the above questions, please provide a written explanation of your answer below.

I declare all of the above questions are answered truthfully and to the best of my knowledge.

Name (type or print)

Signature

Date

Bid No: _____

Bid Title: _____

COLLUSION AFFIDAVIT

(Code of Miami-Dade County Section 2-8.1.1 and 10-33.1) (Ordinance No. 08-113)

BEFORE ME, A NOTARY PUBLIC, personally appeared _____
(insert name of affiant)

Who being duly sworn states:

I am over 18 years of age, have personal knowledge of the facts stated in this affidavit and I am an owner, director, principal shareholder and/or I am otherwise authorized to bind the bidder of this Project/Contract:

I state that the bidder of this Project/Contract:

____ is not related to any of the other parties bidding in the competitive solicitation, and that the contractor's/bidder's proposal is genuine and not sham or collusive or made in the interest or on behalf of any person not therein named, and that the contractor/bidder has not, directly or indirectly, induced or solicited any other proposer to put in a sham proposal, or any other person, firm, or corporation to refrain from proposing, and that the proper has not in any manner sought by collusion to secure the proposer an advantage over any other proposer.

OR

____ is related to the following parties who bid in the solicitation which are identified and listed below:

_____	_____
_____	_____
_____	_____

Note: Any person or entity that fails to submit this executed affidavit shall be ineligible for contract award. In the event a recommended contractor/bidder identified related parties in the competitive solicitation its bid shall be presumed to be collusive and the recommended contractor/bidder shall be ineligible for award unless that presumption is rebutted by presented evidence as to the extent of the ownership, control and management of such related parties in the preparation and submitted of such bids or proposals. Related parties shall mean bidder or proposer of the principals, corporate officers and the managers therefore which have a direct or indirect ownership interest in another bidder or proposer for the same agreement or in which a parent company or the principles there of one (1) bidder or proposer for the same agreement. Bids or proposals found to be collusive shall be rejected.

By _____
Signature of Affiant

_____ 20_____
Date

Printed Name of Affiant and Title

Federal Employer Identification Number

Bid No: _____

Bid Title: _____

COLLUSION AFFIDAVIT

Printed Name of Company

Address of Company

SUBSCRIBED AND SWORN TO (or affirmed) before me this _____ day of _____ 20____

He/She is personally known to me or has presented _____
as identification. Type of Identification

Signature of Notary

Serial Number

Print or Stamp Name of Notary

Expiration Date

Notary Public – State of _____

Notary Seal/Stamp

Bid No. _____

Bid Name: _____

AFFIDAVIT RELATING TO INDIVIDUALS AND ENTITIES ATTESTING BEING CURRENT IN THEIR OBLIGATIONS TO MIAMI-DADE COUNTY

I, being first duly sworn state that in compliance with County Ordinance 99-162, the bidder is not in arrears in any payment under a contract, promissory note or other loan document with the County, or any of its agencies or instrumentalities, including the Public Health Trust (hereinafter referred to as "County"), either directly or indirectly through a firm, corporation, partnership or joint venture in which the individual or entity has a controlling financial interest as that term is defined in Section 2-11.1(b)(8) of the County Code.

BY SIGNING AND NOTARIZING THIS PAGE YOU ARE ATTESTING THAT TO BEING CURRENT IN YOUR OBLIGATIONS TO MIAMI-DADE CONTY

By: _____
Signature of Witness or Secretary Seal

_____ 20__
Date

Signature of Affiant: Bidder, if the bidder is an Individual; partner, if the Bidder is a Partnership; Officer, if the Bidder is a Corporation

____/____-____/____/____/____/____/____
Federal Employer Identification Number

Printed Name of Firm and Affiant

Address of Firm

SUBSCRIBED AND SWORN TO (or affirmed) before me this _____ day of _____, 20__

He/She is personally known to me or has presented _____ as
Type of identification
identification.

Signature of Notary

Serial Number

Print or Stamp Name of Notary

Expiration Date

Notary Public – State of _____

Notary Seal