

November 27, 2019
BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

Addendum No. 2/RFP Y20-809-CH

**PROFESSIONAL ENGINEERING SERVICES FOR THE FINAL DESIGN OF AVALON
ROAD [CR 545] FROM FLORIDA TURNPIKE TO WEST COLONIAL DRIVE {50}**

Revised Proposal Opening Date: December 17, 2019

This addendum is hereby incorporated into the bid documents of the project referenced above. The following items are clarifications, corrections, additions, deletions and/or revisions to and shall take precedence over the original documents. Additions are indicated by underlining, deletions are indicated by ~~strikethrough~~.

1. The Proposal Opening Date has changed as follows:

Delete: ~~December 3, 2019 at 2:00 P.M.~~

Replace with: **December 17, 2019 at 2:00 P.M.**

2. Note the **REVISION** to Terms and Conditions, Section #8, Paragraphs E and F, MINORITY/WOMEN OWNED BUSINESS ENTERPRISE as follows:

MINORITY/WOMEN OWNED BUSINESS ENTERPRISE:

E. Proposers must submit signed Letter of Intent (Form M-1) with their Proposal for all current Orange County certified M/WBE sub-consultants identified on Form B. These Letters of Intent must indicate the scope of work to be performed by every M/WBE plus the percentage of the overall contract value for all years of the contract fees to be contracted to the listed sub-consultant. Letters of Intent must be signed by both the Proposer and the M/WBE sub-consultant.

The Consultant **must** include in the subcontract agreement:

- i. Whereas the prime contractor is being paid in accordance with the Local Government Prompt Payment Act, consultant shall incorporate a 72-hour prompt payment assurance provision and payment schedule in all sub-contracts between the prime and sub-consultants.

Note: The County reserves the right to verify that all sub-consultants are being paid within 72 hours of the County's remittance to the prime consultant.

- ii. The following statement: “It is the M/WBE’s responsibility to submit the required payment verification reports to the prime consultant quarterly and the Final M/WBE payment verification form directly to Business Development Division.”

The M/WBE’s failure to submit the required documents could negatively impact their M/WBE re-certification.

- iii. Termination clause to state: “The awarded prime consultant shall not substitute, replace or terminate any M/WBE firm without prior written authorization from the Business Development Manager, nor shall the prime reduce the scope of work or monetary value of the overall contract value or a sub-consultant without written authorization of the Business Development Division Manager.”

~~The M/WBE’s failure to submit the required documents could negatively impact their M/WBE certification.~~

- F. The awarded prime consultant’s responsibilities and requirements are itemized below:
 - i. File copies of all executed sub-consultant agreement/contracts between the prime and all M/WBE sub-consultants on the project to Orange County Business Development Division one time for the duration of the contract.
 - ii. The awarded prime consultant shall furnish written documentation evidencing actual dollars paid to each sub-consultant utilized by the prime consultant on the project. This includes, but is not limited to: copies of cancelled checks, approved invoices, and signed affidavits certifying the accuracy of payments so that the County may determine actual participation achieved by the prime consultant prior to the issuance of final payment.
 - iii. The sub-contract agreement shall include: (a) the percentage of the overall contract value to be sub-contracted; and (b) the dollar amount based on the percentage of the contract value to be sub-contracted (if available at time of sub-contract agreement).
 - iv. The Prime Consultant shall submit an updated quarterly MWBE utilization report, Equal Opportunity Workforce Schedule and M/WBE payment verification forms for all professional service contracts. It is the responsibility of the Prime Consultant to submit the payment verification forms with the referenced reports. The required reports are to be submitted to the Business Development Division no later than the fifth day after end of reporting period. Payment applications, task authorizations and contract renewals may be delayed if these reports are not submitted every quarter in a timely manner until completion of project indicating final report. Failure of the M/WBE to comply with the submittal of the payment

verification forms to the Prime consultant could negatively affect their re-certification.

- v. The awarded prime consultant shall not substitute, replace or terminate any M/WBE firm without prior written authorization from the Business Development Manager, nor shall the prime reduce the scope of work or monetary value of a sub-consultant without written authorization of the Business Development Division.
- vi. Upon execution of any renewal or extension to this contract, the Prime Consultant shall execute renewals with all approved specified sub-consultants for the full duration of the contract. All sub-consultant agreements shall be contingent upon the term (whether terminated, renewed, or extended) of the Prime's contract with the County.
- vii. The prime consultant shall expeditiously advise all M/WBE's and the Business Development Division of all change orders, contract modifications, additions and deletions to any and all contracts issued to the M/WBE firm on their team.

Execution of the contract between Orange County and the Proposer shall be contingent upon the filing of executed contracts between the Proposer and the M/WBE subs listed on Form B and included on Form M-1 with the Business Development Division.

- 9. The Proposer understands that this RFP does not constitute an agreement or contract with the Proposer.
- 10. Any Proposer who submits in its Proposal to the County any information that is determined by the County, in its sole opinion, to be substantially inaccurate, misleading, exaggerated, or incorrect may be disqualified from consideration.
- 3. All other items, conditions and specifications remain the same.
- 4. The Proposer shall acknowledge receipt of this addendum by completing the applicable section in the solicitation or by completion of the acknowledgement information on the addendum. Either form of acknowledgement must be completed and returned not later than the date and time for receipt of the proposal.

Receipt acknowledged by:

Authorized Signature

Date Signed

Title

Name of Firm